

GOVERNMENT OF INDIA
MINISTRY OF COAL
OFFICE OF THE NOMINATED AUTHORITY

(Constituted under Section 6 of The Coal Mines (Special Provisions) Act, 2015)

Shastri Bhawan, New Delhi

VESTING ORDER

(under clause (b) of sub-rule (2) of rule 7 and sub-rule (1) of rule 13 of the Coal Mines (Special Provisions) Rules 2014 read with clause (b) of sub-section (3) of Section 6 and sub-section (3) of Section 8 of the Coal Mines (Special Provisions) Act, 2015)

In re: **Gondulpara Coal Mine** (the "mine") particulars of which is specified in Annexure 1

Order no.: NA-104/10/2020-NA

Date: March 08, 2021

In favour of: **Adani Enterprises Limited**, incorporated in India under the Companies Act, 1956 with corporate identity number L51100GJ1993PLC019067, whose registered office and principal place of business is at Adani Corporate House, Shantigram, Near Vaishno Devi Circle, S. G. Highway, Khodiyar, Ahmedabad, Gujarat 382421, India (the "successful bidder")

For the purpose of: Sale of coal, including sale to Affiliates and related parties, utilisation of coal for any purpose including but not limited to captive consumption, Coal Gasification, Coal Liquefaction and export of coal.

WHEREAS, the nominated authority has, in accordance with provisions of the Coal Mines (Special Provisions) Act, 2015 (the "Act") and the Coal Mines (Special Provisions) Rules 2014 (the "Rules") conducted the auction of the mine;

AND WHEREAS the successful bidder is eligible to receive this vesting order with respect to the mine including, inter-alia, -

(a) the coal bearing land acquired by the prior allottee and the lands, in or adjacent to the coal mines used for coal mining operations acquired by the prior allottee; and

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(b) any existing mine infrastructure as defined in clause (j) of sub-section (1) of section 3 of the Act;

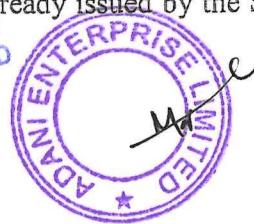
AND WHEREAS the successful bidder has furnished a performance bank guarantee dated February 17, 2021 for an amount equal to INR 1,65,98,16,864.03 (Indian Rupees One Hundred Sixty Five Crore Ninety Eight Lakh Sixteen Thousand Eight Hundred Sixty Four and Three Paise) issued by Yes Bank Ltd in accordance with the tender document and in accordance with the provisions of sub-section (6) of section 8 of the Act and sub-rule (4) of rule 13 of the rules.

AND WHEREAS the successful bidder has entered into a Coal Mine Development and Production Agreement dated January 11, 2021 ("CMDPA") (as amended) with the nominated authority in accordance with the provisions of sub-rule (5) of rule 13.

NOW, THE NOMINATED AUTHORITY DOES ORDER:

1. On and from March 08, 2021 ("vesting date") and in accordance with the provisions of sub-section (4) of section 8 of the Act, with respect to the mine, the following shall stand fully and absolutely transferred and vested in the successful bidder, namely: -
 - (a) all the rights, title and interest of the prior allottee in and over the land and mine infrastructure free from all encumbrances;
 - (b) entitlement to a prospecting license, mining lease or prospecting license-cum-mining lease to be granted by the State Government with the terms and conditions of CMDPA forming a part of it on making an application;
 - (c) all statutory licences, permits, permissions, approvals or consents as per rules, required to undertake coal mining operations in the mine, if already issued by the Central Government, to the prior allottee on the same terms and conditions as were applicable to the prior allottee, as listed in the **Annexure 2**;
 - (d) entitlement to any statutory licence, permit, permission, approval or consent required to undertake coal mining operations in the mine, if already issued by the Central Government, to the prior allottee on making an application on the same terms and conditions as were applicable to the prior allottee, as listed in the **Annexure 3**;
 - (e) entitlement to any statutory licence, permit, permission, approval or consent required to undertake coal mining operations in the mine, if already issued by the State Government, to

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the prior allottee on making an application on the same terms and conditions as were applicable to the prior allottee, as listed in the **Annexure 4**;

(f) rights appurtenant to the approved mining plan of the prior allottee;

(g) any subsisting contract in relation to coal mining operations, to which the prior allottee was a party and which is assumed, adopted and continued by the successful bidder and listed in the **Annexure 5** shall stand novated (by virtue of a deemed consent from the relevant party(ies)), in accordance with the provisions of sub-section (1) of section 11 of the Act in favour of the successful bidder for the residual term or residual performance of such contract;

2. The successful bidder may seek any change in the terms and conditions attached to such licence, permit, permission, approval or consent by making an application in accordance with applicable laws;

3. Hereinafter, the successful bidder shall be entitled to take possession of the mine as specified in **Annexure 1** without let or hindrance;

4. This vesting order is liable to be cancelled in accordance with the provisions of sub-rule (6) of rule 13.

In pursuance of the order dated November 06, 2020 passed by the Hon'ble Supreme Court of India in WP(C) No. 585/ 2020 (State of Jharkhand vs. Union of India & Anr.) and Original Suit No. 04/ 2020 (State of Jharkhand vs. Union of India), the vesting order will be subject to the orders that may be passed by the Hon'ble Supreme Court.



