



**Mahanadi**  
**Coalfields**  
**Limited**  
(A Subsidiary of Coal India Limited)  
*A Mini Ratna Company*

## Office of the General Manager(S&M)

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No. MCL/SBP/GM(S&M)/COMML/2013/786

Date : 29.06.2013

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### NOTICE

Sub. : Renewal of FSA of Existing Non-Power consumers (including CPP)  
for 05 years period.

5(five) years terms of FSAs signed with non-power consumers, including CPPs (erstwhile valid linked consumers) existing as on 01.04.2008 has expired / is expiring around April 2013 onwards. These were renewed for a period of 3 months as per advice of CIL.

Now, GM(S&M), CIL vide letter no. CIL/CMO/47252(New Pol)/404, dtd. 06.06.2013 have conveyed that CIL Board in its 298<sup>th</sup> meeting has accorded approval for renewal of FSA for a period of 05 years.

This renewal for a period of five years shall be effective from the first date of the month, following the month in which the current FSA has expired or due to expires on completion of five years term. This renewed period shall be inclusive of the three months interim renewal period.

The above renewal will not be applicable:-

- i) in cases where FSA has been terminated/suspended for any reason or where lifting/booking during 2012-13 is less than 30% of effective ACQ, hence liable for termination. Decision for signing FSA with these would be taken after advise from competent authority.
- ii) where 3 years Tapering coal supply period after normative date of production from coal blocks has already expired.
- iii) However, where 3 year period after normative date of production is yet to expire, FSA will be renewed upto the expiry of 3 years period after normative date of production or upto actual date of production, whichever is earlier on receipt of quantification from Coal Controller and as per the guidelines of CIL/MOC.
- iv) to state nominated agencies as same is dependent on receipt of nomination from State Govt./CIL.
- v) where cases are sub-judice in various Court of Laws, such cases will be dealt as per legal advice.

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Eligible FSA holders are advised to submit following documents :

- (a) Application on company's letter-head expressing desire to sign the 'addendum' to FSA.
- (b) Sworn-in affidavit before 1<sup>st</sup> Class Executive Magistrate on non-judicial stamp paper (₹ 20/-) in the annexed format (Annexure – A). The above affidavit should be accompanied by copies of documents (clear, legible and visible with date of issue) mentioned in the affidavit as per Annexure – B. All the pages of affidavits / statements as well as documents are to be signed by Proprietor/ Partner/ Director/ Karta/ Trustee/ Signatory of FSA of the Firm/ Company as the case may be. In case of documents submitted by Company Secretary/Director, a Board Resolution duly approved by the Board of Directors of the company should properly authorize it. In case the Audited accounts for 2012-13 have not been finalized, the same should be given for immediate preceding year.
- (c) The validity of various documents narrated above, to be submitted by the FSA holder, has to be further certified by statutory Auditors / independent Chartered Accountants / Chartered Engineers (empanelled with Income Tax Department) as the case may be as per Annexure – C.
- (d) Board resolution / Power of Attorney duly certified by Company Secretary/Partner/Proprietor as the case may be, indicating name and designation of the person who would be signing FSA on behalf of the consumer and his signature duly attested and notarized.
- (e) 2(two) nos. of non-judicial stamp paper of Rs.100/- each.
- (f) Rubber stamp of authorised signatory alongwith company seal.
- (g) Bank Guarantee (BG) as per the revised price notification valid for 64(sixty-four) months.

On receipt of above details/documents, same will be scrutinized by MCL. After scrutiny of the documents, if found in order, 'addendum' would be executed for renewal of FSA.

Sd/-

**General Manager(S&M)**

**Encl. : As above**

**Distribution:-**

1. GM(System), MCL with a request to arrange hoisting on MCL Website under the head-- Our business—Sales & Marketing—Notices.
2. Dy. GM(Fin)I/c, MCL, Kolkata.
3. Notice Board : Road Sales Section.

