

**GOVERNMENT OF MEGHALAYA
MINING AND GEOLOGY DEPARTMENT**

ORDER

No. MG. 38/2020/161

Dated Shillong the 27th August 2020

Procedure for transportation of extracted coal to designated depots for disposal by Coal India Limited through auction under the Hon'ble Supreme Court Order

WHEREAS in compliance of the Judgment of the Hon'ble Supreme Court vide dated 3rd July, 2019 in Civil Appeal No. 10720 of 2018 a revised Comprehensive Plan dated 24th August 2020 for handing over of extracted coal to the Coal India Limited for disposal by auction has been prepared;

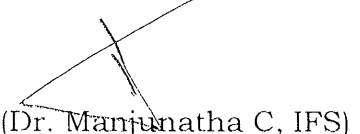
And WHEREAS the On-line e- Auction of extracted coal stocks will be conducted by Coal India Limited at the designated depots through Metal Scrap Trade Corporation Ltd (MSTC);

THEREFORE, in supersession of this Department's order No. MG. 38/2020/72 dated 16th July, 2020, the following procedure for transportation of extracted coal to designated depot have been laid down, as under: -

1. Only the coal amounting to **32,56,715 MT** already identified and lying in various places in East Jaintia Hills, West Khasi Hills, South-West Khasi Hills and South Garo Hills belonging to the owners of coal stocks whose names appeared in coal inventory list and in the report on assessment of extracted coal stocks prepared by the office of respective Deputy Commissioners which has been placed before Hon'ble Supreme Court and has subsequently been taken note of by the Hon'ble Supreme Court vide judgment dated 03.07.2019 passed in C.A. No.10720 of 2018, shall be transported to the designated coal depots for its auction and disposal.
2. Before transportation of coal, all such owners of coal stock shall get their coal samples tested for Gross Calorific Value (GCV) from any National Accreditation Board for Testing and Calibration Laboratories (NABL) accredited laboratory (list of NABL accredited laboratory placed in Department's Website).
3. The Divisional Mining Officer, Jowai, Divisional Mining Officer, Williamnagar, and Mining Officer, Directorate of Mineral Resources, Shillong would facilitate the coal stock owners in sampling and testing of coal samples for GCV.
4. The coal stock owners shall submit application for transportation of their respective coal stock to designated depot in prescribed Form (a sample application form is placed in Department's Website) to the respective Deputy Commissioner along with following documents, namely: -
 - a) EPIC card/Aadhar card for identity proof;
 - b) Bank account details;
 - c) Affidavit to accept and adhere to the terms and conditions mentioned in the Revised Comprehensive Plan dated 24th August 2020 and Scheme for sale of extracted coal through spot e-Auction prepared jointly by State Government and CIL; (copies of both the documents are placed in Department's Website) and consent to deduct expenses of transportation from pithead to designated depot and weighment fee.

- d) Test report of coal sample for GCV.
5. The Deputy Commissioner shall scrutinize the applications and documents as per the Coal Inventory list and assessment report as placed before the Hon'ble Supreme Court and referred in its judgment; and forward a copy of application to the DMR with his/her recommendation. The Deputy Commissioner shall maintain separate register for the coal being transported under this Order.
 6. In the first phase, approval has been granted by the NGT Committee Meghalaya for auction of only 2.00 lakhs MT of the extracted coal and to ensure equity, transparency and fairness, a maximum of 5000 MT for each coal stock owner is permitted for the first phase of auction. District wise permitted quantity as given below: -
 - a. East Jaintia Hills- 75,000 MT
 - b. West Khasi hills - 50,000 MT
 - c. South West khasi - 25,000 MT
 - d. South Garo hills- 50,000 MT
 7. The DMR shall handover the required number of temporary 'Transit pass' to the concerned Deputy Commissioner for transporting the coal from pitheads/storage place to designated Depots.
 8. It shall be the responsibility of the respective Deputy Commissioner to transport assessed coal from pitheads/storage place to the designated depot.
 9. The Deputy Commissioner shall ensure that only such quantity of coal assessed as per respective owner's name indicated in Coal Inventory list and assessment report as placed before the Hon'ble Supreme Court and referred in its judgment, shall be transported to designated depot.
 10. The temporary Transit Pass shall not be handed over to any owner or his/her representative or any other person.
 11. The Deputy Commissioner shall depute Magistrate to supervise and monitor transportation of assessed coal from pithead/place of storage to designated depot.
 12. Transportation of extracted coal from pithead/place of storage to designated depot shall be allowed only with temporary 'Transit Pass'.
 13. The temporary 'Transit Pass' shall be valid only for transport of coal from pitheads to the notified Designated depots and it shall have a validity period of not more than 15 (Fifteen) days and ordinarily, the validity shall not be extended beyond 15 days.
 14. The Deputy Commissioner shall engage transporter/contractor through short notice tender to transport the coal.
 15. The Deputy Commissioner shall fix rate of freight for trucks as notified by the State Transport Authority vide order No. STA/464/85/Pt.II/620 dated 6th February, 2020 (copy of order enclosed). The transporter/interested bidder shall have to agree to the rate of freight fixed by State Transport Authority and shall only quote handling charges per MT basis.
 16. Maximum load permissible for each type of truck shall be as notified by the Mining & Geology Department (copy of Notification enclosed)

