

# Annexure - 1



निदेशक तकनीकी ( योजना और परियोजना ) का कार्यालय

DIRECTOR TECH. (Project & Planning) SECRETARIAT

P.O : Jagruti Vihar, Burla

Dist: Sambalpur, Odisha-768020

Ph: +91 (663) 254 2775

Fax: +91 (663) 254 2360

e-mail: dt-op.mcl@coalindia.in, dtopmcl@gmail.com

website: www.mcl.gov.in

CIN:U10102OR1992GOI003038



क्रमांक: एम.सी.एल / मुख्यालय/निदेशक तकनीकी ( योजना और परियोजना ) कार्यालय /23-24/ 176 - E

दिनांक: 09.11.2023

**ANNEXURE-I**

**Sub: Declaration of Annual Coal Grade of coal seams of Mines of MCL for the year 2023-2024.**

In pursuance of provisions of sub-rule (2) of rule 4 of Colliery Control (Amendment) Rules, 2021 and vide letter no CC/Tech/Annual Grade/MCL/23-24, dtd, 03.07.23, 06.07.23 and 08.11.23 of Dy Coal Controller, I being the competent authority of the company, hereby declare the Annual Coal Grade of **coal seams of the Mines of MCL** for the year 2023-24 with the grade as mentioned in the **Annexure A**, in supersession of all previous orders, and the same will be effective from "00" Hrs of 10.11.2023.

(AKSHAY SHRIKANT BAPAT)  
Director Tech. (P&P).  
(Signature of the Nominated Owner)  
Name and designation with seal

To  
The Coal Controller,  
Office of the Coal Controller,  
Govt. of India, Ministry of Coal,  
Scope Minar, 5<sup>th</sup> floor, Core-II, Laxmi Nagar New Delhi -110092

Copy for kind information: -

1. CMD, MCL
2. DT (OP), MCL

Cc :

1. OSD, CCO, Sambalpur.
2. GM(QC) / GM (Prodn.) / GM (M&S) MCL.
3. GM (QC)/ GM (M&S), CIL.
4. GM (Sys), MCL – For uploading to MCL website.
5. Area GM –Bharatpur/Jagannath/Kaniha/Lingaraj/Hingula/Talcher/Lakhanpur/lb Valley/Basundhara/Mahalaxmi/Orient Area



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Annexure A

SL. No.	AREA	MINE	Name of the Seams	23-24 CCO GRADE 03.06.23 & 06.07.23
1	JAGANNATH	JAGANNATH OCP	Talcher II	G 10
			Talcher III	G 11
			Talcher IV	G 08
			Talcher VA	G 16
		ANANTA OCP	Talcher II	G 10
		BHUBANESWARI OCP	Talcher IV	G 12
			Talcher V	G 12
2	LINGARAJ	LINGARAJ OCP	Talcher II	G 11
			Talcher IV (B)	G 12
			Talcher V	G 12
			Talcher VI(A)	G 13
3	BHARATPUR	BHARATPUR OCP	Talcher II	G 12
			Talcher III	G 09
			Talcher IV	G 11
4	HINGULA	HINGULA OCP	Talcher IIID	G 10
			Talcher IIIE	G 10
			Talcher IIIAC	G 12
			Talcher IVB	G 15
			Talcher VA	G 11
			Talcher VB	G 11
			Talcher IX	G 12
7	TALCHER	NANDIRA COLLIERY	Talcher seam -1 Top Section	G 6
8	LAKHNPUR	BELPAHAR OCP	IB	G 9
		LAKHANPUR OCP	Lajkura	G 12
9	IB VALLEY	LAJKURA OCP	Parkhani	G 13
			Local-3	G 12
			Local 2	G 15
10	BASUNDHARA	GARJANBAHAL OCP	Rampur II	G 13
			Rampur V	G 13

*[Handwritten Signature]*



# Annexure - 2





निदेशक तकनीकी (योजना और परियोजना) का कार्यालय

DIRECTOR TECH. (Project & Planning) SECRETARIAT

P.O. Jagannathpur Duda

Dist. Sambalpur Odisha 768002

Ph. +91 (663) 254 2775

Fax +91 (663) 254 2360

E-mail: dt.op.mcl@coalindia.in (dt.op.mcl@gmail.com)

Website: www.msc.coil.in

URL: 018102091902GQ002018



# MCL

कम्पाक एम सी एल गुज्यालपुर (पंचक तकनीकी) योजना और परियोजना कार्यालय/24-25 14-H

दिनांक 08.05.2024

## अनुबंध I ANNEXURE-I

विषय वर्ष 2024-2025 के लिए एम सी एल की विभिन्न खदानों के कोयला सीमों के वार्षिक कोयला ग्रेड की घोषणा।

**Sub: Declaration of Annual Grade of coal seams of different MCL mines for the year 2024-2025.**

कोलियरी नियंत्रण (संशोधन) नियम, 2021 के नियम 4 के उप-नियम 3 एवं 4 के प्रावधानों के अनुसरण में तथा उपनिदेशक, कोयला नियंत्रक के पत्रांक सीसी/टेक/एनुयाल ग्रेड/एमसीएल/2024-25/359605, दिनांक 08.05.24 के तहत, मैं कंपनी का सक्षम प्राधिकारी होने के नाते, वर्ष 2024-2025 के लिए एम सी.एल की खदानों के सीमों के वार्षिक कोयला ग्रेड नीचे में उल्लिखित कोयला ग्रेड के अनुसार घोषणा करता हूँ, जो कि पिछले सभी आदेशों के अधिकरण में, दिनांक 10.05.2024 के "00" घंटे से प्रभावी होगा।

In pursuance of provisions of sub-rule (3&4) of rule 4 of Colliery Control (Amendment) Rules, 2021 and vide letter no CC/Tech/Annual Grade/MCL/24-25/359605 dtd. 08.05.24 of Dy. Director, CC office, New Delhi I being the competent authority of the company, hereby declare the Annual Grade of coal seams of different MCL mines for the year 2024-25 with the grade as mentioned below in supersession of all previous orders, and the same will be effective from "00" Hrs of 10.05.2024.

SL NO	Name of the Mines	Name of the coal seams	Grade
1	ILBL OCP	Lajkura	G 14
2	Hingula OCP	Talcher IX	G 13
3		Talcher VB	G 13
4		Talcher IIID	G 12
5	Jagannath OCP	Talcher IV	G 12



(अक्षय श्रीकांत बापट / AKSHAY SHRIKANT BAPAT)  
निदेशक तकनीकी (योजना और परियोजना) / Director Tech (P&P).  
(नामित मालिक के हस्ताक्षर) / Signature of the Nominated Owner  
मुहर के साथ नाम और पदनाम / Name and designation with seal

*(Signature)*

# Annexure - 3







# ଗ୍ରିଡ଼କୋ ଲିମିଟେଡ୍ GRIDCO Limited

(A Government of Odisha Undertaking)

CIN : L40109OR1995SGC003960

Regd. Office: Janpath, Bhubaneswar-751022, Odisha

Phone : 0674-2541127, Mobile: 9437185507

Email: dir.trading@gridco.co.in

By Email

Dated/ 29.11.2023

No. CGM (PP)-98/2023 - 191 (3)

To

The Managing Director  
OPGC Ltd., Zone-A, 7th Floor, Fortune Towers,  
Chandrasekharpur, Bhubaneswar-751023.

**Sub: In-Principle consent for lifting of ~2.7lakh Metric Tonnes (annually) of coal from OCPL for use in OPGC Units #1 & 2-Regarding.**

Ref: - 1) Letter No.2298 dated 13.11.2023 of OPGC Ltd.  
2) FSA between OPGC and MCL dated 17.11.2009.

Sir,

In inviting reference to the subject cited above, it is to intimate that in-principle consent is hereby accorded to OPGC for lifting of ~2.7lakh Metric Tonnes of coal from OCPL for use in OPGC Units #1 & 2 subject to the condition that the input price of coal from OCPL should not exceed the price of linkage coal availed from MCL.

This is for favour of kind information.

Yours faithfully,

  
Director (Commercial)

- C.C.: - 1. The Secretary, OERC, for kind information.  
2. The Additional secretary to Govt., Dept. of Energy, Govt. of Odisha for kind information.



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# Annexure - 4







GOVERNMENT OF ODISHA  
ENERGY DEPARTMENT

\*\*\*\*\*

No. 2268 /En., Dated 29/02/2024

ENG-THER-OPGC-0003-2021

From

Shri Subash Chandra Mallik,  
Under Secretary to Government

To

Managing Director, GRIDCO/  
Managing Director, OPGC/  
Director & CEO, OCPL

Sub: Minutes of the meeting held on 31.01.2024 at 03.00 PM regarding supply of coal to OPGC.

Sir,

In inviting reference to the subject cited above, I am directed to enclose herewith the copy of minutes of the meeting held on 31.01.2024 at 03.00 PM regarding supply of coal to OPGC for information and necessary action at your end.

Yours faithfully,

*[Signature]*  
29/02/2024

Under Secretary to Government

Memo No. 2269 /En., Dated 29/02/2024

Copy forwarded to PS to Principal Secretary, Energy Department for kind information of Principal Secretary.

*[Signature]*  
29/02/2024

Under Secretary to Government



**Proceedings of the meeting held on 31.01.2024 under the Chairmanship of Principal Secretary, Department of Energy, Government of Odisha regarding supply of coal to Unit 1&2 (2x210MW) from OCPL coal mines.**

The list of Participants is attached at Annexure-A


At the outset, Principal Secretary, Energy Department welcomed all the participants and asked to brief the issues of OPGC. Accordingly, CFO, OPGC briefed the issues involved in the use of OCPL coal in Unit 1 & 2 (2 x 210 MW) of OPGC and say that to meet the coal production schedule of approved mine plan, coal production in OCPL mine is currently more than the requirement for Unit 3&4 of OPGC. OCPL proposed OPGC to utilize part of this surplus coal in Unit 1&2 of Ib TPS in addition to Unit 3 & 4 subject to permission of Ministry of Coal, Govt. of India. In view of that the proposal for use of this surplus OCPL coal in Unit 1&2 of OPGC was discussed. Further, it is stated that the annual coal requirement of Unit 1&2 is about 2.7 million tons which is being sourced from MCL coal mines through long term coal linkage. Considering the availability of coal in OCPL & MGR Capacity, it was proposed by OPGC to source 50% of 2.7 million ton from OCPL.

The issues highlighted by OPGC in the presentation and the discussions around the same are as follows:

1. In response to proposal of OPGC, GRIDCO has given consent to consider any coal price up to the linkage coal price (i.e. MCL) in the tariff. CEO & Director, OCPL indicated that GCV based landed/ delivered coal cost at OPGC is lower for OCPL Coal compared to MCL Coal because of better coal quality of OCPL coal. He mentioned that once the input price of OCPL coal is determined through regulatory mechanism the same will be still lower than that of MCL. As the coal production in OCPL Mine will be ramped up in coming years, the corresponding input price will gradually be reducing. After detailed discussion, it was agreed that provisionally, OCPL would consider the MCL price for billing to OPGC for coal utilization in Unit 1&2. OPGC will consider the same in computation of tariff and billing to GRIDCO as per PPA. Any adjustments in price would be made at a later date after determination of the input price of Coal with effect from the date of supply of coal by OCPL to OPGC.
2. The Fuel Supply Agreement (FSA) between OPGC and MCL has a mechanism of penalty for short lifting of coal by OPGC. Use of OCPL coal would thus attract penalty and to address this CEO & Director, OCPL has indicated that, OCPL has already discussed with Office of Nominated
3. Authority, Ministry of Coal, Government of India about the proposed diversion of coal. According to the discussion with Coal Ministry the ACQ with MCL will be reduced to 1.35 million Ton/Annum in place of 7 million Ton/Annum after filing of the Diversion Notice and the penalty provision in existing FSA shall accordingly be modified commensurate with revised ACQ. OCPL will co-ordinate with Coal Ministry for permission required for use of OCPL coal in Unit 1&2 and change in ACQ with MCL. OPGC will extend required support in this regard. A supplementary FSA would be executed between OPGC and OCPL. The FSA committee will place the draft FSA for approval.

The meeting ended with a vote of thanks to the Chair and the participants.



  
Principal Secretary to Government  
Energy Department



Annexure-A

1. Shri Vishal Kumar Dev, IAS, Principal Secretary to Govt., Energy Department.
2. Smt. Lipsa Das, Additional Secretary, Energy Department.
3. Shri Trilochan Panda, MD, GRIDCO.
4. Shri Umakanta Sahoo, Director (T&BD), GRIDCO.
5. Shri Manas Ranjan Rout, Director (Operation) and Addl. charge of MD, OPGC.
6. Shri Sariputta Mishra, CEO-Director, OCPL.
7. Shri Ajit Panda, CFO, OPGC.



# Annexure - 5





File No. 103/25/2015/NA  
Government of India  
Ministry of Coal  
O/o Nominated Authority  
\*\*\*\*\*

120, F -Wing, First Floor, Shastri Bhawan,  
New Delhi, Dated: January 25<sup>th</sup>, 2023

To,

Chief Executive Officer  
Odisha Coal and Power Limited  
Zone-A, Ground Floor, Fortune Towers,  
Chandrasekharapur, Bhubaneswar -751023

**Subject: Retention of Manoharpur and Dip-Side Manoharpur Coal Block by Odisha Coal and Power Limited (OCPL) and continuance of working in the Integrated Mine for 16 Million Ton Peak Rated Capacity (PRC)-Reg.**

Sir,

The undersigned is directed to refer M/s OCPL letter dated 19.10.2022 and 05.01.2023, on the above-mentioned subject and to say that OCPL's request to include Units 1 & 2 (2x 210 MW) as specified end-use plant in addition to existing 3 & 4 Units (2 x 660MW) of OPGC, has been examined in the Ministry.

2. In view of the above, it is to convey that M/s OCPL may meet the requirement of coal for its Units 1 & 2 (2x 210 MW) TPPs from the allocated coal mine after providing the diversion notice and following the prescribed procedure as specified in Clause 8.4.1 of the Allotment Agreement. Accordingly, M/s OCPL may provide the information with regard to diversion in the enclosed format.

**Encl:** as above

Yours faithfully,



(Manish Uniyal)

Under Secretary to the Government of India

Copy to:-

1. US (P&S), MoC



### FORM

(Information required for notice of diversion of coal under clause 8.4.4 of CMDPA/CBDPA)

No column should be left blank; otherwise the information will not be considered.

Following information is required to be provided by the allocattee intending to opt for coal diversion as per CMDPA/CBDPA:-

(A) Details of End Use Plant(s) as mentioned in CMDPA/CBDPA

Name and Address of Specified End Use Plants	
Coal Requirement of Specified End Use plant [In Million Tonnes]	
Coal requirement met from allocated coal mine in Specified End Use plant	
Other sources (if any) along with quantity of coal requirement met in Specified End Use plant alongwith quantity of coal [In Million Tonnes]	

(B) Details of other Plant(s) for which diversion has been requested :-

Name and Address of the Other Plant(s)	
Ownership of the Other Plant(s): (Also specify if the ownership is with Allocattee or its subsidiary company along with address thereof)	
Proof of ownership of Other Plant(s)	
Status of development of Other Plant(s)	
Whether Other Plant(s) is engaged in the same specified end use? (Yes/No)	
Intended date of utilization:-	
The mechanism for transportation of coal from allocated coal mine to the Other Plant(s)	
Total requirement of Coal of the Other Plant(s) (in million tonne)	
Existing sources of coal for Other Plant(s) along with quantity from each coal source. (in million tonne)	
Current Quantity of coal requirement met from each coal source for Other Plant(s) in % terms	
Quantity of coal proposed to be met from	





allocated coal mine for Other Plant(s) (in million tonne)	
Quantity of coal requirement met from each coal source after proposed diversion in both lakh tonnes and percentage terms	
The manner in which such diversion would affect the Specified End use plant originally associated with the coal mine.	

