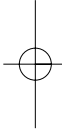
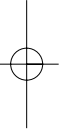


THE GREAT COAL ROBBERY

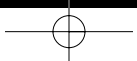
**Ravi Shankar Prasad
Balbir Punj
Prakash Javadekar**

**Edited By
Chandan Mitra**

**A BJP Publication
September 2012**

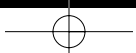
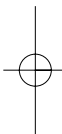
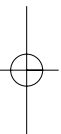


Published by Bharatiya Janata Party, 11 Ashok Road, New Delhi - 110001
Ph: 011-23005700 Fax: 23005787



CONTENTS

Preface - Chandan Mitra	5
Introduction - Balbir Punj	7
Your Questions on 'Coalgate' Answered	12
Annexure I - Letters to the CVC	25
Annexure II - Parliamentary Questions	27
Annexure III - List of Allocations of Coal to Private Companies (2006-09)	31
Annexure IV - Letters from Congress Leaders influencing allocation	41
Annexure V - Letters from BJP State Governments	45
Annexure VI - Articles by BJP Leaders	62



PREFACE

The gigantic scandal involving allotment of coal blocks to various private companies and the consequent loss of revenue to the Government has shaken the nation's conscience. This has come within two years of the equally shocking scandal of manipulated allotment of scarce spectrum to certain favoured entities at throwaway prices causing an estimated loss of Rs 1.76 lakh crore to the exchequer. The Great Coal Robbery has sharply dented the image of Prime Minister Manmohan Singh, hitherto perceived as a leader with impeccable integrity and personal honesty.

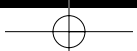
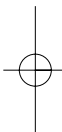
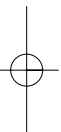
The Coalgate scam happened over a sustained period, coinciding with the UPA coming to power in 2004 and peaking in 2008-09. During this period new coal blocks were allotted to all and sundry free of cost with the apparent purpose of expediting new power projects, apart from augmenting steel and cement production. Ironically, on assuming office, Dr Manmohan Singh initiated the move to award coal blocks by auctioning instead of the existing system of free allocation through the Screening Committee route. The reason for the proposed change was the spurt in coal prices both international and domestic and healthy growth of the economy during six years of NDA rule under the leadership of Shri Atal Bihari Vajpayee. Ironically, it was the PMO, which in 2004 itself, circulated a note opposing transition to the auction system and favoured continuation of the Screening Committee procedure.

What followed thereafter was an incredible scramble for acquiring coal blocks by companies big and small. Lobbying by certain individuals close to the ruling party was hectic and they grabbed the bulk of blocks up for distribution. How much money changed hands to influence this illicit acquisition process is anybody's guess. Having acquired thousands of acres of valuable land, including forests and agricultural lands, many of the companies successfully cashed in by increasing their share prices. They also sold a portion of their equity in companies that were allotted the mines, to line the pockets of the promoters. Very few began actual production of coal; in fact 58 out of 59 blocks allotted during this period to private players have not extracted even one tonne of coal from the mines they own!

The nation is obliged to the CAG for putting a figure (Rs 1.86 lakh crore) on this scandal, although this might eventually turn out to be an underestimate. The BJP, both inside and outside Parliament, has consistently raised its voice over this merry loot of India's principal source of energy by unscrupulous business groups in cahoots with UPA politicians, including senior Ministers. All this happened under the active gaze of the Prime Minister who held the Coal portfolio for most of the time in UPA I.

This volume, a compilation of frequently asked questions and BJP leaders' writings on the subject is being published in a bid to help people, particularly BJP activists, to expose the biggest swindle since Independence.

Chandan Mitra
September 2012, New Delhi



INTRODUCTION

By Balbir Punj

What **Coalgate** Is All About

When the 2G spectrum scam broke in 2010 after the CAG confirmed media reports of the massive swindle, it was described as the "Mother of all scams". CAG estimated the loss to the exchequer caused by the underselling of scarce spectrum was Rs 1.76 lakh crore. Now that the same CAG has tabulated the loss from the gifting of coal mines to private companies to be at least Rs 1.86 lakh crore, surely it deserves to be called the "Grandmother of all scams". As long as the Congress-led UPA remains in power, we don't know how many great-grandmothers and great-grandfathers of scams will see the light of day!

Since the Congress got re-elected in 2009, and the UPA-2 coalition took charge of the Central Government, it has been a deluge of scams, some committed during UPA 1 and the rest by the incumbent Government. In an environment where rising inflation has touched double digits, the economic growth rate is the lowest in a decade, Indian investors are putting their money abroad rather than invest in India due to policy uncertainties and paralysis in government decision-making, the flood of corruption scandals originating with the Central Government has severely impacted the standing of the country in the eyes of the global community.

Rating agencies are downgrading India - underlining vicariously what the BJP has been saying about this Government. The issue of corruption tops this scenario driving holes into this Government's credibility. Not just Opposition parties but economists, jurists, industrialists, eminent public figures have also been issuing statements decrying the policy paralysis and rampant corruption in the corridors of power.

In fact weakened by corruption charges one after the other, each one of which sticks with greater depth, the Government is unable to take any decisions. This weakening breeds corruption further as every stakeholder sees the Prime Minister as a weak and vacillating person devoid of real authority - authority which resides elsewhere in an aloof party president who controls the system through remote control.

A SAGA OF SCAMS

The gigantic Coalgate scam is the latest in an infamous line of swindles such as the 2G spectrum allocation scandal in 2009, the Commonwealth Games corruption expose in 2010, several arms purchase deals in 2011, the revelation of the huge amounts of black money stashed away by Indians in Switzerland and other countries that are tax havens, top Congress leaders' involvement in the Adarsh land and housing grab and, credible reports about huge payouts in the purchase of Tetra trucks for the Army early this year.

The loss to the Government itself in each of these cases runs to over Rs 1 lakh crore. What is interesting is that these losses estimated by independent authorities like the Comptroller and Auditor General, whistleblowers in banks abroad and noted economists, together could more than compensate for the huge deficits the Central Government is run-

ning year after year. If recovered, this money could finance large-scale welfare schemes for the common man in the country.

The BJP has been in the forefront of exposing corruption scandals and has been vocally demanding that steps be taken to bring back black money from abroad, while cancelling licenses granted improperly. This persistent demand has received countrywide backing by civil society activists of impeccable public standing like Anna Hazare and Baba Ramdev. The Congress response has been to deny the charge and use force against civil society activists and also let loose the dogs of its several investigative agencies to institute false cases against them.

BIGGEST SWINDLE SINCE INDEPENDENCE

The difference between earlier scams and Coalgate is that in this the corruption trail leads directly to the Prime Minister Dr. Manmohan Singh who held the Coal portfolio during much of the time the events occurred. This leaves not even a fig leaf for the Congress to hide behind. The ruling party had earlier sought to evade responsibility for the 2G scandal by blaming its ally DMK whose nominee A Raja was the Minister of Telecom during spectrum allocation. The CWG pay offs were similarly blamed on officials and a Congress leader who headed the games organising committee.

Simply put, Coalgate is about the allocation of coalmines to several private parties free of cost on the plea that the coal is required by them for projects to generate power, which is in severe short supply, as well as to make steel and manufacture cement. The allottees were required only to pay the usual royalty on the mined coal to the state government apart from the usual taxes and levies.

In India, Coal is the most important indigenous source of energy for industry. India has one of the world's largest coal reserves estimated at 2,85,863 million tonnes. Coal mining is directly governed by the Coal Mines Nationalisation Act 1973, as amended in 1993 to permit private extraction through captive mines. Coal India Limited (CIL), a public sector company, mines all the coal for sale to various industries and consumption at a price determined largely by the Government.

The Act provides for allocation of "captive" coal mines to industries for their own use. Currently Coal India is unable to meet all the demand for coal by various industries, mainly those like power generation, steel and cement that are the major consumers of coal. The huge gap between demand and supply of coal is fertile ground for black marketing and generating illicit funds for mine owners. There is illegal extraction of coal, estimated at between 6 and 15 per cent of total production.

The allocation of coal blocks to specific private users was justified on the ground of CIL's inability to meet industry demand. How the allocation should be done and to whom was the core of the issue. Had this been done on the basis of an open auction, at least after the demand for energy boomed in the wake of the NDA Government's highly lauded, growth oriented economic policies (1998-2004) the Government would have gained most of the difference between the price of coal it mandates and the open market price of it as the allottees would have competed for giving the maximum benefit to the Government. This is the origin of what turned out to be a massive means of enriching the ruling party at the expense of the Government.

DECISION ON AUCTION DELAYED DELIBERATELY

Officers of the Coal Ministry proposed allocation of captive coal blocks through auction or competitive bidding at a meeting on 28 June 2004 (just a month after UPA-2 came to power). In a note on the subject the then Secretary (Coal) told the Minister of State for Coal and Mines (at the Cabinet level, the portfolio was then directly held by Prime Minister Manmohan Singh) that could not be open to any other interpretation.

The Secretary's note said: "Since there is substantial difference between price of coal supplied by Coal India and coal produced by captive mining, there is a windfall gain to the person who is allotted a captive block". The note also told the Minister that the "bidding system will only tap part of the windfall profit for public purposes". As the CAG has noted in his report, despite all these warnings and proposals, until now, no finalisation of the process of competitive bidding has taken place.

It is plain as daylight that the Minister of State in charge and the Prime Minister and the Congress party were fully aware of the "Windfall Profits" in the process of allocating coal blocks for captive mining and jumped at the opportunity to profit from it.

From 2004 to 2012, for eight long years, a sham is staged, apparently to decide on the auction route. It never reaches a conclusion. It was never meant to. And in the interval, the allocation of captive coal blocks goes on through a so called screening committee, in which Union Government bureaucrats are the overwhelming majority and a lone state government representative is called in to present a veneer of "consultation".

The most interesting part of this contrived process is the studied delay in deciding on allocation through competitive bidding. The proposal of the Coal Secretary for competitive bidding is circulated to state governments and to the Ministry of Law and Justice. It takes two years for the Law Ministry to give an opinion that such bidding could be introduced through administrative order. Instead of taking that path, the Government once again refers the matter to the same Ministry on the plea that there are conflicting opinions on the bidding process. Within two months of the earlier reference the Law Ministry, as if acting on directives, suggests it would be better to amend the Mines and Minerals Development Act (MMDR) before initiating mandatory auctions. Even then the step to amend the Act is taken at a leisurely pace.

The huge time lag between the Secretary of the Ministry proposing competitive bidding and actual steps to amend the Act to make bidding possible, and further delay in making the rules on the basis of the amendment to the Act takes eight long years. A look at the following dates exposes the real intention of the Government-to delay the resort to competitive bidding so that the Ministry remains free to allot the captive mines to whomsoever it chooses.

- 28 June 2004** : Coal Secretary proposes competitive bidding
- 16 July 2004** : Coal Secretary's note warns of windfall gain to the person allotted a mine
- 30 July 2004** : Coal Secretary warns that screening committee system of allocation, even with changes, would not be able to achieve transparency and objectivity.
- 11 August 2004** : The Prime Minister's Office initiates a note saying there are disadvantages in competitive bidding for allocation of coal blocks.
- 25 September 2004** : In response to this note the Secretary (Coal) submits a draft note to the MoS saying there is hardly any merit in the PMO's objections to auctioning. He also said that the screening process would be subject to several pulls and pressures and insisted on competitive bidding.

Now begins a new process to avoid competitive bidding that clearly exposes the interest of the Congress in keeping mine allocation as its private preserve.

The Minister of State writes on 4 October 2004 that competitive bidding will delay allocation further and therefore need not be pursued. On 15 October 2004 the Secretary reveals that a meeting held at PMO "felt" that since large number of applicants were there who applied on the basis of existing policy, it should not be changed and the bidding therefore be only prospective and not apply to mines selectively allocated till date.

Finally, the PMO itself notes:"the change in the policy of allocation of coal blocks for captive mining will be made effective prospectively. therefore there us no urgency in the matter"(that is, to enforce competitive bidding).

This clearly shows the Government at the highest level, that is, the Prime Minister himself, was committed to the existing process and was not at all keen that competitive bidding should be introduced. Another two years were to pass before an amendment to the MMDR Act to provide for bidding was drafted. And yet another two years for the amended Bill to be moved in Parliament. Then a further two years from the time the Bill is passed in Parliament 2010 for the rules to be notified in 2012. The guidelines for competitive bidding are yet to be finalised. If not for BJP's continuous pressure on this government to do the right thing, perhaps this too would take another two years.

EIGHT YEARS IN ALL.

During all these eight years the Prime Minister's office plays a direct role in avoiding a decision on auction.

Congress leaders are now seeking to hide behind the opinion of some state governments objecting to the bidding. What they do not reveal is that the objections of a few state governments are only to the possible loss of a say in the allocation of coal blocks during the bidding process. Therefore they argued for - (a) allotments for projects nearing completion or ready for commissioning should not be reopened and the existing process should be continued, and (b) in case the Union Government decided to make auctions mandatory, the states should be given bigger compensation than the meager royalty that is currently doled out. To portray these legitimate demands of all states (not only BJP-ruled but also CPM-ruled West Bengal and BJD-ruled Odisha) as opposition of bidding is a deliberate and motivated misrepresentation of facts by the cornered Congress Party.

SCREENING COMMITTEE DID NOT FOLLOW ANY RATIONALE IN DECIDING ON ALLOCATION

The Prime Minister in his statement claimed that the selection for allocation through the screening committee was a fair and transparent process. The fact is that it was not. This is what the CAG has to say on the way the committee functioned (Para 4.1):

"It was also noted that the Screening Committee recommended the allocation of coal block to a particular allottee/allottees out of all the applicants for that coal block by way of minutes of the meeting of the Screening Committee. However, there was nothing on record in the minutes or in other documents on any comparative evaluation of the applicants for a coal block which was relied upon by the Screening Committee. Minutes of the Screening Committee did not indicate how each one of the applicant for a particular coal block was evaluated. Thus, a transparent method for allocation of coal blocks was not followed by the Screening Committee."

What a hoax this process was is apparent from the fact that 58 out of 59 coal blocks allotted to various private companies have not generated even one piece of coal since the operations are yet to begin. Significantly, as soon as these companies publicized that they had been granted mines, the value of their shares skyrocketed. Thus they made "windfall gains" even before they started mining coal. In fact, they were able to capitalize on these gains by offloading equity in the company. In other words, they were able to make a profit out of these allocations without undertaking any mining. That they would make a second round of "windfall gains" by exploiting the price differential between the coal they mined and the market price of the mineral as and when they started extracting it, goes without saying. It hardly takes a rocket scientist to conjecture that of portion of the "windfall gains" would have gone to lubricate the coffers of the Congress Party.

This exposes the Government's argument that allocations had to be made without waiting for the bidding process because of the desperate need for coal to generate power. While those who were obviously funding the Congress laughed all the way to the bank, the Government pressured CIL to increase coal imports so that power plants could be kept running. A large number of Indian businessmen are believed to have bought mines abroad and signed back-to-back agreements to supply coal to CIL. Huge kickbacks are known to have been routed to Congress politicians and CIL bosses by middlemen who brokered deals between Indian businessmen and CIL.

The CAG also found that while the Government was claiming the urgency of coal requirement made it allot the blocks with such haste, the same Government did not take any step to ensure that the blocks went along with clearances from all other authorities that must issue such clearances to start production. As early as 2005, the Government was asked to take more proactive steps in obtaining clearances. Instead, the UPA government is satisfied with blaming the state governments. This once again shows that the Government was itself aware that the parties would not be taking out the coal but wanted the allocation to enhance their company value and then sell it off to others for Windfall Profit - clear vindication of what the Coal Secretary said in 2004 in his note.

MASSIVE LOSS TO THE PUBLIC EXCHEQUER IS MASSIVE GAIN TO RULING PARTY

Following the exposure that "financial gains to the tune of Rs 1.86 lakh crore is likely to accrue to private coal block allottees" Congress leaders are questioning the method of this estimate. Congress leader Kapil Sibal after he took over the Telecom Ministry, had said the CAG's estimate of similar loss in 2G spectrum allocation was not true; he even claimed that the loss to the Government was "zero". P Chidambaram made the fantastic claim that since the coal was still in the womb of "Mother Nature", there was no loss to anybody!

Now that under order of the Supreme Court the Government has to perforce resort to auction of 2G license, the same radio waves are estimated to fetch the Government as per the estimate of the telecom regulator and the reserve price fixed by the very same government over Rs.3 lakh cores, almost 50 per cent more than what the CAD had estimated to be the loss to the Government in the telecom scam.

