



MCL

महा प्रबन्धक (गुणवत्ता नियंत्रण) का कार्यालय
Office of the General Manager (QC)

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No. MCL/HQ/SBP/GM(QC)/23-24/ 100

Dt.11.07.2023

NOTICE

CIMFR's Notice of termination of Tripartite MoUs signed among CIL, APP/NTPC and CIMFR for Third Party Sampling (TPS) for coal quality monitoring at loading end and discontinuance of their present work from 07.08.2023.

Vide letter dated 08.06.23, CIMFR has given notice of termination of Tripartite MoUs signed among CIL, APP/NTPC and CIMFR for Third Party Sampling (TPS) for coal quality monitoring at loading end and discontinue their present work from 07.08.2023 (copy enclosed). This issue was also deliberated in the emergency Apex Committee meeting held on 22.06.2023.

Further, in this connection, it is to inform to all the consumers with whom individual Tripartite Agreement with CIMFR are in vogue that the willing consumer(s) can engage any other empaneled agency of CIL of their choice, considering the eventuality of discontinuation of work by CIMFR and that in the absence of Third Party sampling, quality settlement will be as per the provisions of FSA and the relevant provisions of FSA are as under:

i) In the event, for any reason whatsoever, Third Party sampling and analysis could not be conducted, joint sampling and analysis shall be carried out by the Seller in presence of the Purchaser at the loading end.

(ii) In the event that, no sample is collected either by the Third Party or Seller and Purchaser jointly as mentioned at sub-clause (i) above, from dispatches by a rake or on any day, as the case may be, from a Delivery Point for any reason, the weighted average of the most recent results available in any preceding Month against respective Delivery Point/Grade shall be adopted for such dispatches for which samples were not collected.

The of list existing empaneled agencies of CIL with their empanelment period are mentioned below:

Terms	As per applicable T&C of		
	QCI	SGS INDIA PVT LTD	MITRA SK PVT LTD
Present validity of empanelment	25.08.2023	14.03.2024	28.12.2024

This is for kind information and further needful action at your end.

Yours faithfully

11.7.23
General Manager (QC)



सीएसआईआर-केन्द्रीय खनन एवं ईंधन अनुसंधान संस्थान
(वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्)

बरवा रोड, धनबाद - 826 001, झारखण्ड, भारत

CSIR-Central Institute of Mining and Fuel Research
(Council of Scientific & Industrial Research)

Barwa Road, Dhanbad - 826 001, Jharkhand, India

प्रो. अरविंद कुमार मिश्रा, एफ.आई.ई
निदेशक

Prof. Arvind Kumar Mishra, F.I.E
Director

Ref.:A/3/38/2023/I/

Dated: 8th June, 2023

To
The Director General
Association of Power Producers
4 -7, GD Floor, Prakash Deep Building,
7-Tolstoy Marg, New Delhi-110001, India

Sub: Notice of termination of **Tripartite MoU** signed among CIL, APP and CSIR-CIMFR for Third Party Sampling (TPS) for coal quality monitoring at loading end and request to revisit and revise the MOU-reg.

Dear Sir,

This is with reference to the Memorandum of Understanding (MoU) signed on 28th June 2016 among the coal supplying companies viz., Coal India Limited (CIL), Singareni Collieries Company Limited (SCCL) and Power utilities- NTPC Limited, Damodar Valley Corporation (DVC), State Power Units (GSECL, MPPGCL, RRUVNL, KPCL, HPGCL, MAHAGENCO etc.) and other power producers through APP, NTPC and CSIR through its laboratory CSIR-CIMFR, Dhanbad regarding coal quality monitoring at loading end of CIL subsidiaries and SCCL for dispatch to Power Utilities. This is to bring to your kind notice that as per the MoU, CSIR-CIMFR has been undertaking the whole work of sampling and analysis of coal with due diligence and in the process the Technical Service Provider/Service Provider has been hired for field support in sampling of coal on Pan-India basis since 2016. We are grateful for the opportunity provided to us as third party coal sampling and analysis agency by the CIL, SCCL and other coal producing companies and NTPC, APP and other power generating companies. Based on the experience gained in the last seven years at coal **loading sites**, we would like to share the following learnings for your kind perusal:

1. For the purpose of sampling, preparation, packaging and transportation at loading sites and unloading sites throughout the country, service provider "M/s Cotecna India Pvt. Ltd." was hired through global tendering process by CSIR-CIMFR.
2. Over the years it has been realized that hiring of service provider such as M/s Cotecna India Pvt. Ltd., that employs around 4000 labours attract all labour related issues and court cases of service provider which is not within the core expertise area of CSIR-CIMFR.
3. The non-scientific and non-technical work of handling labour related issues such as EPF, ESI and court cases related to labour laws do not fall well within the expertise and mandate of CSIR-CIMFR as premier national

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R&D Institution. However, as a principal employer of service provider CSIR-CIMFR has to be in all such cases which is presently difficult due to lack of administrative and scientific man power and expertise to tackle these problems. Hiring of Service Provider (M/s Cotecna) at CSIR-CIMFR is also right now under the scanner of Government Investigating Agencies.

4. NTPC and CIL, being the Maharatna companies and having the expertise and experience in handling of large number of workforces, the responsibility of selection of service provider for loading and unloading sites may be taken care of by respective coal producers and power generating companies.
5. CSIR-CIMFR being a national R&D Institution under CSIR, Ministry of Science and Technology, Govt. of India, may continue to provide its technical expertise and experience in the task of analysis of coal samples in its laboratories. At best, CSIR-CIMFR may also provide its services in the sampling process. But it would not be possible for CSIR-CIMFR to continue to grapple with packaging and transportation related work which is actually speaking, beyond our mandate.
6. It is in view of all the above, that Hon'ble Minister of Science and Technology, Govt of India has advised CSIR to revisit and suitably modify the Tripartite MoU document dated 28th June, 2016

In view of the above, this letter, therefore, may kindly be treated as a two months' notice of termination of the MOU as per clause no. S.8.2 with a request to revisit and revise the MOU document in accordance with para 5 above.

Looking forward for continued association.

With best regards,


[Arvind Kumar Mishra] 08/06/23

Encl : Copy of MoU



सीएसआईआर-केन्द्रीय खनन एवं ईंधन अनुसंधान संस्थान
(वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्)

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निदेशक

Prof. Arvind Kumar Mishra, F.I.E
Director

Ref.: A/3/38/2023/I/
Dated: 8th June, 2023

To
The Director (Operations)
NTPC Limited
NTPC Bhawan,
SCOPE Complex, 7, Institutional Area,
Lodi Road, New Delhi-110003

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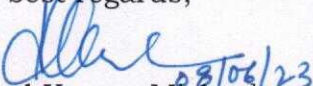
Website : www.cimfr.nic.in

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[Arvind Kumar Mishra] 08/06/23

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