1. Allocattee shall provide prior intimation to Central Government in writing and this intimation shall be provided at least thirty Business days prior to the intended date of such utilisation.
2. Central Government may seek further information regarding the aforementioned utilisation and allocate shall provide the same within seven Business Days.
3. Allocattee shall provide the self-certified letter providing details (if any) of Linkage/ Fuel Supply Agreement (FSA) associated with CIL/its subsidiaries for current end use plant and proposed end use plant.
4. In the event the coal extracted from the coal mines is being diverted to any other Plants(s), the allocattee shall also be required to adhere to the stipulations under the CMDPA/CBDPA with respect to utilisations of coal from the Coal Mine and Specified End Use and any other applicable law.

Date :

Place :

Name and Signature of the Authorized Signatory



# Annexure - 6



Letter No: OCPL/837

Date: 01.03.2024



**Odisha  
Coal and  
Power  
Limited**

**Odisha Coal and Power Limited**

(A Government of Odisha Company)

CIN U10100OR2015SGC018623

Website: www.ocpl.org.in

**The Nominated Authority**

Ministry of Coal,  
Government of India,  
New Delhi.

Sub: Diversion Notice for use of surplus coal of Manoharpur and Dip-side of Manoharpur Coal Mine of Odisha Coal and Power Limited (OCPL) in Unit 1&2 (2x210 MW) of Odisha Power Generation Corporation Limited (OPGC)

Ref: Your Letter No: 103/25/2015/NA, dated 25.01.2023

Sir,

This is regarding proposed use of surplus coal of Manoharpur and Dip-side of Manoharpur Coal Mine of Odisha Coal and Power Limited (OCPL) in Unit 1&2 (2x210 MW) Thermal Power Plant of OPGC.

Manoharpur and Dip-Side Manoharpur Coal Blocks have been allotted to OCPL with specified end use plants at Unit 3,4,5&6 (4x660 MW) at OPGC. Unit 3 & 4 (2x 660 MW) is operational and Unit 5 & 6 (2 x660 MW) is anticipated to be commissioned in FY 2029-30. In this connection we had requested permission of Ministry of Coal, Govt. of India for use of surplus coal of Manoharpur Mines in Unit 1&2 (2X 210 MW) after meeting requirement of Unit 3 & 4 in OPGC. Ministry of Coal in its letter no. 103/25/2015/NA, dated 25.01.2023 has accorded permission for meeting the coal requirement in Unit 1 & 2 TPP from the allotted mine after providing the diversion notice and following prescribed procedures.

Accordingly with the approval of OCPL & OPGC Board and Energy Department, Govt. of Odisha dated 29<sup>th</sup> February, 24, the diversion notice in the prescribed format, for utilization of 1.35 MTPA coal in Unit 1 & 2 (2x210 MW) of the Odisha Power Generation Corporation Ltd.(OPGC) is being submitted herewith along with the following documents for your review and consideration:

- Self-certified letter providing details of the linkage/FSA with Coal India Limited (CIL) for OPGC Unit 1 & 2.
- Undertaking outlining OCPL's commitment to the terms and conditions associated with the diversion of coal.

Regd. Office: Zone-A, Ground Floor, Fortune Towers, Chandrasekharpur, Bhubaneswar-751023

Phone: +91 674 2300654/664, Fax: +91 674 2300657

Site Office: At/Po. : Hemgir, Dist.-Sundargarh-770013 Odisha



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The existing MGR line from Manoharpur and Dip side of Manoharpur Coal Mine to the OPGC Power plant is currently having single track with a maximum handling capacity of 9.0 MTPA and construction of second track line has been taken up to enhance evacuation capacity through MGR. Therefore the notice for diversion is being given for a quantity of 1.35 MTPA only.

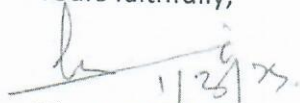
It is also pertinent to mention here that the Annual Contracted Quantity (ACQ) under the Fuel Supply Agreement (FSA) between Odisha Power Generation Corporation Limited (OPGC) and Mahanadi Coalfields Limited (MCL) is 2.7 MTPA. Since OCPL is proposing to supply 1.35 MTPA coal to Unit#1&2, the balance coal requirement from MCL mines is only 1.35 MTPA. Further, as per Clause 3.6.1 of the FSA executed with MCL, compensation is payable by OPGC if the level of lifting falls below 90% of ACQ.

In view of the above, we request your good office to formally approve the diversion and also advise CIL/MCL for reducing the ACQ of FSA to the balance 1.35 MTPA by modifying the existing FSA between OPGC and MCL so as to accommodate the proposed diversion without imposing any penalty on OPGC.

A line of confirmation on approval of diversion notice and direction to CIL/MCL for modification in FSA terms is highly solicited.

Thanking you.

Yours faithfully,



11/25/25  
Director and CEO

Director and CEO  
Odisha Coal and Power Ltd.

Enclosures:

1. Format for notice of diversion of coal
2. Self-certified letter on linkage/FSA with CIL for OPGC Unit 1 & 2
3. Undertaking

Copy:

1. Addl. Secretary, Energy Department, Govt. of Odisha
2. Managing Director, OPGC Ltd.



# Annexure - 7



Letter No: OCPL/905  
Date: 20.03.2024



**Odisha  
Coal and  
Power  
Limited**

**Odisha Coal and Power Limited**  
(A Government of Odisha Company)  
CIN U10100OR2015SGC018623  
Website: www.ocpl.org.in

To

The Managing Director,  
Odisha Power Generation Corporation Ltd.  
Bhubaneswar.

Sub: Approval of Coal Ministry, Govt. of India on acceptance of "Diversion Notice" for use of surplus coal of Manoharpur and Dip-side of Manoharpur Coal Mine of Odisha Coal and Power Limited (OCPL) in Unit 1&2 (2x210 MW) of Odisha Power Generation Corporation Limited (OPGC).

Sir,

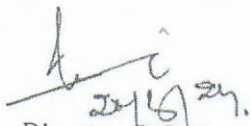
Pursuant to letter No.2268 dated 29<sup>th</sup> February,2024 of Energy Department Govt. of Odisha, Ministry of Coal (MoC), Govt. of India was requested on 01.03.2024 for acceptance of "Diversion Notice" on use of surplus coal of Manoharpur and Dip-side of Manoharpur Coal Mine of Odisha Coal and Power Limited (OCPL) in Unit 1&2 (2x210 MW) of Odisha Power Generation Corporation Limited (OPGC).

Ministry of Coal (MoC), Govt. of India through its letter dated 20<sup>th</sup> March, 2024 has accepted the Diversion Notice for use of surplus coal of Manoharpur Coal Mine in Unit 1&2 (2x210 MW) of OPGC.

The acceptance letter along with the Standard Operating Procedure (SOP) for the utilization of surplus coal provided by the MoC, Govt. of India is enclosed as **Annexure I**.

Thanking You

Yours faithfully,

  
Director & CEO

Director and CEO  
Odisha Coal and Power Ltd.



Enclosed: As above.

Copy to:

Addl. Secretary to Govt., Energy Department, Govt. of Odisha, Kharavela Bhawan,  
Bhubaneswar- for kind information.



THROUGH SPEED POST /E-MAIL

File No. NA-103/25/2015-NA-Part (1)

Government of India

Ministry of Coal

Nominated Authority

\*\*\*\*

120, F- Wing, 1st Floor, Shastri Bhawan,  
New Delhi, Date: 20.03.2024

To,

1. CMD, Coal India Limited, No-04 MAR, Plot No-AF-III, Action Area 1A, Newtown, Rajarhat, Kolkata-700156
2. CMD, The Singherani Collieries Company Ltd., Kothagudem Collieries P.O-507101
3. Coal Controller, Coal Controller Organization, Ministry of Coal, Scope Minar, 5th Floor, Core-II, Laxmi Nagar, New Delhi-110092.

**Subject: Standard Operating Procedure for proportionate reduction of linkage to the coal block allocatee on the basis of requirement of coal being met from allotted coal mines/blocks intimation with respect to Manoharpur and Dipside Manoharpuri Coal mine-reg.**

Sir,

As per Section 20(2) of the CM(SP) Act, 2015, "A Successful bidder or allottee may also use the coal mine from a particular Schedule I coal mine for any of its plants engaged in common specified end-uses, in accordance with such rules as may be prescribed".

2. Further, clauses 8.4.1 and 8.4.2 of the Allotment Agreement which deals with Utilization of Coal in Other Plant provides as under:

*8.4.1: "In the event that the Successful bidder is desirous of utilizing the coal extracted from the Coal Mine in any other plants of the Successful bidder or its subsidiary company (in terms of the Companies Act, 2013) engaged in same specified end use as the Specified End Use Plant ("Other Plant(s)") pursuant to Sec 20(2) of the Act, then the Successful bidder shall provide a written intimation ("Diversion Notice") to the Central Government."*

*8.4.2: In accordance with Rule 20(2) of the Rules, the Diversion Notice shall be provided at least thirty Business Days prior to the intended date of such utilization."*

3. In the matter, a Standard Operating Procedure (SoP) for proportionate reduction of linkage to the coal block allocatees on the basis of requirement of coal being met from allotted coal mines/blocks was issued vide MoC's Office Memorandum dated 14.02.2020 (Copy enclosed). Para IV of the SoP provides that "For the purpose of linkage reduction, the quantity of coal from the allocated mine and the coal linkage which is more than the coal requirement of the EUP shall only be considered."
4. The applicability of the SoP in the case of diversion of coal by the coal block allocatee has also been clarified vide CPD Section O.M dated 09.06.2020 wherein it is stated that the Nominated Authority has to ensure that the details of the EUP to which the mine allocatee is supplying/diverting coal should be informed to concerned agencies (CCO & CIL/SCCL) for taking necessary action.
5. In this regard it may be informed that, M/s Odisha Coal & Power Limited (OCPL) have submitted the diversion *notice dated 01.03.2024* for utilization of coal from Manoharpur and Dipside Manoharpur coal mine in other plants of OCPL, in terms of Clause 8.4 of the Allotment Agreement dated 30.03.2015.
6. It is to say that Manoharpur and Dipside Manoharpur coal mine is allocated to M/s OCPL vide Vesting Order dated 31.08.2015. The details of the Original End Use Plant for which the Mine was allocated as mentioned in Vesting Order is as below:





Table-A

S.No	Name of specified End use plant	Address	Configuration	Capacity
1	Odisha Power Generation Corporation Ltd., Expansion Power Project (Unit 3, 4, 5 and 6)	IB Thermal Power Station, Banharpalli, Jharsuguda, Odisha	4x660 MW	2460 MW

7. As per the diversion request dated 01.03.2024, M/s OCPL intends to dispatch 1.35 MTPA from Manoharpur and Dipside Manoharpur coal mine to the other Plants, namely; Unit 1 & Unit 2 - (2x210MW) for FY 2024-2025. The details of the other plants for which diversion has been requested are as under:

Table-B

Name and Address of the Other Plant(s)	Unit 1&2 (2 x 210 MW) units of Odisha Power Generation Corporation Limited, IB Thermal Power Station, Banharpalli, Jharsuguda, Odisha
Total requirement of Coal of the Other Plant(s). (In MT)	2.7 MTPA for Unit 1&2 (2x210 MW)
Existing sources of coal for Other Plant(s) along with quantity from each coal source. (In MT)	MCL -2.7 MTPA
Quantity of coal proposed to be met from allocated coal mine for Other Plant(s) (In MT)	1.35 MTPA (50%)
Quantity of coal requirement met from each coal source after proposed diversion in both LT and percentage terms	MCL-1.35 MTPA -50% OCPL-1.35 MTPA -50% (Manoharpur Coal Mine)
The manner in which such diversion would affect the Specified End use plant originally associated with the coal mine.	The total PRC of mine is 16.00 MTPA out of which the existing requirement of EUP is only about 7.2 MTPA and hence supplying 1.35 MTPA to the other plant will benefit Allocatee in meeting the efficiency parameters. Since the COD of Unit 5&6 (2x660 MW) is anticipating in FY 2029-30, there will be no impact on specified End Use Plant till FY 2029-30.

8. The requested diversion is for FY 2024-2025. Further, the allottee has specified that the proposed diversion would have no effect on the specified end-use plant associated with the coal mine.

9. The Diversion Notice for FY 2024-25 in respect of Manoharpur and Dipside Manoharpur coal mine is being forwarded for necessary action for utilization of coal in other plants, **after 30 Business days of serving the notice.**

Yours faithfully,

(Marapally Venkateshwarlu)  
Director (T)

Enc: i) SOP issued by CPD section  
ii) Copy of Allotment Agreement and Allotment Order  
iii) Copy of diversion notice dated 01.03.2024

Copy to:-

1. M/s OCPL - for information please.
2. US (P&S), MoC - for information please.
3. US (CPD), MoC - for information & necessary action, if any.



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**F.No.23011/49/2015-CPD/CLD**  
**Government of India**  
**Ministry of Coal**  
\*\*\*\*\*

**Shastri Bhawan, New Delhi**  
**Dated the 14<sup>th</sup> February, 2020**

**OFFICE MEMORANDUM**

**Subject: Standard Operating Procedure for proportionate reduction of linkage to the coal block allocatees on the basis of requirement of coal being met from allotted coal mines/blocks**

The undersigned is directed to say that the Standard Operating Procedure (SoP) for proportionate reduction of coal linkage to the coal block allocatees on the basis of requirement of coal being met from allotted coal mines/blocks has been approved by the Competent Authority. The SoP is circulated herewith for further necessary action.

*Sujeet Kumar* 14/2/2020  
(Sujeet Kumar)

Under Secretary to the Government of India

To

- i. Chairman-cum-Managing Director, Coal India Limited, Kolkata
- ii. Chairman-cum-Managing Director, SCCL, Hyderabad
- iii. Nominated Authority, Ministry of Coal
- iv. Coal Controller, Coal Controller Organization, Kolkata

Copy for information to:

- i. Joint Secretary, CBA-II, Ministry of Coal
- ii. Joint Secretary, CBA-I, Ministry of Coal
- iii. Joint Secretary, Thermal, Ministry of Power
- iv. Advisor (Projects), Ministry of Coal

Copy also to:

TD, NIC, Ministry of Coal – for uploading the SoP in the website of Ministry of Coal





**Standard Operating Procedure for proportionate reduction of linkage to the coal block allocatees on the basis of requirement of coal being met from allotted coal mines/blocks**

**Genesis:** The background for developing such methodology emanates from the provisions of the Coal Mines (Special Provisions) Rules, 2014 and the Coal Block Allocation Rules, 2017. The provisions are as under:

**Rule 10 (4)(d)(iv) of Coal Mines (Special Provisions) Rules, 2014:**

"In case a company is the successful bidder, then the entitlement to receive coal pursuant to such coal linkage shall stand proportionately reduced on the basis of the requirement of coal being met from the mine allocated to such company".