**AFFIDAVIT**

I, \_\_\_\_\_, S/o \_\_\_\_\_, resident of \_\_\_\_\_ do hereby solemnly swear and affirm as follows:

1. That I am \_\_\_\_\_ (proprietor / partner / director) of the firm / factory / unit having factory address as \_\_\_\_\_ and office address as \_\_\_\_\_ and I am fully authorized to affirm and swear this affidavit on behalf of the unit.
2. That M/s. \_\_\_\_\_ has executed Coal Supply Agreement (CSA) with \_\_\_\_\_ (name of coal company) on \_\_\_\_\_ for supply of coal for self consumption.
3. That in furtherance to the fulfillment of the relevant clauses of Coal Supply Agreement it is stated that our unit has fully utilized the coal supplied from \_\_\_\_\_ (name of coal company) for self consumption and has not diverted, sold or traded the coal received under the Fuel Supply Agreement.
4. That in order to substantiate our bonafide consumption of coal in our factory as received from the mines of \_\_\_\_\_ (name of coal company), we are enclosing duly certified copies of documents mentioned below which shall form part of this Affidavit:

**LIST OF DOCUMENTS**

**(Details of the enclosed documents to be mentioned as per Annexure 'B')**

5. That the certificates obtained from by registered Valuer namely \_\_\_\_\_, address \_\_\_\_\_, Certificate no. \_\_\_\_\_ and certificate obtained from Chartered Accountant, namely \_\_\_\_\_, address \_\_\_\_\_, and certificate no. \_\_\_\_\_ are bonafide.
6. That the information and facts as stated above are true to the best of my knowledge, information and belief. The copies of documents enclosed are true copies of their respective originals. Further, it is fully understood that in case of any mis-representation is detected, it shall be the sole responsibility of the unit and it may lead to termination of Coal Supply Agreement.

**DEPONENT**

Encl : As stated.

**VERIFICATION**

I \_\_\_\_\_ do here by verify that the content of the above affidavit are true and correct and nothing material has been concealed therefrom. Verified at \_\_\_\_\_ on \_\_\_\_\_ day of \_\_\_\_\_.

**DEPONENT**

## ANNEXURE – B

**Self-explanatory/ Attested/ Authenticated details to be submitted by FSA holders :**

Nature of Documents / Details	Authentication / Certification
<p><b>1.</b> The copies of License to operate the unit, i.e. Production License, Constitution Status, SSI Registration, Factory License, Vat Registration, Excise Registration and other Statutory Registration etc or any other document which is necessary.</p> <p>Any change in the status or validity from previous year to be reported within one month of the change.</p>	<p>From Signatory of FSA and Countersigned by the DM / DIC / 1<sup>st</sup> Class Executive Magistrate / CA / Chartered Engineer / Approved Valuer as the case may be</p>
<p><b>2.</b> Factory Running Affidavit</p>	<p>From Signatory of FSA</p>
<p><b>3.</b> Copy of current valid Pollution Control Certificate from State Pollution Control Board along with Consent to Operate the unit at the disclosed capacity and its validity</p>	<p>From Signatory of FSA and Countersigned by 1<sup>st</sup> Class Executive Magistrate / CA / CS as the case may be</p>
<p><b>4.</b> Details of Critical Machinery/ Equipments responsible for capacity calculation</p> <p>Details with changes in the capacity calculation, if any, may be given every year.</p>	<p>From Signatory of FSA and Duly Certified by Registered Approved Valuer / Registered Chartered Engineer</p>
<p><b>5.</b> The following details of Machineries (along with Audited Balance Sheet)</p> <ul style="list-style-type: none"> <li>a) Original cost of machineries as per books of accounts</li> <li>b) Details of machineries installed at site of production</li> <li>c) Critical Machinery/ Equipments with capacity calculation</li> <li>d) Boilers/ Furnaces with capacity of consumption</li> </ul>	<p>From Signatory of FSA and Duly Certified by Director (Boiler) / Registered Chartered Engineer / Registered Approved Valuer</p>
<p><b>6.</b> Banker Certificate regarding limit availed with respect to term loan/ working capital loan along with opening and closing balances of limit(s) availed. (along with Audited Balance Sheet)</p>	<p>From Proprietor/ Partner/ Director and Duly Certified by Chartered Accountant</p>
<p><b>7.</b> List of Top 10 customers viz. Name, Address, Quantity, Value items (along with Auditor's Certificate)</p>	<p>From Proprietor/ Partner/ Director and Duly Certified by Chartered Accountant</p>

