

REPLY TO PRE BID QUERIES
MINING LEASE FOR CEMENT GRADE LIME STONE
OF

3D2 Block n/v Harima-Pithasar Tehsil & District Nagaur
Tender No.: MSTC/JPR/Directorate of Mines and Geology Rajasthan, Udaipur/10/Udaipur/21-22/13560

Sl. No.	Bidders Queries	Reply
1	<p>Tender Document</p> <p>Clause 8.1, Page 15 - "...This block is being put up for first attempt of auction."</p> <p>What is the basis for notifying the auction of this 3D2 limestone block as a "first attempt" of auction?</p> <p>Existing provision to be replaced with "...This block is being put up for Third attempt."</p> <p>The 3D2 limestone block, currently notified for auction under this tender document, has been earlier notified in 2019 (reference NITs dated 06/03/2019 & 03/07/2019).</p>	<ol style="list-style-type: none"> 1. This block was first put up for auction vide NIT dated 24-07-2017 and due to inadequate no. of technical bids the attempt of auction was annulled. 2. The Central Govt. amended the Mineral Auction Rules vide notification dated 30-11-2017 and directed State Govt. to auction blocks considering them as fresh blocks as per the said amendment. 3. The block was again put up for first attempt of auction vide NIT dated 15-12-2017 and again due to inadequate no. of technical bids the auction was annulled. 4. Later, land classification of block changed, resources were revised and the block was again put up for first attempt of auction as per Rule 9(11)(b) of Mineral Auction Rules vide NIT dated 06-03-2019. This attempt was also annulled owing to inadequate no. of technical bids. 5. The block was put up for second attempt of auction vide NIT dated 03-07-2019 and in this attempt Adani Cementation Ltd. Submitted Highest final price offer of 24.54% but the Govt. vide order dated 01-10-2020 rejected the final bid. Since, both the attempts (first and second) of auction are concluded for the said block. Therefore, the block has been again put up for first attempt of auction.

Tender Document

Clause 8.1, Page 15 - "...This block is being put up for first attempt of auction."

a) Kindly clarify the specific provision or Rule of the Mines and Mineral (Development and Regulation) Act 2015 read with the Mineral (Auction) Rules 2015 for notifying the auction for substantially the identical limestone block for which a "Preferred Bidder" has already been announced on 27th August 2019 on the basis of an earlier auction held in August 2019 ?

B) Please confirm if the Preferred Bidder notified earlier on 27th August 2019 for the 3D2 block (which, in substance, is the same block being notified now) was issued the Letter of Intent pursuant to payment of the first instalment of the Upfront Payment under the conditions of the Tender Document dated 03/07/2019 read with Rule 10(2) of the Mineral(Auction) Rules, 2015 ?

c) In case the answer to (b)above is in the negative, please clarify the current status of the 'Preferred Bidder' for this block ?

d) If the status of the "Preferred Bidder" has been formally revoked or cancelled, kindly clarify the applicable provision or Rule of the Mines and Mineral (Development and Regulation) Act 2015 read with the Mineral (Auction) Rules 2015 under which such cancellation has been effected and kindly share the formal confirmation of such cancellation or revocation.

The 3D2 limestone block, currently notified for auction under this tender document, has been earlier notified twice in 2017 and twice in 2019 (reference NITs dated 24/07/2017, 15/12/2017, 06/03/2019 & 03/07/2019).

Following the NIT dated 03/07/2019 for this 3D2 block, the subsequent auction process resulted in declaration of Adani Cementation Limited as the "Preferred Bidder" on 27th August 2019 as per the Declaration of Director, Department of Mines and Geology, Government of Rajasthan vide letter No. DMG/Geol/bid/Tender/Part IV/2019-20/265).

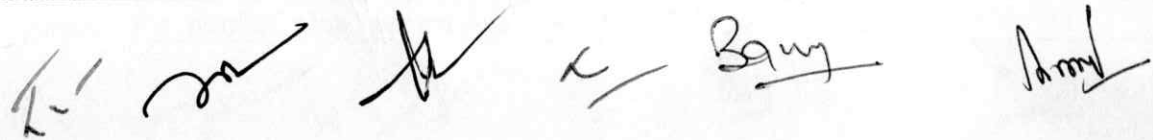
- a. Please refer to reply mentioned at serial no. 1
- b. No, the Lol was not issued.
- c. The block is free and the qualified bidder who submits the highest final price offer shall be declared as Preferred bidder.
- d. The final price offer submitted was rejected by Govt. as per Clause no. 14.11 of tender document.
- e. Please refer to reply mentioned at serial no. 1

At present, there is no litigation on it.

