

<p style="text-align: center;">कोलइंडियालिमिटेड</p> <p style="text-align: center;">विपणनतथा विक्रय विभाग</p> <p>कोल भवन, प्रांगण सं 04 एमएआर, प्लॉट सं - एएफ-III, एक्शन एरिया - 1ए न्यू टाउन, राजरहाट, कोलकाता- 700 156 फोन: 033-23244214, फैक्स: 033- 23244229 सीआईएन: L23109WB1973GO1028844 ईमेल : gmsnm.cil@coalindia.in वेबसाइट : www.coalindia.in</p>		<p style="text-align: center;">COAL INDIA LIMITED</p> <p style="text-align: center;">MARKETING & SALES</p> <p style="text-align: center;">DEPARTMENT</p> <p>COAL BHAWAN, PREMISE NO- 04 MAR PLOT- NO –AF-III, ACTION AREA-1A, NEWTOWN, RAJARHAT, KOLKATA -700 156 Ph:033-23244214,Fax: 033-23244229 CIN: L23109WB1973GO1028844 E-MAIL : gmsnm.cil@coalindia.in WEBSITE : www.coalindia.in</p>
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CIL/M&S/ 47252 (New Pz) | 127

18.03.2020

To
The General Manger/HOD (M&S)
BCCL/CCL/ECL/SECL/WCL/MCL/NCL &
GM, NEC.

Sub: Modalities regarding change in name/ control with respect to Non- Regulated Sector FSA.

Dear Sir(s),

The relevant FSA clauses have been modified/ deleted/ incorporated doing away with stipulation of taking prior approval in change of control cases and incorporating procedure for taking change of name on record. In brief the modifications are as under -

- Definition of "Transfer Event" has been deleted.
- Clause 15 relating to change in control and transfer shall not be in use.
- Clause 21.6 and 21.11 has been amended/ incorporated as detailed in **Annx.-A**.
- Additional clauses have been proposed to be incorporated in the following model FSAs
 - Non-Power model FSAs (low, medium and high demand)- LOA route
 - Non-Power model FSAs (low, medium and high demand)- Existing FSAs (old)

Comparative table of existing and modified clauses of various FSA models of non-regulated sector is enclosed as **Annx.B**

Besides above the Coal Companies may notify the following:

1. For Pending cases of change of name/ control with valid FSAs, Coal Company shall issue a notice for compliance. After issuance of such notice the compliance is to be done within three months from the succeeding month in which notice is issued. Procedure and timeline in such cases shall remain same as dealt in the modified clause relating to change of name.
2. Prospective / successful bidders are required to inform pendency/ outcome of IBC proceedings, if any, through relevant Board resolution/ intimation by Company Secretary/ self-declaration by proprietor/ partners (in case of proprietorship/ partnership firm). In case of non-intimation about referral/ commencement of proceedings before IBC/ Debt Recovery Tribunal (DRT), as it be, by the bidder to the Seller prior to participation in the bid process or

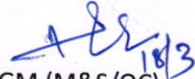
signing of FSA, as the case may be, the Bid security submitted by the Purchaser would be forfeited in case such a lapse comes to the knowledge of seller. FSA shall be signed only if the matter is resolved favorably by NCLT/ DRT.

3. Consequent to taking change of name on record, Coal Company shall inform Service Provider for effecting change in name of such registered bidder.

Draft notice to the above effect , enclosed as **Annx. C** is to be issued by Coal Companies after making suitable modifications as per their requirement.

Yours faithfully,

Encl: as above.


GM (M&S/QC) 18/3

Copy to:

GM (Legal) CIL

HOD (M&S/Operations), CIL

HOD(M&S/Comml.), CIL

HOD (Systems), CIL - With a request to arrange to upload the same along with enclosures on CIL Website under " Our Business" > " Marketing & Sales" > "NCDP- FSA" menu.

TS to D(M), CIL.