**Rule 5 (8) of Coal Block Allocation Rules, 2017:**

"In case the coal block is specified for the purpose of own consumption and a bidder having a coal linkage becomes the successful bidder, then the entitlement to receive coal pursuant to such coal linkage for the end use plant on the basis of which it became a successful bidder may be reduced on such basis as may be specified by the Central Government."

**Rule 6 (5) of Coal Block Allocation Rules, 2017:**

"In case the coal block is specified for the purpose of own consumption and an applicant having a coal linkage becomes the successful allottee, then the entitlement to receive coal pursuant to such coal linkage for the end use plant on the basis of which it became a successful allottee may be reduced on such basis as may be specified by the Central Government."

*Suprat Kumar*



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### Standard Operating Procedure

- I. Nominated Authority (NA) / CBA-I shall furnish a copy of the vesting order to CCO and CIL/SCCL for all mines/blocks which have already been allocated and the other mines as and when the mines/blocks are allocated under CM (SP) Act 2015/ MMDR Act 1957 / CMN Act.
- II. CIL/SCCL shall send to CCO a list of those coal blocks allocatees which are already having linkages for the specified end use plant (EUP) along with the details of the linkage. CCO would work out the quantity of linkage reduction and the time from which linkage is to be reduced in every such case.
- III. For the Non-Regulated Sector, the coal requirement of the EUP as given in the coal mine allotment order or vesting order or as provided by NA/CBA-I Section shall be taken into account for the purpose of proportionate reduction of coal linkage. In case of Power Sector, Central Electricity Authority (CEA) would furnish the coal requirement of the power plants (EUPs) which are linked to a coal block / mine and also having a coal linkage by 31st March every year to the Coal Controller Organization (CCO), concerned coal company as well as CBA-I, CBA-II Sections and Nominated Authority in the Ministry of Coal. The actual requirement for the next year should be after deducting the opening coal stock at the power plant. CCO will consider the requirement of these power plants for the year for the purpose of linkage reduction. The coal requirement of the EUP being met from the allocated coal mine and from the coal linkage shall be taken into account for proportionate reduction of linkage.
- IV. For the purpose of linkage reduction, the quantity of coal from the allocated coal mine and the coal linkage which is more than the coal requirement of the EUP shall only be considered. For example, if the coal requirement of the EUP is 10 MT (X), the coal linkage is 2 MT (Y) and the coal production as per the approved mining plan is 9 MT (Z), then, the coal linkage shall be reduced to the extent of 1 MT only i.e  $[(Y + Z) - X]$ . However, grade



*Shankar Kumar*



adjustment shall be done while reducing the linkage quantity.

V. The linkage to be reduced for the coal block allocatee shall be worked out by the CCO as per the following parameters.

The quantity of coal linkage to be reduced and time from which the coal linkage is to be reduced shall be either of the following:

- i. In cases where there is no delay in operationalization of coal block, the scheduled production quantity and time as per approved Mining Plan from the coal block shall be informed by NA/CBA-1 to CIL/SCCL/CCO. CCO shall work out the quantity of reduction in coal linkage and the time from which the coal linkage is to be reduced and send the information to CIL/SCCL, which shall then proportionately reduce the linkage to the extent the requirement of the End Use Plant (EUP) is met from the coal block.
- ii. In cases of delay in operationalization of coal block, where the reasons for delay in operationalization are not attributed to the allocatee, the coal linkage may be continued initially for 1 year at the existing terms and conditions and for subsequent years also as long as the delay in operationalization of the coal block is not attributable to the allocatee. The Scrutiny Committee in the office of Nominated Authority (this Committee already exists and functions as of now) shall decide whether the reasons for delay in operationalization of coal block are attributable or are not attributable to the coal block allocatee. The administrative Ministries should be at arm's length from the Scrutiny Committee. Thus, on the basis of recommendation of the Scrutiny Committee, NA/CBA-I shall inform CIL/SCCL/CCO for continuation of the linkage as per existing terms and conditions.
- iii. In cases of delay in operationalization of coal blocks where the reasons for delay in operationalization are attributable to the coal block allocatee and where no approved mining plan has been submitted after the end of the



Suyel Kumar

timeline for the efficiency parameters stipulated in the Coal Mine Agreement, then based on the recommendations of the Scrutiny Committee, NA/CBA-1 shall communicate to CIL/SCCL/CCO to reduce the linkage by 25% of the original quantity every year. In case, the mining plan is submitted after the start of the tapering off of linkage, then the parameters of the approved mining plan shall be taken into consideration from the next financial year. The recommendation for the proportionate reduction shall be communicated by NA/CBA-1. While reducing the linkage quantity, NA/CBA-I shall ensure that the reduction in linkage quantity is for the quantity of coal for which the requirement was to be met from the coal mine.

iv. In cases where coal block allocatee is permitted to add additional EUP with the allotted/auctioned mine, the linkage shall be proportionately reduced if linkage quantity is over and above the requirement of the EUP being met from the mine.

VI. In cases related to delay in operationalization of coal mines, wherever reduction in quantity of linkage is to be imposed, an option may be given to the coal block allocatee and the existing linkage holder to pay a corresponding percentage of premium on linkage coal as the quantity proposed to be reduced.

VII. CCO shall send the information of quantity of reduction in coal linkage and the time from which the coal linkage quantity is to be reduced to CIL/SCCL for implementation.

\*\*\*\*\*

*Suyet Kumar*





# Annexure - 8





ADDENDUM AGREEMENT

TO

FUEL SUPPLY AGREEMENT

BETWEEN

ODISHA COAL AND POWER LIMITED  
as the Seller

AND

ODISHA POWER GENERATION CORPORATION LIMITED  
as the Purchaser

18<sup>th</sup> May, 2024

BHUBANESWAR



Page 1 of 5

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12AA 724543

#### ADDENDUM AGREEMENT

This addendum to the Fuel Supply Agreement (*defined hereinafter*) (**Addendum**) is entered into on this 18<sup>th</sup> day of May 2024 (**Execution Date**).

**Odisha Coal and Power Limited**, a company registered under the provisions of the Companies Act, 2013 and having its registered office at Fourth Floor, Fortune Tower, Chandrasekharapur, Bhubaneswar, Odisha, India, hereinafter called the "Seller" or "OCPL" (which expression shall unless excluded by or repugnant to the subject or context, include its legal representatives, successors and permitted assigns) of the one part,

AND

**Odisha Power Generation Corporation Limited**, a company registered under the Companies Act, 1956 and, having its registered office at 7th Floor, Fortune Tower, Chandrasekharapur, Bhubaneswar, Odisha, India, hereinafter called the "Purchaser" or "OPGC" (which term shall unless excluded by or repugnant to the subject or context, include its legal representatives, successors and permitted assigns) of the other part.

The Seller and the Purchaser may, where the context permits, be collectively referred to as the **Parties** and individually as a **Party**.



Page 2 of 5



18.05.24

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**WHEREAS:**

- a) The Seller and the Purchaser have executed a fuel supply agreement dated 31 March 2022 & subsequent amendment for supply of Coal from the Coal Mine by OCPL for the End Use Plant of OPGC (**Fuel Supply Agreement**) which includes Unit- 1, 2, 3, 4, 5 and 6 of OPGC
- b) Further to OCPL's request, the Ministry of Coal issued an approval dated 20 March 2024 (**GoI Approval**) allowing OCPL to supply 1.35 MTPA from the Manoharpur Coal Mine to Units # 1&2 of the End Use Plant.
- c) Accordingly, pursuant to Clause 21.12 (*Miscellaneous*) of the Fuel Supply Agreement, the Parties hereby agree to execute this Addendum to record their understanding in respect of supply of Coal to Units # 1&2.

**NOW THEREFORE IT IS HEREBY AGREED BETWEEN THE PARTIES AS FOLLOWS:**

**1. DEFINITIONS AND CONSTRUCTION**

- 1.1. Any capitalized terms used but not specifically defined in this Addendum shall have the meaning assigned to them in Clause 1.1 (*Definitions*) of the Fuel Supply Agreement.
- 1.2. The principles of interpretation set out in Clause 1.2 (*Interpretation*) of the Fuel Supply Agreement shall apply *mutatis mutandis* in this Addendum as if the same were set out in full herein and forms part of this Addendum.

**2. RIGHTS AND OBLIGATIONS OF THE PARTIES**

- 2.1. Pursuant to receipt of the GoI Approval, the Parties have agreed to the following:
    - (a) the Seller shall supply to the Purchaser approved quantity of Coal for utilisation in Units # 1&2, as per the terms and conditions of the Fuel Supply Agreement;
    - (b) the Seller is required to continue its supply of Coal out of the total ACQ for utilisation in Units # 3&4 of the End Use Plant, as per the terms and conditions of the Fuel Supply Agreement; and
    - (c) the terms of the Fuel Supply Agreement are extended to Units # 1&2, in accordance with clause 21.12 (*Miscellaneous*) of the Fuel Supply Agreement.
  - 2.2. This Addendum is in effect from 18<sup>th</sup> May, 2024 and shall be valid till 31<sup>st</sup> March, 2030. The Parties acknowledge that any extension to the Term is subject to receipt of requisite approval of the Government of India or Government of Odisha (as the case may be), as required in terms of the Fuel Supply Agreement, Allotment Agreement and Applicable Laws.
- 3. MISCELLANEOUS**
- 3.1. This Addendum shall form an integral part of the Fuel Supply Agreement and any amendment thereto and on & from the Execution Date, any reference to the Fuel Supply Agreement shall include a reference to the Fuel Supply Agreement read along with this Addendum. This Addendum together with the Fuel Supply Agreement, shall be read and construed as one document.



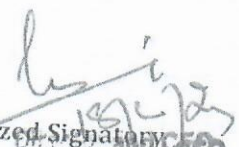
of 11/5  
18-05-24



- 3.2. Except to the extent specified in this Addendum, all other terms of the Fuel Supply Agreement shall remain unchanged, and nothing contained herein shall affect or alter in any manner whatsoever, the validity, enforceability and interpretation of the Fuel Supply Agreement. In the event there is any inconsistency between the provisions of the Fuel Supply Agreement or this Addendum, the terms of this Addendum would prevail.
- 3.3. This Addendum shall in all respects be governed and interpreted by and construed in accordance with the laws of the Republic of India, without giving effect to the principles of conflict of laws thereunder. All claims, disputes and other matters in question, arising out of or related to this Addendum shall be submitted to final and binding arbitration in the manner stated in Clause 18 (*Resolution of Disputes*) of the Fuel Supply Agreement, which shall *mutatis mutandis* be applicable to this Addendum.
- 3.4. This Addendum (together with the Fuel Supply Agreement) contains the sole and entire agreement between the Parties with respect to the subject matter hereof and supersedes all prior discussions, memoranda of understanding, term sheets, correspondence agreements and arrangements (whether written or oral, including all correspondence) if any, between the Parties with respect to the subject matter of this Addendum.
- 3.5. The execution and delivery of this Addendum have been duly authorized by all requisite corporate actions of the Parties. This Addendum constitutes a valid and binding obligation of the Parties enforceable against the Parties in accordance with its terms.
- 3.6. This Addendum shall be executed in several counterparts as mutually decided by the Parties, each of which shall constitute the original but all of which when taken together shall constitute one and the same agreement.

IN WITNESS WHEREOF, the Parties have caused this Addendum to be signed by their duly authorized representatives as herein below.

For Odisha Coal and Power Limited

  
Authorized Signatory  
Director and CEO  
Odisha Coal and Power Ltd.

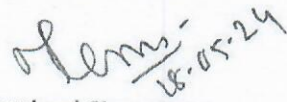
In the presence of:

(1) 

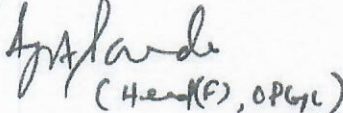
(2) 

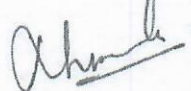


For Odisha Power Generation Corporation Limited

  
Authorized Signatory  
Managing Director  
Odisha Power Generation Corporation Ltd.  
Bhubaneswar

In the presence of:

(1)   
(Head (F), OPGCL)

(2)   
C.M.M. Panda  
AGM (Elect), OPGCL



# Annexure - 9





# MCL



Office of the General Manager (M&S)  
PO: Jagriti Vihar, Burla, Sambalpur-768020, Odisha  
PBX No.-0663-2542461-69, FAX No.:0663-2542307  
Telephone No. :0663-2542870(O)/2542359 (O)  
e-mail ID : gm-mns-comm.mcl@coalindia.in

महानदी कोल्फील्ड्स लिमिटेड  
(भारत सरकार का उद्यम)  
**MAHANADI COALFIELDS LIMITED**  
(A Government of India Enterprise)

क्रमांक: एमसीएल/विपणन और बिक्री/वाणिज्य/24-25/ 677

दिनांक: 10-Sep-2024

To  
The Director (Operations)  
IB TPS, Banharpali, OPGC  
Jharsuguda - Odisha

**Sub: Reduction in ACQ of M/s OPGC for FY 24-25 against FSA dated 17<sup>th</sup> Nov'2009**

**Ref: Letter no. CIL/M&S/Captive Coal Block/378 dated 09.08.2024 of CIL and letter no. OPGC/5146 dated 27.0.2024**

Dear Sir,

This is to inform you that CIL vide the above mentioned letter has intimated that Office of the Nominated Authority, MoC has issued a diversion notice dated 20.03.2024, inter-alia mentioning that M/s OPGC desired to procure 1.35 MT from Manoharpur and Dipside Manoharpur coal mine for unit 1&2 of IB TPP for FY 24-25.

Now, in compliance to the direction received from CIL vide above mentioned letter to reduce the ACQ against the FSA dated 17<sup>th</sup> Nov'2009 of the IB TPP (Unit-1&2) of M/s OPGC, it is informed that the ACQ for the above mentioned FSA shall stand reduced from 2.7 MT to 1.158 MT for the financial year 2024-25. However, the ACQ shall remain unchanged at 2.7 million tes for the subsequent years till the validity of the FSA.

Therefore, it is requested to come forward for execution of an amendment to the FSA in this regard, at the earliest.

Yours faithfully,

*[Signature]*  
General Manager (M&S)

Copy for kind information to:

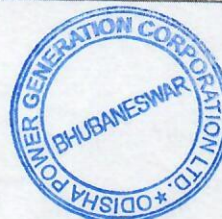
- DT (P&P), MCL

Copy to

- GM (M&S-FSA/Linkage), CIL
- GM, All areas of MCL
- GM (Fin-SA), MCL
- Area Sales Manager, All Areas of MCL
- Manager (Fin-SA), MCL
- Sr Vice President (Operations), OPGC

मुख्यालय: एम सी.एल कॉम्प्लेक्स, जगृति विहार, बर्ला, संबलपुर-768020 (ओडिशा)  
HQs: At/MCL Complex, Jagruti Vihar, Burla, Sambalpur- 768020

gm-mns-comm.mcl@coalindia.in  
CIN:U10102OR1992GOI003038



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# Annexure - 10



ODISHA POWER GENERATION CORPORATION LTD.  
(A Government Company of the State of Odisha )  
CIN: U40104OR1984SGC001429



Regd. Off: Zone – A, 7<sup>th</sup> Floor, Fortune Towers, Chandrasekharpur ,  
Bhubaneswar – 751023, Odisha. Phone No-0674-2303765-66, FAX: 0674-2303755/56  
Web: [www.opgc.co.in](http://www.opgc.co.in)

Ref: No. OPGC/ 1681/WE

Dt.11.11.2024

To

The Chief General Manager (PP)  
GRIDCO Ltd.  
Bhubaneswar.