[Handwritten signatures and initials]

	<p>No formal communication has been provided on the current status of the Preferred Bidder of this block (which is, in substance, more or less the identical block that has been notified for auction now).</p> <p>There is no clarity on the steps, if any, taken to ensure that there is no vested right or claim that the previously notified "Preferred Bidder" may assert with respect to the 3D2 limestone block. The prospective bidder needs to be assured that there is no risk of legal challenge from the earlier declared Preferred Bidder.</p>	
3	<p>Tender Document Clause 15 (Bid Security), Page 32 Kindly clarify a specific timeline for return of Bid Security bank guarantee in case the auction process is stayed or suspended pursuant to any official directive or order from a relevant governmental authority or a court of law.</p> <p>If the auction process is stayed or suspended pursuant to any official directive or judgment of any government authority or an appellate authority or a court of law, the Bid Security bank guarantee gets blocked and we do not have clarity on when it would be returned to us.</p>	<p>Action will be taken as per the official directive or judgement or court order.</p>
4	<p>Tender Document Clause 17.5, Page-37 The block comprises of Charagha/Pasture, Angore, Oran, talab, abadi lands. Whether Govt will provide any support to obtain surface rights of these lands & whether they can be purchased for mining purpose?</p> <p>Since the Chargah land is part of Govt land , Govt should give assurance to obtain surface right instaed of referring clause no. 17.5 (Notifications / circulars issued by Government from time to time) . This will facilitate to take quick decision on Charaghah land issue .</p>	<p>Govt. will provide support to the extent possible. Mining in charagah land will be carried out as per enclosed circular.</p>

5	<p>Tender Document Geological Report What is the quantity of geological resources considered as Value Of Estimated Resources? What is the IBM sale price/ton considered to calculate Value of Estimated Resources?</p> <p>The Value of Estimated Resources & IBM sale price (Rs /ton) considered should be reported to understand how the Bid security, Performance Security and upfront payments etc has been calculated.</p>	<p>Geological Resources - 142.579 MT Average Sale Price - 439.916 Rs./ton</p> <p>From above one may calculate these payments.</p>
6	<p>Tender Document PART-IV-A (Reporting for Mineral Resources for Limestone Block), Page-8 The boreholes are drilled in 400×400 m. grid pattern. How this can be defined as Closely spaced bore holes & limestone deposits of this area are of regular habit?</p> <p>If exploration has not been done at 200*200 grid, it should not be defined as closely spaced as per MEMC rules, 2015 for stratified deposit (Part -III Exploration Norms for different types of deposits). The deposits need to be categorized under irregular habit as limestone thickness varies from 1.5 to 28.5 m. (Tender doc, PART-IV-A, Reporting for Mineral Resources for Limestone Block)</p>	<p>The nature of limestone deposit is of sedimentary & stratiform so 400 X 400m grid pattern is sufficient for proving resources on G-2 level. The thickness is different due to difference in degree of Dolomitization.</p>
7	<p>Tender Document Summarized core logs, Annexure-II</p> <p>Core Recovery within Bore Holes drilled is reported <40%, However resources are estimated based on 100% recovery. What impact of core recovery has been considered on assessment of resources and its quality?</p> <p>Core recovery forms the most important component of drilling campaign. Poor core recovery leads to a big mismatch in predicted and extracted quality and resources.</p>	<p>The geological resources has been calculated considering 100% core recovery. The core recovery may be less due to mechanical reasons within the department drilling machines. Poor core recovery cannot be tantamount to reduction in quantity of mineral resources. The core recovery is more than 95% in East of the block which was done by contractual drilling.</p>



