

**REQUEST FOR SUBMISSION OF**  
**EXPRESSION OF INTEREST FOR**  
**SIXTH ROUND OF AUCTION OF COAL LINKAGES**  
**FOR**  
**POWER PRODUCERS/IPPs WITHOUT PPAs**



**कोल इण्डिया लिमिटेड**  
**Coal India Limited**  
भारत सरकार का उपक्रम  
A Government of India Undertaking  
एक महारत्न कंपनी A Maharatna Company

May 03, 2024

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**DISCLAIMER:**

*The information contained in this Request for Submission of Expression of Interest for auction of coal linkages for Power Producers/PPAs(as defined below)without PPAs(“**Request for Submission of EOI**”) or information subsequently provided to any Power Producers/PPAs, prospective bidder, Bidder, person, party, participant, applicant or interested party(“**Prospective Bidder**”), whether verbally or in documentary or any other form by or on behalf of Coal India Limited & Subsidiary Coal Companies (“**CIL**”) and/or any of its employees or Service Providers(including external agency), is provided to the Prospective Bidder(s) on the terms and conditions set out in this Request for Submission of EOI.*

*This Request for Submission of EOI is neither an agreement nor an offer by CIL to the Prospective Bidders or any other person. The purpose of this Request for Submission of EOI is to provide the Prospective Bidders with information that may be useful to them in making their Expression of Interest pursuant to this Request for Submission of EOI. This Request for Submission of EOI includes statements which reflect various assumptions and assessments arrived at by CIL. Such assumptions, assessments and statements do not purport to contain all the information that each Prospective Bidder may require. This Request for Submission of EOI may not be appropriate for all persons and it is not possible for CIL, its employees or Service Providers to consider the investment objectives, financial situation and particular needs of each Prospective Bidder who reads or uses this Request for Submission of EOI. The assumptions, assessments, statements and information contained in this Request for Submission of EOI may not be complete, accurate, adequate or correct. Each Prospective Bidder should, therefore, conduct its own investigations and analysis and should check the accuracy, adequacy, correctness, reliability and completeness of the assumptions, assessments, statements and information contained in this Request for Submission of EOI and obtain independent advice from appropriate sources before submitting their Expression of Interest.*

*Information provided in this Request for Submission of EOI to the Prospective Bidder(s) has been collated from several sources, some of which may depend upon interpretation of Applicable Law. The information given is not intended to be an exhaustive account of statutory requirements and should not be regarded as complete. CIL accepts no responsibility for the accuracy or otherwise for any statement contained in this Request for Submission of EOI.*

*CIL, its employees and Service Providers make no representation or warranty and shall have no liability to any person, including any Prospective Bidder under any law, statute, rules or regulations or tort, principles of restitution or unjust enrichment or otherwise for any loss, damages, cost or expense which may arise from or be incurred or suffered on account of anything contained in this Request for Submission of EOI or otherwise, including the accuracy, adequacy, correctness, completeness or reliability of this Request for Submission of EOI and any assessment, assumption, statement or information contained therein or deemed to form part of this Request for Submission of EOI or arising in any way from participation in this auction process.*

*CIL also accepts no liability of any nature whether resulting from negligence or otherwise howsoever caused, arising from reliance of any Prospective Bidder upon the statements contained in this Request for Submission of EOI.*

*Notwithstanding anything contained in this Request for Submission of EOI, CIL may, in its absolute discretion, but without being under any obligation to do so, update, amend or*

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*supplement the information, assessment, process or assumptions contained in this Request for Submission of EOI.*

*The issue of this Request for Submission of EOI does not imply that CIL is bound to select or shortlist any party and CIL reserves the right (without incurring any liability) to reject all or any of the Prospective Bidders, as the case may be, without assigning any reason whatsoever.*

*Each Prospective Bidder shall bear all its costs associated with or relating to registration, preparation and submission of its Expression of Interest or relating to its Expression of Interest. Nothing contained in this Request for Submission of EOI shall be binding on CIL or confer any right on the Prospective Bidders.*