The only difference is that the 2G scam could be attributed by the Congress to its ally DMK. Now the misallocation of coal is directly under the Prime Minister's charge and he cannot escape responsibility. In fact, all the dramatis personae in Coalgate Loot are Congressmen, starting with the Prime Minister Dr. Manmohan Singh who was Coal Minister between July and November 2004 and again between November 2006 and May 2009. MoS in the Ministry was always a Congressman - Dasari Narayana Rao from May 2004 to April 2008, Santosh Bagrodia thereafter, to be followed by Sriprakash Jaiswal.

Congress resisted the demand for cancellation of 2G licences for long till the Supreme Court in its verdict on February 2, 2012 declared the licenses illegal and cancelled them en masse. The apex Court could not have failed to note the BJP's vocal protest in the matter, particularly its demand for a JPC that led to the entire Winter Session of Parliament in 2010 failing to transact any business. There is thus full justification for the two basic demands of the BJP that the PM should resign and the coal blocks should be de-allocated and auctioned. We must keep in mind that after claiming "zero loss" in 2G, the Government has now fixed the floor price of each 2G telecom circle at Rs 14,000 crore. So, the Exchequer will recover at least Rs 1.26 lakh crore from the auction from the nine circles that are up for bidding. To fix the responsibility for this scam an independent and impartial enquiry is called for. In the 2G case already a criminal trial is on and the main accused is the then Minister. Why should different standards be applied in this case?

Your Questions on 'Coalgate' Answered

Introduction

1. What is the coal scam about?

India has a very big coal reserve and as of 1/4/2011 the geological reserve of coal in the country stood at 2,85,863 million tonne. Coal is the most valuable and reliable source of energy to the economy. More than half of India's commercial energy requirement is met by coal. Under The Coal Mines Nationalisation Act, 1973, coal belongs to the people of India, and the Government of India owns all the coal blocks. Coal mining can be done either by a Govt. of India undertaking or any Government Company i.e. a company in which Government has 51% share. Any other company, including State Electricity Boards must be allotted coal blocks by the Government of India before they can make use of them. However, after an amendment in the nationalisation Act in 1993, coal blocks could be allotted to private companies for captive mining to accelerate power, steel and cement production.

As early as June 2004, the Coal Ministry proposed that coal blocks which had thus far been allocated for free, must be auctioned off for the highest price possible. However, the UPA government, under the leadership of Dr Manmohan Singh, deliberately delayed introducing this system of auction, and continue to do so - so that they can give away the blocks for free to companies, presumably in return for kickbacks. The people of India did not benefit - but members of the UPA Government and their cronies definitely did.

The CAG's Performance Audit of Allocation of Coal Blocks and Augmentation of Coal Production (Ministry of Coal) has found that the government has failed introduce the auction route, though it could have done so as early as 2006, causing tremendous loss to the public exchequer. The CAG has made a very conservative estimate of approximately Rs. 1.86 lakh crore of financial benefit having accrued to private companies.¹

2. What does the CAG report say?

In addition to estimating a significant loss to the exchequer, the CAG report has also highlighted the inefficiency of the UPA government, and more particularly the Ministry of Coal. The audit found that allocation of coal to private players was done in a non-transparent and discretionary manner.

Further, the Ministry of Coal, headed by the Prime Minister Dr Manmohan Singh between 2006 and 2009, failed to discharge its duties of oversight, allowing private players

1. Comptroller & Auditor General of India, "Allocation of Coal Blocks and Augmentation of Coal Production," Report No. 7 of 2012-13 (Performance Audit). Accessed from http://saiindia.gov.in/english/home/Our_Products/Audit_Report/Government_Wise/union_audit/recent_reports/union_performance/2012_2013/Commercial/Report_No_7/Report_No_7.html

to take blatant advantage of the coal blocks allotted to them for free. The audit also found that, though the government gave away coal blocks for free, most companies did not begin production at all. All that happened under the UPA government was that the people of India suffered loss.

3. Since when have private companies been allowed to mine coal?

1973 : Coal Mines (Nationalisation) Act 1973 (CMNA) allowed for the nationalisation of the coal mines, thus bringing them under state control.

1976 : Amendment of CMNA to allow private companies producing iron and steel to mine coal for captive use. Captive use¹ means that the coal produced has to be used for the purpose it was allotted.

1993 : CMNA amended again to include power-generation companies to mine coal for captive use.

2003 : Electricity Act passed - private companies allowed to generate power. Demand for coal starts increasing.

4. Why was captive coal mining introduced?

Captive coal mining was introduced to encourage private sector participation in the coal sector, so that it will lead to an increase in the production of coal. The PM himself acknowledged this in his speech to the Parliament, mentioning that with the increased demand in coal, CIL alone was unable to cope.² The UPA government also made the promise of 'Power to all by 2012,' and captive coal mining was seen as an appropriate manner of increasing the production of coal.³

However, due to the UPA government's policy of allocating coal blocks for free, there has been no incentive for the private sector to increase coal production. Instead, private coal producers prefer to sit on the coal blocks until the price of coal is favourable to them, rather than commence mining immediately to recover the cost of paying for them. This government is neither interested in increasing coal production, nor improving the power situation, which only seems to be getting worse.

Interestingly, as in the case of 2G allottees, coal block owners diluted their equity to generate huge revenues from investors. The share prices of these companies also skyrocketed in the market, enabling the promoters to amass funds without mining even one ton of coal from the mines allotted to them at no cost.

5. Has the government been able to meet its coal production targets through captive coal mining?

The CAG report clearly states that "the production of coal from the coal blocks allocated for captive mining was expected to play a significant role in meeting the demand for coal in the country." However, under UPA-2 rule, coal production targets under captive coal mining fell short by a large margin. As of 2011, out of 86 coal blocks meant to start production, only 28 did. Similarly, the production from these mines was only 34.64 million tonnes, when the targeted output was 73 million tonnes.⁴ This is less than half the targeted production.

As is evident from these statistics, the allocation of captive mines did not lead to the expected increase in production. A reason for this is that private companies have no incentive to begin production immediately, as they received the coal blocks for free. In addition, the gov-

2. "PM's statement in Parliament on the Performance Audit Report on Allocation of Coal Blocks and Augmentation of Coal Production," Aug 27, 2012, New Delhi, para 4. Accessed from <http://pmindia.nic.in/speech-details.php?nodeid=1208>

3. CAG Report p. 21.

4. CAG Report, p. 34.

ernment has failed to enforce penalty for non-production where it can do so, allowing private companies a free rein on production decisions (see questions 23, 24). This is not particularly surprising, given the increasing evidence that the UPA was in cahoots with private companies to serve their own interests.

The Screening Committee

6. Until now, how have coal blocks been allocated to private companies?

Prior to 1993, the government had no established criteria for the allocation of coal blocks. The government mostly allotted the blocks on the basis for recommendation from the concerned State Governments. However, from 1993 onwards, the Ministry of Coal allotted the coal blocks it had identified through a Screening Committee under the Chairmanship of the Secretary (Coal), or through direct allocation in the case of government companies. 1993 was also the year that coal mining was allowed for the purpose of power generation.⁵

In 2004, the government made public its intention to allot coal blocks through competitive bidding, as there was a "windfall gain to the person allotted a captive block," which could be realised by the government through auction. As the price of coal had increased, and the demand for coal blocks started exceeding supply, a change in policy was required. But, the government did not alter its policy on allocation until the Mines and Minerals (Development & Regulation) Amendment Act was passed in 2010,⁶ allowing for competitive bidding. Even so, the government took an additional 2 years to introduce rules under the Act. And perhaps they will take another 2 years for actually implementing the policy. Until now, no coal blocks have been allotted through this method.

7. Who belongs to the screening committee?

The Screening Committee is run under the chairmanship of the Secretary (Coal). From the Ministry of Coal, it also consists of the Joint Secretary (Coal) as the Member-Secretary and Advisor (Project). Other Central Government members include representatives from the Ministry of Steel, Department of Industrial Policy and Promotion (Ministry of Commerce and Industry), Ministry of Power, Ministry of Environment and Forest and Ministry of Railways. The Committee also includes the Chairman of the coal company of command area where the coal block is located, and the Chief Secretary from the relevant State Government.⁷

Dr Manmohan Singh has sought to blame the states for decisions of the Screening Committee and the delay in introducing auction. However, the State Government has merely one representative, that too for consultation. More importantly, the Screening Committee merely recommends - it is the Coal Minister who actually allocates the block. As is well known, between 2006 and 2009, Dr Manmohan Singh himself was the Minister in-charge.

8. How does the Screening Committee make its decision

The Screening Committee is meant to follow set criteria for selection of the allottee. The concerned ministries are meant to scrutinize the track record of applicant-company, techno-economic viability of the project, state of project preparedness and assessment of coal requirement in terms of quality and quantity etc., and make their recommendations to the Screening Committee. The applicants for the block are also allowed to make representations to the Screening Committee.⁸

5. CAG Report, pp. 21-25.

6. See s.11A of the Mines and Minerals (Development & Regulation) Act 1957 - this is the relevant section inserted by the 2010 amendment.

7. "Thirty-Ninth Report: Mines and Minerals (Development & Regulation) Amendment Bill, 2008," Standing Committee on Coal and Steel, 2009. p.2.

8. Standing Committee Report, p. 3.

- During the NDA regime, and prior to that, coal blocks were allotted to private parties only after ensuring that Coal India Limited did not have an objection. This way, the work of important public enterprises was not compromised. Further, under the NDA, coal blocks were allotted to private parties after extensive verification and objective assessment. It is for this reason that between 1993 to 2005 (i.e. for 12 years) only 70 blocks were allotted. In contrast, between 2006-2009, 142 Coal blocks were given away by the UPA Government under the leadership of Dr Manmohan Singh as Coal Minister.
- It is important to note that the UPA Government removed the obligation to get Coal India's approval, hence making it easier for the Screening Committee to act in a partial and discretionary manner.

CASE STUDY: SKS Ispat Ltd & the PMO



In the case of Fatehpur coal block, for example, 69 applications were received. The block was allotted to SKS Ispat Power Ltd, with no indication of why that particular company was selected. Of particular note is the fact that SKS Ispat Ltd was allotted the block on February 6, 2008, just a day after the current Tourism Minister, and then Minister of State for Food Processing, Subodh Kant Sahai wrote to the Prime Minister, asking for his 'personal intervention'. The matter was immediately forwarded to the Coal Secretary for 'appropriate action'. The Minister is the brother of the director of SKS Ispat Ltd. Though the Screening Committee made its recommendation on September 13, 2007, it was not until the letter from the Minister, Mr Sahai, that the block was allotted to SKS Ispat Ltd. The sequence of these events is highly suspect. The relevant letters from Mr Sahai and the PMO can be found in see **Annexure IV**.

Of course, the case of Subodh Kant Sahai is merely one in a series that are yet to be uncovered. Already, news reports are emerging regarding the potential criminal conduct of Congress MP Vijay Darda in relation to the Abhijeet Group - the company currently under investigation by the CBI. One wonders how many more skeletons will emerge.

9. What were the problems with allocation through Screening Committee?

Under the UPA regime, the Screening Committee became a tool by which the government could give away coal blocks to private companies it favoured -

- No objectivity or transparency - the Coal Secretary himself noted this as early as 2004.
- Did not follow necessary technical guidelines - allocated to ineligible companies.
- Minutes do not indicate how the decision was made - as in the case of SKS Ispat Ltd.
- As long as private companies had access to Committee members, they could get selected even if they were not eligible.

The CBI is currently probing coal blocks allotted by the Screening Committee between 2006-09 to establish criminal intent.

10. How many coal blocks have the Screening Committee allotted to private companies?

Between 2006 and 2009, the UPA government allotted 145 coal blocks - of these 64 were allotted to private companies, excluding private companies that were in joint ventures with

PSUs or, working on Ultra Mega Power Projects. In contrast, in the 11 year period from 1993 (when the Screening Committee was established) to July 2004, only 39 blocks, including those to government companies were allotted. Till 2006, 70 coal blocks in total had been allotted. (See **Annexure III** for the complete list of private companies allotted coal blocks).

The UPA government's allotment of such a large number of coal blocks within the space of 3 years, almost twice as much as what was allotted in 11 years prior to the UPA coming power is clearly suspicious. Further, the Coal Ministry, under Dr Manmohan Singh, went ahead and allotted these blocks for free, knowing full well that a change in policy to auction them was inevitable. It is almost as though the government was trying its best to give away these coal blocks before the new policy comes in that might actually benefit the people.

Allocation of Coal Block through Screening Committee since July 2004

Allottees	No. of blocks	Geological Reserve (in million tonne)
Govt	67	22450.44
Private	75	14522.93
Total	142	36972.97

Source: CAG Report on Performance Audit of Allocation of Coal, 2012.

11. Is there any evidence of questionable allocations by the government?

Unfortunately, the answer to this question is a resounding 'yes'. The deliberate intervention of Tourism Minister Subodh Kant Sahai and the PM in allotting blocks to companies related to the Minister is now well documented. There are plenty of other examples, with more coming to light everyday. Below are some instances where Congress leaders have clearly abused their power to profit themselves and their cronies -

- Mr. Vijay Darda, the Congress Member of the Rajya Sabha along with his brother Maharashtra Education Minister Rajendra Darda promoted a company JLD Yavatmal Energy which got a captive coal block in Chhattisgarh despite not being recommended by the Govt. of Chhattisgarh. This company also concealed that it was granted coal block in the past.
- The Abhijit Group promoted by Manoj Jaiswal and having close business ties to Vijay Darda was allotted six coal blocks with a lot of irregularities. It has come to public attention that the coal minister Shri Prakash Jaiswal was named the final arbitrator in Manoj Jaiswal's family dispute. The intimate link is very evident.
- Companies promoted by Congress MP Naveen Jindal from the Lok Sabha (Jindal Steel & Power Ltd.) were allotted five coal blocks.
- IST Steel & Power, a company promoted by the son of RJD Rajya Sabha MP Prem Chand Gupta was allotted a coal block. Mr. Gupta was a Union Minister in the previous UPA government.
- Union Minister of State for Information & Broadcasting, Mr S Jagathrakshakan of the DMK and his family members were directors of JR Power Generation Pvt. Ltd. This company was just five days old when it entered into an MoU with Puducherry Industrial Promotion Development Corporation. It was allotted a coal block in 2007.
- Iron & Steel Udyog Ltd., a company owned by Vijay Joshi, a close associate of former Chief Minister of Jharkhand Madhu Koda (both of whom are currently in jail) was allotted a coal block. Previously, Shri Arjun Munda had not recommended this allocation. However, once Mr Koda became the Chief Minister with the support of the Congress, he used his influence to ensure the allocation.
- The brother of former Minister of State for Coal Mr. Santosh Bagrodia was awarded a hefty

mining contract worth Rs 23,000 Cr by the NTPC, while a bid by the Singareni Collieries (a PSU) was ignored. All of this occurred when Mr Bagrodia was the Minister of State for Coal and the Prime Minister Dr. Manmohan Singh held the Coal portfolio.

Deliberate Delay - a UPA Strategy

12. What is competitive bidding and how does it work?

Competitive bidding is a transparent method of allocation in which coal blocks are offered to eligible companies on the basis of auction. Auction allows the government to allocate scarce resources in a profitable manner, especially when the demand for these resources exceeds availability. Allocation through auction is also more objective and transparent, thus ensuring that favouritism and cronyism doesn't play a part.

In the important judgment on the 2G spectrum allocation scam, the Supreme Court highlighted that though the government is empowered to distribute natural resources such as coal, it is to "ensure that no action is taken that is detrimental to public interest."⁹ The judges also went on to say that in allocating scarce natural resources, the government is "duty bound to adopt the method of auction by giving wide publicity so that all eligible persons can participate in the process."¹⁰ In the 2G case, the Supreme Court also quashed the spectrum allocations which were allotted on a discretionary basis and ordered that they be allocated through auction.

Though the UPA government fought hard against the BJP's very valid claims, by disrupting the Parliamentary Accounts Committee and making a mockery of it, the injustice was corrected, thanks to the court's decision in February 2012. (It was only after the court's judgment on the 2G case that the government even got around to making rules for auction of coal, though the necessary legislation was passed 2 years ago!) Once again, the UPA government is rejecting the just course of action by refusing to de-allocate the coal blocks - just like they had to for the telecom licences. One wonders if the UPA will ever learn from its repeated mistake.