**Sub: Fuel Price Adjustment Bill for the period from 01.04.2024 to 30.09.2024 of Unit 1&2**  
**(Without Prejudice)**

Ref: (1) PPA dtd. 13.08.1996 and amended dtd. 19.12.2012  
(2) OPGC Tariff Order FY 2023-24 case no 75/2022 dated 23.03.2023

Dear Sir,

Please find attached herewith fuel price adjustment bill for the period from 01.04.2024 to 30.09.2024 (Without prejudice) computed in terms of OERC order & PPA referred above along with the Statutory Auditors Certificate.

Kindly make necessary arrangement to clear the amount at the earliest.

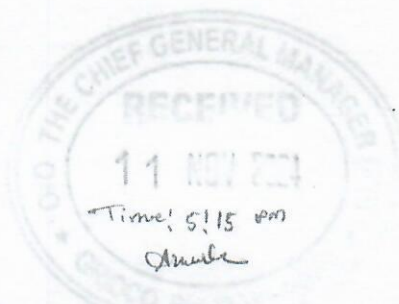
Thanking you,

Encl: As above

Yours faithfully,

*(Pravat Kumar Sahoo)*  
DGM (Finance)

c.c. to (1) Director (Finance), GRIDCO Ltd., Bhubaneswar for information.  
(2) Branch Head, Union Bank of India, Main Branch, Bhubaneswar for information and necessary action.



*O/C* *Received*  
*For CFO* *11/11/2024*



**ODISHA POWER GENERATION CORPORATION LIMITED**

A Government Company of the State of Odisha  
Unit : 1b Thermal Power Station (2 x 210 MW)

Regd. Office: Zone -A, 7th Floor, Fortune Towers, Chandrasekharpur, Bhubaneswar - 751023, Odisha, www.opgc.co.in  
GSTIN: 21AAACO4759R1ZZ

**Bill of Supply**

Invoice No: BSMFPA012425

Date of Issue: 11.11.2024

State: Odisha

State Code: 21

**Bill to Party****Ship to Party**

Name: GRIDCO Ltd.

Address: Janapath, Bhubaneswar Janpath-2  
Bhubaneswar 751022

GSTIN/UIN: 21AABCG6398P13Z3

State: Odisha

Code: 21

Name: GRIDCO Ltd

Address: Janapath, Bhubaneswar Janpath-2  
Bhubaneswar 751022

GSTIN/UIN: 21AABCG6398P13Z3

State: Odisha

Code: 21

Sr.No	Production Description	HSN Code	UOM	QTY	Rate	Amount	Value of supply
1	Sale of Power	27160000	AU			5,19,88,653	5,19,88,653
TOTAL						5,19,88,653	5,19,88,653

**Total Invoice Amount (In words)**

(Rupees Five Crore nineteen lacs eighty eight thousand six hundred fifty three Only)

**Bank Details**

Bank A/C: Union Bank of India, Bhubaneswar . A/c No. 380805010000063

**E&OE**For Odisha Power Generation Corporation  
Limited**Terms & Conditions : PPA dated 13.8.1996**

*[Signature]*  
Authorized Signatory







**ANIL MIHIR & ASSOCIATES**  
C h a r t e r e d   A c c o u n t a n t s

Ref No OPGC/Certificate/2024/4

Dt.09.11.2024

To,

The Managing Director,  
Odisha Power Generation Corporation Limited,  
7<sup>th</sup> Floor, Fortune Tower, C.S.Pur,  
Bhubaneswar-721024, ODISHA

**Statutory Auditors' Certificate of Financial Items for Odisha Power Generation Corporation Limited, (OPGC Ltd.) Bhubaneswar.**

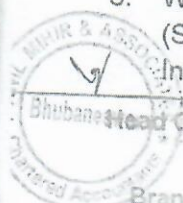
1. This Certificate is issued in accordance with the terms of our engagement as Statutory Auditors of the OPGC Ltd.
2. The details required for certification of some financial items ( Fuel Price Adjustment to revenue) for the **OPGC Ltd.**

**Management's Responsibility for the Statement**

3. The preparation of the Statements is the responsibility of OPGC Ltd. (hereinafter the "Company") including the preparation and maintenance of all accounting and other relevant supporting records and documents. This responsibility includes the design, implementation and maintenance of internal control relevant to the preparation and presentation of the Statements and applying an appropriate basis of preparation and making statements that are reasonable in the circumstances.

**Statutory Auditors' Responsibility**

4. It is our responsibility to provide reasonable assurance whether the amounts given in enclosed statements pertaining to financial items have either been accurately extracted from the books of accounts of the Company.
5. We conducted our examination of the Statements in accordance with the Guidance Note on Reports or Certificates for Special Purposes issued by the Institute of Chartered Accountants of India (Revised 2016). The Guidance Note requires that we comply with the ethical requirements of the Code of Ethics issued by the Institute of Chartered Accountants of India.
6. We have complied with the relevant applicable requirements of the Standard on Quality Control (SQC) 1, Quality Control for Firms that Perform Audits and Reviews of Historical Financial Information, and Other Assurance and Related Services Engagements.



Head Office : Office Unit- 430 & 431, 4th Floor, Esplanade One Mall, 721, Rasulgarh, Bhubaneswar-751010, Odisha  
E.mail : anilmihir@gmail.com, Tel.: 7004003919, 9437030925

Branch Office : • BERHAMPUR • RAYAGADA • MUMBAI • RANCHI • PATNA • LUCKNOW



## Opinion

7. Based on our examination of the books of accounts and other relevant documents and information given to us, we are of the opinion that the amount provided in the Provisional Half yearly (Fuel Price Adjustment Bill) as per the provisions of Bulk Power Supply Agreement between OPGC Ltd and GRIDCO Ltd (Formerly-GRID Corporation of Orissa Ltd) stands as **Rs.5,19,88,654 (Rupees five crores nineteen lacs eighty eight thousand six hundred fifty four only)** for the period from 1<sup>st</sup> April 2024 to 30<sup>th</sup> September 2024 (FY2024-25) .

## Restriction on use

8. The certificate is addressed to and provided to the Management of the Company solely for the purpose indicated in the Agreement between OPGC Ltd. & GRIDCO Ltd.

For Anil Mihir & Associates  
Chartered Accountants  
FRN-303038E

*[Signature]*

(CA Surendra Kumar Sahu)FCA

Partner

MN-054321

UDIN-24054321BKINBW1618

Date:09.11.2024

Place: Bhubaneswar





**ANIL MIHIR & ASSOCIATES**  
C h a r t e r e d   A c c o u n t a n t s

**TO WHOM SO EVER IT MAY CONCERN**

We have checked the books of account and other records of ODISHA POWER GENERATION CORPORATION LIMITED Zone-A, 7<sup>th</sup> floor. Fortune Towers, Bhubaneswar-751023 Odisha (hereinafter named as "Company") and as per information and explanations given to us, we do hereby certify that the Statement of Fuel price adjustment Invoice Rs.5,19,88,654 (Rupees five crore nineteen lacs eighty eight thousand six hundred fifty four only) for the period from 01.04.2024 to 30.09.2024 is enclosed in **(Annexure I)** herewith as per the OERC Order applicable to the Company.

For Anil Mihir & Associates

Chartered Accountants

FRN :303038E

(CA. Surendra Kumar Sahu)FCA

Partner

Membership No. 054321

Place – Bhubaneswar

Date: 09.11.2024

UDIN-24054321BKINBW1618





**ODISHA POWER GENERATION CORPORATION LIMITED**

Regd. Office: Zone -A, 7th Floor, Fortune Towers, Chandrasekharpur, Bhubaneswar - 751023, Odisha,  
www.opgc.co.in

**PROVISIONAL HALF YEARLY FUEL PRICE ADJUSTMENT BILL FOR THE PERIOD**  
**APRIL '24 TO SEP '24**

BILL NO: BSMFPA012425

DATED: 11/11/2024

CUSTOMER: GRIDCO

*Without Prejudice*

SI	PARTICULARS	Amount in Rs.
1	Monthly Fuel Price Adjustment	
2	Less, Import cost adjustment	
3	Net amount of Bill [ 1 - 2 ]	

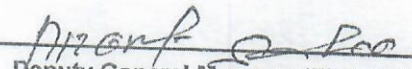
Annexure-1

4,91,75,234

Annexure-2

(28,13,420)

5,19,88,654

  
Deputy General Manager (Finance)

Odisha Power Generation Corporation Ltd

Bhubaneswar



## Fuel Price Adjustment for the FY 2024-25 from April'24 to sep'24

## COAL

Month	Au. Consp. % A	Export to GRIDCO	HEAT FROM COAL KCAL/KWH Hc	BASE GCV COAL/KG Kcs	BASE PRICE COAL RS/MT Pcs	ACTUAL GCV OF COAL KCAL/KG KCM	WTD AVG PRICE AS RECEIVED RS/MT PCM	DIFFERENTIAL TO BE BILLED Paise/kWh	DIFFERENTIAL TO BE BILLED Rs. (3 X9)/100	TOTAL COAL & OIL BILL RS (10 OF MFPVA-Oil (monthly)+10).	ACTUAL GCV OF COAL KCAL/KG KCM
1	2	3	4	5	6	7	8	9	10	11	12
Apr-24	9.50%	11,74,43,311	2,465	3294	1709	3203	1,657.00	(0.4257)	(4,99,941)	6,80,806	2747
May-24	9.50%	24,07,83,603	2,465	3294	1709	3251	1,656.28	(2.5661)	(61,78,817)	(37,58,037)	2805
Jun-24	9.50%	22,28,87,969	2,465	3294	1709	3226	1,685.26	0.9561	21,31,099	50,69,421	2823
Jul-24	9.50%	23,78,31,188	2,465	3294	1709	3110	1,682.06	5.9834	1,42,30,452	1,73,65,770	2832
Aug-24	9.50%	23,03,84,356	2,465	3294	1709	3148	1,715.91	7.1335	1,64,34,453	1,94,71,599	2965
Sep-24	9.50%	23,06,53,627	2,465	3294	1709	3339	1,774.56	3.4249	78,99,636	1,03,45,675	3107
TOTAL		1,27,99,84,054						Total:	3,40,16,881	4,91,75,234	

Paul Agn.





MFPVA-OIL

UNIT # 1 & 2 IB THERMAL POWER STATION												
FUEL PRICE VARIATION ADJUSTMENT 2024-25 from April'24 to sep'24												
OIL												
Month	Au. Consp. % A	Export to GRIDCO Kwh	WTD AVG PRICE OIL Rs/KL Pom	BASE PRICE OIL RS/KL Pos	WTD AVG GCV OIL Kcal/Ltr Kom	BASE GCV OIL Kcal/Ltr Kos	HEAT FROM OIL Kcal/kWh Ho	DIFFERENTIAL TO BE BILLED Paise/kWh	DIFFERENTIAL TO BE BILLED Rs. (3 X 9)/100	Actual price in Rs		
										LDO	FO	ratio 90:10
1	2	3	4	5	6	7	8	9	10			
Apr-24	9.50%	11,74,43,311	64,063.32	61,463.71	10000	10000	35.00	1.0054	11,80,747	82,792.60	61,982.29	64,063.32
May-24	9.50%	24,07,83,603	64,063.32	61,463.71	10000	10000	35.00	1.0054	24,20,780	82,792.60	61,982.29	64,063.32
Jun-24	9.50%	22,28,87,969	64,872.44	61,463.71	10000	10000	35.00	1.3183	29,38,322	81,121.38	63,067.01	64,872.44
Jul-24	9.50%	23,78,31,188	64,872.44	61,463.71	10000	10000	35.00	1.3183	31,35,318	81,121.38	63,067.01	64,872.44
Aug-24	9.50%	23,03,84,356	64,872.44	61,463.71	10000	10000	35.00	1.3183	30,37,146	81,121.38	63,067.01	64,872.44
Sep-24	9.50%	23,06,53,627	64,205.81	61,463.71	10000	10000	35.00	1.0605	24,46,039	79,290.84	62,529.70	64,205.81
TOTAL		1,27,99,84,054						Total	1,51,58,352			

*Barsh Agw*



## Annexure-2

DETAILS OF IMPORT MADE DURING THE YEAR 2024-25		Energy Charge
Month	Import in KWh	
Apr-24	18,08,790	19,38,98,906
May-24	-	39,75,33,729
Jun-24	2,99,290	36,79,88,037
Jul-24		39,26,59,291
Aug-24	22,350	38,03,64,572
Sep-24	10	38,08,09,139
<b>Total</b>	<b>21,30,440</b>	<b>2,11,32,53,674</b>

Fuel Price Adjustment	4,91,75,233
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Total Energy Charge	Rs	2,16,24,28,907
Units exported	kWhr	1,27,99,84,054
Average Rate	Rs/kWhr	1.6894
Cost of Power Imported	Rs	35,99,205
GRIDCO Deducted Towards Import Cost Recovery		64,12,625
Balance to be adjusted	Rs	-28,13,420





VC

## BILLS RAISED DURING 2024-25

MONTH	EXPORT	FIXED CHARGES	VARIABLE CHARGES	ELT. DUTY	Electrical Inspection fee	Publication	SOC and MOC paid OPTCL	Water tax	OERC ARR	TOTAL (Rs.)
Apr-24	11,74,43,311	16,18,17,355	19,38,98,906	58,20,351		1,31,436	3,18,803	88,52,130	21,00,000	37,29,38,982
May-24	24,07,83,603	32,38,62,261	39,75,33,729	64,23,695			4,01,893	90,70,494		73,72,92,072
Jun-24	22,28,87,969	28,90,95,384	36,79,88,037	1,31,69,932			4,01,893	93,72,844		68,00,28,090
Jul-24	23,78,31,188	25,82,58,333	39,26,59,291	1,21,90,092	43,56,000		4,01,893	90,70,494		67,69,36,103
Aug-24	23,03,84,356	25,82,58,333	38,03,64,572	1,30,08,446			4,01,893	93,72,844		66,14,06,089
Sep-24	23,06,53,627	25,82,58,333	38,08,09,139	2,64,84,990			4,01,893	93,72,844		67,53,27,200
Total	1,27,99,84,054	1,54,95,50,000	2,11,32,53,674	7,70,97,506	43,56,000	1,31,436	23,28,288	5,51,11,650	21,00,000	3,80,39,28,534

Bawla Agal



# Annexure - 11





- (10) संबद्ध प्राधिकारी सभी सरकारी स्कीमों या कार्यक्रमों में, उदाहरणार्थ महात्मा गांधी राष्ट्रीय ग्रामीण रोजगार गारंटी अधिनियम, 2005 (मनरेगा), स्वच्छ भारत अभियान, शहरी और ग्रामीण आवासन स्कीम, जहां संनिर्मित क्षेत्र एक हजार वर्ग फुट से अधिक है और अवसंरचना संबंधी संनिर्माण में, जिसके अंतर्गत अभिहित औद्योगिक संपदाओं या पार्कों या विशेष आर्थिक जोनों में भवन निर्माण भी है, ऐश आधारित ईंटों या उत्पादों के आजापक उपयोग को सुनिश्चित करेंगे।
- (11) कृषि मंत्रालय कृषि क्रियाकलापों में ऐश के मृदा अनुकूलक के रूप में उपयोग का संवर्धन करने पर विचार कर सकेगा।”
5. सभी संबद्ध प्राधिकारियों द्वारा उपरोक्त उपबंधों का अनुपालन करने की समयावधि 31 दिसंबर, 2017 है। कोयला या लिग्नाइट आधारित तापीय विद्युत संयंत्र, उनके द्वारा उत्पादित फ्लाई ऐश के 100 प्रतिशत उपयोग के अतिरिक्त उपरोक्त उपबंधों का अनुपालन 31 दिसंबर, 2017 से पूर्व करेंगे।

[फा. सं. 9-8/2005-एचएसएमडी]

विश्वनाथ सिन्हा, संयुक्त सचिव

टिप्पण:- मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (ii) में अधिसूचना सं. का.आ. 763(अ), तारीख 14 सितंबर, 1999 द्वारा प्रकाशित की गई थी और इसमें पश्चातवर्ती संशोधन अधिसूचना सं. का.आ. 979(अ), तारीख 27 अगस्त, 2003 और का.आ. 2804(अ), तारीख 3 नवंबर, 2009 द्वारा किए गए थे।

MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE  
NOTIFICATION

New Delhi, the 25th January, 2016

**S.O. 254(E).**—Whereas a draft of certain amendments to the Government of India in the Ministry of Environment, Forests and Climate Change number S.O. 763(E), dated the 14th September, 1999 (hereinafter referred to as the said notification) which the Central Government proposes to make under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, was published in the Gazette of India, Extraordinary, Part II, section 3, Sub-section (ii), vide S.O. 1396(E), dated the 25<sup>th</sup> May, 2015 inviting objections and suggestions from all persons likely to be affected thereby before the expiry of sixty days from the date on which copies of the Gazette containing the said draft amendments were made available to the public.