*Pursuant to this Request for Submission of EOI, CIL will be uploading the Scheme Document for auction of coal linkages to Power Producers/IPPs without PPAs (“**Scheme Document**”) and the definitive document(s). In case of any inconsistency between this Request for Submission of EOI and the Scheme Document and the definitive document(s), the Scheme Document and the definitive document(s) shall be final and shall prevail, in the manner specified under the relevant document.*

## REQUEST FOR SUBMISSION OF EOI

### 1. **Registration**

- 1.1. Ministry of Coal (“**MoC**”) has *vide* its letter dated May 22, 2017 dealt with matters concerning “*Signing of Fuel Supply Agreement (FSA) with Letter of Assurance (LoA) holders of Thermal Power Plants - Fading Away of the existing LoA-FSA Regime and Introduction of a New More Transparent Coal Allocation Policy for Power Sector, 2017 - SHAKTI (Scheme for Harnessing and Allocating Koyala (Coal) Transparently in India)*” (“**Policy**”) and issued the amendment to the Policy dated March 25, 2019 (“**Amendment**”).
- 1.2. Paragraph B(iii) of the SHAKTI Policy inter alia provides that CIL/SCCL may grant coal linkages on notified price on auction basis for IPPs/Power Producers without PPAs. Accordingly, five rounds of auction have been successfully conducted under paragraph B(iii) of the SHAKTI Policy.
- 1.3. Notice Inviting Registration (the “**Notice Inviting Registration**”) for sixth round of Auction of Coal Linkages under paragraph B(iii) of the SHAKTI Policy has been issued on May 03, 2024. Pursuant to the Notice Inviting Registration , an independent power producer, which is a generating company not owned/controlled by the Central/State Government (“**IPP**”) and/or a power producer, which is a generating company owned/controlled by the Central/State Government (“**Power Producer**”), meeting the Eligibility Conditions set out in Clause 3 and which is desirous of participating in the auction through its Specified End Use Plant(s), is required to register such Specified End Use Plant(s) on the website of the service provider (M/s Mjunction Services Ltd.) (“**Electronic Platform**”) (“**Bidder**”), no later than the timeline as may be prescribed, against payment of a non-refundable fee of Rs. 10,000/- plus applicable taxes. The link for the registration is provided below:

<https://auction.coaljunction.com/CoalWeb/getLinkageWelcomeAction.do>

<https://coaljunction.in/>

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- 1.4. Each Bidder's registration shall be linked to a Specified End Use Plant and each Specified End Use Plant may be registered only once. The Bidders having already registered their Specified End Use Plant on the website of MSTC previously for SHAKTI B(iii) linkage auction have to register the Specified End Use Plant again on the website of Auction service provider Mjunction mentioning earlier registration details. However, the registration fee of such Bidders shall be waived.

In this context, “**Specified End Use Plant**” shall mean 1 (one) or more power generating units (but does not mean and include a captive power plant as defined under Rule 3 of the Electricity Rules, 2005) situated in a single location within the same boundary located in India and owned by the Bidder.

- 1.5. In the event that the Specified End Use Plant registered under this Clause 1 by the Bidder is a combination of 1 (one) or more units, for the purposes of **B(iii)** auction, the Bidder shall not be permitted to split such units and submit separate bid(s) in respect of such unit(s), at any subsequent stage.

## 2. **Submission of Expression of Interest**

- 2.1. Each Bidder is required to upload on the Electronic Platform the duly executed and stamped Expression of Interest (“**EOI**”) in the format set out in **Annexure I**, no later than the timeline as may be prescribed.
- 2.2. Deleted
- 2.3. All the other documents set out in this Request for Submission and the EOI are required to be uploaded on the Electronic Platform. The Bidders may contact the following officials of Mjunction for seeking assistance on the login or registration process or any clarification regarding the auction process:

### **Registration queries:-**

<i>Sl No</i>	<i>Name</i>	<i>Email</i>	<i>Mobile</i>
1	Shamima Shabnam	shamima.shabnam@mjunction.in	9163348123
2	Arup Basak	Basak.Arup@mjunction.in	9163348262
3	Arijit Paul	Arijit.Paul1@mjunction.in	9163348277
4	Amit Banerjee	amit.banerjee@mjunction.in	9163348281