8	<p>Tender Document</p> <p>Summarized core logs, Annexure-II In continuation of the above query no.8, What is the reason behind less core recovery? Will IBM approve mine plan based on this low (40%) core recovery and G2 Category exploration?</p> <p>Poor core recovery will give a low confidence in the estimated resources.</p>	<p>Please refer to reply given at serial no. 7</p> <p>IBM has approved mine plan of earlier auctioned limestone blocks of Nagaur district. All those blocks were explored by department itself.</p>
9	<p>Tender Document Clause 10.4 Grant of mining lease, Page-22</p> <p>How the stamp duty will be applicable at the time of lease grant? Request you to provide method of calculation for stamp duty.</p>	<p>Stamp duty will be charged as per Rajasthan Stamp Act. Copy of Govt Notification enclosed.</p>
10	<p>Tender Document PART-IV-A Reporting for Mineral Resources for Limestone Block 5 (iii) Page-5 Host Population given as Harima : 1272 Sarasani: 1476 Deh: 9448</p> <p>We would like to know how much habitation exist in the notified blocks? Whether R&R policy applicable for all the notified blocks? This will facilitate to prepare MDPA in a more realistic manner.</p>	<p>The given Host Population is of Nearby Village. The small Dhani's are there in the block which contains small no. of population. Yes, it is applicable as per rules.</p>
11	<p>Tender Document PART-IV-A Reporting for Mineral Resources for Limestone Block 5 (iii) Page-1 As per toposheet no 45 E/15 , underground pipeline is passing through the notified blocks, however in Tender document it is not mentioned anywhere. During field visit also , the existence of water pipeline was observed. Kindly confirm there is an underground pipeline passing through the notified blocks ?</p> <p>All bidders need clarity on existence of any pipeline since it will impact the mining plan, operations and the effective available</p>	<p>Yes, water pipeline is there. The pipeline may be diverted by Preferred Bidder.</p>

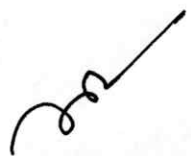
	resources. Hence it is very important that this be addressed in the Tender document.	
12	<p>Tender Document Plate-8, Cadastral Map</p> <p>Is the Lessee allowed to divert the village roads? If yes, please provide the provision and details for diverting the roads. If any village roads passing through the notified block, there should be provision of diversion also. it is important for the bidders to understand the position on diversion of village roads etc, since it will have an impact on mining plan, operations and the effective available resources.</p>	<p>As per Rule 12 (E) of The Minerals (Other than Atomic and Hydrocarbons Energy Minerals) Concession Rules, 2016 "the lessee shall not, in the case of village roads (including any track shown in the revenue record as village road), allow any working to be carried on within a distance of ten meters of the outer edge of the cutting except with the previous permission of the Deputy Commissioner or Collector or any other officer duly authorised by the State Government in this behalf and otherwise than in accordance with such directions, restrictions and additions, either general or special, which may be attached to such permission"</p>
13	<p>As per NIT dated 27/08/2021,</p> <p>3D2 Limestone block was notified for auction twice in the year 2017 and twice in year 2019 (NIT dated 24/07/2017, 15/12/2017, 06/03/2019 & 03/07/2019). However as per NIT dated 27/08/2021, it is mentioned as "first attempt" for the block. Request you to kindly provide clarification accordingly.</p>	<p>Please refer to reply mentioned at serial no. 1</p>
14	<p>As per NIT dated 27/08/2021,</p> <p>As in NIT, it is specifically given " first attempt". That means Auction process will be annulled if there will be less than three bidders??</p>	<p>Yes</p>
15	<p>As per preferred bidder letter dated 27/08/2019</p> <p>As per Letter no. DMG/Geol/bid/Tender/Part IV/2019-20/265, Adani Cementation Limited was declared as 'Preferred Bidder' referring to the last NIT dated 03/07/2019. We are not in receipt of any notice of cancelling/rejecting the allotment of block to Adani. We would like to seek a reasonable assurance/clarification from GoR and the Ministry of Mines stating that Adani does not hold any legal stand to appeal against auction of the same block and the new bidding process will not get stalled due to above said reason.</p>	<p>The block is free, the qualified bidder who submits the highest final price offer shall be declared as Preferred bidder. At present, there is no legal litigation on this block</p>