And, whereas copies of the said Gazette were made available to the public on 25th May, 2015;

And, whereas all the objections and suggestions received from all persons likely to be affected thereby in respect of the said draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments to the said notification, namely: —

1. In the said notification, in paragraph 1,-

- in sub-paragraph 1(A), for the words “hundred kilometers”, the words “three hundred kilometers” shall be substituted;
- in sub-paragraph (3), for the figures and letters “100 km”, the words “three hundred kilometers” shall be substituted;
- in sub-paragraph (5), for the words “hundred Kilometers”, the words “three hundred Kilometers” shall be substituted;
- in sub-paragraph (7), for the words “hundred Kilometers”, the words “three hundred Kilometers” shall be substituted.



100



**2. In the said notification, in paragraph 2:-**

**(a) after sub-paragraph (1), the following proviso shall be inserted, namely:-**

“provided further that the restriction to provide 20 % of dry ESP fly ash free of cost shall not apply to those thermal power plants which are able to utilise 100 % fly ash in the prescribed manner.”

**(b) after sub-paragraph (7), the following sub-paragraphs shall be inserted, namely:-**

- “(8) Every coal or lignite based thermal power plants (including captive and or co-generating stations) shall, within three months from the date of notification, upload on their website the details of stock of each type of ash available with them and thereafter shall update the stock position at least once a Month.
- (9) Every coal or lignite based thermal power plants shall install dedicated dry ash silos having separate access roads so as to ease the delivery of fly ash.
- (10) The cost of transportation of ash for road construction projects or for manufacturing of ash based products or use as soil conditioner in agriculture activity within a radius of hundred kilometers from a coal or lignite based thermal power plant shall be borne by such coal or lignite based thermal power plant and the cost of transportation beyond the radius of hundred kilometers and up to three hundred kilometers shall be shared equally between the user and the coal or lignite based thermal power plant.
- (11) The coal or lignite based thermal power plants shall promote, adopt and set up (financial and other associated infrastructure) the ash based product manufacturing facilities within their premises or in the vicinity of their premises so as to reduce the transportation of ash.
- (12) The coal or lignite based thermal power plants in the vicinity of the cities shall promote, support and assist in setting up of ash based product manufacturing units so as to meet the requirements of bricks and other building construction materials and also to reduce the transportation.
- (13) To ensure that the contractor of road construction utilizes the ash in the road, the Authority concerned for road construction shall link the payment of contractor with the certification of ash supply from the thermal power plants.
- (14) The coal or lignite based thermal power plants shall within a radius of three hundred kilometers bear the entire cost of transportation of ash to the site of road construction projects under Pradhan Mantri Gramin Sadak Yojna and asset creation programmes of the Government involving construction of buildings, road, dams and embankments”.

**3. In the said notification, in paragraph 2, sub-paragraph (2A) be read as sub-paragraph (15) and at the end of the said sub-paragraph, the following sub-paragraph shall be added, namely:-**

“and the coal or lignite based thermal power plants located in coastal districts shall support, assist or directly engage into construction of shore line protection measures.”

**4. In the said notification, in paragraph 3, after sub-paragraph (7), the following shall be inserted, namely:-**

- “(8) It shall be the responsibility of all State Authorities approving various construction projects to ensure that Memorandum of Understanding or any other arrangement for using fly ash or fly ash based products is made between the thermal power plants and the construction agency or contractors.
- (9) The State Authorities shall amend Building Bye Laws of the cities having population One million or more so as to ensure the mandatory use of ash based bricks keeping in view the specifications necessary as per technical requirements for load bearing structures.
- (10) The concerned Authority shall ensure mandatory use of ash based bricks or products in all Government Scheme or programmes e.g. Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (MNREGA), SWACHH BHARAT ABIYAN, Urban and Rural Housing Scheme, where built up area is more than 1000 square feet and in infrastructure construction including buildings in designated industrial Estates or Parks or Special Economic Zone.





(11) The Ministry of Agriculture may consider the promotion of ash utilisation in agriculture as soil conditioner."

5. The time period to comply with the above provisions by all concerned authorities is 31<sup>st</sup> December, 2017. The coal or lignite based thermal power plants shall comply with the above provision in addition to 100 % utilization of fly ash generated by them before 31<sup>st</sup> December, 2017.

[F. No. 9-8/2005-HSMD]

BISHWANATH SINHA, Jt. Secy.

**Note:-** The principal notification was published in the Gazette of India, Extraordinary, Part II, section 3, Sub-section (ii) *vide* notification S.O. 763(E), dated the 14<sup>th</sup> September, 1999 and was subsequently amended *vide* notification S.O. 979(E), dated the 27<sup>th</sup> August, 2003 and S.O. 2804(E), dated the 3<sup>rd</sup> November, 2009.





# भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-01012022-232336  
CG-DL-E-01012022-232336

असाधारण  
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं. 5075]

No. 5075]

नई दिल्ली, शुक्रवार, दिसम्बर 31, 2021/पौष 10, 1943

NEW DELHI, FRIDAY, DECEMBER 31, 2021/PAUSHA 10, 1943

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 31 दिसम्बर, 2021

का.आ. 5481(अ).—केन्द्रीय सरकार ने भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना सं. का.आ. 763 (अ) तारीख 14 सितम्बर, 1999 द्वारा कोयला या लिग्नाइट आधारित ताप विद्युत संयंत्रों से तीन सौ किलोमीटर के विनिर्दिष्ट व्यास के भीतर ईंटों के विनिर्माण के लिए उपजाऊ मिट्टी के उत्खनन को प्रतिबंधित करने के लिए और भवन निर्माण सामग्री के विनिर्माण में और संनिर्माण क्रियाकलाप में फ्लाई-राख के उपयोग को बढ़ावा देने के लिए निदेश जारी किए हैं;

और, प्रदूषणकर्ता भुगतान सिद्धांत (पीपीपी) के आधार पर, ऐसा करके कोयला या लिग्नाइट आधारित ताप विद्युत संयंत्रों द्वारा फ्लाई-राख का 100 प्रतिशत उपयोग सुनिश्चित करते हुए और फ्लाई-राख प्रबंधन प्रणाली की संधारणीयता के लिए पूर्वोक्त अधिसूचना को और अधिक प्रभावकारी ढंग से कार्यान्वित करने हेतु, केन्द्रीय सरकार ने मौजूदा अधिसूचना की समीक्षा की;

और प्रदूषणकर्ता भुगतान सिद्धांत के आधार पर पर्यावरणीय प्रतिकर निर्धारित किए जाने की आवश्यकता है;

और, विनिर्माण को बढ़ावा देकर तथा निर्माण कार्य के क्षेत्र में राख आधारित उत्पादों तथा भवन निर्माण सामग्रियों के प्रयोग को अनिवार्य करके उपजाऊ मिट्टी को संरक्षित करने की आवश्यकता है;





[PART II—SEC. 3(ii)]

	सीमेंट शीट या पाइप या बोर्ड या पैनल): ii. सीमेंट विनिर्माण: iii. रेडी मिक्स कंक्रीट: iv. राख और जीओ-पॉलिमर आधारित निर्माण सामग्री: v. सिंटर्ड या कोल्ड बॉन्डेड राख एग्रीगेट का निर्माण: vi. सड़कों, सड़क और फ्लाई ओवर के पुश्तों का निर्माण: vii. बांधों का निर्माण: viii. निम्न भू-क्षेत्र का भराव: ix. खनिज क्षेत्रों का भराव: x. अधिभार वाले डम्पों में उपयोग: xi. कृषि: xii. तटीय जिलों में तटरेखा सुरक्षा संरचनाओं का निर्माण: xiii. अन्य देशों को राख का निर्यात xiv. अन्य (कृपया विनिर्दिष्ट करें):																	
20.	सार :																	
	<table border="1"> <thead> <tr> <th>व्यौरा</th><th>सृजित मात्रा (एमटीपी)</th><th>उपयोग की गई मात्रा (एमटीपी) और (%)</th><th>शेष मात्रा (एमटीपी)</th></tr> </thead> <tbody> <tr> <td>रिपोर्टिंग की अवधि के दौरान राख</td><td></td><td></td><td></td></tr> <tr> <td>पुरानी राख</td><td></td><td></td><td></td></tr> <tr> <td>कुल</td><td></td><td></td><td></td></tr> </tbody> </table>	व्यौरा	सृजित मात्रा (एमटीपी)	उपयोग की गई मात्रा (एमटीपी) और (%)	शेष मात्रा (एमटीपी)	रिपोर्टिंग की अवधि के दौरान राख				पुरानी राख				कुल				
व्यौरा	सृजित मात्रा (एमटीपी)	उपयोग की गई मात्रा (एमटीपी) और (%)	शेष मात्रा (एमटीपी)															
रिपोर्टिंग की अवधि के दौरान राख																		
पुरानी राख																		
कुल																		
21.	कोई अन्य सूचना : वार्षिक अनुपालन रिपोर्ट, और विद्युत संयंत्रों और राख कुण्डों की शेष फाइलों की सॉफ्ट कॉपी ई-मेल:- <a href="mailto:moefcc-coalash@gov.in">moefcc-coalash@gov.in</a> पर भेजी जाए।																	
22.	प्राधिकृत हस्ताक्षरकर्ता के हस्ताक्षर																	



## MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE NOTIFICATION

New Delhi, the 31st December, 2021

**S.O. 5481(E).**—Whereas by notification of the Government of India in the erstwhile Ministry of Environment and Forests *vide* S.O.763 (E), dated the 14<sup>th</sup> September, 1999, as amended from time to time, the Central Government, issued directions for restricting the excavation of top soil for manufacturing of bricks and promoting the utilisation of fly ash in the manufacturing of building materials and in construction activity within a specified radius of three hundred kilometres from the coal or lignite based thermal power plants;

And whereas, to implement the aforesaid notification more effectively based on the polluter pays principle (PPP) thereby ensuring 100 per cent utilisation of fly ash by the coal or lignite based thermal power plants and for the sustainability of the fly ash management system, the Central Government reviewed the existing notification; and whereas environmental compensation needs to be introduced based on the polluter pays principle;



And whereas, there is a need to conserve top soil by promoting manufacture and mandating use of ash based products and building materials in the construction sector;

And whereas, there is a need to conserve top soil and natural resources by promoting utilisation of ash in road laying, road and flyover embankments, shoreline protection measures, low lying areas of approved projects, backfilling of mines, as an alternative for filling of earthen materials;

And whereas, it is necessary to protect the environment and prevent the dumping and disposal of fly ash discharged from coal or lignite based thermal power plants on land;

And whereas, in the said notification the phrase 'ash', has been used which includes both fly ash as well as bottom ash generated from the Coal or Lignite based thermal power plants;

And whereas, the Central Government intends to bring out a comprehensive framework for ash utilisation including system of environmental compensation based on polluter pays principle;

And whereas, a draft notification on ash utilisation by coal or lignite thermal power plants in supersession of the notification of the Government of India, Ministry of Environment and Forests published in the Gazette of India, Extra Ordinary part II, section 3, sub-section (i) vide S.O.763 (E), dated the 14<sup>th</sup> September, 1999, by notification in exercise of the powers conferred under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule (5) of the Environment (Protection) Rules, 1986, was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i), vide G.S.R. 285(E), dated the 22nd April, 2021 inviting objections and suggestions from all persons likely to be affected thereby before the expiry of sixty days from the date on which copies of the Gazette containing the said draft provisions were made available to the public;

And, whereas all the objections and suggestions received from all persons likely to be affected thereby in respect of the said draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule (5) of the Environment (Protection) Rules, 1986, and in supersession of the Notification S.O.763 (E), dated the 14<sup>th</sup> September, 1999 except as respect things done or omitted to be done before such supersession, the Central Government hereby issues the following notification on ash utilisation from coal or lignite thermal power plants which shall come into force on the date of the publication of this notification, namely:-

**A. Responsibilities of thermal power plants to dispose fly ash and bottom ash.—**

- (1) Every coal or lignite based thermal power plant (including captive or co-generating stations or both) shall be primarily responsible to ensure 100 per cent utilisation of ash (fly ash, and bottom ash) generated by it in an eco-friendly manner as given in sub-paragraph (2);
- (2) The ash generated from coal or lignite based thermal power plants shall be utilised only for the following eco-friendly purposes, namely:-
  - (i) Fly ash based products viz. bricks, blocks, tiles, fibre cement sheets, pipes, boards, panels;
  - (ii) Cement manufacturing, ready mix concrete;
  - (iii) Construction of road and fly over embankment, Ash and Geo-polymer based construction material;
  - (iv) Construction of dam;
  - (v) Filling up of low lying area;
  - (vi) Filling of mine voids;
  - (vii) Manufacturing of sintered or cold bonded ash aggregate;
  - (viii) Agriculture in a controlled manner based on soil testing;
  - (ix) Construction of shoreline protection structures in coastal districts;



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- (x) Export of ash to other countries;
- (xi) Any other eco-friendly purpose as notified from time to time.
- (3) A committee shall be constituted under the chairmanship of Chairman, Central Pollution Control Board (CPCB) and having representatives from Ministry of Environment, Forest and Climate Change (MoEFCC), Ministry of Power, Ministry of Mines, Ministry of Coal, Ministry of Road Transport and Highways, Department of Agricultural Research and Education, Institute of Road Congress, National Council for Cement and Building Materials, to examine and review and recommend the eco-friendly ways of utilisation of ash and make inclusion or exclusion or modification in the list of such ways as mentioned in Sub-paragraph (2) based on technological developments and requests received from stakeholders. The committee may invite State Pollution Control Board or Pollution Control Committee, operators of thermal power plants and mines, cement plants and other stakeholders as and when required for this purpose. Based on the recommendations of the Committee, Ministry of Environment, Forest and Climate Change (MoEFCC) may publish such eco-friendly purpose.
- (4) Every coal or lignite based thermal power plant shall be responsible to utilise 100 per cent ash (fly ash and bottom ash) generated during that year, however, in no case shall utilisation fall below 80 per cent in any year, and the thermal power plant shall achieve average ash utilisation of 100 per cent in a three years cycle:

Provided that the three years cycle applicable for the first time is extendable by one year for the thermal power plants where ash utilisation is in the range of 60-80 per cent, and two years where ash utilisation is below 60 per cent and for the purpose of calculation of percentage of ash utilisation, the percentage quantity of utilisation in the year 2021-2022 shall be taken into account as per the table below:

Utilisation percentages of thermal power plants	First compliance Cycle to meet 100 per cent utilisation	Second compliance cycle onwards, to meet 100 per cent utilisation
>80 per cent	3 years	3 years
60-80 per cent	4 years	3 years
<60 per cent	5 years	3 years

Provided further that the minimum utilisation percentage of 80 per cent shall not be applicable to the first year and first two years of the first compliance cycle for the thermal power plants under the utilisation category of 60-80 per cent and <60 per cent, respectively.