(By the nominated authority)



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Annexures:

Annexure 1: Particulars of the mine

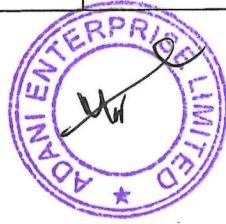
Part A – Description of the mine

Name of Coal Mine	Gondulpara
Coal Field	North Karanpura Coalfield
Latitude	23° 50' 20" N & 23° 51' 20" N (Provisional)
Longitude	85° 18' 20" E & 85° 20' 15" E (Provisional)
Villages	Phulang, Hahe, Gondulpara & Gali
Tehsil/ Taluka	Barkagaon
District	Hazaribagh
State	Jharkhand

Part B – Description of Land in relation to the mine

SI	Mauza	Khata No	Plot No	Area (acres)	Deed No	Date of agreement
1	Suli	5	515	10.50		
		5	339	4.00		
		6	374	1.34		
		5	376	8.20		
		5	373	6.00		
		5	515	10.50		
		5	371	3.49		
		5	373	20.78		
		5	372	9.00	8445/8399	16-12-2011
2	Mashra	1	38	4.00		
		1	37	3.00		
		14	432	0.50		
		22	426	0.03		
		1	38	4.50		
		1	37	3.00		
		2	38	1.82		
		35	94	0.94		
		1	37	1.02		
		1	38	4.00		
		1	37	3.00		
		1	222	3.00		
		1	38	3.00		
		1	37	7.70		
		1	38	4.00		
		1	37	4.00		
		29	394	0.89		
		40	113	0.09		
		40	55	0.03		

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Sl	Mauza	Khata No	Plot No	Area (acres)	Deed No	Date of agreement
		4	99	0.02		
		4	184	0.25		
		4	185	0.06		
		4	186	0.09		
		4	411	0.11		
		40	48	0.46		
		40	96	0.23		
		40	97	0.10		
		40	98	0.06		
		40	102	0.02		
		40	104	0.01		
		40	109	0.02		
		40	178	0.66		
		40	179	2.75		
		40	46	0.12		
		40	54	0.04		
		40	92	0.36		
		40	387	0.04		
		1/16	465	2.20		
		1/16	103	0.05		
		1/16	105	0.34		
		7/3	405	1.22		
		7/3	406	0.05		
		12/1	65	0.53		
		12/1	67	0.13		
		12/1	70	0.18		
		12/1	71	0.06		
		13/1	74	0.07		
		13/1	76	0.45		
		13/1	73	0.02		
		4	388	0.06		
		4	190	1.49		
		4	400	0.05		
		4	50/53	0.05		
		4	106	3.95		
		4	177	2.21		
		4	182	4.06		
		4	187	2.40		
		4	208	3.99		
		4	413	0.79		
		4	420	0.79		
		4	175	1.22		
		29	395	0.02		
		29	396	0.06		
		29	397	0.01		
		29	398	0.47		

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Sl	Mauza	Khata No	Plot No	Area (acres)	Deed No	Date of agreement
		40	113	0.09		
		40	180	0.2		
		40	110	0.70		
		40	66	0.63		
		40	199	0.14		
		40	55	0.03		
		40	56	0.66		
		40	57	0.03		
		40	58	0.10		
		40	59	0.16		
		40	60	0.02		
		40	61	0.06		
		40	45	0.03		
		40	77	0.01		
		40	78	0.10		
		40/1	82	0.24		
		40/1	85	0.08		
		40/1	86	0.27		
		40/1	404	0.35		
		40/1	87	0.11		
		22/2	385	1.48		
		30/1	390/193	0.11		
		30/1	435	0.09		
		3	198	0.59		
		3	201	0.05		
		3	211	0.14		
		3	212	0.54		
		4	91	1.54		
		4	44	0.08		
		4	80	0.03		
		4	82	0.03		
		4	95	0.85		
		4	217	0.35		
		4	176	1.10		
		4	183	0.65		
		4	220	5.90		
		4	381	4.82		
		4	401	1.02		
		4	410	4.28		
		4	422	0.51		
		4	434	0.60		
		4	436	0.10		
		4	393	2.05		
		4	409	0.17		
		4	412	0.13		
		4	447	0.07	568/560	09-02-2012

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Sl	Mauza	Khata No	Plot No	Area (acres)	Deed No	Date of agreement
Total				185.94		

Part C – Description of Mine Infrastructure in relation to the mine

Nil



Annexure 2: Particulars of statutory licences, permits, permissions, approvals or consents issued by the Central Government which are being transferred along with this vesting order.

S. No	Statutory Clearance	Ministry/ Agency	Letter No.	Date
1.	Approval of Mining Plan	Ministry of Coal	13016/31/2006-CA-I	24.06.2009



Annexure 3: Particulars of statutory licences, permits, permissions, approvals or consents issued by the Central Government to be obtained on application by the successful bidder.

S. No	Statutory Clearance	Ministry/ Agency	Letter No.	Date
1.	Environment Clearance (Terms of Reference)	Ministry of Environment and Forests	J-11015/280/2009-IA.II (M)	18.02.2010



Annexure 4: Particulars of statutory licences, permits, permissions, approvals or consents issued by the State Government to be obtained on application by the successful bidder.

Nil



Annexure 5: Particulars of the contracts adopted by the successful bidder

The Successful Bidder does not intend to adopt and continue with any of the contracts of the Prior Allottee.