It must be remembered that the BJP's strong protest and stalling of the entire Winter Session of Parliament in 2010 to demand a JPC, the atmosphere for cancellation of fraudulent spectrum allocations got cancelled. Now the Government has fixed a floor price of Rs 14,000 crore for the nine circles to be auctioned, against the Rs 1561 crore per circle at which these were given out to favoured companies by the telecom Minister, A Raja. This means the Government is assured of getting Rs 1.26 lakh crore from the auction. This demolishes the Congress's argument that there was "zero loss" in spectrum allotments. BJP demands that, similarly, coal block allocations to select private companies for free be cancelled and the blocks auctioned. From this the Government will surely gather more than the Rs 1.86 lakh crore that it has lost in this transaction.

13. When was allocation of coal blocks through competitive bidding originally considered, and why?

The allocation of coal blocks through competitive bidding was first conceived of on June 28, 2004. This was a natural response, given the increase in demand for coal blocks, and a significant increase in the price of coal worldwide. For instance, prior to 2004, the price of coal in Australia (approx. US\$30 per tonne) was equal to the cost of production of coal in India. However, post 2004, coal prices increased drastically, jumping to as high as US\$192 per tonne in 2008. As such, the number of private players interested in mining coal increased, creating a competitive market that the Government should have take advantage of.

9. Centre for Public Interest Litigation & Ors v Union of India & Ors SC Feb 2, 2012, para 63.

10. As above, para 76.

11. "This chart shows why Coalgate is more UPA's scam than NDA's" in Firstpost.com, Aug 28, 2012. Available at <http://www.firstpost.com/business/chart-coalgate-is-upas-scam-not-ndas-432461.html>

Given this scenario, "there was an urgent need to bring in a process of selection that was not only objective but also demonstrably transparent. Allocation through competitive bidding was considered one such acceptable selection process."¹² But, as is evident from the CAG and the surrounding scam, the UPA government took 8 years to amend its policy, preferring instead to benefit private players, rather than the public.

The UPA government embarked on a strategy to 'introduce' the policy of auction while deliberately delaying it. By doing so, they could make claims to making policy while taking advantage of the existing situation.

14. What are the advantages of a competitive bidding system (auction)?

The Supreme Court in the 2G spectrum clearly stated that natural resources must be auctioned publicly so that the people of India can benefit from it. Auction will lead to greater transparency and objectivity in allocation. It will limit the discretion and favouritism in allotment, as has occurred in the case of SKS Ispat Ltd. A competitive bidding system will also lead to increased coal production - which was the reason why coal blocks were allotted to private players in the first place. By making the private companies pay for the coal blocks through bidding, they will have greater incentive to commence production to recoup their industries.

Currently, private companies have no incentive to commence producing, though coal is a state resource, meant to benefit people. Instead, private companies 'sit' on the coal allotted, as it helps boost the valuation of the company. These companies also wait for the coal price to increase, to reap a higher windfall. For instance, according to the Minister of Coal himself, not a single block that was allocated to private companies from 2006-09 have commenced production.¹³ This is not at all surprising - after all, they got the coal for free and they can do with it as they please. The short-sightedness of this government is truly shocking. The UPA government's claim of increasing coal production through allocation is blatantly untrue.

15. What were the mechanisms the Government could have used to introduce competitive bidding?

As early as July 2006, the Department of Legal Affairs clearly stated that the government has the option of introducing auction of coal blocks through an administrative order. However, the UPA government decided to ignore this recommendation in favour of amending the Mines and Minerals (Development & Regulation) Act 1957. This in turn took 4 years - the Amendment Act was passed and notified in September 2010. The government took another 2 years (February 2012) to create rules under this amendment. The government did not introduce these rules until the Supreme Court came out with its judgment on the 2G case. Was the government hoping to avoid auction perhaps? Until now, the government has not auctioned any coal blocks.

The CAG report clearly states that "competitive bidding could have been introduced in 2006." Instead, between 2006 and 2009 the UPA government allotted 145 coal blocks to whomever it liked.¹⁴

16. When did the Government introduce competitive bidding?

The government introduced auction of coal blocks as an option in September 2010, by passing the MMDR (Amendment) Act 2010 - 6 years after the policy was originally conceived of. It took the government until February 2012 to notify rules under this Act. There has been no auction of coal blocks until now.

12. CAG Report, p. 22.

13. Minister of State for Coal, Shri Pratik Prakashbapu Patil in response to question in Rajya Sabha by Shri Prakash Javadekar - Unstarred Question No. 1551, August 27, 2012.

14. Of the 145 blocks allotted in this period, 64 blocks were allotted to private companies.

17. Have there been any allocations made through competitive bidding since 2010?

No, there have been no allocations made via auctions, though the relevant Act was passed in 2010. The government has also failed to notify any guidelines for the auctioning of coal blocks.

Understanding the loss - 1.86 lakh crores

The UPA government has seen it fit to accuse the CAG of manipulating numbers for the sake of publicity. This government made the same accusation during the 2G scam - but with the base price of the auction set at Rs. 14,000Cr, they have definitely been proven wrong.

The sum of Rs. 1,85,581.34 Cr is more likely to be conservative than exaggerated and the following reasons explain why -

- Out of 75 private allottees, 57 were allotted Opencast/Mixed mines, with the rest being Underground mines (UG). Though UG mines are rich with superior grade minerals compared to Opencast/Mixed mines, CAG left the UG mines out of the calculation as they require advanced technology (which private players might have an advantage over).
- Blocks allotted to private parties who are in joint ventures with PSUs, and those allotted to Ultra Mega Power Projects were left out of the CAG's calculation.
- In estimating the Geological Reserves available in the coal blocks, the CAG has relied on the Ministry of Coal's Mining Plans, where available. In other instances, the CAG has used the figures of 73% for Open Cast and 37% for Mixed mines as against the Coal Ministry's own estimates of 75-80% for the Open Cast and 45-60% for Mixed mines.
- In choosing the average sale price to estimate the financial gain, the CAG chose the lowest option - i.e. the CIL's sale price, instead of choosing e-auction or import prices. Further, in addition to CIL's cost price, the CAG also deducted financing cost that CIL receives from the sale price before arriving at the financial benefit.
- In Madhya Pradesh, Underground Mines, which weren't even included into the calculation by the CAG, were sold for Rs. 700-2,100 per tonne. The CAG used an estimate of Rs.295 per tonne.

This government is clearly desperate in its need to find defend itself. But challenging the loss estimated by the CAG only serves to make the UPA government look foolish. If anything, the number should be higher. As in the case of 2G spectrum, time will reveal the truth.

The BJP's efforts

The BJP has been consistently challenging the screening committee route and has done much to expose this scam and hold the government accountable for its actions. The UPA government's actions regarding coal allocation is, at best, highly negligent, and at worst, a criminal conspiracy.

18. Who initiated the CBI probe?

Though the CBI is under the purview of the Prime Minister, it was the efforts of brave BJP MPs Shri Hansraj Gangaram Ahir and Shri Prakash Javadekar that launched the CBI's investigation of coal allocation to private companies. On March 23, 2012, Shri Ahir and Shri Javadekar wrote to the Central Vigilance Commission demanding a probe on the matter. The CVC in turn directed the CBI to begin a preliminary enquiry. The BJP has continued to keep a watch on the investigations to ensure that the law is upheld and those responsible are held accountable. The relevant documents regarding this complaint can be found in **Annexure I**.

19. What are the other efforts of the BJP in bringing this scandal to light, and ensuring justice is served?

BJP Members of Parliament have been diligently questioning the government on the business of coal allocation to private companies in the Parliament. By doing so, the BJP has been able to better inform the people about the particulars of the scam - something that the government did its best to avoid. Some of the important questions that the BJP members raised in Parliament can be found in **Annexure II**.

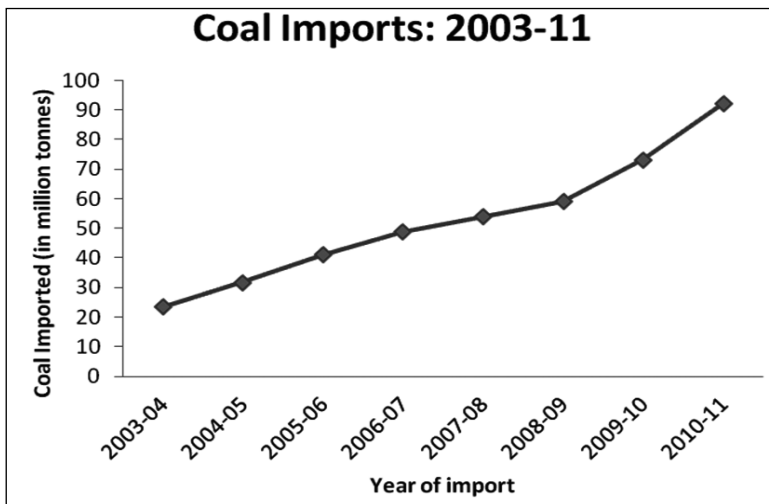
Members of the BJP have also been diligent in informing the people of India about their findings through various mediums such as press conferences and newspaper articles. Why, even this booklet is a part of the BJP's efforts to inform the people. In a mature democracy, it is necessary that the people of the nation are well aware of the issues, so that they may make well-informed decisions. Throughout the period of this scam, the Congress party has done its best to limit the information available and divert the public's attention. However, the BJP, aware of its responsibility as the biggest party in the Opposition, has done its best to inform the people. Some of the articles written by senior BJP leaders can be found in Annexure V.

Coal outputs and allocations

20. How many private companies that were allotted coal blocks have started production?

By the end of the year 2010-11, only 15 blocks allotted to private companies had commenced production.¹⁵ Among the private companies that were allotted coal blocks between 2006-09, none have commenced production. The Minister of State for Coal, Mr Pratik Prakashbapu Patil himself admitted this on August 27, 2012 in reply to a question in the Parliament (**see Annexure II**). The UPA government's policy of allotting coal blocks to private players to increase coal production has undoubtedly failed.

Instead, the government while giving away coal blocks for free, has had to import coal at a higher and higher rate every year. This government has somehow managed to do both - give away natural resources for free and incur high costs by importing expensive coal from outside. The following graph shows how the imports of coal have increased drastically under the UPA regime.



Source: Ministry of Coal¹⁶

15. CAG p. 34.

16. For further information, please look at: Annual Reports 2007-08, 2008-09, 2009-10, 2010-11, 2011-12. Also see <http://www.coal.nic.in/cpddoc.htm>.

21. What are the reasons for the delay in production?

The CAG report found that the Centre's failure to coordinate with state government agencies might have led to a delay in production. Though the Expert Committee Report on Road Map for Coal Sector Reforms, 2005 suggested that the Ministry of Coal should take a proactive role in liaising with state governments, the UPA government appears to have taken little notice.

The CAG also found that the Coal Controller's Organisation (under the purview of the Ministry of Coal) failed to discharge its duty to review and monitor the progress of allotted coal blocks. The Ministry of Coal itself acknowledged that the CCO did not have enough personnel.¹⁷

Further, as mentioned in **question 14**, private companies lack the incentive to commence production of coal on time. Finally, even in cases where the government could have penalised private companies for delays, the government has acted in a negligent manner by ignoring the problem and allowing Bankers' Guarantee provided by the companies to lapse (**see questions 23-24**).

22. Have the companies met their targeted production?

No, the companies, both private, and government have failed to achieve their targeted production. By 2010-11, only 36.64 million tonne of coal was produced, against a target of 73 million tonne. This is a shortfall of more than 50%.¹⁸ Coal blocks allocated in 2006-09 have not yet started production. Even allowing for the 36 month period to gain clearances, the production is way beyond schedule. It is evident that private players are using the coal blocks for their own good.

23. How does the Government monitor the progress of coal production by the private allottees?

The Coal Controller's Organisation (CCO) is the agency responsible for reviewing and monitoring the production of coal. However, the CAG found that the CCO has been highly inefficient and ineffective in discharging its duties -

- CCO did not conduct any physical inspection of the coal blocks. Even the current data on production is questionable, as it is provided by the companies themselves, and not physically verified by the CCO.
- CCO is expected to review the progress of allotted coal blocks on a monthly basis. However, this was not followed.

24. Is there a mechanism to penalise companies for non-production?

Yes, the system of requiring a bank guarantee (BG) from the allottee companies was introduced in 2005 to ensure timely production from the coal blocks. This policy was not made applicable to blocks allotted prior to 2005. However, like all of the UPA government's policies in relation to coal, this was implemented in a highly ineffective manner.

Firstly, the government delayed the introduction of the system of BG and linking it to production milestones. For instance, the government failed to link production milestones to the BG to blocks allotted prior to July 2007. Therefore, even with the existence of a BG, the government could not impose penalties for failing to reach production milestones.

Secondly, in the cases of some allotments, the terms and conditions agreed to by the government ensured that it cannot collect the BG. The CAG notes that this includes BG worth Rs. 247.98 Cr, which does not even include all the coal blocks in this category.

17. CAG p.37-39.

18. CAG p. 34.

When one understands that the allocation of coal was a huge scam for corrupt individuals to gain kickbacks, is it at all surprising that the government is not imposing well-deserved penalties?

25. Has the government collected from the BG for companies that did not start producing/meet production targets?

In addition to implementing the BG system poorly, the UPA government failed to treat the penalisation of non-producing companies with any seriousness -

The government has no methodology for accounting of BG, as a result of which the Ministry of Coal could not encash BG amounting to Rs. 12.94 Cr against 6 blocks, which it is entitled to.

- Though the CCO recommended that the Ministry of Coal penalise 15 allottees for delay in production, the Ministry did not do so.
- In an omission that can only be termed as negligent, the government allowed the BG of 15 blocks, amounting to Rs. 311.16 Cr to lapse.

UPA Myths challenged

26. "There has been 'zero loss' to the exchequer, as most of the coal is yet to be mined." - FALSE

It is surprising that this government thinks it can get away with fooling the people with such a blatant lie, when the experience of the 2G spectrum scam should have taught them better. The 'zero loss' theory made no sense in 2010, and it makes no sense now. Finance Minister P Chidambaram made the ludicrous claim that since mining had not commenced in most coal blocks allocated and the coal is still lying under "Mother Earth", these has been "no loss to the Exchequer".

The fact, however, is that the government has lost control of the coal blocks once these were given away for free. Regardless of whether the coal is mined, the government has already lost it. Not only are the private companies set to make a windfall gain once the coal is mined, they also benefit from increased valuation of the company when they hold on to the mines without producing any coal.

27. "BJP states opposed competitive bidding" - FALSE

Though the UPA government has attempted to transfer the blame for their inefficiency on BJP-led states, it is clear from an examination of the States' letters to the Centre that this argument doesn't hold water. Coal is a major mineral, and as stipulated by the Schedule I of the Constitution, is in the domain of the Central Government. Having been cornered, the Government and Congress Party are now trying to come up with feeble excuses and transfer the blame on BJP-ruled States. The various letters from the BJP Chief Ministers that clearly prove the falsity of Congress allegations can be found in **Annexure V**.

Incidentally, then CPI(M)-ruled West Bengal and BJD-ruled Odisha also made similar representations. The Congress Government in Maharashtra argued on the same vein. But while heaping false allegations on BJP-ruled States, the Central Government and ruling party have ignored these instances for political reasons.

We should also remember that the Central government had no compunction in overruling the states in 2006, when it decided to allow 100% Foreign Direct Investment through an administrative order, despite the States' objections. Therefore, the PM's defence, that it "would have been undemocratic and contrary to the spirit of the functioning of our federal polity" to implement the policy by administrative order sounds incredibly hollow.

28. "The State of Chhattisgarh favoured BJP MP Mr Sancheti." - FALSE

Like the case of Madhya Pradesh, the Chhattisgarh Mineral Development Corporation too

invited bids for joint venture agreements. Congress has once again tried to sully the reputation of BJP by pointing fingers at Mr Ajay Sancheti and the State of Chhattisgarh. However, unlike the Central Government, the Chhattisgarh state government did not give away mines for free. Instead, it announced an auction, under which Mr Sancheti's company, SMS Infrastructure Ltd. was selected as a Joint Venture partner after making a bid. Congress has attempted to create suspicion about the 'deal', but the facts clearly prove otherwise -

- The State Government conducted an auction for a Joint Venture partner
- The State Government did not give away the mines to a private company for free. The state retains control of the mine and gained financial benefit by auctioning.
- SMS Infrastructure Ltd won the bid for two coal blocks, each for different amounts. The Congress has tried to raise suspicion about this as well. But surely, different quality of mines will fetch different prices? There are extensive differences between the two blocks, which is why different prices were paid.
- Unlike Minister Subodh Kant Sahai who blatantly abused his position of power to assist his family, Mr Sancheti's company made an honest bid. Mr Sancheti was not even a Member of Parliament at the time of the bid - the same cannot be said of Minister Subodh Kant Sahai.