### **For Auction queries:-**

<i>Sl No</i>	<i>Name</i>	<i>Email</i>	<i>Mobile</i>
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1	Soumita Karmakar	Karmakar.Soumita@mjunction.in	8584008139
2	Arindam Majumder	arindam.majumder@mjunction.in	9051200394
3	Souvik Ghosh	Souvik.ghosh@mjunction.in	9163348134
4	Shrabanti Chakraborty	C.Shrabanti@mjunction.in	9163348072

Email ID for sending all coal linkage registration and general query: [coaljunction@mjunction.in](mailto:coaljunction@mjunction.in)

- 2.4. The information submitted by the Bidder as part of the EOI shall be verified by Central Electricity Authority (“CEA”), on the basis of the documentation/information submitted by each Bidder. In case any additional information is required, the same shall be provided by the Bidder within the specified timeframe.
- 2.5. The maximum quantity of coal that can be allocated to a Specified End Use Plant will be corresponding to 100% quantity at 85% PLF.
- 2.6. The bidders shall be eligible to participate in this sixth round of B(iii) linkage auction against their eligibility and eligible quantity assessed by CEA as per applicable Consumption Norms of CEA.

Link of coal consumption norm of CEA:

<https://cea.nic.in/thermal-project-planning-development-division/?lang=en>

### 3. Eligibility Conditions

The Bidder would be required to comply with the following eligibility conditions, to be able to submit the EOI:

#### 3.1. Basic Eligibility Conditions

The Bidder would be required to comply with the following basic eligibility conditions under Clause 3.1.1 or Clause 3.1.2, as applicable, to be able to submit the EOI:

- 3.1.1. The Bidder should not have any valid PPA as on May 17, 2017 in respect of such capacity of the Specified End Use Plant(s) registered under Clause 1 for which it is desirous of participating in the auction i.e. on or before May 17, 2017, the Bidder should not have any document signed by any DISCOM/SDA as PPA. In this regard, “PPA” shall mean the medium term (exceeding 1 year but up to 7 years) and/or long term (7 years and above) power purchase agreement between the power generating source and the power procurer(s), i.e. DISCOM(s)/SDA either directly or through PTC(s) who has/have signed back to back PPA(s) with DISCOMs/SDA. However, the same shall not be applicable for the portion which is sold under market driven price.

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It is clarified that the Bidder will only be allowed to participate in the auction in respect of such capacity of the Specified End Use Plant(s) registered under Clause 1 which is not linked to any valid PPA as on May 17, 2017 or PPA(as on May 17, 2017 or of later date) has expired subsequently or expiring within 2 years of EOI publishing date. Coal drawal will be permitted only against a valid PPA, which the successful bidder shall be required to procure and submit within 2 years of completion of the auction process pursuant to the auction of coal linkages conducted under Paragraph B(iii) of the Policy and the Amendment.

It is further clarified that the existing PPA(s) as on 17.05.2017 may get expired/cancelled/terminated subsequently(post 17.05.2017) and such power plant shall be eligible to participate in the B(iii) linkage auction for such non-linked capacities.

In no case coal supply be considered under B(iii) for any PPA which was valid on or before 17.05.2017.

3.1.2. If the Bidder is unable to submit the requisite DISCOM certificate, rendering him ineligible to participate under B(ii) auctions, he will be permitted to participate in B(iii) auctions. In that case, he will be required to submit a valid PPA within 2 years of auction for signing of the FSA. However, on a later date if the IPP bidder gets a DISCOM certificate of having a valid PPA (prior to May 17, 2017), he may be allowed to participate in future B(ii) auction. In that case, once FSA for B(ii) linkage is signed, Letter of Assurance (LoA)/ Linkage/FSA for B(iii) will automatically be terminated.

### 3.2. **Additional Eligibility Conditions**

3.2.1 In respect of the capacity of the registered Specified End Use Plant against which the Bidder does not have a valid PPA as on May 17, 2017 or does not have the requisite DISCOM certificate in accordance with Clause 3.1.2, the Bidder shall:

- (a) (i) not have coal linkage; or (ii) have coal linkage for less than 100% of the coal requirement for the aforesaid capacity, computed as per applicable Consumption Norms of CEA; and
- (b) (i) not have coal block pursuant to applicable law; or (ii) have coal block for quantity which is less than 100% of their coal requirement, computed as per applicable Consumption Norms of CEA.