<p><b>8. Labour, Provident Fund and ESI Registration no. of each unit along with Issuing Authority. The additional following details have to be furnished separately:</b></p> <p>a) Details of Employees, Whether Permanent, Casual or Contractual. Whether all employees possess/ have PF/ ESI Registration no. If not, give the details of employees who are not registered with these departments.</p> <p>b) Total Provident Fund/ ESI paid during the year, supported by copy of paid challans and periodical returns.</p> <p>c) The details have to be furnished in the following tabular form.</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">NAME OF UNIT</th> <th style="text-align: left;">LOCATION / REGION</th> <th style="text-align: left;">P.F. REGN NO.</th> <th style="text-align: left;">EMPLOYEE DETAILS</th> </tr> </thead> <tbody> <tr> <td colspan="4" style="text-align: center;">(Viz Name of Employee and Employee P.F. no.)</td> </tr> </tbody> </table>	NAME OF UNIT	LOCATION / REGION	P.F. REGN NO.	EMPLOYEE DETAILS	(Viz Name of Employee and Employee P.F. no.)				<p style="text-align: center;">From Proprietor/ Partner/ Director and Duly Certified by Chartered Accountant</p>
NAME OF UNIT	LOCATION / REGION	P.F. REGN NO.	EMPLOYEE DETAILS						
(Viz Name of Employee and Employee P.F. no.)									
<p><b>9. The Financial Parameter has to be furnished in the following format.</b></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>PARTICULARS</u></th> <th style="text-align: center;"><u>1<sup>st</sup> Year</u></th> <th style="text-align: center;"><u>2<sup>nd</sup> Year</u></th> <th style="text-align: center;"><u>3<sup>rd</sup> Year</u></th> </tr> </thead> <tbody> <tr> <td><u>SALES</u> (Qty. wise) (Turnover supported Vat / Excise Records)</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	<u>PARTICULARS</u>	<u>1<sup>st</sup> Year</u>	<u>2<sup>nd</sup> Year</u>	<u>3<sup>rd</sup> Year</u>	<u>SALES</u> (Qty. wise) (Turnover supported Vat / Excise Records)				<p style="text-align: center;">From Proprietor/ Partner/ Director and Duly Certified by Chartered Accountant</p>
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<u>SALES</u> (Qty. wise) (Turnover supported Vat / Excise Records)									
<p><b>10. <u>RAW MATERIAL CONSUMPTION</u> (Qty. wise)</b></p> <p><b>a) Other than Coal:</b>  Opening Stock  Add: Purchase/ Inter-unit Transfer  Less: Sales/ Inter-unit Transfer  <b>Year end Closing Stock</b>  <b>Closing Stock for the month</b></p> <p><b>Consumption</b></p> <p><b>b) Coal</b>  Opening Stock  Add: a) Purchase  From CIL: Under FSA  Under E-auction  From other than CIL:  b) Inter-unit Transfer  Less: Sales/ Unit Transfer  <b>Year end Closing Stock</b>  <b>Closing Stock for the month</b></p> <p><b>Consumption</b></p>	<p style="text-align: center;">From Proprietor/ Partner/ Director and Duly Certified by Chartered Accountant</p>								
<p><b><u>FINISHED PRODUCTS</u></b> (Qty. wise)</p> <p>Opening Stock  Add: Production  Less: Sales  Closing Stock</p> <p><b><u>POWER &amp; FUEL</u></b> (Qty. and Value wise)</p>	<p style="text-align: center;">From Proprietor/ Partner/ Director and Duly Certified by Chartered Accountant</p>								

**AFFIDAVIT**

I/ We \_\_\_\_\_, Chartered Accountants / Chartered Engineers, \_\_\_\_\_ (address) having Membership Registration No./ Registration No. \_\_\_\_\_, have visited the unit(s)/ site(s) on \_\_\_\_\_ which is/are producing/ manufacturing/ processing \_\_\_\_\_ as its finished products. On the basis of physical verification at unit(s)/ site(s), we hereby confirm that unit is in operation/ production and details have been physically verified from the documents/ certificates issued by the various government agencies, in respect of Stamina 3 & 4 (C.E)/5, 6, 7 & 8 (C.A). Further it is certified that all the information/ details furnished by the unit are true and correct.

For .....

Chartered Accountants/ Chartered Engineers

Name

Proprietor/ Partner

Seal/ Signature

Membership No.