By bringing up the so-called 'issue' of Mr Ajay Sancheti's company, the Congress Party has done itself more harm. The example above illustrates how the BJP-led State Government has managed to retain control of mines, as well as financially benefitting from them. Perhaps the UPA government can learn a few lessons from the States of Chhattisgarh and Madhya Pradesh.

29. "Allocation of coal blocks by the Screening Committee has existed since 1993. The NDA government followed the same policy." - FALSE

While the above statement is factually true, its implications are not. Prior to 2004, there was no "urgent need" to introduce auction as a means of allotment. This is because the supply of coal exceeded demand, and coal prices worldwide remained low. However, with the introduction of the Electricity Act 2003, (which allowed private companies to generate power), the worldwide increase in the price of coal post-2004, and the increased domestic demand for coal, demand started exceeding supply. As the CAG report points out, this is why there was an urgent need for a change in policy. In other words, even if allocation of coal through auction had been introduced prior to 2004, it is doubtful it would have benefited the exchequer, considering the nature of the market.

What does the BJP want?

30. What is the BJP's position?

- The BJP's position is very clear and simple.
- The Prime Minister must assume moral and political responsibility for the coal scam. Having failed to do so during the 2G scam, it is time for the Prime Minister to do so in this case, where he was directly responsible. Unlike previous scams, he cannot transfer the blame to a scapegoat in his administration.
 - All coal blocks allotted to private companies must be de-allocated and put up for a fair auction.
 - An independent probe should be conducted to unravel the true nature and extent of the scam.

31. Why is the BJP demanding that the PM must resign?

The PM himself held the portfolio for the Coal Ministry during the relevant period. A Raja and Dayanidhi Maran rightly resigned their Ministerial positions once the CBI's investigation of

2G began. Unfortunately, the same standards don't seem to apply to the Prime Minister. As Shri Arun Jaitley has said, "the Prime Minister's office is a sacred institution in Indian democracy. It must be judged on standards higher and harsher than those that would apply to other ministers." Instead of being an icon of unimpeachable honesty, the Prime Minister has continued oversee scam after scam under his governance. This time, it was Dr Manmohan Singh himself who was responsible. There is no one else to pass on the blame. The PM must assume responsibility.

32. Why is the BJP disrupting the Parliament? Why can't the BJP challenge the government through the PAC?

After the appalling behaviour of the Congress Party during the 2G scam, the BJP has learnt its lesson. The Congress treated the PAC like a joke and made a mockery of important Parliamentary proceedings. Right now, there is a national debate on the allocation of coal, if not within the Parliament. Parliamentary debate cannot occur with Parliamentary accountability. The government should not be allowed to evade responsibility by using the august institution of the Parliament as a tool. Parliament debated the 2G spectrum scam thrice. Each time the Prime Minister stoutly defended his then Cabinet colleague A Raja, while his party members falsely accused the NDA Government having set the "First come, first serve" principle, deliberately overlooking the fact that in 2001 the telecom market was in its infancy and there were few takers for telecom circles. But to sell telecom circles in 2008 at 2001 prices was a criminal conspiracy to deprive the Government and people of India their rightful claim to a share of the massive revenues raked in by telecom operators. This time, the BJP won't be taken for a ride. So, no meaningless debate and dithering can be permitted in the name of discussion in Parliament. The time for action has come.

Coal in the BJP States

CHATTISGARH

The State of Chhattisgarh relies heavily on the iron/steel, with the government engaged in several MOUs for power and steel projects. The BJP-led state government, very responsibly tried to protect the interests of the state and ensure that these projects are not adversely affected.

Of utmost importance is the Chief Minister, Dr Raman Singh's point that the Centre should implement the change in policy after **consultation with the state government**, who have much at stake. (Dr Raman Singh's letters to the Centre and the Prime Minister can be found in **Annexure V**).

Contrary to the government allegation that the State opposed the policy vehemently, Dr Raman Singh merely asked for reasonable consultation between the States and the Centre. The CM also requested that in case the policy of competitive bidding is implemented, that the **coal mined be shared among the centre and the state**. This is hardly vehement opposition, as alleged by the Prime Minister and his government.

JHARKHAND

Chief Minister Arjun Munda has also come under the vitriolic attacks of the Congress, and that too, for doing his job. Under his leadership, the state of Jharkhand tirelessly campaigned for its interests by regularly communicating with the Centre. Considering that **more than 1/3 of India's coal reserves lies in Jharkhand**, he rightly ensured that **Jharkhand comes** as far as exploitation of coal is concerned.

The government of Jharkhand did write to the Centre about coal allocation- after all, the coal being allocated is within Jharkhand. Letters were sent to the PM asking for **coal allocation to state enterprises that work for the direct benefit of the people**, such as Jharkhand Mining Development Corporation and the State Electricity Board. But more often than not, the Centre was unhelpful.

Shri Munda and his government have also done much to **attract investment to the economically backward state and entered into MOUs with companies**. Attempts by the state to inform the Centre about these MOUs are now being blatantly misconstrued as pressure. Unlike certain Congress MPs, Shri Munda never wrote to the centre for allocation of coal to friends and cronies.

RAJASTHAN

Similarly, in case of Rajasthan, then Chief Minister, Vasundhara Raje, merely highlighted the impact the policy would have on the State of Rajasthan.

The Chief Minister's primary concern was that lignite that would be mined within Rajasthan would be used by the successful bidder for uses outside the State- similar to Jharkhand's concern about coal being used for out-of-state purpose. Once again, **the state government was attempting to protect their interests**, rather than acting against public interest, as the UPA government has done.

Continued...

MADHYA PRADESH

While the UPA has pointed fingers at other states, they have conveniently left out BJP-led Madhya Pradesh, which actually conducted auction. The government would do well to learn from this state. Here are some lessons-

1. In November 2008, the Madhya Pradesh State Mining Corporation auctioned 6 mines. This auction saw **152 bids made by 62 different companies**.
2. The **government retained control of the mines** by entering into a Joint Venture with the private companies — MPSMC held 51% share in the JV.
3. No government guarantees for the amount invested by the private companies.
4. The coal blocks were auctioned off for Rs. 700 to Rs. 2100 per tonne. This is several times higher than what the CAG has estimated — Rs 295 per tonne. Going by this number, the loss estimated should be even higher.

Though Madhya Pradesh has done all it could to **maximise revenue for the people** (instead of politicians), it is the Central Government that is proving to be a hindrance by stalling environmental clearances.

ANNEXURE-I

Letters to the CVC

Prakash Javadekar

- Member of Parliament
- Spokesperson, BJP



Date: 23.03.12

To,
The Central Vigilance Commissioner.
Satarkta Bhawan, A-Block
CGO Complex, INA,
New Delhi-110023

Sub: Complaint with regard to corruption against the officials of the Ministry of Coal in misuse of free allotment of coal, during the period 2006-2009.

In pursuant to my earlier letter dated 14.03.12 regarding free allotment of Coal blocks to the Pvt. companies during the period from 2006-2009.


Please find enclosed herewith following annexures highlighting some specific cases about the irregularities in allotment of coal blocks.

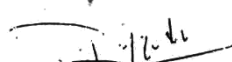
- 1. A public Notice issued by Grace Company in which they are clearly stating that the Lohara (east) Coal Block admeasuring 350 ha at Chandrapur Dist. Is a subject matter in their legal fight with Sanjeevani Ltd.*
- 2. India Today published an article on dated 09.12.2011 in which there is mention of some companies (mentioned below) for irregularities. They are: Electrosteel Castings a Kolkatta Based Company, Navbharat Power, NTPC & Minecs Invest in relation to Pakhri Barwadli Mine in Jharkhand.*

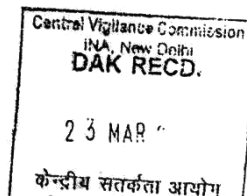
I request you to take up detailed investigation in these and other cases.

Thanking You.


Prakash Javadekar


Hansraj Ahir MP (Lok Sabha)


Adv. Bhupendra Yadav, National Secretary, BJP



कपिल देव त्रिपाठी
K.D. TRIPATHI



सचिव
केन्द्रीय सतर्कता आयोग
SECRETARY
CENTRAL VIGILANCE COMMISSION

No. 012/COL/020 | 1750.

Dated : 17/05/2012

Dear Sir,

Please refer to your letters dated 14.03.2012 and 23.03.2012 regarding allotment of Coal Blocks.

2. Your complaints have been duly examined in the Commission and having regard to the nature of the issues raised therein, the same have been forwarded to Central Bureau of Investigation for a preliminary enquiry.

With regards,

Yours sincerely,

K.D. Tripathi

(K.D. Tripathi)

Shri Prakash Javadekar
Member of Parliament
(Lok Sabha)
24, Mahadeo Road
New Delhi - 110 001

F

Hansraj Gangaram Ahir
Member of Parliament
(Lok Sabha)



MEMBER

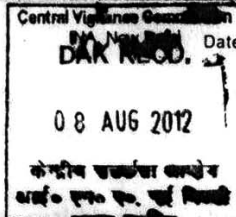
- Steel and Coal Standing Committee
- Ministry of Agriculture
- Ministry of Consumer Affairs, Food and Public Distribution (C)
- Privileges Committee
- Board for Micro, Small & Medium Enterprises (MSME)
- Railway Convention Committee

- 50, Ashoka Road, New Delhi - 110001, Ph. 011-23358284, Mob. : 9422135661, 09868180489
- Bazar Ward, Chandrapur (M.S.) - 442 402, Ph. 07172-254791, Email: hansraj_ahir@rediffmail.com

Ref. No. :

Sh. Pradeep Kumar,
Central Vigilance Commissioner

Dear Sir,



27-07-12
3/8/12

Sub: Some more issues for the CBI enquiry for the Coal Blocks allotment

Thank you for your letter dated 17/05/2012 forwarding our complaint to CBI for preliminary enquiry into the irregularities committed in the allotment of the coal blocks during 2006-2009.

We are sure that you must be monitoring the progress of the CBI enquiry. The enquiry should answer following issues so that the full details of the irregularities will come to light.

- 1-How many companies have not started the mining operations within the time limit given to them for the purpose ?
- 2-The government has cancelled allotment of 30+ coal blocks to the private companies who have failed to start mining operations as per the news reports. But in such cases we would like to know whether the bank guarantees have been revoked ?
- 3-As per our information 158 coal blocks have not started the mining operations. As per rules all these allotments should have been cancelled. Why these blocks are not cancelled ?
- 4-How many private companies were allotted the coal blocks for which they were not eligible and whose captive plants have not secured necessary approvals and clearances on the date of allotment of the coal blocks ?

Hansraj Gangaram Ahir
Member of Parliament
(Lok Sabha)



सत्यमेव जयते

MEMBER

- Steel and Coal Standing Committee
- Ministry of Agriculture
- Ministry of Consumer Affairs, Food and Public Distribution
- Privileges Committee
- Board for Micro, Small & Medium Enterprises (MSME)
- Railway Convention Committee

-
- 50, Ashoka Road, New Delhi - 110001, Ph. 011-23358284, Mob. : 9422135661, 09868180489
 - Bazar Ward, Chandrapur (M.S.) - 442 402, Ph. 07172-254791, Email: hansraj_ahir@rediffmail.com
-

Ref. No.

Date

5- Which are the private companies who have started the mining operation but sold their coal deposits in the market as their plants are not ready ?

6- Whether it is true that many coal blocks are allotted after 2008 without the process of Screening Committee ? As per our information Screening Committee has not met since 2008.

7- Many State governments have profitably entered into JVs with private companies for mining the coal blocks allotted to them, in a transparent manner by adopting bidding process for such contracts, thereby ensuring good amount of revenue on 51-49 basis for next 30 years.

Why such practice was not followed by the central government till the pendency of the passage of the Bill for auctioning the coal blocks ? Such an exercise would have fetched the government more than Rs 50,000 crores.

8- How many private companies who were allotted coal blocks have effectively changed the ownership/control by adopting various tools available ?

We are sure that you will appreciate that all these questions need answers from the enquiry which is being conducted by the CBI.

We request you to do the needful.

Thanking you,

Yours truly,

Hansraj Ahir
(Member, Lok Sabha)

Prakash Javadekar
(Member, Rajya Sabha)

ANNEXURE-II

Parliamentary Questions

**GOVERNMENT OF INDIA
MINISTRY OF COAL
RAJYA SABHA
QUESTION NO 104
ANSWERED ON 08.08.2011**

ALLOCATION OF COAL BLOCKS TO PRIVATE COMPANIES

SHRI PRAKASH KESHAV JAVADKAR

Will the Minister of COAL be pleased to satate :-

- (a) how many coal blocks were allocated to private companies during the period 2006 to 2009;
- (b) the details of such coal blocks, including coal reserves, allocated to private companies;
- (c) the reasons for such allocations and since when the Bill to auction coal blocks is pending in the Parliament;
- (d) whether all these companies have established production units in steel/cement/power sectors; and
- (e) if not, the reasons therefor?

ANSWER

MINISTER OF COAL

(SHRI SRIPRAKASH JAISWAL)

(a) to (e): A statement is laid on the Table of the House.

**Statement referred to reply to part (a) to (e) of the Rajya Sabha Starred
Q.No.104 for answer on 08.08.2011**

(a) & (b): 64 coal blocks with geological reserves of about 13.98 billion tonnes have been allocated to private companies during 2006-2009. Out of which, 03 coal blocks with geological reserves of about 0.08 billion tonnes have been de-allocated. Hence, the net allocated blocks are 61 with geological reserves of about 13.90 billion tonnes. The details of coal blocks allocated to private companies during the period 2006 to 2009 including coal reserves are given below:-

Details of coal blocks allocated to Private Companies		
Year of allocation	No. of coal blocks	Geological reserves (In MillionTonnes)
2006	15	3793.14
2007	17	2101.14
2008	20	2869.32
2009	12	5216.53
Total	64	13980.13

(c) to (e): The allocation of coal blocks to the private companies made during 2006-2009 was on culmination of the ongoing process which was initiated before the introduction of the Mines and Minerals (Development & Regulation) Amendment Bill, 2008 in the Rajya Sabha on 17.10.2008; and no coal block has been advertised for allocation after the introduction of the Mines and Minerals (Development & Regulation) Amendment Bill, 2008. The process for identification was initiated on the direction of 5th meeting of the Energy Coordination Committee held in 2006. 81 coal blocks with geological reserves of about 20 billion tonnes were identified for allocation under various dispensations. Out of 81 blocks, 38 coal blocks with geological reserves of about 6.1 billion tonnes (15 blocks for power sector and 23 blocks for non-power sector i.e. production of iron & steel and production of cement) were advertised in September, 2006 calling for the applications for allocation of coal blocks under captive dispensation through the Screening Committee route.

The details of coal blocks allocated so far is given below:

Year of allocation	To Govt. Companies		To Private Companies		To UMPPs/Tariff based bidding		Total blocks for the year	
	No. of Blocks	GR (in MT)	No. of Blocks	GR (in MT)	No. of Blocks	GR (in MT)	No. of Blocks	GR (in MT)
1993	-	-	1	140.47	-	-	1	140.47
1994	-	-	1	22.55	-	-	1	22.55
1995	1	84.47	-	-	-	-	1	84.47
1996	2	437.71	4	259.34	-	-	6	697.05
1997	-	-	-	-	-	-	-	-
1998	-	-	4	466.99	-	-	4	466.99
1999	-	-	3	231	-	-	3	231
2000	-	-	1	156	-	-	1	156
2001	1	562	1	34.34	-	-	2	596.34
2002	-	-	1	92.30	-	-	1	92.30
2003	13	731.93	8	508.32	-	-	21	1240.25
2004	4	2143.52	1	7.00	-	-	5	2150.52
2005	8	2335.09	16	1418.57	-	-	24	3753.66
2006	32	12363.15	15	3793.14	6	1635.24	53	17791.53
2007	34	8779.08	17	2111.14	1	972	52	11862.22
2008	3	509.99	20	2939.53	1	100	24	3549.52
2009	1	337	12	5216.53	3	1339.02	16	6892.55
2010	-	-	-	-	1	800	1	800
2011	-	-	-	-	-	-	-	-
Total	99	28283.94	105	17397.22	12	4846.26	216	50527.42

As per the guidelines the coal blocks can be allocated for the expansion or new specified end use projects to be set up as well as for the existing projects. The coal block so allocated is linked with the setting up of such projects and the production from the coal block is synchronized with the commissioning of such projects. The allocatees of coal blocks, who have not started production so far, are in various stages of obtaining statutory clearances and mining lease, preparing mining plan, acquisition of land, procuring machinery and equipment etc. for both mining as well as end-use project.



