

REPLY TO PRE BID QUERIES		
MINING LEASE FOR CEMENT GRADE LIME STONE		
OF		
Block RATA-MANDHA-1A (RM-1A) Tehsil Shri Mohangarh, District – Jaisalmer (Raj.)		
Document No.: MSTC/JPR/Directorate of Mines and Geology Rajasthan, Udaipur/1/Udaipur/ 18-19/4249		
Sl. No.	Bidders Queries	Reply
1	<p>Tender Document & Information Memorandum</p> <p>Clause 4.1(i) Revenue Survey Particulars is included in Information memorandum</p> <p>Land owned by State Government & Land not owned by State government has been marked on the map but proper Revenue survey details i.e. area of each survey nos. & other details has not been provided in the information memorandum while in Clause 4.1(i) it has been mentioned that same is given in Information memorandum.</p> <p>The information available in Apna Khata website give full area of Khasra while the present block contains parts of khasra also. For example khasra No. 117 of Mandha village is partly in Block and partly outside block. With present available information how much part of khasra is in block is not clear.</p> <p>As per Rule No. 9(2)(b) of the Mineral Auction Rules, 2015, it is mandatory of State Government to provide Revenue Survey details of Block put for auction.</p> <p>Proper Revenue Survey details in form of area of each khasra No. falling in the block as required under Auction Rules and committed in Clause 4.1(i) of Tender Document.</p>	Such details will be given to preferred bidder if he needs it.
2	<p>Tender Document</p> <p>Eligibility</p> <p>In case a Bidder is subsidiary of another company, is both holding company and the subsidiary company can participate simultaneously for the Block?</p> <p>Clarification should be given in this regard as Tender Document is silent in this regard.</p>	No, they cannot participate simultaneously due to conflict of interest as per RTPP Act.
3	<p>Tender Document</p> <p>Eligibility</p> <p>Can Bidder and its group company can bid simultaneously for the Block?</p> <p>Clarification should be given in this regard as Tender Document is silent in this regard.</p>	No, they cannot participate simultaneously due to conflict of interest as per RTPP Act.
4	<p>Tender Document</p> <p>Clause 12(I)(13)</p> <p>Announcement of Preferred Bidder</p> <p>Announcement of Preferred Bidder is scheduled on February 12, 2018 while e-auction is scheduled on February 09, 2018. There is 3 days gap between e-auction & announcement of Preferred Bidder while Rule No. 9(4)(b) of the Mineral Auction Rules,2015 stipulates that “Preferred Bidder should be declared immediately on conclusion of auction”.</p> <p>As per Auction Rules, preferred bidder should be declared immediately on conclusion of auction, not after 3 days gap.</p>	Ascending forward auction is on 25-06-2018 & Announcement of preferred bidder is scheduled on 26-06-2018

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5	<p>Tender Document Clause 14.1.1(g) Each & every document of technical Bid (Wherever necessary) must have seal of company with signature of authorised signatory on it.</p> <p>“(Wherever necessary)” should be clarified. Is it includes Bank Guarantee and other original documents or only required for the documents which are submitted in photocopy?</p> <p>Ambiguity regarding “(Wherever necessary)” should be clarified and as list of documents of technical Bid is clearly specified, it should also be specified that clause 14.1.1(g) is applicable on which of these specified documents.</p>	<p>Seal and Signature of authorised signatory are needed on photocopies only.</p> <p>Original documents and Bank Guarantee need not to be signed separately.</p>
6	<p>Tender Document Clause 15.4 Successful Bidder’s Bid Security will be returned. The Auction rules does not require payment of 2nd installment of upfront payment & Performance security with six month of declaration as preferred Bidders. Performance Security & 2nd installment of upfront payment need to be submitted by Preferred Bidder before declaration as Successful Bidder as per clause 10.2 of Tender Document as well as per rule 10(3) of Auction rules. The present Time table require Performance Security & 2nd installment of upfront payment on or before 28.01.2019 while till completion of terms of LOI i.e. 3 years from grant of LOI on 31.07.2018 , preferred bidder does not become Successful Bidder. There is a time gap of 3.0 years, in this period there is no requirement of Performance Security & 2nd installment of upfront payment. More ever as per rule 12(2) of Auction Rules, the Performance Security can only be invoked as per provision of MDPA & Mining Lease deed. There is no existence of MDPA & Lease deed within 6 month of grant of LOI. Performance Security & 2nd installment of upfront payment should only be required before declaration as Successful Bidder. Necessary extension of Bid Security may be done till submission of Performance Security as per Clause 15.5 of Tender Document. The same process of Bid security extension up to LOI period has been adopted by Gujarat Government in recent Limestone Block auction and the same practice should be adopted in this auction also.</p>	<p>Tender condition prevails</p>