For the purposes hereof, (a) and/or (b) in respect of a Specified End Use Plant shall be referred to as the “**Allocated Coal Block/ Letter of Assurance (LoA)/ Linkage**” and the Bidder may bid for the balance quantity of coal.

It is hereby clarified that with respect to such Specified End Use Plant, the Bidder whose:

- (i) coal block(s) has(ve) been deallocated and the Bidder furnishes clearance of MoC to this effect, on or before the last date for submission of EOI, and/or

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(ii) letter of assurance (“LoA(s)”) / linkage(s) has(ve) been cancelled by the MoC / Standing Linkage Committee (Long Term) (“SLC(LT)”)

may also participate in the Auction, if such Bidder does not, as on the last date of submission of EOI, hold any Allocated Coal Block/ Letter of Assurance (LoA)/ Linkage in respect of such Specified End Use Plant.

3.2.2 The Bidder should be the owner of the Specified End Use Plant registered under Clause 1.

3.2.3 The Bidder shall not have been convicted for wrongful utilization of coal by the Central Bureau of Investigation or any other governmental authority or statutory or judicial body.

3.2.4 Existing linkage holders are not allowed to surrender their LoA/ fuel supply agreement to participate in this Auction

**ANNEXURE I**  
**FORMAT OF EXPRESSION OF INTEREST**

*(On the letterhead of the Bidder)*

Date:

**Sub: Expression of Interest (“EOI”)**

**[Insert name and Service Provider Registration No. of the Specified End Use Plant]**

Dear Sir,

With reference to the Request for Submission of EOI for auction of coal linkages for Power Producers/IPP’s without PPAs dated May 03, 2024(“**Request for Submission**”), we hereby express our interest to participate in the auction and submit the following documents and information for your consideration:

1. Documents and Information
  - (i) MSTC Registration Number, if any:
  - (ii) Name of the Bidder:
  - (iii) Details of the Specified End Use Plant:\*

S.No.	Particulars	Unit	
1.	Name of the Specified End Use Plant		
2.	Location of the Specified End Use Plant		
3.	Type of Power Plant (IPP /CPP)		
4.	Type of Fuel (Coal/ Washery Reject based)		
5.	Date of Commissioning of the Specified End Use Plant**		
6.	Capacity of the Specified End Use Plant	MW	
7.	a) Capacity of the Specified End Use Plant against which there is no valid PPA(with details) as on May 17, 2017 b) Capacity of the Specified End Use Plant against which there is no valid PPA as on May 17, 2017 but got long/medium term PPA later(with details) which is expired or expiring within 2 years of publishing the EOI c) Capacity of the Specified End Use Plant against which PPA(with details) as on May 17, 2017 is existing d) Capacity of the Specified End Use Plant against which PPA, as on May 17, 2017, has expired subsequently or expiring within 2 years of EOI publishing date(with details)		
8.	Capacity of the Specified End Use Plant for which coal linkage is being sought in this auction	MW	
9.	Capacity of the Specified End Use Plant against which the Bidder is unable to submit the requisite DISCOM certificate in accordance with Clause 3.1.2	MW	
10.	Number of PPA(s) and details of each such PPA (including expiry date of the PPA), against which the Bidder is unable to submit the requisite DISCOM certificate in accordance with Clause 3.1.2#		