**GOVERNMENT OF INDIA
MINISTRY OF COAL
RAJYA SABHA
QUESTION NO 327
ANSWERED ON 13.08.2012**

NO PRODUCTION IN CAPTIVE COAL BLOCKS

SHRI RAJIV PRATAP RUDY

Will the Minister of COAL be pleased to satate :-

- (a) whether there are a number of captive coal blocks in the country that have not commenced production during the last three years;
- (b) if so, the details thereof and the reasons for not commencing production;
- (c) whether Government is imposing penalties for the same: and
- (d) if so, the details thereof?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF COAL

(SHRI PRATIK PRAKASHBAPU PATIL)

(a) & (b): A total of 195 coal blocks stand allocated to various public and private sector companies. Out of the allocated coal blocks, 30 coal blocks have started production. The remaining coal blocks which have not started production so far, are in various stages of obtaining statutory clearances and mining lease, preparing mining plan, acquisition of land, procuring machinery and equipment etc. for both mining as well as end-use project.

(c) & (d): Development of coal blocks involves a gestation period of 3 to 5 years for reaching the production stage and another two to three years for reaching the optimal production capacity. As per the guidelines, coal production from captive coal block should commence within 36 months (42 months in case the area falls in forest land) in case of open cast mines and in 48 months (54 months in case the area falls in forest land) in case of under ground mine, from the date of allocation. If the coal block is not explored, additional two years are allowed for detailed exploration and three months for preparation of geological report.

The responsibility of developing the coal block as per the prescribed guidelines and mile-

stone chart attached with the allocation letter rests entirely with the allocatee company. In the terms and conditions of the allocation letters, it is categorically mentioned that in the event of willful delay in the development of coal blocks and in setting up of the end use project, the Government will take appropriate action to de-allocate the said block. Further, the allocatees have to submit Bank Guarantee which remains valid at all the times till the production from the coal block reaches its peak rated capacity. The Coal Controller's office monitors on regular basis the achievement of different milestones. Government periodically monitors and reviews the development of allocated blocks as well as end use plants by the allocatee companies in the Review Meetings. As on date, based on the recommendations of review committee meetings held, the Government has de-allocated 25 coal blocks. Further, an Inter-Ministerial Group (IMG) under the Chairmanship of Additional Secretary (Coal) with representatives from the Ministries of Power, Steel, Law & Justice and Departments of Economic Affairs and Industrial Policy and Promotion has been constituted on 21.06.2012 which inter-alia would undertake periodic review and monitor the progress of allocated coal/lignite blocks and make recommendations on action to be taken including de-allocation, if required.



**GOVERNMENT OF INDIA
MINISTRY OF COAL
RAJYA SABHA
QUESTION NO 1551
ANSWERED ON 27.08.2012**

SALE OF COAL DEPOSITS BY PRIVATE COMPANIES

SHRI PRAKASH KESHAV JAVADKAR

Will the Minister of COAL be pleased to satate :-

- (a) how many private companies whom coal blocks were allocated during 2006 to 2009, have mined but have sold the coal deposits in the market;
- (b) the details of such coal blocks and private companies and sales; and
- (c) what action Government intends to take in this regard?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF COAL

(SHRI PRATIK PRAKASHBAPU PATIL)

(a): None of the coal blocks allocated to private companies during 2006 to 2009 has come into production.

(b) & (c): Do not arise in view of reply given at (a) above.



**GOVERNMENT OF INDIA
MINISTRY OF COAL
RAJYA SABHA
QUESTION NO 1552
ANSWERED ON 27.08.2012**

IMPORT OF COAL

SHRI RAJIV PRATAP RUDY

Will the Minister of COAL be pleased to satate :-

- (a) whether there has been an increase in the import of coal to meet the rising power demand in the country during the last three years;
- (b) if so, the details thereof and the reasons for the shortage in domestic coal production;
- (c) whether such imports have led to an increase in the price of power generated in the country thus affecting the consumer;
- (d) if so, the details of such increase in electricity rates above said period;
- (e) whether Government is taking steps to augment its domestic production; and
- (f) if so, the details thereof ?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF COAL

(SHRI PRATIK PRAKASHBAPU PATIL)

(a) & (b): Yes, Sir. The import of coal by the power utilities was 23.20 million tonnes, 30.20 million tonnes and 45.20 million tonnes during 2009-10, 2010-11 and 2011-12 respectively. The major constraints that are adversely affecting coal production in the country are issues relating to land acquisition, related rehabilitation and resettlement (R&R) issues and delay in forestry and environment clearance affecting timely implementation of projects.

(c) & (d): The price of imported coal depends upon the specification of coal and varies on a weekly basis. Central Electricity Authority (CEA) has reported that with 10% blending of imported coal with domestic coal, the increase in cost of electricity generation is of the order of about 3 paise per unit for every 10 Dollar/tonne increase in the cost of imported coal.

(e) & (f): The following measures have been/are being taken to increase the domestic coal production :-

- (i) Coal India Limited has been asked to increase production from existing mines and expedite production from new projects.
- (ii) A number of coal blocks have been allotted to different consumers/State/Central government undertakings to increase the availability of coal in the country.
- (iii) exploration for new Coal blocks is being expedited.
- (iv) procedure for project approvals has been streamlined.
- (v) modernization of existing mines.

- (vi) improvement in equipment utilisation.
- (vii) Increasing productivity in underground and opencast mines
- (viii) exploration capacity of Central Mine Planning & Development Institute (CMPDIL) is being increased



**GOVERNMENT OF INDIA
MINISTRY OF COAL
RAJYA SABHA
UNSTARRED QUESTION NO 1559
TO BE ANSWERED ON 27.08.2012**

NON-OPERATIONALISATION OF PLANTS BY PRIVATE COMPANIES

SHRI PRAKASH JAVADEKAR

Will the Minister of COAL be pleased to satate :-

- (a) how many private companies, whom coal blocks were allocated during 2006 to 2009, have not operationalised their plants for which coal blocks were allocated;
- (b) the details of such coal blocks and the details of those companies; and
- (e) whether steel/ cement/ power plants are ready for production in these cases?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF COAL

(SHRI PRATIK PRAKASHBAPU PATIL

(a) to (c): A total of 70 coal blocks stand allocated to various private companies including Ultra Mega Power Projects for specified end uses for captive consumption during 2006 to 2009. The details are given at **Annexure**. None of the said coal blocks have come into production. Production of the coal from the blocks is to be synchronized with the commissioning of associated specified end use projects.

Annexure referred to reply given at part (b) of Rajya Sabha U.S.Q. No. 1559 for 27.08.12

S.No. of Block	Name of Private Company	Date of allocation	Name of Coal Block
1.	Jharkhand Ispat Pvt. Ltd.	13.01.2006	North Dhadu
	Pavanjay Steel & Power Generation Pvt. Ltd.	13.01.2006	North Dhadu
	Electrosteel Castings Ltd	13.01.2006	North Dhadu
	Adhunik Alloys & Power Ltd.	13.01.2006	North Dhadu
2.	Bhushan Ltd.	13.01.2006	Bijahan
	Mahaveer Ferro	13.01.2006	Bijahan
3.	Hindustan Zinc Ltd.	13.01.2006	Madanpur South
	Akshya Investment Pvt. Ltd.	13.01.2006	Madanpur South
	Chhattisgarh Steel & Power Ltd.	13.01.2006	Madanpur South
	Chhattisgarh Electricity Corporation Ltd.	13.01.2006	Madanpur South
	MSP Steel & Power Ltd.	13.01.2006	Madanpur South
	Chhattisgarh Captive Coal Mining Ltd. (Consortium of five Cos.)	13.01.2006	Madanpur South
4-5	Ispat Godavari	13.01.2006	Nakia I + Nakia II
	Ind Agro Synergy	13.01.2006	Nakia I + Nakia II
	Sri Nakoda Ispat	13.01.2006	Nakia I + Nakia II
	Vandana Gopal Ltd.	13.01.2006	Nakia I + Nakia II
	Shree Bajrang Power & Ispat Ltd.	13.01.2006	Nakia I + Nakia II
6.	Bhushan Steel & Strips Ltd.	13.01.2006	Patrapara
	Adhunik Metaliks Ltd.	13.01.2006	Patrapara
	Deepak Steel & Power Ltd.	13.01.2006	Patrapara
	Adhunik Corp. Ltd.	13.01.2006	Patrapara
	Orissa Sponge Iron Ltd.	13.01.2006	Patrapara
	SMC Power Generation Ltd.	13.01.2006	Patrapara
	Sree Metaliks Ltd.	13.01.2006	Patrapara
	Visa Steel Ltd.	13.01.2006	Patrapara
7.	Jindal Steel & Power Ltd.	13.01.2006	Gare Palms IV/6
	Nalwa Sponge Iron Ltd.	13.01.2006	Gare Palms IV/6
8.	Jayaswal Neco Ltd.	13.01.2006	Gare Palms IV/8
9.	Ultratech Ltd.	13.01.2006	Madanpur (North)
	Singhal Enterprises	13.01.2006	Madanpur (North)
	Nav Bharat Coalfield Ltd.	13.01.2006	Madanpur (North)
	Vandana Energy & Steel Pvt. Ltd.	13.01.2006	Madanpur (North)
	Prakash Industries Ltd.	13.01.2006	Madanpur (North)
	Anjani Steel Pvt. Ltd.	13.01.2006	Madanpur (North)
	Chhattisgarh Captive Coal Mining Ltd. (Consortium of five Companies)	13.01.2006	Madanpur (North)
	Sunglag Iron Steel Ltd.	13.01.2006	Madanpur (North)
10.	Nilachal Iron & Power Generation	13.01.2006	Dumri
	Bajrang Ispat Pvt. Ltd.	13.01.2006	Dumri
11.	Gupta Metalics & Power Ltd.	13.01.2006	Nerad Malegaon
	Gupta Coalfields & Washeries Ltd.	13.01.2006	Nerad Malegaon
12.	Tata Sponge Iron Ltd.	07.02.2006	Radhikapur (EAsT)
	Scaw Industries Ltd.	07.02.2006	Radhikapur (EAsT)
	SPS Sponge Iron Ltd.	07.02.2006	Radhikapur (EAsT)

S.No. of Block	Name of Private Company	Date of allocation	Name of Coal Block
13.	Essar Power Ltd.	12.04.2006	Mahan
	Hindalco Industries	12.04.2006	Mahan
14.	Rungta Mines Limited	25.04.2006	Bundu
15.	Rungta Mines Limited	25.04.2006	Radhikapur (West)
	OCL India Ltd.	25.04.2006	Radhikapur (West)
	Ocean Ispat Ltd.	25.04.2006	Radhikapur (West)
16	Power Finance Corporation Orissa UMPP	13.09.2006	Meenakshi
17.	Power Finance Corporation Orissa UMPP	13.09.2006	Meenakshi B
18.	Power Finance Corporation Orissa UMPP	13.09.2006	Dip side of Meenakshi
19.	Power Finance Corporation Sasan UMPP	13.09.2006	Mother
20.	Power Finance Corporation Sasan UMPP	13.09.2006	Mother-Almori Extn
21.	Power Finance Corporation Sasan UMPP	26.10.2006	Chhatrasal
22.	Chaman Metaliks Ltd.	20.02.2007	Kosar Dongergaon
23	Bankura DRI Mining Manufacturers Co. Pvt. Ltd.	20.02.2007	Btharinath
24	Essar Power Generation Ltd.	20.02.2007	Chalda
25	Jindal Steel & Power Ltd.	20.02.2007	Jitpur
26	Prism Cement Limited	29.05.2007	Sial Ghoghri
27	SKS Ispat Limited	29.05.2007	Ravanwara Noth
28	Pushp Steel and Mining Ltd.	16.07.2007	Brahampuri
29	Power Finance Corporation Tilaiya UMPP Jharkhand	20.07.2007	Kerandari BC
30	Hindalco Industries	01.08.2007	Tubed
	Tata Power Ltd.	01.08.2007	Tubed
31	Jaiprakash Associates Ltd.	17.09.2007	Mandla North
32	Essar Power Ltd.	06.11.2007	Ashok Karkatta Central
33	Bhushan Power and Steel Ltd.	06.11.2007	Patal East
34	AES Chhattisgarh Energy Pvt. Ltd	06.11.2007	Sayang
35	DB Power Ltd.	06.11.2007	Durgapurll/Sarya
36	BALCO	06.11.2007	Purgapurll/Taraimar
37	Adani Power Ltd Soya Ispat Limited	06.11.2007	Lohara West Extn.
38	Sova Ispat Limited	06.12.2007	Ardhagram
39	Monet Ispat and Energy Ltd	09.01.2008	Mandakini
	Jindal Photo Ltd.	09.01.2008	Mandakini
	Tata Power Company Ltd.	09.01.2008	Mandakini
40	Arcelor Mittal India Ltd	09.01.2008	Seregarha
	GVK Power (Govindwal Sahib) Ltd	09.01.2008	Seregarha
41	CESC Ltd	09.01.2008	Mahuagarhi
	Jas Infrastructure Capital Pvt Ltd	09.01.2008	Mahuagarhi
42.	Jindal Steel & Power Ltd.	17.01.2008	Aniarkonda Murgadangal
	Gagan Sponge Iron Pvt. Ltd	17.01.2008	Amarkonda Murgadangal
43-44	Sterlite Energy Ltd. (IPP)	17.01.2008	Rampia & Dip Side of Rampia
	GMR Energy (IPP)	17.01.2008	Rampia & Dip Side of Rampia
	Arcelor Mittal India Ltd. (CPP)	17.01.2008	Rampia & Dip Side of Rampia
	Lanco Group Ltd. (IPP)	17.01.2008	Rampia & Dip Side of Rampia
	Navbharat Power Pvt. Ltd. (IPP)	17.01.2008	Rampia & Dip Side of Rampia
	Reliance Energy Ltd. (IPP)	17.01.2008	Rampia & Dip Side of Rampia