7	<p>Tender Document Para B of Schedule I (Format of Bid Letter) The details of Date of Tender Document are not given in the format. Date of Tender Document should be specifically given as it is vital information and required in other documents of Bids also such as Bid Security, Affidavit etc.</p>	<p>Date of issuance of NIT can be taken as date of tender document.</p>
8	<p>Tender Document Invoice against Document Fees Proper Invoice for should be Rs. 2,00,000 provided having all the details such as GST etc. to the bidders on time. It has observed that despite several follow up, State Government does not provide Invoice to Bidders on time. Some specific time limit should be fixed for providing Invoice to Bidders.</p>	<p>The said amount is tender document fee only. MSTC Ltd is being directed to issue invoice.</p>

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9	<p>Tender Document Para E(2)(c) Format of Affidavit Affidavit to be submitted by all the directors of a Company individually This requirement of separate affidavit from each director should not be there. Already proper power of attorney through a Board Resolution by Board of Directors is to be given to authorised signatory and affidavit given by him is sufficient. In the various auction conducted by different State Government, Affidavit is required only from Authorised Signatory and not from each director of Company. The requirement of affidavit from each of director of company will unnecessary lengthens the time and formality required for preparation of Technical Bid and hence should be avoided.</p>	Affidavit is to submitted by every Director of the company.
10	<p>Tender Document Para E(2)(c) Format of Affidavit Affidavit to be submitted by all the directors of a Company individually (i) The requirement of Affidavit to be submitted by all the directors of a Company individually is applicable only in case of Private Limited Company. It is not applicable in Public Limited Company. Please Clarify? (ii) The requirement of affidavit by each director of company is neither in the standard model tender document nor is practiced by auction of mineral block by other state government. Why this specific condition has been imposed in this Tender Document? (iii) In case of public limited company(more particularly a listed company), affidavit from individual director should not be insisted. As the lease will be held by the Bidder Company, which has a separate identity. Please Clarify? (iv) In a public limited company, the directors are not of permanent nature. Therefore there is no relevance/significance of requirement of affidavit from each director of company. Please clarify?</p> <p>Affidavit from Authorised signatory will fulfill the purpose of Technical Bid and there is no requirement of affidavit by each director of company. Till date all the auction conducted by various state government under the mineral auction rules, 2015, there is no such requirement of affidavit by each director and same should be applied in this auction also.</p>	Tender condition prevails
11	<p>Tender Document Para E(2)(c) Format of Affidavit Affidavit to be submitted by all the directors of a Company individually (i) It is necessary to provide Affidavit of all the directors of Bidder Company Individually? (ii) If some of Directors of Bidders company are presently out of India and will not be available till Bid Due Date, is it possible to provide Affidavit after Bid Due Date ? Meanwhile a Undertaking in this regard may be given?</p>	Tender condition prevails
12	<p>Tender Document Para 2(iii)(b) of Schedule III Opening of Initial Price Offer (IPO)- 2 days before the Schedule date of e auction & Clause 12(I)(11) Para 2(iii)(b) of Schedule III regarding Opening of Initial Price Offer mentioned that Initial Price offer should be opened two days before scheduled e Auction while Clause 12(I)(11) says that IPO will be open one day prior to e auction. Both the information are contradictory and should be corrected. If clause 12(I)(11) is correct, provision given in Para 2(iii)(b) may be amended.</p>	Conduction of ascending forward auction will be as per time table given in clause 12