11.	Declared Station Heat Rate***	kcal/kWh	
12.	Technology (sub-critical, super critical etc.)		
13.	Main Steam Pressure	Ata	
14.	Whether Motor Driven Boiler Feed Pump (MDBFP) is being/will be used during normal operation	Yes/No	
15.	Details of Existing linkage (if any)	TPA	
16.	Details of the LoA/ linkage cancelled by MoC/ SLC(LT) 1. Quantity for which the linkage was awarded 2. Grade of coal 3. Date of Cancellation		
17.	Name of the captive coal mine/coal block, if any		
18.	Peak-rated capacity of the captive coal mine/coal block	TPA	
19.	Grade of coal of the captive coal mine/coal block		
20.	Percentage of power sold on merchant basis (of generation capacity of the Specified End Use Plant linked to coal mine/coal block)****	%	
21.	Details of the coal block de-allocated (if any) 1. Name of the coal block(s) 2. Capacity of the coal block(s) including the peak rated capacity 3. Grade of coal 4. Details of the plant linked to the coal block along with the respective quantities 5. Date of De-allocation		

*\*In case two or more units are combined and registered as a Specified End Use Plant, the Bidder has to provide the above details for each such unit.*

*\*\*In case the Specified End Use Plant is yet to be commissioned, kindly provide the anticipated commissioning date of the Specified End Use Plant. The Bidder shall intimate CIL, six months in advance, about any change in the commissioning schedule of their Specified End Use Plant.*

*\*\*\*In case the Regulator has approved a higher SHR, the Bidder should specify the same along with supporting documents. In case the Declared Station Heat Rate is not available, the Bidder should specify the Designed Station Heat Rate. However, calculation of quantity shall be guided by applicable consumption norm of CEA.*

*\*\*\*\*In this regard, the specified percentage shall be fixed for the purposes of this auction and shall not be subject to any change thereafter.*

*# Documents to be submitted at the time of execution of the FSA(existing PPAs) or at the time of submission of PPA(PPAs procured after execution of FSA), as the case may be.*

- (iv) With respect of each registered Specified End Use Plant, copy(ies) of all executed PPAs against which the Bidder is unable to submit the requisite DISCOM certificate in accordance with Clause 3.1.2. Please ensure that if the size of the PPA exceeds 10 MB, the PPA shall be split and submitted into parts, such that the size of each part does not exceed 10 MB.
- (v) Relevant corporate authorizations of the Bidder for executing this EOI viz. notarised Power of Attorney in the format set out in **Appendix I** and certified true copy of board resolution and/or certified true copy of shareholders resolution etc. The said documents are submitted in original in the manner prescribed in the Request for Submission.

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- (vi) Documents evidencing existing linkage(s) (e.g. current and existing fuel supply agreements) and/or captive coal mine(s)/coal block(s) (e.g. copy of vesting order, mining plan or any other document evidencing the ownership, peak-rated capacity etc of the captive coal mine/coal block). Please ensure that the size of such documents does not exceed 10MB (in size).
  - (vii) Relevant documents for cancellation of LoA or coal linkage by MoC/ SLC (LT), if applicable. Please ensure that the size of such documents does not exceed 10MB (in size).
  - (viii) Copy of letter of clearance issued by MoC with respect to de-allocation of the coal block(s), if applicable.
2. We, the undersigned, are duly authorized to represent and act on behalf of [*insert name of the Bidder*] and having reviewed and fully understood all information provided in the Request for Submission and having considered all relevant information, wish to hereby express our continued interest in the auction.
  3. We hereby submit our EOI and we further confirm that we meet the Eligibility Conditions.
  4. We hereby declare and confirm that we do not have any valid PPA of May 17, 2017 or prior date, as per eligibility conditions mentioned in point 3 of the EOI document, or the requisite DISCOM certificate in accordance with Clause 3.1.2 in respect of the capacity of the Specified End Use Plant(s) registered under Clause 1 of the Request for Submission for which we are desirous of participating in the auction.
  5. Notwithstanding any qualifications or conditions, whether implied or otherwise, contained in our EOI, we hereby agree, undertake, understand, declare, represent and confirm as under:
    - a. Our EOI is unqualified and unconditional and is without any deviations, conditions or any assumptions in all respects;
    - b. In the event Coal India Limited [including its subsidiary coal companies] (“**CIL**”) discovers anything contrary to the above declarations, it is empowered to forthwith disqualify us and our EOI from further participation in the auction;
    - c. In case, due to any change in facts or circumstances or the applicable laws during the auction, we are attracted by the provisions of disqualification, we shall intimate CIL of the same immediately; and
    - d. CIL may, in its sole, absolute and unfettered discretion, reject or accept any EOI and/or cancel/modify the auction.
  6. We undertake to provide any additional documents/information as may be required in this regard. We shall make available to CIL any additional documents/information it may find necessary or require to supplement or authenticate this EOI.
  7. We hereby undertake and confirm that the documents provided and information given herein is true, complete, accurate and correct and is not false, misleading and/or incorrect, in any manner whatsoever. If the information provided is discovered to be false, misleading and/or incorrect, we shall be liable under applicable laws for the time being in force and subject to the consequences envisaged in the Scheme Document and the definitive document(s).
  8. We have not surrendered and will not surrender our letter of assurance(s)/fuel supply agreement(s) for the purpose of participating in this auction.
  9. This EOI shall be governed by and construed in all respects according to the applicable laws being in force in India.
  10. All the terms used herein but not defined, shall have the meanings as ascribed thereto under the Request for Submission.