S.No. of Block	Name of Private Company	Date of allocation	Name of Coal Block
45	JLD Yavatmal Energy Ltd	23.01.2008	Fatehpur East
	R.K.M. Powergen Pvt. Ltd	23.01.2008	Fatehpur East
	Visa Power Ltd	23.01.2008	Fatehpur East
	Green Infrastructure Pvt. Ltd.	23.01.2008	Fatehpur East
	Vandana Vidyut Ltd	23.01.2008	Fatehpur East
46	SKS Ispat and Power Ltd.	06.02.2008	Fatehpur
	Prakash Industries Ltd.	06.02.2008	Fatehpur
47.	Rungta Mines Limited	14.05.2008	Choritand Tailiaya
	Sunflag Iron Steel Ltd.	14.05.2008	Choritand Tailiaya
48.	JSW Steel Ltd.	05.06.2008	Rohne
	Bhushan Power & Steel Ltd.	05.06.2008	Rohne
	Jai Balaji Industries Ltd.	05.06.2008	Rohne
49.	Rathi Udyog Ltd.	05.08.2008	Kesla North
50.	Bihar Songe Iron Ltd.	05.08.2008	Macherkunda
51.	Mideast Intergrated Settls Ltd.	05.08.2008	Tandsi-III & Tandsi-III
52.	Birla Corporation Ltd.	12.08.2008	Bikram
53.	Mukund Limited	20.11.2008	Rajhara North (Central & Eastern)
	Vini Iron & Steel Udyog Limited	20.11.2008	Rajhara North (Central & Eastern)
54.	Maharashtra Seamless Limited	21.1.1.2008	Gondkhari
	Dhariwal Infrastructure (P) Ltd.	21.1.1.2008	Gondkhari
	Kesorain Industries Ltd.	21.1.1.2008	Gondkhari
55.	Kamal Sponge Steel & Power Limited	21.11.2008	Tesgora-B/Rudrapuri
	Revati Cement P. Ltd.	21.11.2008	Tesgora-B/Rudrapuri
56.	Electrotherm (India) Ltd.	21.11.2008	Bhaskarpara
	Grasim Industries Ltd.	21.11.2008	Bhaskarpara
57.	Jindal Steel & Power Ltd.	27.02.2009	Ramchandi Promotion Block
58.	Strategic Energy Technology Systems Limited (SETSL)	27.02.2009	North of Arkhupal Sriraznpur
59.	Rungta Mines Limited	28.05.2009	Mednirai
	Kohinoor Steel (P) Ltd.	28.05.2009	Mednirai
60	Tata Steel Ltd.	28.05.2009	Ganeshpur
	AdhunikThennal Energy Ltd.	28.05.2009	Ganeshpur
61.	AMR Iron & SteCis Pvt. Ltd.	29.05.2009	Bander
	Century Textiles & Industries Ltd.	29.05.2009	Bander
	J.K. Cement Ltd.	29.05.2009	Bander
62.	Sunflag Iron Steel Ltd.	29.05.2009	Khappa & Extn.
	Dalmia Cement (Bharat) Ltd.	29.05.2009	Khappa & Extn.
63.	Monet Ispat and Energy Ltd	03.06.2009	Rajgamar Dipside (South of Phulakdih Nala)
	Topworth Steel Pvt. Ltd.	03.06.2009	Rajgamar Dipside (South of Phulakdih Nala)
64.	IST Steel & Power Ltd	17.06.2009	Dahegaon/Makardhokra IV
	Gujarat Ambuja Cement Ltd.	17.06.2009	Dahegaon/ Makardhokra IV
	Lafarge India Pvt. Ltd.	17.06.2009	Dahegaon/ Makardhokra IV
65.	Bhushan Steel Ltd.	03.07.2009	Andal East
	Jai Balaji Industries Ltd. .	03.07.2009	Andat East,
	Rashmi Cement Ltd.	03.07.2009	Andal East

S.No. of Block	Name of Private Company	Date of allocation	Name of Coal Block
66.	Himaohâl EMTA Power Ltd.	10.07.2009	Gourangdih ABC
	JSW Steel Ltd.	10.07.2009	Gourangdih ABC
67.	Akaltara Power Ltd. (SPV of Chhattisgarh UMPP)	09.09.2009	Putra Parogia
68.	Akaltara Power Ltd. (SPV Of Chhattisgarh UMPP)	09.09.2009	Pindrakhi
69.	Ramswarup Lohh Udyog Ltd.	06.10.2009	Moira-Madhujore
	Adhunik Corporation Ltd.	06.10.2009	Moira-Madhujore
	Uttam Galva Steels Ltd.	06.10.2009	Moira-Madhujore
	Howrah Gases Ltd.	06.10.2009	Moira-Madhujore
	Vikas Metal & Power Ltd.	06.10.2009	Moira-Madhujore
70.	Jindal Steel & Power Ltd.	12.10.2009	Urtan North
71.	Monet Ispat and Energy Ltd.	12.10.2009	Urtan North



ANNEXURE-III**List of Allocations to
Private Companies
(2006-2008)****Allocation of Coal Blocks
to Private Parties in the Years 2006-2009****YEAR - 2006**

Serial No. of Block	Name of Block	Date on which Allotted	Name of Company to which Allotted	Geological Reserves	Estimated Price per Million Tonnes (@ Rs. In Lakhs 2500/- per ton)		
1	North Dhadu	13.01.2006	Jharkhand Ispat Pvt. Ltd.	923.94	2309850		
		13.01.2006	Pavanjay Steel & Power Generation Pvt. Ltd.				
		13.01.2006	Electrosteel Casting Ltd.				
		13.01.2006	Adhunik Alloys & Power Ltd.				
2	Bijahan	13.01.2006	Bhusan Ltd.	130	325000		
		13.01.2006	Mahaveer Ferro				
3	Madanpur South	13.01.2006	Hindustan Zinc Ltd.	175.65	439125		
		13.01.2006	Akshya Investment Pvt. Ltd.				
		13.01.2006	Chattisgarh Steel & Power Ltd.				
		13.01.2006	Chattisgarh Electricity Corporation Ltd.			5.4	13500
		13.01.2006	MSP Steel & Power Ltd.			5.4	13500
13.01.2006	Chattisgarh Captive Coal Mining Ltd. (Consortium of 5 Cos.)	5.4	13500				
4 & 5	Nakia I + Nakia II	13.01.2006	Ispat Godavari	399	997500		
		13.01.2006	Ind Agro Synergy				
		13.01.2006	Shri Nakoda Ispat				
		13.01.2006	Vandana Global Ltd.				
		13.01.2006	Shri Bajrang Power & Ispat Ltd.				
6	Patrapara	13.01.2006	Bhusan Steel & Strips Ltd.	1042	2605000		
		13.01.2006	Adhunik Metaliks Ltd.				
		13.01.2006	Deepak Steel & Power Ltd.				
		13.01.2006	Adhunik Corp. Ltd.				
		13.01.2006	Orissa Sponge Iron Ltd.				
		13.01.2006	SMC Power Generation Ltd.				
		13.01.2006	Sree Metaliks Ltd.				
13.01.2006	Visa Steel Ltd.						
7	Gare Palma IV/6	13.01.2006	Jindal Steel & Power Ltd.	156	390000		
		13.01.2006	Nalwa Sponge Iron Ltd.				

8	Gare Palma IV/8	13.01.2006	Jayaswal Neco Ltd.	107.2	268000
9	Madanpur (North)	13.01.2006	Ultratech Ltd.	241.61	604025
		13.01.2006	Singhal Enterprises		
		13.01.2006	Nav Bharat Coalfield Ltd.		
		13.01.2006	Vandana Energy & Steel Pvt. Ltd.		
		13.01.2006	Prakash Industries Ltd.		
		13.01.2006	Anajani Steel Pvt. Ltd.		
		13.01.2006	Chattisgarh Captive Coal Mining Ltd. (Consortium of 5 Cos.)		
10	Dumri	13.01.2006	Nilachal Iron & Power Generation	18	45000
		13.01.2006	Bajrang Ispat Pvt. Ltd.		
11	Nerad Malegaon	13.01.2006	Gupta Metaliks & Power Ltd.	19.5	48750
		13.01.2006	Gupta Coalfields & Washeries Ltd.		
12	Radhikapur (East)	07.02.2006	Tata Sponge Iron Ltd.	115	287500
		07.02.2006	Scaw Industries Ltd.		
		07.02.2006	SPS Sponge Iron Ltd.		
13	Mahan	12.04.2006	Essar Power Ltd.	144.2	360500
		12.04.2006	Hindalco Industries		
14	Bundu	25.04.2006	Rungta Mines Ltd.	102.52	256300
15	Radhikapur (West)	25.04.2006	Rungta Mines Ltd.	210	525000
		25.04.2006	OCL India Ltd.		
		25.04.2006	Ocean Ispat Ltd.		
16	Meenakshi	13.09.2006	Power Finance Corporation Orissa UMPP	285.24	713100
17	Meenakshi B	13.09.2006	Power Finance Corporation Orissa UMPP	250	625000
18	Dip Side of Meenakshi	13.09.2006	Power Finance Corporation Orissa UMPP	350	875000
19	Moher	13.09.2006	Power Finance Corporation Orissa UMPP	402	1005000
20	Moher-Amlori Extn.	13.09.2006	Power Finance Corporation Orissa UMPP	198	495000
21	Chhatrasal	26.10.2006	Power Finance Corporation Orissa UMPP	150	375000

YEAR 2007

1	Kosar Dongergaon	20.02.2007	Chaman Metaliks Ltd.	22.51	56275
2	Biharinath	20.02.2007	Bankura DRI Mining Manufacturers Co. Pvt. Ltd.	95.16	237900
3	Chakla	20.02.2007	Essar Power Generation Ltd.	83.05	207625
4	Jitpur	20.02.2007	Jindal Steel & Power Ltd.	81.09	202725
5	Warora West (North)	20.02.2007	Bhatia International Ltd.	10	25000
6	Sial Ghogri	29.05.2007	Prism Cement Ltd.	30.38	75950
7	Ravanwara North	29.05.2007	SKS Ispat Ltd.	174.07	435175
8	Brahmpuri	16.07.2007	Pushp Steel & Mining Ltd.	55.05	137625
9	Kerandari BC	20.07.2007	Power Finance Corporation Tilaiya UMPP Jharkhand	972	2430000
10	Tubed	01.08.2007	Hindalco Industries	189	472500
		01.08.2007	Tata Power Ltd.		2500
11	Mandla North	17.09.2007	Jaiprakash Associates Ltd.	194.96	487400
12	Ashok Karkatta Central	06.11.2007	Essar Power Ltd.	110	275000
13	Patal East	06.11.2007	Bhushan Power & Steel Ltd.	200	500000
14	Sayang	06.11.2007	AES Chattisgarh Energy Pvt. Ltd.	150	375000
15	Durgapur II/ Sarya	06.11.2007	DB Power Ltd.	91.67	229175
16	Durgapur II/ Taraimar	06.11.2007	BALCO	211.37	528425
17	Lohara West Exten.	06.11.2007	Adani Power Ltd.	169.832	424580
18	Ardhagram	06.12.2007	Sova Ispat Ltd.	121	302500
		06.12.2007	Jai Balaji Sponge Ltd.	122	305000

YEAR 2008

1	Mandakini	09.01.2008	Monet Isapt & Energy Ltd.	96.84	242100
		09.01.2008	Jindal Photo Ltd.	96.84	242100
		09.01.2008	Tata Power Co. Ltd.	96.84	242100
2	Seregraha	09.01.2008	Arcelor Mittal India Ltd.	83.33	208325
		09.01.2008	GVK Power (Govindwal Sahib) Ltd.	66.67	166675
3	Mahuagarhi	09.01.2008	CESC Ltd.	110	275000
		09.01.2008	Jas Infra. Capital Pvt. Ltd.		
4	Amarkonda Murgadantal	17.01.2008	Jindal Steel & Power Ltd.	205	512500
		17.01.2008	Gagan Sponge Iron Pvt. Ltd.	205	512500
5 & 6	Rampia & Dip Side of Rampia	17.01.2008	Sterlite energy Ltd. (IPP)	112.22	280550
		17.01.2008	GMR Energy (IPP)	112.22	280550
		17.01.2008	Arcelor Mittal India Ltd. (CPP)	84.16	210400
		17.01.2008	Lanco Group Ltd. (IPP)	112.22	280550
		17.01.2008	Navbharat Power Pvt. Ltd. (IPP)	112.22	280550
		17.01.2008	Reliance Energy (IPP)	112.22	280550
7	Fatehpur East	23.01.2008	JLD Yavatmal Energy Ltd.	99.12	247800
		23.01.2008	R.K.M. Powergen Pvt. Ltd.	99.12	247800
		23.01.2008	Visa Power Ltd.	99.12	247800
		23.01.2008	Green Infrastructure Pvt. Ltd.	99.12	0
		23.01.2008	Vandana Vidyut Ltd.	53.52	133800
8	Fatehpur	06.02.2008	SKS Ispat & Power Ltd.	73.85	184625
		06.02.2008	Prakash Industries Ltd.	46.15	115375
9	Choritand Tailiaya	14.05.2008	Rungta Mines Ltd.	18.7	46750
		14.05.2008	Sunflag Iron Steel Ltd.	8.72	21800
10	Rohne	05.06.2008	JSW Steel Ltd.	172.53	431325
		05.06.2008	Bhushan Power & Steel Ltd.	60.23	150575
		05.06.2008	Jai balaji Industries Ltd.	17.23	43075
11	Lohara (East)	27.06.2008	Murli Industries (De-allocated on 17.05.2010)	11.96	29900
		27.06.2008	Grace Industries Ltd. (De-allocated on 17.05. 2010)	16.14	40350
12	Kesla (North)	05.08.2008	Rathi Udyog Ltd.	36.15	90375
13	Macherkunda	05.08.2008	Bihar Sponge Iron Ltd.	23.86	59650
14	Tandsi-III & Tandsi III (Extn.)	05.08.2008	Mideast Integrated Steels Ltd.	17.39	43475
15	Bikram	12.08.2008	Birla Corporation Ltd.	20.98	52450
15	Datima	05.09.2008	Binani Cement Ltd. (De-allocated on 27.04.2010)	13.3	33250
16	Rajhara North (Central & Eastern)	20.11.2008	Mukund Ltd.	10.05	25125
		20.11.2008	Vini Iron & Steel Udyog Ltd.	7.04	17600
17	Gondkhari	21.11.2008	Maharashtra Seamless Ltd.	29.91	74775
		21.11.2008	Dhariwal Infrastructure (P) Ltd.	23.93	59825
		21.11.2008	Kesoram Industries Ltd.	44.87	112175
18	Thesgora-B/ Rudrapuri	21.11.2008	Kamal Sponge Steel & Power Ltd.	30.67	76675
		21.11.2008	Revati Cement Pvt. Ltd.	14.37	35925
19	Bhaskarpara	21.11.2008	Electrotherm (India) Ltd.	24.69	61725
		21.11.2008	Grasim Industries Ltd.	22.22	55550

YEAR 2009

1	Ramchandi Promotion Block	27.02.2009	Jindal Steel & Power Ltd.	1500	3750000
2	North of Arkhapal Srirampur	27.02.2009	Strategic Energy Technology Systems Ltd. (SETSL)	1500	3750000
3	Mednirai	28.05.2009	Rungta Mines Ltd.	80.83	202075
		28.05.2009	Kohinoor Steel (P) Ltd.		
4	Ganeshpur	28.05.2009	Tata Steel Ltd.	137.88	344700
		28.05.2009	Adhunik Thermal Energy Ltd.		
5	Bander	29.05.2009	AMR Iron & Steel Pvt. Ltd.	31.53	78825
		29.05.2009	Century Textiles & Industries Ltd.	47.29	118225
		29.05.2009	JK Cement Ltd.	47.29	118225
6	Khappa & Extn.	29.05.2009	Sunflag Iron Steel Ltd.	53.6	134000
		29.05.2009	Dalmia Cement (Bharat) Ltd.	31.12	77800
7	Rajgamar Dipside (South of Phulakdih Nala)	03.06.2009	Monet Ispat & Energy Ltd.	49.93	124825
		03.06.2009	Topworth Steel Pvt. Ltd.	11.77	29425
8	Dahegaon/ Makardhokra IV	17.06.2009	IST Steel & Power Ltd.	70.74	176850
		17.06.2009	Gujarat Ambuja Cement Ltd.	36	90000
		17.06.2009	Lafarge India Pvt. Ltd.	25.26	63150
9	Andal East	03.07.2009	Bhushan Steel Ltd.	237.23	593075
		03.07.2009	Jai Balaji Industries Ltd.	229.5	573750
		03.07.2009	Rashmi Cement Ltd.	233.27	583175
10	Gourangdih ABC	10.07.2009	Himachal EMTA Power Ltd.	68.85	172125
		10.07.2009	JSW Steel Ltd.	68.85	172125
11	Putra Parogia	09.09.2009	Akaltara Power Ltd. (SPV of Chattisgarh UMPP)	692.16	1730400
12	Pindrakhi	09.09.2009	Akaltara Power Ltd. (SPV of Chattisgarh UMPP)	421.51	1053775
13	Moira-Madhujore	06.10.2009	Ramswarup Lohh Udyod Ltd.	685.39	1713475
		06.10.2009	Adhunik Corporation Ltd.		
		06.10.2009	Rathi Udyog Ltd.	36.15	90375
		06.10.2009	Uttam Galva Steels Ltd.		
		06.10.2009	Howrah Gases Ltd.		
		06.10.2009	Vikas Metal & Power Ltd.		
		06.10.2009	ACC Ltd.		
14	Urtan North	12.10.2009	Jindal Steel & Power Ltd.	46.55	116375
		12.10.2009	Monet Ispat & Energy Ltd.	23.27	58175
			Total Value of Coal Allotted to Private Parties	Rs. (Million)	43969430

Which Equals Rs. 43,96,943 Crores!!!