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13	<p>Tender Document</p> <p>The whole 420 ha area of Block is mineralised.</p> <p>(i) Rule 5(3) of the Mineral Auction Rules, 2015 mentioned that “the extent of block area put for auction shall include area required for all the activities falling under definition of ‘mine’ as defined in clause (j) of sub section(1) of section 2 of the Mines Act 1952.”</p> <p>(ii) Rule 57 of the Mineral Concession Rules, 2016 mentioned that “the extent of area granted under mineral concession shall also include non mineralised area required for all the activities falling under definition of ‘mine’ as defined in clause (j) of sub section(1) of section 2 of the Mines Act 1952.”</p> <p>Limestone of the area is cement grade as given in Geological report.</p> <p>But no area near the block has been designated for cement Plant. Suitable area should be marked for construction of cement plant considering the specific fact that whole block area is mineralised.</p> <p>Suitable area should be marked outside the ML area for Cement Plant considering the specific fact that whole block area is mineralised. State Govt. should clearly give option of 2/3 areas suitable for establishing a Cement Plant & a certified copy of area showing non mineralized area available for Cement Plant should be given, otherwise it is a very lengthy & time consuming & tedious to get clearance for the area.</p> <p>Proper demarcation of area for establishing cement plant will encourage potential bidders to actively participate in e auction process.</p> <p>The 420 hectares mineralised cement grade limestone bearing area can only be utilized in cement manufacturing although no end use has been specified in Tender Document.</p>	<p>Since no end use is specified, bidder can set required facility as deemed fit.</p>
14	<p>MDPA</p> <p>Clause 4.1.1</p> <p>Performance Security</p> <p>The Successful Preferred Bidder has to provide performance security to State Government &</p> <p>Para A of Schedule III of the Mineral Auction Amendment Rules,2017</p> <p>The Preferred Bidder has to provide performance security to State Government</p> <p>With the recent amendment in Auction rules, the word ‘Successful Bidder’ has been replaced by ‘Preferred Bidder’. There is no terminology such as Successful Preferred Bidder.</p> <p>Accordingly changes should be made in Clause 4.1.1 in MDPA.</p>	<p>Suitable correction shall be made at the time of execution of MDPA</p>

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15	<p>MDPA Clause 4.31.1 (2) Manner of appropriation of Performance Security Failure of Bidder to comply with the minimum production requirement – An amount equal to the shortfall in Minimum Production as per schedule E x highest IBM price of that particular year x final price offer.</p> <p>Selecting highest IBM price of that particular year for penalty against failure to comply Minimum Production Requirement is not Justified. It should be Average of IBM price for that Particular year as revenue loss to Government is on basis of average of IBM price of year not on highest IBM price of year.</p> <p>Production of mineral is linked with fluctuating market conditions and provision of imposition of higher penalties for deviating from planned production will discourage the potential bidders for participating in Bidding Process.</p>	Tender condition prevails
16	<p>MDPA Schedule E- Production Requirement Year(since commencement of mining lease) The term “Year (since commencement of mining lease)” is not clear. Is it for the financial year in which mining lease have been registered or year calculated from registration of mining lease. Since the minimum production requirement is linked with mining plan and in the mining plan term year means financial year starting from 01st April to next year 31st March. The production proposal in mining plan is given well before commencement of mining lease. If the term ‘year’ in MDPA is for financial year and mining lease is commenced on 15 March of particular year, the initial 2 year 0% penalty period is effective for 1 year & 15 days only which is not justified. The term year should be clarified in Schedule E and it should be calculated from date of commencement of mining lease and not as financial year for providing full two years of 0% penalty period. Year should be calculated from commencement of mining lease and should not be linked with financial year. It should be clearly specified in Schedule E of MDPA.</p>	Date of commencement of mining shall be date of registration of lease Zero penalty period of 2 years shall be calculated from the date of registration of lease and not from financial year.
17	<p>Performa IV A Reporting of Mineral Reserve Para 5(d) Cross section at suitable interval Cross section at suitable interval is not provided. Only one no. of cross section and one of Longitudinal section has been provided. Since the boreholes are drilled at 400 meter interval, proper cross section at 400 meter interval should be provided. Cross section at suitable interval is required for proper reporting under the Mineral Evidence rules, 2015.</p>	Because the deposit is uniform sedimentary deposit, one cross section supplemented by logs of boreholes suffice for estimation of mineral reserves.
18	<p>Performa IV A Reporting of Mineral Reserve Para 11(e) Core arranged in core boxes The core arranged in core boxes should be provided to Successful Bidder for future reference</p>	After completion of project in the year 1997-98&1998-99 the core were saved up to receiving chemical analysis.