Provided also that 20 per cent of ash generated in the final year of compliance cycle may be carried forward to the next cycle which shall be utilised in the next three years cycle along with the ash generated during that cycle.

- (5) The unutilised accumulated ash i.e. legacy ash, which is stored before the publication of this notification, shall be utilised progressively by the thermal power plants in such a manner that the utilization of legacy ash shall be completed fully within ten years from the date of publication of this notification and this will be over and above the utilisation targets prescribed for ash generation through current operations of that particular year:

Provided that the minimum quantity of legacy ash in percentages as mentioned below shall be utilised during the corresponding year and the minimum quantity of legacy ash is to be calculated based on the annual ash generation as per installed capacity of thermal power plant.

Year from date of publication	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> -10 <sup>th</sup>
Utilisation of legacy ash (in percentage of Annual ash)	At least 20 per cent	At least 35 per cent	At least 50 per cent





Provided further that the legacy ash utilisation shall not be required where ash pond or dyke has stabilised and the reclamation has taken place with greenbelt or plantation and the concerned State Pollution Control Board shall certify in this regard. Stabilisation and reclamation of an ash pond or dyke including certification by the Central Pollution Control Board (CPCB) or State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall be carried out within a year from the date of publication of this notification. The ash remaining in all other ash ponds or dykes shall be utilised in progressive manner as per the above mentioned timelines.

**Note:** The obligations under sub-paragraph (4) and (5) above for achieving the ash utilisation targets shall be applicable from 1<sup>st</sup> April, 2022.

- (6) Any new as well as operational thermal power plant may be permitted an emergency or temporary ash pond with an area of 0.1 hectare per Mega Watt (MW). Technical specifications of ash ponds or dykes shall be as per the guidelines of Central Pollution Control Board (CPCB) made in consultation with Central Electricity Authority (CEA) and these guidelines shall also lay down a procedure for annual certification of the ash pond or dyke on its safety, environmental pollution, available volume, mode of disposal, water consumption or conservation in disposal, ash water recycling and greenbelt, etc., and shall be put in place within three months from the date of publication of this notification.
- (7) Every coal or lignite based thermal power plant shall ensure that loading, unloading, transport, storage and disposal of ash is done in an environmentally sound manner and that all precautions to prevent air and water pollution are taken and status in this regard shall be reported to the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) in Annexure attached to this notification.
- (8) Every coal or lignite based thermal power plant shall install dedicated silos for storage of dry fly ash silos for at least sixteen hours of ash based on installed capacity and it shall be reported upon to the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) in the Annexure and shall be inspected by Central Pollution Control Board (CPCB) or State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) from time to time.
- (9) Every coal or lignite based thermal power plant (including captive or co-generating stations or both) shall provide real time data on daily basis of availability of ash with Thermal Power Plant (TPP), by providing link to Central Pollution Control Board's web portal or mobile phone App for the benefit of actual user(s).
- (10) Statutory obligation of 100 per cent utilisation of ash shall be treated as a change in law, wherever applicable.

**B. For the purpose of utilisation of ash, the subsequent sub-paras shall apply.—**

- (1) All agencies (Government, Semi-government and Private) engaged in construction activities such as road laying, road and flyover embankments, shoreline protection structures in coastal districts and dams within 300 kms from the lignite or coal based thermal power plants shall mandatorily utilise ash in these activities:

Provided that it is delivered at the project site free of cost and transportation cost is borne by such coal or lignite based thermal power plants.

Provided further that thermal power plant may charge for ash cost and transportation as per mutually agreed terms, in case thermal power plant is able to dispose the ash through other means and those agencies makes a request for it and the provisions of ash free of cost and free transportation shall be applicable, if thermal power plant serves a notice on the construction agency for the same.

- (2) The utilisation of ash in the said activities shall be carried out in accordance with specifications and guidelines laid down by the Bureau of Indian Standards, Indian Road Congress, Central Building Research Institute, Roorkee, Central Road Research Institute, Delhi, Central Public Works Department, State Public Works Departments and other Central and State Government Agencies.





- (3) It shall be obligatory on all mines located within 300 kilometres radius of thermal power plant, to undertake backfilling of ash in mine voids or mixing of ash with external Overburden dumps, under Extended Producer Responsibility (EPR). All mine owners or operators (Government, Public and Private Sector) within three hundred kilometres (by road) from coal or lignite based thermal power plants, shall undertake measures to mix at least 25 per cent of ash on weight to weight basis of the materials used for external dump of overburden, backfilling or stowing of mine (running or abandoned as the case may be) as per the guidelines of the Director General of Mines Safety (DGMS):

Provided that such thermal power stations shall facilitate the availability of required quantity of ash by delivering ash free of cost and bearing the cost of transportation or cost or transportation arrangement decided on mutually agreed terms and mixing of ash with overburden in mine voids and dumps shall be applicable for the overburden generated from the date of publication of this notification and the utilisation of ash in the said activities shall be carried out in accordance with guidelines laid down by the Central Pollution Control Board, Director General of Mines Safety and Indian Bureau of Mines.

Explanation.- For the purpose of this sub-paragraph, it is also clarified that the provisions of ash free of cost and free transportation shall be applicable, if thermal power plants serve a notice on the mine owner for the same and the mandate of using 25 per cent of ash for mixing with overburden dump and filling up of mine voids shall not be applicable unless a notice is served on the mine owner by thermal power plant.

- (4) (i) All mine owners shall get mine closure plans (progressive and final) to accommodate ash in the mine voids and the concerned authority shall approve mine plans for disposal of ash in mine voids and mixing of ash with overburden dumps. The Ministry of Environment, Forest and Climate Change (MoEFCC) has issued guidelines on 28<sup>th</sup> August, 2019 regarding exemption of requirement of Environmental Clearance of thermal power plants and coal mines along with the guidelines to be followed for such disposal.
- (ii) The Ministry in consultation with Central Pollution Control Board (CPCB), Director General of Mine Safety (DGMS) and Indian Bureau of Mines (IBM) may issue further guidelines time to time to facilitate ash disposal in mine voids and mixing with overburden dumps and it shall be the responsibility of mine owners to get the necessary amendments or modifications in the permissions issued by various regulatory authorities within one year from the date of identification of such mines.
- (5) (i) There shall be a committee headed by Chairperson, Central Pollution Control Board (CPCB) with representatives from Ministry of Environment, Forest and Climate Change, Ministry of Power, Ministry of Mines, Ministry of Coal, Director General of Mine Safety and Indian Bureau of Mines for identification of mines for backfilling of mine voids with ash or mixing of ash with overburden dump including examination of safety, feasibility (not economic feasibility) and aspects of environmental contamination and the committee shall get updated quarterly reports prepared regarding identified mines (both underground and opencast) for the stakeholder Ministries or Departments and the committee shall start identifying the suitable mines immediately after the publication of this notification.
- (ii) Thermal power plants or mines shall not wait for disposal of ash till the identification is done by the above mentioned committee, to meet the utilisation targets mandated as above.
- (6) Filling of low lying areas with ash shall be carried out with prior permission of the State Pollution Control Board or Pollution Control Committee for approved projects, and in accordance with guidelines laid down by Central Pollution Control Board (CPCB) and the State Pollution Control Board or Pollution Control Committee (PCC) shall publish approved sites, location, area and permitted quantity annually on its website.
- (7) Central Pollution Control Board after engaging relevant stakeholders, shall put in place the guidelines within one year for all types of activities envisaged under this notification including putting in place time bound online application process for the grant permission by State Pollution Control Boards (SPCBs) or Pollution Control Committees (PCCs).





- (8) All building construction projects (Central, State and Local authorities, Govt. undertakings, other Govt. agencies and all private agencies) located within a radius of three hundred kilometres from a coal or lignite based thermal power plant shall use ash bricks, tiles, sintered ash aggregate or other ash based products, provided these are made available at prices not higher than the price of alternative products.
- (9) Manufacturing of ash based products and use of ash in such products shall be in accordance with specifications and guidelines laid down by the Bureau of Indian Standards, Indian Road Congress, and Central Pollution Control Board.

**C. Environmental compensation for non-compliance.—**

- (1) In the first two years of a three years cycle, if the coal or lignite based thermal power plant (including captive or co-generating stations or both) has not achieved at least 80 per cent ash (fly ash and bottom ash) utilisation, then such non-compliant thermal power plants shall be imposed with an environmental compensation of Rs. 1000 per ton on unutilised ash during the end of financial year based on the annual reports submitted and if it is unable to utilise 100 per cent of ash in the third year of the three years cycle, it shall be liable to pay an environmental compensation of Rs. 1000 per ton on the unutilised quantity on which environmental compensation has not been imposed earlier:

Provided that the environmental compensation shall be estimated and imposed at the end of last year of the first compliance cycle as per the various utilisation categories as mentioned in sub-paragraph (4) of Para A.

- (2) Environmental compensation collected by the authorities shall be deposited in the designated account of Central Pollution Control Board.
- (3) In case of legacy ash, if the coal or lignite based thermal power plant (including captive or co-generating stations or both) has not achieved utilisation equivalent to at least 20 per cent (for the first year), 35 per cent (for the second year), 50 per cent (for third to tenth year) of ash generated based on installed capacity, an environmental compensation of Rs. 1000 per ton of unutilised legacy ash during that financial year shall be imposed and if the utilization of legacy ash is not completed at the end of 10 years, an environmental compensation of Rs.1000 per ton shall be imposed on the remaining unutilised quantity which has not been imposed earlier.
- (4) It shall be the responsibility of the transporters or vehicle owner to deliver ash to authorised purchaser or user agency and if it is not complied, then an environmental compensation of Rs. 1500 per ton on such quantity as mis-delivered to unauthorised users or non- delivered to authorised users will be imposed besides prosecution of such non-compliant transporters by State Pollution Control Board (SPCB) or Pollution Control Committee (PCC).
- (5) It is the responsibility of the purchasers or user agencies to utilise ash in an eco-friendly manner as laid down at para B of this notification and if it is not complied, then an environmental compensation of Rs. 1500 per ton shall be imposed by State Pollution Control Board (SPCB) or Pollution Control Committee (PCC).
- (6) If the user agencies do not utilise ash to the extent obligated under para B or the extent to which they have been intimated through Notice(s) served under sub-paragraph (1) of para D, whichever is lower, they shall be liable to pay Rs. 1500 per ton of ash for the quantity they fall short off:

Provided that the environmental compensation on building constructions shall be levied at Rs.75/- per square feet of built up area of construction.

- (7) (i) The environmental compensation collected by Central Pollution Control Board from the thermal power plants and other defaulters shall be used towards the safe disposal of the unutilised ash and the fund may also be utilised for advancing research on use of ash including ash based products.
- (ii) The liability of ash utilisation shall be with thermal power plants even after imposition of environmental compensation on unutilised quantities and in case thermal power plant achieves the ash utilisation of any





particular cycle after imposition of environmental compensation in subsequent cycles, the said amount shall be returned to thermal power plant after deducting 10 per cent of the environmental compensation collected on the unutilised quantity during the next cycle and deduction of 20 per cent, 30 per cent, and so on, of the environmental compensation collected is to be made in case of utilisation of ash in subsequent cycles.

**D. Procedure for supply of ash or ash based products.—**

- (1) The owner of thermal power plants or manufacturers of ash bricks or tiles or sintered ash aggregate shall serve written notice to persons or agencies who are liable to utilise ash or ash based products, offering for sale, or transport or both.
- (2) Persons or user agencies who have been served notices by owner of thermal power plants or manufacturers of ash bricks or tiles or sintered ash aggregate, if they have already tied up with other agencies for the purpose of utilisation of ash or ash products, shall inform the thermal power plant accordingly, if they cannot use any ash or ash products or use reduced quantity.

**E. Enforcement, Monitoring, Audit and Reporting.—**

- (1) The Central Pollution Control Board (CPCB) and the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall be the enforcing and monitoring authority for ensuring compliance of the provisions and shall monitor the utilisation of ash on quarterly basis. Central Pollution Control Board shall develop a portal for the purpose within six months of date of publication of the notification. The concerned District Magistrate shall have concurrent jurisdiction for enforcement and monitoring of the provisions of this notification.
- (2) (i) Thermal power plants shall upload monthly information regarding ash generation and utilisation by 5th of the next month on the web portal. Annual implementation report (for the period 1<sup>st</sup> April to 31<sup>st</sup> March) providing information about the compliance of provisions in this notification shall be submitted by the 30<sup>th</sup> day of April, every year to the Central Pollution Control Board, concerned State Pollution Control Board or Pollution Control Committee (PCC), Central Electricity Authority (CEA), and concerned Integrated Regional Office of Ministry of Environment, Forest and Climate Change by the coal or lignite based thermal power plants. Central Pollution Control Board and Central Electricity Authority shall compile the annual reports submitted by all the thermal power plants and submit to Ministry of Environment, Forest and Climate Change by 31st May.
- (ii) All other user agencies shall submit consumption or utilisation or disposal of ash and use of ash based products as mandated in this notification in the compliance report of Environmental Clearance (EC) issued by Ministry of Environment, Forest and Climate Change or State Level Environment Impact Assessment Authority (SEIAA) or Consent to Operate (CTO) issued by State Pollution Control Board (SPCB) or Pollution Control Committee (PCC), whichever is applicable. The Central Pollution Control Board (CPCB) or State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall publish annual report of ash utilisation of all other agencies except thermal power plants to review the effective implementation of the provisions of the notification.
- (3) For the purpose of monitoring the implementation of the provisions of this notification, a committee shall be constituted under the Chairperson, Central Pollution Control Board (CPCB), with members from Ministry of Power, Ministry of Coal, Ministry of Mines, Ministry of Environment, Forest and Climate Change, Ministry Road Transportation and Highways, Department of Heavy Industry as well as any concerned stakeholder(s), to be nominated by the Chairman of the committee. The committee may make recommendations for effective and efficient implementation of the provisions of the notification. The committee shall meet at least once in six months and review annual implementation reports and the committee shall also hold stakeholder consultations for monitoring of ash utilisation as mandated by this notification by inviting relevant stakeholder(s) at least once in six months. The committee shall submit the six monthly report to Ministry of Environment, Forest and Climate Change (MoEFCC).