ANNEXURE-VI**Articles by BJP
Leaders**

PM's defence against coal block allocations dubious

Arun Jaitley

Leader of the Opposition, Rajya Sabha

As it appeared on The Pioneer, Aug 29 2012

<http://dailypioneer.com/nation/90803-pms-defence-against-coal-block-allocations-dubious.html>

The parliamentary stalemate continues on one of the greatest corruption scandals in Indian history. Allocation of natural resources has been a subject matter of public debate in the last two decades, particularly with the entry of the private sector in infrastructure development.

Minerals are an important natural resource. The private sector has a great role to play in development of mineral-based industries. However, the policy of allocation of these natural resources has been discretionary, thereby leaving ample scope for allocation on account of corrupt and collateral motives. It is, therefore, important that aware of the characters of polity and governance, discretions be eliminated and objective criteria be introduced.

COMPETITIVE BIDDING

Most tangible resources such as minerals, spectrum, oil and gas must be allocated only through a competitive bidding mechanism. The discretionary allocation of 2G spectrum resulted in a scam of disproportionate magnitude. It is now proven that Rs.1,658 crore fixed for an all-India licence spectrum in 2008 was not the market value of the spectrum then. Under adverse market conditions, the government itself in 2012 has fixed the base price for 2G auction at Rs.14,000 crore.

There has to be an equitable balance between the interests of the public exchequer and the optimum use of natural resources for economic development.

Whispers about misdemeanours in the allocation of coal blocks have been rife in the last few years. The government took a correct policy decision on June 28, 2004 that competitive bidding be introduced in the coal block allocation policy. For most of the next five years, the Prime Minister was the Coal Minister. The exploitation of coal blocks allotted between 2004 and 2012 is negligible. For most of these coal blocks, statutory and environmental permissions have not been given.

The Prime Minister's argument that pending change of policy to competitive bidding, allocation was necessary for the growth of GDP is eyewash. None of these coal blocks has contributed to the GDP. They have only contributed to the huge valuation of the private sec-

tor allottees and a corresponding opportunity and real cost to the public exchequer.

The Prime Minister's alternative defence is that his government was handicapped by the Opposition from the coal and lignite States to competitive bidding. In any federal polity, it is legitimate for the States to be concerned about the development of power production in their own States. Mineral-producing States have always been concerned about the minerals mined in their States. The Prime Minister overlooks the fact that coal as a major mineral is in the domain of the Central government. His government admittedly overruled the States in 2006. The present Minister of State, Coal, Sriprakash Jaiswal, admitted in Parliament on December 21, 2009 that the majority of States had agreed to the competitive bidding process. Thus to shift the blame to the States is a very poor alibi. Federalism cannot be blamed for the corruption of the United Progressive Alliance.

The Prime Minister's statement is an assault on constitutionalism and constitutional authority. Instead of respecting the observations of the Comptroller and Auditor General of India (CAG) and taking remedial action, the Prime Minister has evolved a logic which is in defiance of ethical governance. His government's policy is to subvert the institutions but if they assert themselves, to attack them.

The Prime Minister has no answer for the fact that despite the initial policy decision of June 2004, it was the Prime Minister's Office which circulated a parallel note on September 11, 2004 highlighting the drawbacks in the decision of competitive bidding.

It was the Law Ministry that delayed the competitive bidding by first giving the opinion that administrative instructions were enough to switch over to competitive bidding. They then suggested an alternative that the Mines and Minerals (Development & Regulation) Act (MMDR) be amended. Over two valuable years were wasted and finally, when the MMDR (Amendment) Bill was approved by Parliament on September 9, 2010, the UPA government took 17 months to notify it. The tenders of competitive bidding have not been prepared yet as the government was so overenthusiastic in continuing the discretionary process in allotment. When vested interests realised that the doors of discretion were about to be closed, they queued up for allotments through the Screening Committee mechanism.

The Prime Minister's final defence that the Screening Committee mechanism was fair and transparent is repelled by an observation of the CAG in Paragraph 4.1 of its report. The CAG has stated:

"It was also noted that the Screening Committee recommended the allocation of coal block to a particular allottee/allottees out of all the applicants for that coal block by way of minutes of the meeting of the Screening Committee. However, there was nothing on record in the said minutes or in other documents on any comparative evaluation of the applicants for a coal block which was relied upon by the Screening Committee. Minutes of the Screening Committee did not indicate how each one of the applicant for a particular coal block was evaluated. Thus, a transparent method for allocation of coal blocks was not followed by the Screening Committee."

Ordinarily, Parliament is the forum for debate on the issue. The Public Accounts Committee (PAC) is the forum where CAG recommendations should be considered. Our experience of the recent past in relation to the CAG recommendations in the 2G spectrum allocation have convinced us that the ruling party has decided to subvert the parliamentary accountability available through the PAC. The PAC has been effectively made non-functional on that issue.

LEGITIMATE TACTIC

Parliamentary obstructionism should be avoided. It is a weapon to be used in the rarest of the rare cases. Parliamentary accountability is as important as parliamentary debate.

Both must co-exist. If parliamentary accountability is subverted and a debate is intended to be used merely to put a lid on parliamentary accountability, it is then a legitimate tactic for the Opposition to expose the government through parliamentary instruments available at its command. Presently, a national debate on allocation of natural resources is on. Left to this government, it would have distributed these resources for collateral purposes to its own favourites.

The Prime Minister must own full and real responsibility. Let him cancel these 142 discretionary allocations, put them on auction and test whether they had been allocated at a fair price.



Excerpts from: "The Allocation of 142 Coal Blocks"

Arun Jaitley

Leader of the Opposition, Rajya Sabha

Complete article on www.bjp.org, Aug 26 2012.

The arbitrary and discretionary allocation of 142 coal blocks is the latest albatross round the neck of the UPA Government. The arrogant and despotic government did not realize when the allocations were made that it would be held accountable for each of these coal block allocations.

The Comptroller and Auditor General has based its' report on the allocation of these coal blocks primarily on the ground that after a decision was taken to switch over to the competitive bidding system it took the government eight years to implement the said decision. During this eight year period 142 coal blocks were allocated to private entrepreneurs most of whom were traders and not actual users. Since the Screening Committee mechanism did not realize the actual value of the coal blocks a monumental loss has been suffered by the Public Exchequer.

The eight year delay is on account of an objection raised by the Prime Minister's office, an incorrect opinion given by the Law Ministry, inordinate delay in drafting an amendment to the law and an inexplicable delay in implementing the amended law. Each of the reasons for delay does not appear to be bonafide.

For almost five out of the eight years the Prime minister was the Coal Minister. He was assisted by a Minister of State. The corridors of power in Delhi are full of information being provided by the then bureaucrats, the successful applicants and more particularly the unsuccessful applicants. These informations reflect a sad commentary on the functioning of the UPA Government. These information reveal

- A case of inefficiency, lack of leadership, delay in the exercise of power for colorable purpose.
- Over eight years were wasted in not implementing the competitive bidding policy so that 142 successful entrepreneurs could be arbitrarily selected.
- The Screening Committee mechanism was a farce. Individual writ of few people who were running the Government influenced the decision.
- Some of the Ministers of State did not come out with any credit. Their role in these allotments appears to be dubious.
- Successful applicants were asked to associate one or more co-allottees by the Ministry.

These were inevitably the political nominees.

- Disturbing information has surfaced that a valuable public resource was being allocated arbitrarily with the underlying condition of political funding of the party in power.
- The officials in the PMO who dealt with the Coal ministry files were not unaware of what was going on.
- Many allottees were traders and not actual users.
- Several allotments have been made without the recommendation of the State Governments.

The whole process of allocation of coal blocks stinks. This raises a larger question of how the Indian State should allocate natural resources. A rudderless government suffering from policy paralysis has sought advisory opinion of the Supreme Court on this larger question. Allocation of natural resources is an issue squarely within the policy domain. Formulation of policy is an Executive function; it is not a judicial function. The Court can merely strike down a policy if it is arbitrary or unconstitutional. The court cannot frame a policy. Which tangible natural resources should be auctioned and which could be allotted on some alternative fair criteria is an issue to be decided by the Government. The courts are an institution empowered to judicially review a decision of the Government. If government formulates a policy which opens the flood gates for corruption, the courts can strike down the policy. What would happen if the courts were to advice the formulation of such an arbitrary policy?

Indian politics is passing through a crisis. The power of politics is immense but the stature of some of the men administering polity is relatively small. It bears no nexus to the extent of power that the polity exercises. As a part of the process of political and governance reforms discretions have to be minimized and eliminated. Every decision of the government has to be based on reason and rationality. Mineral is a valuable natural resource. It occupies an important space in the expansion and development of the Indian economy. Its' allocation both in the Centre and the States through a discretionary process has led to serious charges of corruption. Recent experiences are persuasive enough for the government to legitimize the policy where such allotment of mineral as a tangible resource is made only through a transparent and open bidding system. There is no substitute for such a policy today.

It has been suggested that since the Prime Minister himself was the Coal Minister we should assume that this decision was fair. The Prime Minister's office is a sacred institution in Indian democracy. It has to be judged by standards much harsher than those which would apply to Ministers like Shri A. Raja. If the process of allocation by the Prime Minister as a Coal Minister smacks of arbitrariness it shakes our national conscience. The onus is now on the Prime Minister to accept the responsibility for what has happened.



कोयला घोटाले के कुछ बिन्दु

TALKING POINTS-PRAKASH JVADEKAR

1. 2006 और 2009 के दौरान जबकि प्रधानमंत्री स्वयं कोयला मंत्रालय संभाल रहे थे तब अंधाधुंध तरीके से निजी कंपनियों को मुफ्त में कोयला खदानों का आवंटन हुआ। 72 कोल ब्लॉक्स 142 निजी कंपनियों को बिना पारदर्शिता के दिए गए। इन कोल ब्लॉक्स में 1700 करोड़ टन का कोयला भंडार है, जिसकी कीमत लगभग 51 लाख करोड़ रूपए होती है। और सबसे महत्वपूर्ण बात यह है कि इतने बड़े भंडार को निजी हाथों में देकर सरकार के खजाने में एक भी पैसा नहीं आया। यही इस घोटाले की नींव है।

— इसका दूसरा पहलू यह है कि सरकार ने 2004 में कोयले के खदान नीलामी से बेचने का नीतिगत फैसला लिया, लेकिन बिल तैयार करने में साल लगा दिये। 2006 में यह बिल तैयार हुआ लेकिन, राज्यसभा में इसे और 2 साल की देरी के बाद यानि कि 2008 में पेश किया गया। संसद की स्थायी समिति की रिपोर्ट आने के बावजूद भी बिल पास करने में सरकार ने और 2 साल ले लिए। इस तरीके से 2010 में बिल पास हुआ। नियम बनाने के लिए सरकार ने और 2 साल जाया कर दिये। इस तरह जानबूझकर घोटाला करने के इरापदे से इस प्रक्रिया को सरकार ने इतना लंबा खींचा और 8 साल लगा दिये और इसी दौरान यह बंदरबांट हुई।

— 1974 में कोयले खदानों का राष्ट्रीयकरण हुआ, लेकिन 1993 से निजी एवं शासकीय कंपनियों को इस्पात, सीमेंट एवं बिजली निर्माण के लिए कोल ब्लॉक देने का निर्णय नरसिंह राव सरकार ने किया। 2003 में उनडीए सरकार ने बिजली क्षेत्र में आमूलचूल परिवर्तन करने वाला बिजली सुधार कानून पास किया। इससे निजी क्षेत्र को भी बिजली निर्माण करने का अधिकार मिला। यह सुधार देश के लिए उपयोगी साबित हुआ। इसका एक परिणाम हुआ कि की मांग बढ़ी इस बीच 2004 से दुनिया में कोयले की कीमत भी बढ़ने लगी। कोयले की कीमत 20-25 डॉलर से बढ़कर 130-150 तक बढ़ गई। इन सब घटनाओं के कारण कोयला खदानें हासिल करने की एक होड़ सी मच गई।

— ऐसे समय में सरकार ने नीलामी से कोयला खदान बेचने का निर्णय तो लिया, लेकिन उस पर अमल नहीं किया। और नीलामी की बजाय मुफ्त में कोल ब्लॉकों का आवंटन किया। पैसा सरकार के खजाने में जाने के बजाय कांग्रेस के खजाने में गया। बाजार में जो चर्चा है उसके अनुसार प्रति टन 50-100 रूपए लिए गए, यह लाखों करोड़ों का घोटाला है। सीएजी ने इसे 1 लाख 86 हजार करोड़ का घोटाला कहा है।

2. सीडब्ल्यूजी घोटाला 76 हजार करोड़ का, 2जी घोटाला 1 लाख 76 हजार करोड़ का और अब यह 1 लाख 86 हजार करोड़ का कोयला घोटाला ऐसे अनेक घोटाले यूपीए सरकार ने किए हैं। हवाई जहाज खरीदी में घोटाला, एयर इंडिया को घाटे में लाने से संबंधित घोटाला, हवाई अड्डा घोटाला, चावल घोटाला, श्रद्धा सामग्री क्रय में घोटाला, रक्षा भूमि घोटाला, अन्तरिक्ष देवास जैसे अनेक घोटाले इस सरकार ने किए हैं और एक प्रकार से लूट का एक राज कांग्रेस ने कायम किया है। भाजपा की लड़ाई इस लूट के खिलाफ है।

3. जब किसी घोटाले का पर्दाफाश होता है तो कांग्रेस की प्रतिक्रिया का एक पैटर्न को मिलता है। पहले चरण में वो घोटाले को सिरे से खारिज करती है, दूसरे चरण में वह घोटाले का पर्दाफाश करने वाले (इस प्रकरण में सीएजी) पर ही हमला करती है इसके बाद वह देश को गुमराह करने का कार्य करती है। फिर जो दल इस घोटाले पर ज्यादा मुखर है, उनको बदनाम करने का वह प्रयास करती है। अगर इससे भी काम न चले, तो छोटे अधिकारियों को बलि का बकरा बनाकर प्रधानमंत्री और कांग्रेस हाईकमान को बचाने की पूरी कोशिश करती है। महंगाई, एयर इंडिया, स्पेक्ट्रम जैसे घोटालों में सहयोगी दलों पर दोषारोपण कर उसने बचने का प्रयास किया। अब इस कोयला घोटाले में कांग्रेस की खासी किरकिरी हुई है क्योंकि स्वयं प्रधानमंत्री ही उस वक्त कोयलामंत्री थे और कोयला राज्यमंत्री का पद भी कांग्रेस के पास ही था।

4. सीएजी एक संवैधानिक संस्था है, उसका काम है कि सरकार ने खर्चा कैसे किया और यदि ठीक नहीं किया तो