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19	<p>Performa IV A Reporting of Mineral Reserve Para 12(c) 5% Check samples analyzed Details of this 5% of check samples analyzed should be provided to the successful Bidder. Even though there may be no deviation in values in these check samples, as MEMEC Rules, 2015 details of these check samples is required</p>	<p>The results of cross check samples were not found different from the original sample analysis reports. Therefore, they have not been reported separately in the GR. It's not needed to be given separately if results are same.</p>
20	<p>Exploration Report Chemical Analysis results of core samples Analysis of Clay has not been provided in 11 nos. Boreholes (all the 8 nos. of KN series boreholes & 3 other holes) out of 21 nos. of Boreholes drilled in the area. Analysis of all the Clay samples should be provided. As per MEMC Rules, 2015 analysis of all litho units encountered in Boreholes should be part of Geological Report. Further more this clay will mixed with limestone during mechanized mining, so its quality is a vital information.</p>	<p>The aim of project was for exploration of limestone(SMS/CEMENT GRADE) only.</p>
21	<p>Exploration Report Chemical Analysis results of core samples Minor constituents as K₂O, Na₂O etc. in the chemical analysis is missing in chemical analysis results</p>	<p>The samples were not analysed for these radicals. As per information available K₂O & Na₂O are negligible.</p>
22	<p>Exploration Report Annexure III Calculation of Drill indicated Resources The core recovery of limestone is low in the area and it has been mentioned in exploration report that limestone contains thin layers of sub bentonitic clay. It should be clarified that whether resource calculated has taken into account of this substantial core losses and if same is not taken into account, resource should be recalculated taken into account of core recovery.</p>	<p>Layers of bentonitic clay are excluded in calculating resources of limestone. 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 tantamount to reduction in quantity of mineral resources. Further, while bidding the bidder has to take into consideration all the facts and circumstances with his own assessment and wisdom after ground level verification of the block.</p>
23	<p>Exploration Report Revenue Map The revenue map is not authenticated by concern revenue officials, without authentication it has no relevance Proper authenticated revenue map should be provided.</p>	<p>Proper authenticated revenue map is available with DMGR in hardcopy & will be provided to the preferred bidder.</p>
24	<p>Exploration Report Maps & Section Maps & sections enclosed with Report is not signed by person prepare the Map. While preparing mining Plan signed copy of plan & section is required. Signed copy of Plan & Section should be enclosed.</p>	<p>-----do-----</p>
25	<p>Tender Document Last page of Tender Document A letter has been issued by Tehsildar regarding cadastral details of the block is provided, but the enclosure of this letter i.e. map & Patwari report is missing. Enclosure i.e. map & Patwari report of Tehsildar Letter attached with Tender Document should be provided.</p>	<p>The superimposed block on khasara map having sign of Patwari will be provided to preferred bidder.</p>

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26	<p>Miscellaneous</p> <p>What is the status of earlier MLs granted in the District? Please share list of all existing Mining leases. Request to share present status of allotted MLs to M/s Shree Cement (SN-5) and M/s Lafarge (SN-2).</p> <p>District being almost a virgin area for cement industry currently. Shall be helpful to chalk out strategy.</p>	<p>In Jaisalmer district allotted leases of mineral SMS grade limestone are:-</p> <ol style="list-style-type: none"> 1. Sanu-I 2. Sanu-II <p>Lease have not granted to both M/s. Shree Cement & M/s Lafarge. They have given relief by High Court on this issue but Government is thinking of appealing in Supreme Court in this regard.</p>
27	<p>Geological Report</p> <p>Chapter – I : Infrastructure (1.04)</p> <p>What would be source of water to the industry? Being water scare district, it is very important aspect for survival of Industry . What support Govt will provide to meet water requirement?</p>	<p>IGNP canal is passing at a distance of about 10 km from the block. The Government will provide support to the extent possible.</p>
28	<p>Geological Report</p> <p>Chapter – I : Location(1.02)</p> <p>How far it is from International Border and what kind of additional security or facilities shall be provided by Govt to the Industry? What are the challenges from across the border? For smooth industrial operations.</p>	<p>About 45 km in north and about 100 km in west as per Survey of India Maps.</p> <p>Further, while bidding the bidder has to take into consideration all the facts and circumstances with his own assessment and wisdom after ground level verification of the block.</p>