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Signature of the Authorised Signatory

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Name and designation of the Authorised Signatory:

Name of the Bidder:

Stamp of the Bidder:

Date:

Place:

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## Appendix I

### **Format of Power of Attorney**

*[To be stamped in accordance with the relevant Stamp Act and notarized]*

Know all men by these presents, We, [●], (*name and address of the registered office*) do hereby irrevocably constitute, nominate, appoint and authorise Mr./Ms. [●], son/daughter/wife of [●] and presently residing at [●], who is presently employed with us and holding the position of [●], as our true and lawful attorney (hereinafter referred to as the “**Attorney**”) to do in our name and on our behalf, all such acts, deeds and things as are necessary or required in connection with or incidental to participation in the auction process, in response to documents, including but not limited to, the Notice Inviting Registration dated May 03, 2024 (“**Notice Inviting Registration**”), the Request for Submission of EOI for auction of coal linkages for Power Producers/IPPs without PPAs dated May 03, 2024 (“**Request for Submission of EOI**”) and any other document(s) issued by Coal India Limited (“**CIL**”) in this regard (collectively referred to as the “**Documents**”) including but not limited to signing (including through affixation of digital signatures) and submission of all applications, affidavits, bids and other documents and writings, participate in bidders’ and other conferences and providing information/responses to CIL, representing us in all matters before CIL, and generally dealing with CIL in all matters in connection with or relating to or arising out of our bid for the coal linkages and/or upon award thereof to us and/or till the entering into of the fuel supply agreement with the relevant subsidiary.

AND we hereby agree to ratify and confirm and do hereby ratify and confirm all acts, deeds and things done or caused to be done by our said Attorney pursuant to and in exercise of the powers conferred by this power of attorney and that all acts, deeds and things done by our said Attorney in exercise of the powers hereby conferred shall and shall always be deemed to have been done by us.

All capitalized terms used but not defined herein shall have the meanings ascribed to them in the Documents.

IN WITNESS WHEREOF WE, [●], THE ABOVE NAMED PRINCIPAL HAVE EXECUTED THIS POWER OF ATTORNEY ON THIS [●] DAY OF [●], 20[●]

For [●]

(Signature, name, designation and address)

Witnesses:

- 1.
- 2.

Accepted Notarised

(Signature, name, designation and address of the Attorney)

Notes:

- *The power of attorney to be submitted by the Bidder shall substantially be in the format set out above.*
- *The mode of execution of the power of attorney should be in accordance with the procedure, if any, laid down by the Applicable Law and the charter documents of the executant(s) and when it is so required, the same should be under common seal affixed in accordance with the required procedure.*

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- *Wherever required, the Bidder should submit for verification the extract of the charter documents and documents such as a board or shareholders' resolution authorizing the execution of this power of attorney.*
  - *For a power of attorney executed and issued overseas, the document will also have to be legalised by the Indian Embassy and appropriately notarised in the relevant jurisdiction. However, the power of attorney provided by Bidders from countries that have signed the Hague Legislation Convention, 1961 are not required to be legalised by the Indian Embassy if it carries a conforming apostille certificate.*
  - *The power of attorney must be issued in the name of the person whose digital signature would be used to sign the documents on the Electronic Platform.*