- (4) For the purpose of resolving disputes between thermal power plants and users of ash or manufacturer of ash based products, the State Governments or Union territory administration constitute a Committee within three months from the date of publication of this notification under the Chairman, State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) with representatives from Department of Power, and one representative from the Department which deals with the subject of concerned agency with which dispute is made.
- (5) The compliance audit for ash disposal by the thermal power plants and the user agency shall be conducted by auditors, authorised by Central Pollution Control Board (CPCB) and audit report shall be submitted to Central Pollution Control Board (CPCB) and concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) by 30th November every year. Central Pollution Control Board (CPCB) and concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall initiate action against non-compliant thermal power plants within fifteen days of receipt of audit report.

[F. No. HSM-9/1/2019-HSM]

NARESH PAL GANGWAR, Jt. Secy.

## Annexure

Ash Compliance Report (for the period 1<sup>st</sup> April-31<sup>st</sup> March) to be submitted on or before 31<sup>st</sup> May.

Sl. No.	Details	
1.	Name of Power Plant	
2.	Name of the company	
3.	District	
4.	State	
5.	Postal address for communication:	
6.	E-mail:	
7.	Power Plant installed capacity (MW):	
8.	Plant Load Factor (PLF):	
9.	No. of units generated (MWh):	
10.	Total area under power plant (ha): (including area under ash ponds)	
11.	Quantity of coal consumption during reporting period (Metric Tons per Annum):	
12.	Average ash content in percentage (per cent):	
13.	Quantity of current ash generation during reporting period (Metric Tons per Annum): Fly ash (Metric Tons per Annum): Bottom ash (Metric Tons per Annum):	
14.	Capacity of dry fly ash storage silo(s) (Metric Tons) :	
15.	Details of utilisation of current ash generated during reporting period (a) Total quantity of current ash utilised (MTPA) during reporting period: (b) Quantity of fly ash utilised (MTPA): (i) Fly ash based products (bricks or blocks or tiles or fibre cement sheets or pipes or boards or panels) (ii) Cement manufacturing:	





	<ul style="list-style-type: none"> <li>(iii) Ready mix concrete:</li> <li>(iv) Ash and Geo-polymer based construction material:</li> <li>(v) Manufacturing of sintered or cold bonded ash aggregate:</li> <li>(vi) Construction of roads, road and fly over embankment:</li> <li>(vii) Construction of dams:</li> <li>(viii) Filling up of low lying area:</li> <li>(ix) Filling of mine voids:</li> <li>(x) Use in overburden dumps:</li> <li>(xi) Agriculture:</li> <li>(xii) Construction of shoreline protection structures in coastal districts;</li> <li>(xiii) Export of ash to other countries:</li> <li>(xiv) Others (please specify):</li> </ul> <p>(c) Quantity of bottom ash utilised (MTPA):</p> <ul style="list-style-type: none"> <li>(i) Fly ash based products (bricks or blocks or tiles or fibre cement sheets or pipes or boards or panels):</li> <li>(ii) Cement manufacturing:</li> <li>(iii) Ready mix concrete:</li> <li>(iv) Ash and Geo-polymer based construction material:</li> <li>(v) Manufacturing of sintered or cold bonded ash aggregate:</li> <li>(vi) Construction of roads, road and flyover embankment:</li> <li>(vii) Construction of dams:</li> <li>(viii) Filling up of low lying area:</li> <li>(ix) Filling of mine voids:</li> <li>(x) Use in overburden dumps:</li> <li>(xi) Agriculture:</li> <li>(xii) Construction of shoreline protection structures in coastal districts:</li> <li>(xiii) Export of ash to other countries:</li> <li>(xiv) Others (please specify):</li> </ul> <p>Total quantity of current ash unutilised (MTPA) during reporting period:</p>	
16.	Percentage utilisation of current ash generated during reporting period (per cent):	
17.	<p>Details of disposal of ash in ash ponds</p> <p>(a) Total quantity of ash disposed in ash pond(s) (Metric Tons) as on 31<sup>st</sup> March (excluding reporting period):</p> <p>(b) Quantity of ash disposed in ash pond(s) during reporting period (Metric Tons):</p> <p>(c) Total quantity of water consumption for slurry discharge into ash ponds during reporting period (m<sup>3</sup>):</p> <p>(d) Total number of ash ponds:</p> <ul style="list-style-type: none"> <li>(i) Active:</li> <li>(ii) Exhausted (yet to be reclaimed):</li> <li>(iii) Reclaimed:</li> </ul> <p>(e) total area under ash ponds (ha):</p>	
18.	<p>Individual ash pond details</p> <p><i>Ash pond-1,2, etc (please provide below mentioned details separately, if number of ash ponds is more than one)</i></p> <p>(a) Status: Under construction or Active or Exhausted or</p>	



	<p>Reclaimed</p> <p>(b) Date of start of ash disposal in ash pond (DD/MM/YYYY or MMYYYY):</p> <p>(c) Date of stoppage of ash disposal in ash pond after completing its capacity (DD/MM/YYYY or MM/YYYY): (Not applicable for active ash ponds)</p> <p>(c) area (hectares):</p> <p>(d) dyke height (m):</p> <p>(d) volume (m<sup>3</sup>):</p> <p>(e) quantity of ash disposed as on 31<sup>st</sup> March (Metric Tons):</p> <p>(f) available volume in percentage (per cent) and quantity of ash can be further disposed (Metric Tons):</p> <p>(g) expected life of ash pond (number of years and months):</p> <p>(e) co-ordinates (Lat and Long): (please specify minimum 4 co-ordinates)</p> <p>(f) type of lining carried in ash pond: HDPE lining or LDPE lining or clay lining or No lining</p> <p>g) mode of disposal: Dry disposal or wet slurry (in case of wet slurry please specify whether HCSD or MCSD or LCSD)</p> <p>(h) Ratio of ash: water in slurry mix (1: __ ):</p> <p>(i) Ash water recycling system (AWRS) installed and functioning: Yes or No</p> <p>(j) Quantity of wastewater from ash pond discharged into land or water body (m3):</p> <p>(k) Last date when the dyke stability study was conducted and name of the organisation who conducted the study:</p> <p>(l) Last date when the audit was conducted and name of the organisation who conducted the audit:</p>									
19.	<p>Quantity of legacy ash utilised (MTPA):</p> <ol style="list-style-type: none"> <li>Fly ash based products (bricks or blocks or tiles or fibre cement sheets or pipes or boards or panels):</li> <li>Cement manufacturing:</li> <li>Ready mix concrete:</li> <li>Ash and Geo-polymer based construction material:</li> <li>Manufacturing of sintered or cold bonded ash aggregate:</li> <li>Construction of roads, road and flyover embankment:</li> <li>Construction of dams:</li> <li>Filling up of low lying area:</li> <li>Filling of mine voids:</li> <li>Use in overburden dumps:</li> <li>Agriculture:</li> <li>Construction of shoreline protection structures in coastal districts;</li> <li>Export of ash to other countries:</li> <li>Others (please specify):</li> </ol>									
20.	<p>Summary:</p> <table border="1"> <thead> <tr> <th data-bbox="255 1971 558 2038">Details</th> <th data-bbox="558 1971 845 2038">Quantity generated (MTP)</th> <th data-bbox="845 1971 1133 2038">Quantity utilised (MTP) and (per cent)</th> <th data-bbox="1133 1971 1436 2038">Balance quantity (MTP)</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Details	Quantity generated (MTP)	Quantity utilised (MTP) and (per cent)	Balance quantity (MTP)					
Details	Quantity generated (MTP)	Quantity utilised (MTP) and (per cent)	Balance quantity (MTP)							





	Current ash during reporting period			
	Legacy ash			
	Total			
21.	Any other information: Soft copy of the annual compliance report, and shape files of power plant and ash ponds may be e-mailed to:- moefcc-coalash@gov.in			
22.	Signature of Authorised Signatory			



# Annexure - 12





GOVERNMENT OF  
DEPARTMENT OF

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No. 6140 /En., Bhubaneswar Dated 21-7-2012  
R&R-55/2012

From

Sri S. Pradhan,  
Joint Secretary to Govt.

To

The Commissioner-cum-Secretary to Govt., Industries Department/  
Special Secretary to Govt, Water Resources Department/  
Chairman-cum-Managing Director, GRIDCO, Bhubaneswar/  
Managing Director, OHPC, Bhubaneswar/  
EIC(WR), Odisha, Bhubaneswar/  
EIC (Elect)-cum-PCEI (O)Bhubaneswar.

Sub:- Minutes of the 1<sup>st</sup> meeting of the committee on formulation of policy for utilisation of water in the reservoirs by Industrial units and running Hydro Electric Projects with their optimum capacity under the Chairmanship of Principal Secretary, Department of Water Resources, Govt. of Odisha on 03.07.2012 at 1.00P.M. in the Conference Hall of Department of Water Resources.

Sir,

I am directed to send herewith a copy of the minutes of the 1<sup>st</sup> meeting of the committee on formulation of policy for utilisation of water in the reservoirs by Industrial units and running Hydro Electric Projects with their optimum capacity under the Chairmanship of Principal Secretary, Department of Water Resources, Govt. of Odisha on 03.07.2012 at 1.00P.M. in the Conference Hall of Department of Water Resources for information and necessary action.

You are requested to furnish compliance report of the minutes to this Department within a fortnight for further action.

Yours faithfully

Memo No. 6141 /En., Dated 21/7/2012 Joint Secretary to Govt.

Copy alongwith copy of the minutes of the meeting forwarded to the PS to Principal Secretary to Govt., Water Resources Department/ Pr. PS to Commissioner-cum-Secretary to Govt., Energy Department for kind information of Principal Secretary, WR Deptt. and Commissioner-cum-Secretary, Energy Deptt.

Sr(G) / mgr(ED) on Biscul  
DY Mgr (Tech)

Joint Secretary to Govt.





**Minutes of the 1<sup>st</sup> Meeting of the Committee on formulation of Policy for utilisation of water in the reservoirs by industrial units and running of Hydro Electric Projects with their optimum Capacity, under the Chairmanship of Principal Secretary, Department of Water Resources, Govt. of Odisha on dated.03.07.2012 at 01:00PM in the Conference Hall of DoWR.**

Members Present is at annexure.

As per the High Court order dated. 30th March 2012 vide WP(C) No. 8409 of 2011 filed by Keonjhar Navanirman Parishad and others Vrs State of Odisha, a committee was constituted vide notification no 4348 dated.28th May 2012 of Department of Energy, Govt of Odisha to formulate a policy on utilization of Water by the industrial units and running of Hydro Electric Projects with their optimum capacity.

The directives of the Hon'ble court are reproduced below:

Para 24(i) of judgement :

"In order to make optimum use of the water in the reservoirs, the Govt. should come forward with a policy within a period of three months from today, if such policy has not been framed, to maintain a balance between the use of water by the industrial units and running of Hydro Electricity Projects with their optimum capacity, so that the Hydro Electricity Projects would not suffer or run under-capacity due to over draws of water by the industries."

Para 24(ii) of judgement:

"The state Govt. is directed to take steps to compute the amount of compensation to be recovered from the industrial units which had used the water and ensure that the said amount is recovered and paid to the OHPC within a period of three months from today, failing which such industrial units shall not be allowed to draw water from the reservoirs. Proper legislation should be made for controlling and distributing the water among the industrial units from the water reservoirs, the water of which is also utilised by the Hydro Electricity Projects. Apart from that, we direct that a corpus should be created by imposing a levy on the industries drawing water from different reservoirs and water sources, by making periodical dredging and removal of shoals etc. In that respect, appropriate legal provisions should be made within three months."





From the above it is observed by the committee that the following mandate is to be carried out by the committee.

1. To frame a policy to maintain a balance between industry use and hydro electric power generation with a view to avoid under capacity utilisation of generating units by 30.06.12.
2. Compute the amount of compensation to be recovered from the industrial units
3. Pay energy compensation to OHPC before 30.06.2012 failing which such industrial units shall not be allowed to draw water.
4. Proper legislation should be made for controlling and distributing water among industrial units from the water reservoirs.
5. To make appropriate legal provisions before 30.06.2012 to create a corpus by imposing a levy on the industries drawing water from different reservoirs and water sources for making periodical dredging and removal of shoals etc.

Welcoming all the members of the committee and others present in the meeting at the outset, the Chairman apprised the members of the Committee about the existence of such policy since 1992. As per the water allocation policy of Govt. of Odisha, 1992; the quantum of water to be allocated to the industries has been fixed. As per DoWR the total earmarked allocation to industries is 0.35MAcft for utilisation during non monsoon period from Hirakud Reservoir, but at present only 0.10MAcft water is being used by industries from Hirakud. This allocation is only 10% of the total water available in the Hirakud Reservoir during non-monsoon period. It is decided that DoWR will submit a detailed list on water allocation to industries to the Energy Dept. for appraisal to Hon'ble High Court.

The following in principle decisions have been taken in the meeting for recovery of arrear and current energy compensation dues from Industries by OHPC.

- 1) Industries are depositing water tax and energy compensation charges with Water Resource Department as per the agreement. It is decided that DoWR will not transfer the collected energy compensation to OHPC rather they will adjust the collected energy compensation from the industries with the current and future of their water tax to be payable by industries.
- 2) OHPC will submit separate Bill to individual Industries for recovery of arrear and current energy compensation.
- 3) The energy compensation is to be calculated as per the water allocation to industries since 2006, whereas the calculation is to be based on actual drawl by industries before 2006.
- 4) The industries will compensate OHPC on actual water drawl before 2006.
- 5) Chief Engineer, Odisha Water Planning Organisation (OWPO) in the office the E.I.C, Water Resources will furnish the list of industries drawing water from the reservoirs with all the relevant data viz. Date of Agreement, quantity of water allocated and actual quantity of water drawl and agreement copy to Director (O), OHPC Ltd for calculation of arrear energy compensation and current Bill to Industries.
- 6) The details of drawl are to be furnished by Department of Water Resources to OHPC within 7 days.