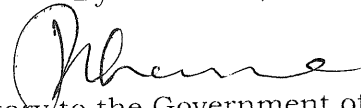
17. The cost of handling (loading and unloading charge) quoted by the bidder/transporter shall be at par with the rate charges of Hydraulic/loader cum excavator (Rs.1510/hour inclusive of diesel cost) as per the Schedule of Rates notified by PWD Department.
18. The cost of handling quoted by the successful bidder shall be communicated to the Mining and Geology Department for approval.
19. After completion of transportation, the approved transporter shall submit the bills for expenditure incurred for transportation to the Deputy Commissioner who will verify and counter sign the bills and forward to the Mining and Geology Department for payments.
20. Expenses incurred for transportation of coal from pithead/place of storage to designated depot shall be deducted from the price received of the coal in respect of each owner.
21. It shall be the responsibility of the concerned Deputy Commissioner to ensure that any coal found in excess of the quantity mentioned in the affidavit filed by the State Government before Hon'ble Supreme Court referred in its judgment dated 03.07.2019 against each owner shall immediately be seized and an action under Section 21 of the MMDR Act shall be initiated against the said owner.
22. The quantity of coal in each truck shall be measured at the weighbridge attached to the depot before bringing the coal into the designated depot. Weighment fee @ Rs 20 (twenty) per MT will be charged which shall be deducted from the price received of the coal in respect of each owner.
23. Each consignment of coal entering into depot shall have temporary Transit pass, GCV test report and weighment slip.
24. After receiving the coal in the depot, the Depot in-charge will hand over the receipt to coal stock owner indicating quantity as per the weighment conducted at the depot and GCV of the coal received.
25. The coal will be stacked grade-wise and Lot will be prepared for each grade stacked in the Designated Depot. Each lot can have coal from more than one owner, but having same grade.
26. The DMR shall take the custody of the extracted coal brought to the depot.
27. The extracted coal brought to the depot shall be disposed of by CIL through e-auction in accordance with Revised Comprehensive Plan dated 24th August 2020 and Scheme for sale of extracted coal through spot e-Auction prepared jointly by State Government and CIL.
28. The Mining and Geology Department, after deducting Royalty, MEPRF, expenses of transportation of coal from pithead to depot, weighment fee, State Cess, GST, GST Compensation Cess and 1% TCS under IT Act (if applicable) shall transfer remaining amount to the bank account of actual owner of coal stock.


(Dr. Manjunatha C, IFS)
Secretary to the Government of Meghalaya
Mining and Geology Department

Copy forwarded to:-

1. P.S to the Chief Minister of Meghalaya for kind information of the Hon'ble Chief Minister.
2. P.S to the Chief Secretary to the Government of Meghalaya for kind information of the Chief Secretary.
3. The Member Secretary, NGT Committee, Meghalaya for kind information of the Hon'ble Committee.
4. The Director (Marketing) Coal India Limited, Coal Bhawan Newtown, Rajarhat, Kolkata-700156 for kind information.
5. The Director of Mineral Resources, Meghalaya Shillong for information and necessary action.
6. The Deputy Commissioner, West Khasi Hills/South West Khasi Hills/East Jaintia Hills/South Garo Hills Districts for information and necessary action.
7. The General Manager, North Eastern Coal Field, CIL, Margherita, Assam for information.
8. The Divisional Mining Officer, Jowai/Williamnagar, for information and necessary action
9. The Mining Officer, Directorate of Mineral Resources, Meghalaya, Shillong for information and necessary action.
10. State Informatics Officer/Senior System Analyst, NIC, Meghalaya Shillong for placing the order in Mining and Geology Departments Website.

By order etc.,



Joint Secretary to the Government of Meghalaya
Mining and Geology Department