	We would seek assurance from DMG, Rajasthan that preferred bidder will be decided based on highest price offer received during the bidding process as per the tender guideline with no lower bound of award price	
16	Tender document Value Of Estimated Resources (VOER) & IBM sale price should be mentioned in tender document based on how bid security, Upfront payments & performamnce security. The calculation part should be clarified in a transparent manner.	Please refer to reply mentioned at serial no. 5
17	12 (Time line) Time frame to return the Bank gurantee may specifically be mentioned. (Even though the Auction process get anulled or the block go for litigation). BG should be be returned automatically instead of asking Govt to return it.	The bank guarantee of unsuccessful bidder will be return as promptly as possible. The Successful Bidder's Bid Security will be returned, without any interest, upon furnishing of the Performance Security in accordance with the provisions thereof and after the compliance of all conditions mentioned in Lol. If the block goes for litigation the action will be taken accordingly.
18	PART-IV-A Reporting for Mineral Resources for Limestone Block (point no.22) Topographical map is not enclosed , however in page no.it is mentioned that it is annexed. Topography is a basic fundamental of an area to understand overall relief of area.	The Topography of area of Block is flat with little undulation due to small mounds of sand. The block is superimposed on Toposheet (as Plate -1) that has T.P (Triangulation point) & contours depicting relief.
19	Tender Document Whether Royalty is included in Reserve price	No
20	Comparison of earlier Tender Document (July 2017) and New TD (August 2021) Geological Resources in the earlier TD mentioned 155 MioT, However in recent TD, It became 143 Mio T. Clarification required regarding reduction of resources without change of area.boundary/ no. of boreholes	Earlier, the resources falling in oran, angore and nadi /talab were included. Now they have been excluded.

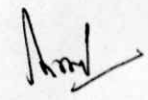
21	<p>Minimum Production requirement as per schedule E</p> <p>Is the bidder having flexibility to define mine plan capacity? Under capacity can also be planned? This will enable the bidder to plan its mining and associated plant capacity.</p>	<p>IBM is approving authority for approval of Mining Plan in case of Major Mineral Block</p>
22	<p>Geological Report</p> <p>Core Recovery within Bore Holes drilled is reported 38%, However resources are estimated based on 100% recovery. What impact of core recovery has been considered on assessment of resources and its quality? Core recovery forms the most important component of drilling campaign. Poor core recovery leads to a big mismatch in predicted and extracted quality and resources.</p>	<p>Please refer to reply mentioned at serial no. 7</p>
23	<p>General Condition</p> <p>Since the blocks are adjacent to others MLs, will be there any administrative / logistic/ strategic challenges in future ? Or any statutory issues will be involved if mineral blocks share their boundaries.</p>	<p>There will be no statutory issues.</p>
24	<p>Geologic Report</p> <p>There is no land for waste dump since entire area is mineralised. ? As per mineral conservation point of view, waste can not be dumped in Mineralized zone. Clarifications required for the same.</p>	<p>Waste dumps can be back-filled in the mined out area/pits specially where limestone bed is very thin.</p>
25	<p>PART C - Particulars of Land</p> <p>If Govt will provide any support to use this land (Charagha land/Pasture land of 23.40 Ha, Angore land of 42.25 Ha & Talab of 6.6 Ha) for mining purpose or we have to leave the same it is under which resources of 16 mio T are capped?</p>	<p>Mining in Charagah, Oran, Angore, Nadi/Talab will be permitted as per existing rules and directions issued by Govt from time to time.</p>
26	<p>Clause 10.3 Execution of Mine Development and Production Agreement:</p> <p>The State Government and the Successful Bidder shall enter into the MDPA upon the Successful Bidder having obtained all consents,</p>	<p>Part-B of tender document is merely a listing of clearances to be obtained on the part of the successful bidder. The other clearances applicable may be obtained as and when required.</p>

	<p>approvals, permits, no-objections and the like as may be required under applicable law for commencement of mining operations. However, few commencements/permissions shall be obtained after execution of Mining lease & DGMS permission. Further pursuant to the tender document MDPA is a predecessor to the mining lease. hence it will not be possible for the successful bidder to obtain all the clearances due to ML grant is not there. This will affect the time line and production from the block. Can bidder expect the revision of timeline due to these reasons.</p>	
27	<p>Clause 10.4 Grant of mining lease:</p> <p>Subsequent to execution of the MDPA, the Successful Bidder shall pay the third installment of the Upfront Payment which is INR 18,81,68,351.00 (Indian Rupees Eighteen Crore Eighty-One Lakh Sixty-Eight Thousand Three Hundred Fifty-One Only). Upon such payment the State Government shall grant a mining lease to the Successful Bidder within a period of 30 days from the date of payment. The date of the commencement of the period for which a mining lease is granted shall be the date on which a duly executed mining lease is registered. Please clarify whether stamp duty shall be chargeable only on amount of Royalty and not on Final price offer at the time of execution?? This will help us planning our budgetary provision.</p>	Please refer to reply mentioned at serial no. 9
28	<p>Geological report</p> <p>Borehole wise resource estimation table Resources of Angore, Oran & talab (Nadi) land is deducted</p> <ol style="list-style-type: none"> 1. Which means this land area is available for the bidder or Not 2. Although the resources are very minute in these Angore, Oran, Nadi lands. Can this area can be utilized for non-mining activity? <p>1. Is this Angore, Oran & Nadi land is allowed for mining & Non mining activity?</p>	Please refer to reply mentioned at serial no. 25