- 7) The unit rate of energy will be Rs.3.00 /Kwh for the year 2005-06, which is to be escalated at the rate of 10% per annum thereafter.
  - 8) DoWR will move a proposal to Govt for issuing an executive instruction for signing of supplementary agreement between OHPC and Industries for compensation for loss of energy. A clause will be incorporated in the main agreement between DoWR and Industries so that a supplementary agreement between OHPC and Industries can be signed to enable recovery of such energy compensation.
  - 9) OHPC to prepare a draft supplementary agreement within a week which will be vetted by DoWR and DoE, for signing with industries.
  - 10) Energy compensation is to be claimed from all industries drawing water from the reservoirs and Chiplima Power Channel from the date of their Agreement with DoWR.
  - 11) OHPC will raise energy compensation Bill directly to industries basing on the average head available at Hirakud and Rengali as these are low head power stations with head available for generation varies from Full Reservoir Level (FRL) to Minimum Draw Down Level (MDDL) and for other power stations it will be the rated head as the rated output from generator is available with head from FRL to MDDL.
  - 12) In case of Hirakud and Rengali the period of energy compensation will be from 1<sup>st</sup> Nov to 30<sup>th</sup> June (non-monsoon), whereas for other power stations it will be 12 months a year.
  - 13) At present, the minimum water level in Hirakud Reservoir is maintained at 595 Ft against the draw down level of 590 Ft. This is due to inadequate pressure in the end reaches of canal below RL 595 FT, which is hampering irrigation. It is decided that DoWR shall issue necessary circular/ letter to OHPC for maintaining minimum RL at 595 Ft. OHPC will apprise the revised Design energy of Hirakud and Chiplima Power House and inform accordingly to OERC.
  - 14) For maintenance of reservoirs and water bodies a corpus will be created. A Cabinet note is to be moved by DoWR for creation of annual maintenance fund by water Resources department which may escalate at the rate of 10% per annum. Fund will be utilised for dredging of reservoir for regaining lost capacity and maintenance of water bodies. E.I.C Water resources will calculate the details of annual maintenance fund requirement and modalities of implementation of such scheme.
  - 15) Director (OHPC) raised the issue of non payment of energy compensation of M/s Rathi Steel drawing water from the Chiplima Power Channel. DoWR will issue notice to M/s Rathi steel for disconnection of water supply.
  - 16) The issue of peak generation at Balimela and the required storage capacity in the Surulikonda Barrage was discussed. It has been observed that Surulikonda Barrage can accommodate three hours continuous generation from Balimela Power House with all units running at full capacity. Full load Generation from Balimela Power House for more than three hours results in spillage of water to river. It is required to explore the possibility of increasing the storage capacity of Surulikonda Barrage so that more water can be stored without discharging water to river. The Committee asked OHPC to make a cost benefit analysis and then take necessary follow up action.
- The Committee decided to meet after a fortnight & review the decisions implemented.
- The meeting ended with a vote of thanks to the Chairman.





## MEMBERS PRESENT

the meeting taken by Principal Secretary, DoWR on Policy for maximum utilization of water in the reservoirs by industries and running of Hydro-Electric Project with their optimum capacity.

[illegible]

# Annexure - 13





## RESOLUTION

### GOVERNMENT OF ODISHA. DEPARTMENT OF WATER RESOURCES

No. 11011 /WR, Bhubaneswar, dated 18/5/15  
Irr.-I-WB-09/2015

**Sub: - Constitution, Administration and Utilization of Water Conservation Fund (WCF).**

The State Cabinet approved the proposal for creation of "Water Conservation Fund (WCF)" in their 37<sup>th</sup> meeting held on 05.08.2013 on the recommendation of the Water Resources Board. It has been decided that a corpus fund will be created by way of receipt of one time contribution @ ₹2.50 crore per cusec of water allocated to the industries which will be utilized for construction of different water conservation projects. The contribution will be made on the basis of drawal of water and industries drawing 1 cusec of water or more will have to contribute to the corpus fund. The modalities of creation, administration and utilization of WCF have been formulated by Water Resources Department in consultation with the Finance Department and the Accountant General (A&E), Odisha.

These guidelines are now issued for constitution, administration and utilization of Water Conservation Fund:

### **GUIDELINES FOR CONSTITUTION, ADMINISTRATION AND UTILIZATION OF WATER CONSERVATION FUND (WCF)**

#### **Introduction:**

Water is a prime natural resource, a basic human need and a precious natural asset. Growth process and expansion of economic activities inevitably lead to increasing demands for water for diverse purposes such as domestic, industrial, agricultural, hydropower and thermal power etc. The rivers in Odisha are seasonal. 80% of the annual rainfall occurs during the monsoon. It is therefore imperative to conserve monsoon water for use during non-monsoon periods.

Due to rapid industrialization, the demand of water has been substantially increased and there is conflict among various stakeholders very often. The live storage capacity of a reservoir is mainly utilized by the industries in the non-monsoon period i.e. between October to June every year. Hence, the industries may be involved to take the social responsibilities for water conservation by contributing towards a corpus fund named as Water Conservation Fund (WCF). The State Water Resources Board in its 14<sup>th</sup> Meeting held on 08.12.2011 agreed to the proposal for creation of WCF to be administered by





Water Resources Department. The Cabinet in its 37<sup>th</sup> meeting held 05.08.13 has approved that a WCF shall be created by the contribution of one time deposit of ₹2.5 Crore / Cusec of water allocated to the industries.

**2. OBJECTIVE:**

The objective of creation of WCF is to construct different water conservation projects such as Medium Irrigation Projects, Minor Irrigation Projects, Dams, Barrages, Weirs, Bridge-cum-Barrages, Check-Dams etc. in the upstream areas for conservation of water to be used during lean season for agriculture and various other purposes. These structural interventions will also recharge ground water extensively.

**3. CONSTITUTION OF WCF:**

- 3.1. The contribution received from the industries towards WCF (WCF is termed as fund here-in-after) shall be shown as Government receipt and deposited under the Major Head of Account "0701-Medium Irrigation Projects-80-General-800-Other Receipts-0097-Miscellaneous Receipts-02230-One time contribution towards Water Conservation Fund".
  - 3.2. The amount so deposited in Government account shall be transferred to the Fund Account "8449-Other Deposits-00-120-Miscellaneous Deposits-9618-Deposit Account of Water Conservation Fund-91325-Deposits-" by making budget provision of *equal amount* under the Head of Account "2701- Medium Irrigation-80-General-797-TRANSFER TO/FROM RESERVE FUNDS/DEPOSIT ACCOUNTS-9619-Transfer to Water Conservation Fund/Deposit Accounts-49010-Inter Account Transfer".
  - 3.3. The actual expenditure for the purpose as mentioned will be debited to the programme Minor Head under the functional Major Head in Revenue Section or Capital Section depending upon the nature of expenditure. Amount financed from the WCF in these case will be shown as deduct entry under the "Minor head '902-deduct amount met from Water Conservation Fund' under the functional Major/Sub-Major Head where under the actual expenditure stands debited and Budget provision may be made accordingly.
- 4. ADMINISTRATION OF WATER CONSERVATION FUND:**
- 4.1 ***Deposit of Fund:***
    - i. The industries drawing more than or equal to one cusec of water will deposit one time contribution @ 2.50 crore per cusec of water allocated to them at the time of drawal of





agreement for new proposals or at the time of renewal of agreement or within three months of notification by Water Resources Department.

- ii. Industries which are drawing less than one cusec of water will have to deposit their one-time contribution if they exceed the threshold of drawal of one cusec of water during any part of the financial year. Similarly, industries who have already deposited the one time contribution for a certain allocation of Water will have to pay higher contribution proportionate to the excess drawal made by them in a particular year.
- iii. The Executive Engineer (EE) concerned will countersign the application for deposit by the industries and keep the Superintending Engineer, Chief Engineer / Chief Engineer & Basin Manager / Chief Construction Engineer, Chief Engineer, Water Services and Water Resources Department informed about the process. The calculation sheet for the amount to be deposited is also to be enclosed and countersigned by the Executive Engineer.
- iv. The industry(s) will deposit the contribution amount into the Govt. account under Major Head 0701-Medium Irrigation electronically through the Treasury Portal of Govt. of Odisha which will be accounted for by the Cyber Treasury, Bhubaneswar.
- v. After depositing the fund the industry will submit the copy of deposit receipt to the Executive Engineer and the Executive Engineer will intimate the same to all concerned as above.

#### **4.2 Release of Fund:**

- i. Funds provided in the Budget under the functional Major Head will be released to the concerned Controlling Officers through iOTMS for expenditure which will not exceed the actual amount available in the fund at any point of time.
- ii. The Controlling Officers will distribute the allotment in favour of the concerned divisions as per existing procedure.

### **5. UTILIZATION OF WATER CONSERVATION FUND:**

#### **5.1. Selection of Projects**

- i. Selection of projects will be made by a Technical Committee under the Chairmanship of Engineer-in-Chief, Water Resources with Engineer-in-Chief, Planning & Designs as vice-Chairman and Chief Engineer, Project Planning Formulation & Investigation, Chief Engineer, Minor Irrigation, Chief Engineer, OWPO, Chief Engineer, Water Services and Chief Engineer, Designs as member (s). Director, Monitoring & Evaluation, Office of Engineer-in-Chief, Water Resources will be the member convener. Prospective proposals prepared following standard





procedures will be submitted by the concerned Chief Engineers / Chief Engineer & Basin Managers / Chief Construction Engineers for consideration of the Committee.

- ii. New and ongoing water conservation Projects such as Medium Irrigation Projects, Minor Irrigation Projects, Check Dams, Barrages, Weirs, Bridge-cum-Barrages etc. in the upstream areas will be considered for funding out of this fund.
- iii. Only the projects cleared by the State Technical Advisory Committee (TAC) will be considered by the Technical Committee.
- iv. The project proposals will have two parts. Pre Project activities including Survey & Investigation, Land Acquisition etc. and other statutory clearances including base-line studies will be Part-I of the Project and construction proper will be part-II of the Project. One detailed implementation schedule showing programme for utilization of the funds will be part of the Project Report, both for Part-I and II.
- v. The projects will have a maximum completion period of three years, one year for pre project activities and two years for construction proper.
- vi. Select list of projects will be submitted to Government in Water Resources Department for approval. Upon approval, the projects will be eligible for funding under WCF.
- vii. Administrative approval to these projects will be accorded by competent authority.

#### **5.2. Fund Utilization**

- i. The fund will be utilized for approved activities following approved procurement programme.
- ii. Controlling Officers will submit Statement of Expenditure (SOEs) in respect of expenditure incurred out of the WCF during a financial year and forward to the Chief Engineer, Water Services by 15<sup>th</sup> April of next financial year. They are also required to obtain Audit Certificate from the D.A.G., Odisha and submit it to the Chief Engineer, Water Services by 30<sup>th</sup> September under intimation to Govt. in Water Resources Department.
- iii. The Chief Engineer, Water Services will compile the SOEs and submit the same to Govt. in Water Resources Department.

#### **5.3 Implementation Arrangement:**

The Projects will be implemented following the standard extant procedures of implementation by the existing institutional set up of Water Resources Department. If required, new field units will be created newly and / or through re-deployment. The posts so created will be co-terminus with the project.





5.4 **Maintenance of the project:**

Since the projects are to be taken up on a turn-key basis, the maintenance clause is inbuilt for the initial years (upto a period of five years), thereafter, the O&M expenditure will be funded out of State Budget like other projects since it will earn revenue after completion.

6. **MONITORING AND EVALUATION:**

Monitoring and Evaluation of the Projects will be done as per the standard arrangement of the Department.

7. **ACCOUNTING AND AUDITING PROCEDURE :**

i. *Maintenance of the Fund: Engineering-in-Chief, Water Resources will be the Administrator of the Fund and he will cause proper maintenance of the account records of the Fund.*

ii. *Records to be maintained for the Fund: Maintenance of records pertaining to receipt of contribution, transfer of contribution to the fund, total cost of the projects approved for financing from the Fund etc., transfer from the fund to meet the expenditure for approved projects and submission of monthly status report to the Government in Water Resources Department shall be the responsibility of the administrator. The Chief Engineer, Water Services and FA & CAO of the Office of the EIC, Water Resources will assist the Administrator of the fund in this behalf.*

iii. *Procedure for operation of the Fund*

- a) *Sanction order for transfer to the Fund: On receipt of the contribution from the industrial units, Water Resources Department will issue sanction orders for transfer of fund from Major Head – 2701 – Medium Irrigation Project to the Major Head – 8449 – Other Deposits.*
- b) *Sanction to meet the expenditure on Projects from the Fund: The Water Resources Department will issue sanction orders, at the close of the Financial Year, to meet the expenditure from the fund by debiting the Major Head – 8449 – Other Deposits with contra deduct debit to the Minor Head "902" under functional Major Head where the actual expenditure is made. On receipt of the sanction order adjustment will be carried out in the books of Accountant General before close of March (Supplementary) Accounts of the Financial Year.*

iv. *Compilation and reconciliation of the Fund Account: The administrator will cause the compilation of the fund account and reconcile all the transactions under the same at the end of the each Financial Year, within two calendar months of the succeeding year.*



v. **Investment, if any, of the balances in the Fund:** The corpus of the fund is to be maintained in the Public Account of the State Government as a deposit not bearing interest. The balances in the fund will form a part of the cash balance of the State Government.

vi. **Savings, Interpretation, Relaxation to remove difficulties and hardships:** Save as otherwise provided in the preceding paragraphs, Government in Water Resources Department shall have the final authority to clarify doubts relating to interpretation of any term and / or resolve any dispute relating to the operation of the Fund. Government in Water Resources Department may relax these guidelines in case there are difficulties or hardships encountered in the process of implementation / operation.

vii. **Arrangement for Audit:** The accounts relating to the corpus of the fund and records maintained for the purpose will be subject to audit by Comptroller & Auditor General of India and the internal audit wing of Water Resources and Finance Departments.

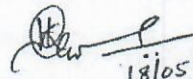
8. **COMPLETION REPORT:**

The completion report of the projects will be furnished by the field units within three months of completion indicating achievements made vis-à-vis initial programme and change in socio-economic indicators as per base line study report.

**ORDER**

Ordered that the resolution be published in the next issue of the Odisha Gazettee.

By Order of the Governor

  
18/05/2015  
Principal Secretary to Government





Memo No. 11012 WR Dt. 18/5/15

Copy forwarded to Director of Stationaries, Printing & Publication, Odisha, Cuttack for information and immediate necessary action. He is requested to publish the above Resolution in an extra ordinary issue of Gazettee and to supply 100 copies of the printed Resolution to this Department.

*AS*  
18/5/2015  
F.A-cum-Joint Secretary to Government

Memo No. 11013 WR Dt. 18/5/15

Copy forwarded to all Departments of Government / All Heads of Departments/All Collectors for information and immediate necessary action.

*AS*  
18/5/2015  
F.A-cum-Joint Secretary to Government

Memo No. 11014 WR Dt. 18/5/15

Copy forwarded to Accountant General, Odisha, Bhubaneswar/DAG, Odisha, Puri /Finance Department / M.D., OLIC Ltd., Bhubaneswar / EIC, Water Resources, Bhubaneswar / EIC, P&D, Secha Sadan, Bhubaneswar / Chief Engineer, Minor Irrigation, Bhubaneswar / All CE & BM and all Chief Construction Engineers / Additional Director, CAD for information and immediate necessary action.

*AS*  
18/5/2015  
F.A-cum-Joint Secretary to Government

Memo No. 11015 WR Dt. 18/5/15

Copy forwarded to the PS to Principal Secretary to Hon'ble Chief Minister, Odisha, Bhubaneswar for information of Principal Secretary to Hon'ble Chief Minister.

*AS*  
18/5/2015  
F.A-cum-Joint Secretary to Government

Memo No. 11016 WR Dt. 18/5/15

Copy forwarded to the OSD to Chief Secretary, Odisha/P.S. to DC-cum-ACS, Odisha, Bhubaneswar/P.S. to Special Secretary to Government, P&C Department for information and immediate necessary action.

*AS*  
18/5/2015  
F.A-cum-Joint Secretary to Government

Memo No. 11017 WR Dt. 18/5/15

Copy forwarded to all Sections of Department of Water Resources/Guard File/50 spare copies.

*AS*  
18/5/2015  
F.A-cum-Joint Secretary to Government