29	<p>Geological Report</p> <p>Chapter – I : Infrastructure (1.04)</p> <p>Nearest source of Fuel (gas, coal, lignite) and quantities available? For implementing cement project.</p>	<p>Nearest resource of lignite is in Barmer and Bikaner district.</p>
30	<p>Geological Report</p> <p>Chapter – I: Inhabitants(1.10)</p> <p>How many people shall be affected by acquisition of the entire lease area of 420 Ha(Govt and Pvt). What is the demographic, agriculture details ? Whether Govt land is free of abitation/enchorchment ? To under stand issue of PAPs in initial stage itself.</p>	<p>Two Dhanis falls in the area of block having Host population of about 10 peoples.</p>
31	<p>Geological Report</p> <p>Chapter – I : Accessibility (1.03)</p> <p>Rail route is proposed from Hamira to Sanu. What is the present status of proposal and tentative route upto Sanu railway station. Proposed rail route with distance to be covered in text and shown on map. To plan infrastructure and evacuation.</p>	<p>Work is on progress .</p>
32	<p>Geological Report</p> <p>Chapter- III: Resources and Grade(3.05)</p> <p>As per GR, it seems the entire area is mineralized. In such case, no area is available within Block for non-mining allied activities such as waste dumping, sub-grade dumping and building related facilities (non-mineralised). Whether Govt will support to identify nearest non mineral bearing land for putting up cement unit ? There is a need to add some non-mineralised area within Block since Waste/rejects need to be dumped within Block over non-mineralized areas. There is a need to add some non-mineralised area within Block since huge waste/reject need to be dumped within Block over non mineralized areas.</p>	<p>Since no end use is specified, bidder can set required facility as deemed fit.</p>

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33	<p>Geological Report Chapter – III Resources and Grade (3.05) In Notified block, two main village roads are passing. The calculated resources of 209 MT is excluding the road safety barrier or including the roads? Whether Govt will facilitate to divert the village roads. The more clarity on resources part and to enhance the confidence level while bidding.</p>	<p>Resources of 209.265 M.T of limestone is including the entire block area. Government may divert the village roads. These are't major roads and can be diverted easily.C32</p>
34	<p>Geological Report Chapter – III Summary of Core Logs (Annexure – I) Average core recovery is very poor. What is the expected loss of recovery? Is it void or interstitial clay ? Whether some core cum sludge holes or DTH holes were drilled to understand the recovery loss ? Average core recovery ...% The more clarity on resources part and to enhance the confidence level while bidding.</p>	<p>Core recovery is poor due to mechanical failure and not due to voids. 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 tantamount to reduction in quantity of mineral resources. Further, while bidding the bidder has to take into consideration all the facts and circumstances with his own assessment and wisdom after ground level verification of the block.</p>
35	<p>Geological Report Chapter - III: Drilling (3.03) Boreholes are not drilled in the middle of the notified block. What is the reason? Whether some cores have been preserved to undertake minor elements and environmentally sensitive element analysis. Whether cores can be examined ? This will also strengthen the confidence level of the bidder in the notified block.</p>	<p>Due to thick sand dues bore holes were not drilled in the middle part of notified block. Core was saved upto chemical analysis result/ preparation of the final report and it was dumped thereafter. If needed then core can be examined from adjacent area, as the deposit is uniform in nature.</p>
36	<p>Geological Report Exploration Report- Chemical Analysis of Boreholes (Annexure-III) Whether Physico-mechanical properties (Compressive / Tensile strength, RQD, bond index etc) of limestone are available ? The more clarity about deposit shall provide bidder to design better mining strategy.</p>	<p>No such test for physico - mechanica properties like compressive strength / Tensile strength, RQD, Bond index etc were carried out .</p>
37	<p>Geological Report Miscellaneous It's a sandy area. How is the ambient air quality(AAQ)? Whether some ecosensitive zone or hot spot is nearby which may have adverse impact to get clearances ? To understand environmental setting of project area.</p>	<p>No such studies were carried out for AAQ.</p>
38	<p>Tender Document 5(f) Whether 50 sq kms limit can be considered separately for holding and subsidiary company ? Does it include minor minerals or not ?</p>	<p>It will be governed as per Rule 6 of MMDR Act and circular(if any) issued in this regard.</p>
39	<p>Geological Report Chapter-III (3.1) Regional Geological Map (Plate-04) & Detail Geological Map (Plate-05) are similar Regional Geological map will help to understand geology of the area and also help to find correctives.</p>	<p>Both are same with different scale.</p>