29	<p>Toposheet & site visit</p> <p>Block boundary</p> <p>We noticed that an underground water pipeline is passing through the 3D2 block from Harima village to Sarasani village. Will this pipeline be diverted once the mining activity is started?</p> <p>Does the state Govt allow & support is diverting the underground pipeline to augment the resource.</p> <p>Permission for diversion of the underground pipeline</p>	Please refer to reply mentioned at serial no. 11
30	<p>Tender for e-auction of Mining Lease for Limestone Block – 3D2 n/v Harima-Pithasar Tehsil, district of Nagaur, Rajasthan</p> <p>Clause no.14.1.1 (i)</p> <p>the Bidder is required submit - No dues certificate, which shall not be older than 6 months from the respective Mining Engineer under whose jurisdiction the bidder holds or has held mineral concession.</p> <p>Obtained No dues certificate which was issued dt.08.07.2021 & 09.07.2021 by the respective Mining Engineer (copy attached) and subsequently said Original certificate was submitted to you along with Technical Bid document for participation into the mineral limestone Block 3C-1 Nagaur tender process in the m/o July.</p> <p>Now, request you to please clarify whether certified true copy of the no dues certificate can be submitted or New certificate is required to be obtained for submission along the Technical Bid document for participation into the mineral limestone Block 3D-1 Nagaur.</p>	Certified copy of no dues certificate may be submitted.





GOVERNMENT OF RAJASTHAN
FINANCE DEPARTMENT
(TAX DIVISION)

Jaipur, Dated: 21.11.2019

NOTIFICATION

In exercise of the powers conferred by clause (b) of sub-rule (1) and sub-rule (4) of rule 58 of the Rajasthan Stamp Rules, 2004, the State Government hereby makes the following amendment in this department's notification number F.4(4)FD/Tax/2015-226 dated 09.3.2015, as amended from time to time, namely:-

AMENDMENT

In the said notification, the existing clause 3 relating to rates of land for mining purposes shall be substituted by the following, namely:-

3. Rates of land for mining purposes

- (i) In case of agriculture land purchased for mining purposes or agriculture land in respect of which consent deed is executed between land owner and lessee for mining purposes shall be equal to three times of the rates of agriculture land of that area.
- (ii) In case of new mining lease shall be equal to three times of the rates of agriculture land of that area or four times of the aggregate amount of annual dead rent, security and other miscellaneous charges, whichever is higher.
- (iii) In case of mining lease granted through auction and having provision of payment of bid amount along with dead rent and royalty shall be equal to four times of the rates of agriculture land of that area or four times of the aggregate amount of annual dead rent, security and other miscellaneous charges along with bid amount, whichever is higher.
- (iv) In case of renewal of mining lease shall be equal to four times of the rates of agriculture land of that area or four times of the aggregate amount of annual dead rent and other miscellaneous charges or four times of the aggregate amount of royalty of preceding four years and other miscellaneous charges, whichever is higher.
- (v) In case of transfer of mining lease shall be equal to four times of the rates of agriculture land of that area or four times of the amount of annual dead rent along with cost of the development works done on the site and other miscellaneous charges or the amount of royalty of preceding four years along with cost of the development works done on the site and other miscellaneous charges, whichever is higher."

[No.F.4(15)FD/Tax/2014-91]


By order of the Governor,

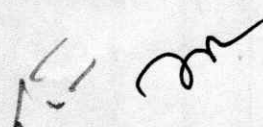



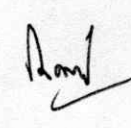
(Nishant Jain)

Joint Secretary to the Government

Copy forwarded to the following for information & necessary action:-

1. Superintendent, Government Central Press, Jaipur for publication of this notification in part 4(c) of extra ordinary gazette along with a soft copy in CD. Kindly send 10 copies of this notification to this department and 20 copies along with bill to Inspector General, Registration & Stamps, Rajasthan, Ajmer. Please ensure that soft copy in CD is same as hard copy provided to you for publication.
2. Pr. Secretary to Hon'ble Chief Minister (Finance), Rajasthan, Jaipur.
3. Accountant General, Rajasthan, Jaipur.
4. Inspector General, Registration & Stamps, Rajasthan, Ajmer.
5. PS to Additional Chief Secretary, Finance Department.
6. PS to Pr. Secretary, Law Department.
7. PS to Principal Secretary, Mines and Petroleum Department.
8. PS to Secretary, Finance (Revenue) Department.
9. Director, Public Relation Department, Rajasthan, Jaipur.
10. Technical Director, Finance (Computer Cell) Department, Secretariat, Jaipur.
11. Guard file.


Joint Secretary to the Government

**GOVERNMENT OF RAJASTHAN
REVENUE (GROUP-6) DEPARTMENT**

No. F.10(3) Rev-6/2001/10

Jaipur, Dated:- 31-05-17

NOTIFICATION

In exercise of the powers conferred by section 257 of the Rajasthan Tenancy Act, 1955 (Act No. 3 of 1955), the State Government hereby makes the following rules further to amend the Rajasthan Tenancy (Government) Rules, 1955 and orders with reference to the proviso to sub-section (1) of section 259 of the said Act that the previous publication of these amendment rules is dispensed with as the State Government considers it necessary that they should be brought into force at once, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Tenancy (Government) (Amendment) Rules, 2017.

They shall come into force at once.

2. Amendment of rule 7.- In rule 7 of the Rajasthan Tenancy (Government) Rules, 1955,-

(i) after the existing first proviso and before the existing second proviso to sub-rule (1), the following new proviso shall be inserted, namely:-

“Provided further that the classification of pasture land shall not be changed as unoccupied culturable government land (Sawai Chak) for mining purposes without the prior permission of the State Government. The permission by the State Government shall be granted only if applicant has surrendered equal area of khatedari land in favour of the State Government in the same village or nearby village within the same Panchayat and has deposited development charges for the development of such surrendered land as pasture land. The development charges for the year 2017-2018 shall be rupees fifty thousand per bigha or

part thereof and for subsequent year it shall be increased by five per cent every year. The Development charges so deposited may also be used for the welfare of the cattle of the village by the village Panchayat with prior approval of the District Collector. The land so classified as unoccupied culturable government land (Sawat Chak) shall always remain and treated as government land for all purposes." and

- (ii) in sub-rule (2), for the existing expression "in the same village", the expression "in the same village or nearby village within the same Panchayat." shall be substituted.

By order of the Governor.

(P.S. Bishnoi)

Joint Secretary to the Government

- Copy forward to the following for information and necessary action:-
1. P.S. to Hon'ble Chief Minister, Rajasthan, Jaipur.
 2. S.A. to Hon'ble Revenue Minister, Rajasthan, Jaipur.
 3. P.S. to Chief Secretary, Rajasthan, Jaipur.
 4. P.S. to Principal Secretary, Department of Mines, Jaipur.
 5. P.S. to Principal Secretary, Revenue Department, Jaipur.
 6. Accountant General, Rajasthan, Jaipur.
 7. All Divisional Commissioners, Rajasthan.
 8. All Collectors, Rajasthan.
 9. Deputy Accountant General, SRA, Rajasthan, Jaipur.
 10. Registrar, Board of Revenue, Rajasthan, Ajmer.
 11. Director Printing and Stationery department for publication of the Notification in the Rajasthan Gazette dated 3.12.65 along with additional copies.
 12. Director, Public Relation, Rajasthan, Jaipur.
 13. Registrar, Board of Revenue, Ajmer.
 14. "RAVIRA" Board of Revenue, Rajasthan, Ajmer.
 15. Director, Information & Technology (Computer), Jaipur.
 16. Joint Registrar, Library Judges, Supreme Court, New Delhi.
 17. Registrar General of High Court of Rajasthan, Jodhpur.
 18. All Joint Secretaries Dy. Secretaries Department of Revenue.
 19. Guard file.

Joint Secretary to the Government