- कैसे नुकसान, इसका निर्धारण करना है। सीएजी हर साल यह काम करती है, लेकिन कांग्रेस घोटाले का पर्दाफाश होने के कारण बौखलाई है और सीएजी पर ही हमला कर रही हैं।
5. सरकार संसद में चर्चा करने का आग्रह कर रही है, लेकिन यह छालावा मात्र है। सीडब्ल्यूजी घोटाले की चर्चा के समय स्वयं प्रधानमंत्री ने आश्वासन दिया था कि उच्च स्तरीय समीती प्रधानमंत्री कार्यालय में बनेगी और रिपोर्ट के आधार पर कार्यवाही के लिए सीबीआई को कहा जाएगा। शुगुल कमेटी की रिपोर्ट आई और उसमें दिल्ली की मुख्यमंत्री श्रीमती शीला दीक्षित का नाम देखते ही सरकार अपने वायदे से मुकर गई। कार्यवाही के लिए सीबीआई के हाथों देने के बजाय सरकार ने उसे ठंडे बस्ते में रख दिया। 2जी के घोटाले पर हुई बहस में सरकार ने सीबीआई जांच का आश्वासन दिया, लेकिन 16 महिनो तक सीबीआई ने कुछ नहीं किया। यह सरकार के इशारे पर ही हुआ। कांग्रेस की नीति साफ है। घोटाले की बात सामने आती है। तो यह एक दिन चर्चा करके निपटाओ, वायदे करो और भूल जाओ।
 6. 2जी के मामले में भाजपा ने 2010 के शीतकालीन में जेपीसी की मांग की। सरकार ने अड़ियल रुख अपनाते हुए मांग को स्वीकार किया। कांग्रेस के अड़ियल रुख के कारण पूरा सत्र बर्बाद हुआ और फिर अगले सत्र के शुरु में ही उन्होंने जेपीसी मान ली। तब तक वह पीएसी का महिमामंडन करते रहे। लेकिन जब पीएसी ने छानबीन के बाद अपनी रिपोर्ट तैयार की तो कांग्रेस सदस्यों ने समिति की बैठक में हुडदंग मचाकर रिपोर्ट ही वापस होने नहीं दि। इस बार भी वो चर्चा की अपील इसलिए कर रहे है ताकि मामला एक दिन में निपट जाए, लेकिन देश के धन की इस बड़ी लूट के परिपेक्ष भाजपा ने जो स्टैंड लिया है। उससे कांग्रेस दिक्कत में आ गई और रोज परत-दर-परत इस भ्रष्टाचार के नए पहलू सामने आ रहे है। पूरा देश रोज चर्चा का महत्व है, लेकिन वह मात्र डिबेटिंग सोसाइटी नहीं है। जवाबदेही भी एक महत्वपूर्ण मुद्दा है और इस बार भाजपा ने जवाबदेही मांगी है और उसके तहत प्रधानमंत्री का इस्तीफा मांगा है। 142 कंपनियों को दिए गए 72 कोल ब्लॉकों के आबंटन की फाइलों पर प्रधानमंत्री के हस्ताक्षर है। वह अपनी जिम्मेवारी से भाग नहीं सकते।
 7. देश को गुमराह करने के लिए कांग्रेस प्रचारित कर रही है। भाजपा शसित राज्यों ने नीलामी के प्रस्तावों का विरोध किया। यह सरासर झुठ है। सभी राज्यों ने अपने-अपने राज्यों के हितों को आगे रखकर अपनी बात कही है। कांग्रेस शसित महाराष्ट्र और आंध्र के मुख्यमंत्रियों ने भी ऐसी भूमिका ली है। भाजपा मुख्यमंत्रियों ने अपनी भूमिका रखने के बाद में यह साफ किया है कि अगर सरकार नीलामी की नीति पर चलना चाहती है तो उनके राज्य कि खानदानों से राज्य की जरूरत के जितनी कायले की आपूर्ति उनको सुनिश्चित होनी चाहिए और नीलामी से मिलने वाले पैसे में राज्य को हिस्सा मिलना चाहिए। यह भूमिका कतई नीलामी के विराध में नहीं है। सावाल यह है कि नीलामी का निर्माण करके बगैर नीलामी के कांग्रेस ने ब्लॉक बॉटे है। इसका मतलब साफ है कि नीलामी की तलवार लटका कर कांग्रेस ने इस बड़े घोटाले को अंजाम दिया है। सरकार भाजपा मुख्यमंत्रियों की चिट्ठीयों का छोटा सा अंश प्रचारित करती है, लेकिन सभी 28 मुख्यमंत्रियों के पत्र छिपाती है।
 8. जिस तरह से अब मीडिया ने भी नए-नए खुलासे करने शुरु किए है उससे साफ होता है कि कांग्रेस के मंत्रियों ने और नेताओं ने जमकर लूट मचाई और अपने सगे-संबंधियों को कोयले के ब्लॉक आबंटित किए। सीबीआई के शुरुआती छापे से कांग्रेसी नेताओं को कैसे लाभ मिला, इसका खुलासा मिलना शुरु हुआ है। कोयला मंत्री के परिवार में आठ ब्लॉक मिले। इन पीरियड न रखने के कारण ऐसे नेताओं ने अपने हिस्से को खनन के पहले ही फायदे में बेच दिया। 10 रुपये शेयर के लिए 3-3 हजार रुपये की प्रिमियम ली। यानि अगर किसी ने 10 करोड़ रुपये लगाये तो उसके आबंटन के बाद तुरंत 3000 करोड़ बन गए।

9. भारतीय जनता पार्टी के बाद हंसराज अहिर और प्रकाश जावडेकर ने दो साल से लगातार इस भ्रष्टाचार के खिलाफ आवाज उठाई और मार्च 2012 में ही सीवीसी को सारे दस्तावेज सौंपकर जांच की मांग की। सीवीसी ने इस शिकायत की गंभीरता एवं प्रमाणिकता को देखते हुए सीबीआई को जांच के आदेश दिए। सवाल यही है कि प्रधानमंत्री सीबीआई के मुखिया होते हैं। मुखिया की जांच सीबीआई कैसे करेगी इसलिए भी प्रधानमंत्री को इस्तीफा देना चाहिए।
10. इन दोनों ने की हुई शिकायत में धांधली के अनेक उदाहरण दिए हैं। अनेक कंपनियों ब्लॉक्स में मुद्दत समाप्त होने तक भी खदान कार्य नहीं किया है। अनेक कंपनियों की मालिकी बदल गई है इसका मतलब कोयला खदानों को अड़ी कीमत पर बेचा गया है। जिस काम के लिए ये खदान लिए गए उसमें से न तो एक टन इस्पात या सीमेंट का निर्माण हुआ है और न ही एक मेगावाट मात्र भी बिजली पैदा हुई है। अनेक कंपनियां कोयले और अनेक धांधलियों के नमुने बाहर आएंगे।
11. यूपीए की सरकार निजी कंपनियों को बलॉक देने के लिए इतनी आतुर थी कि खुद की कोल इंडिया लिमिटेड ने 138 कोल ब्लॉक्स की मांग की, लेकिन एक भी ब्लॉक का आबंटन नहीं किया।
12. कोल ब्लॉक में खनन का कार्य अगर 3 साल 6 महीनों में शुरू करना अनिवार्य है। 2006 और 2009 के बीच बांटे गए इन कोल ब्लॉकों में एक में भी खनन कार्य शुरू नहीं हुआ है। ऐसी स्थिति में उसकी बैंक गारंटी जब्त करने के कारण एक भी कंपनी की गारंटी जटत नहीं की है।
13. कांग्रेस इस भ्रष्टाचार में पूरी तरह से डूबी है। बचने के लिए कोई रास्ता नहीं दिख रहा है। इसलिए तर्क-कुतर्क करके देश को गुमराह करने की कोशिश कर रही है, जैसे कि चिदंबरम कहते हैं। कि कोयले का खनन ही नहीं हुआ ता नुकसान कैसा और कपिल सिब्बल कहते हैं। कि बैंकों का पौसा खनन में लगा है। और लाइसेंस रद्द नहीं हुआ तो बैंक कर्जा क्यों देगा ?



Now, they have even run out of excuses

Balbir J Punj

Leader of the Opposition, Rajya Sabha

As it appeared on The Pioneer, Sep 10, 2012

<http://www.dailypioneer.com/columnists/item/52423-now-they-have-even-run-out-of-excuses.html>

In the coal block allocation controversy, just as in the earlier 2G Spectrum scam, the Congress first brazenly denied wrongdoing, then pinned the blame on all others but themselves

The policy of shooting the messenger rather than attending to the core of the message has undermined the Congress-led Government, every passing day. The Government targets the Comptroller and Auditor-General's findings as "inappropriate". At the same time, its own doings underline the authenticity of the CAG's findings. It is this that pushes the Government, more specifically the Prime Minister himself, more and more against the wall. The Government's claim was that the captive coal blocks were allotted to fill the huge gap between the demand and supply of coal to core sectors like power, steel and cement. Four to six years after the allocation out of 58 allottees in the private sector, only one has become really operative. This is a fact that the Government silently acknowledges by admitting that it is now issuing notices for penalties and de-allocation on many of them. It means that the CAG's observations are correct.

What does this mean in terms of the Government's credibility? It is logical to assume that the Union Ministry of Coal that hastened to allocate captive coal blocks should also have monitored the use of those blocks by the recipients. Why is it that only after several years the Ministry is taking a slow-motion action on non use of the mines? The deliberate glossing over of the non-use of the mines by the allottees stares in the face of the Coal Ministry, yet the Ministry makes no moves even to ascertain whether the mines are being used. The CAG's findings are a telling indictment of the Government. Read this along with the competitive bidding imbroglio. The Congress has been going to town asking how the CAG can dictate competitive bidding policy on the "elected" Government which is accountable only to the Parliament. That question seems to create the impression that it was the CAG that was pressing for competitive bidding. That is patently wrong.

It was the Government itself that wanted competitive bidding. And why did it want this as against the process of screened allocation prevailing till 2004? Paragraph 4.2 of the CAG report details first the endorsement of competitive bidding by the Government in 2004 and then the contortions through which the same Government goes to delay the decision it says it wants to take. The report notes that "the concept of allocation of captive road blocks through competitive bidding was first made public on June 28, 2004, at an interactive meeting held with the stake-holders under the chairmanship of Secretary (Coal). Following the meeting a comprehensive note on "Competitive Bidding for allocation of coal blocks" was submitted (July 16, 2004) by the Secretary (Coal) before the Minister of State, Coal and Mines.

What happens afterwards? There are a whole lot of convolutions and contortions in the Government's stand that the CAG lists on a factual basis which have been widely reported in the media ever since the report was presented to Parliament. There is a huge delay in amending the Mines and Minerals (Development and Regulation) Act. The Government is trying to justify the delay by citing the so-called objections of some State Governments. That this is nothing more than an excuse can be seen from what the same Government told Parliament on December 21, 2009, that the majority of States had agreed to the competitive bidding process. Obviously, the present explanation that some States objected, and, therefore, as true federalists, the UPA regime could not override the States, is a post facto invention to justify the six-year delay in resorting to competitive bidding.

The deliberation in this delay - obviously to please its patrons-is even more telling. Parliament approved an amendment to MMDR Act on September 9, 2010, that made competitive bidding the process of allotting any more mines. But the same Government that now claims it was all for bidding takes another two years even to notify the rules for auctions. Note the two-year delay: The law was approved for amendment on September 9, 2010 and the rules were notified on February 2. So, the claimed enthusiasm for competitive bidding is nothing but a sham.

It could be that the early enthusiasm for competitive bidding was just another ploy to tell its cronies that bidding is coming; so friends, hurry up with your offers to us if you want to get the mines in your name. And, then followed another five years of procrastination, during which the Government merrily made the allotments. Meanwhile, the same Government not only allocates the blocks but does not care even to find out through physical inspection whether the beneficiaries are actually mining the coal or not; all this while, power producers including public sector NTPC is shutting generating capacity for lack of coal and private sector power plants go idle for want of coal. What transparency, and what talk!

Transparency should have meant that the applications were properly screened for their eligibility and standing in the three industries for which captive coal was to be allotted, namely power, steel and cement. The CAG has found that "there was nothing on record in the said minutes (of the screening committee) or in other documents on any comparative evaluation of the applicants". Nor is there anything on record to show how the evaluation was done. And, who is talking of windfall gain? In his note on recommending competitive bidding addressed to his Minister of State, the Secretary (Coal) writes: "Since there is a substantial difference between price of coal supplied by Coal India and coal produced through captive mining, there is a windfall gain to the person who is allotted a captive block."

The Congress has put out several calculations to condemn the CAG's estimate of this windfall gain. But the records show that the CAG has estimated the gain to the private companies exactly on the basis of the calculation recorded by the Secretary (Coal) as far back as July 2004. The CAG is also just repeating what the specific note of the Secretary said, "The bidding system will only tap part of the windfall profit for the public purpose." Compare this with what the CAG has said quoted in an earlier paragraph. This is not the first instance of this Government indulging in futile denials.

The present set of events almost exactly follows what happened on the 2G scam. There too the CAG's estimate was questioned by no less than the incoming Union Minister for Telecommunications, Kapil Sibal, who insisted that the loss the Government was "zero". Now he has had to eat his words after the same Government has determined the reserve price for bids for 2G spectrum at `14,000 crore, that adds up to the loss that the CAG estimated then. Will history repeat itself?



संसद की सही भूमिका

कोयला घोटाले के मुद्दे पर संसद में विपक्षी दलों के ट
यवधान को सही ठहरा रहे हैं बलबीर पुंज

क्या संसद का मानसून सत्र व्यर्थ गया ? यदि उपलब्धियों की दृष्टि से देखा जाए तो यह सत्र बहुत सफल रहा। यह ठीक है कि संसद 13 दिनों तक चली नहींए परंतु संसद ने अपना काम बखूबी किया। संसद के मुख्यतः तीन काम होते हैं। एक, सामयिक विषयों पर चर्चा। दूसरा वाद-विवाद कर कानून बनाना और तीसरा, सरकार को जनता के प्रति उसके कृत्यों के लिए जवाबदेह बनाना। कोयला ब्लडक आवंटन में मची लूट के कारण वाद-विवाद और कानून बनाने की प्रक्रिया 13 दिनों तक अस्तव्यस्त रही, किंतु सरकार को जनता के प्रति जवाबदेह बनाने का जो भार संसद पर था उस दायित्व को विपक्ष ने सफलता से निभाया। यदि इस घोटाले पर भी संसद में चर्चा की खानापूर्ति हो जाती तो कॉमनवेल्थ, 2जी, अंतरिक्ष और रक्षा घोटालों की तरह कोयला घोटाला भी दफन हो गया होता। यदि विपक्ष जनता की आवाज बन इस लूट के विरोध स्वरूप संसद बाधित नहीं करता तो आज सीबीआई जिस तरह कोयला आवंटन पाने वाली कंपनियों पर छापे मार रही हैए क्या वह संभव हो पाता।

विपक्ष के प्रचंड विरोध के कारण ही कोयला घोटाले की परतें खुलने लगी हैं। रोजाना नए नाम जुड़ रहे हैं, जिनमें अधिकांश कांग्रेसी नेता और उनके परिजन हैं। कांग्रेसी नेता विजय दरडा को तो राज्य सरकार की अनुशांसा के बगैर ही कोयला खदान आवंटित कर दी गईए किंतु सरकार 'पूर्ण पारदर्शिता बरतने' और 'शून्य नुकसान' होने का कुर्तक दे रही है। कैसी पारदर्शिता ? पारदर्शिता तब साबित होती जब जिन कंपनियों को कोयला खदानें आवंटित की गईए उनकी पृष्ठभूमि की जांच भी स्क्रीनिंग कमेटी करती। जिन कंपनियों को कोयला खनन का कोई अनुभव नहीं हैए उन्हें खदानें क्यों आवंटित की गई ? यदि कहीं कोई गड़बड़ी नहीं हुई तो आज सीबीआई तथ्य छिपाने, त्रुटिपूर्ण जानकरी देने और जालसाजी करने के आरोप में कंपनियों पर छापे क्यों मार रही है ? सन 2003 में भाजपानीत राजग सरकार द्वारा पावर सेक्टर को सरकारी आधिपत्य से मुक्त करने के बाद कोयले की मांग में भारी परिवर्तन आया। तब ऊर्जा के क्षेत्र में निजी क्षेत्र की कंपनियों की रुचि बढ़ी। वहीं 1991 में प्रारंभ किए गए आर्थिक सुधारोंए जिन्हें राजग सरकार ने तेजी से आगे बढ़ाया थाए के कारण आधारभूत संरचनाओं वाले पावरए सीमेंट और स्टील की मांगों में उछाल आने के कारण कोयले की भारी मांग थी। सन 2004 में सरकार बदल गई। कोयले की मांग और कोयला आवंटन की परंपरागत नीति की खामियों को देखते हुए तत्कालीन कोयला मंत्रालय के सचिव ने सरकार को एक नोट भेजाए जिसमें बताया कि यदि इसी तरह कोयला आवंटन जारी रहा तो इसके लाभार्थियों को छप्परफाड़ मुनाफा होगा। सचिव ने 2004 में ही नीलामी के माध्यम से कोल ब्लडक आवंटित करने की अनुशांसा की थी, किंतु प्रधानमंत्री कार्यालय ने इस सुझाव का विरोध किया। क्यों ?

बाद में प्रधानमंत्री कार्यालय ने नीलामी व्यवस्था अपनाने के लिए विधि मंत्रालय से राय मांगी। विधि मंत्रालय ने तब यह कहा था कि कोयला ब्लॉक नीलामी के आधार पर देने चाहिए और यह एक प्रशासनिक आदेश से हो सकता है किंतु प्रधानमंत्री कार्यालय ने उस राय को निरस्त कर दिया और दूसरी राय मांगी। क्यों ? इस बार विधि मंत्रालय ने माइंस एंड मिनरल्स (डेवलपमेंट एंड रेगुलेशन) एक्ट में संशोधन करने का सुझाव दिया जो कि एक लंबी प्रक्रिया है। फिर सरकार ने कहा कि चूंकि यह लंबी प्रक्रिया है और जब तक प्रक्रिया पूरी होगी तब तक कोयले का आवंटन रोकना ठीक नहीं है। आवंटन रोकने से स्टील, सीमेंट और पावर क्षेत्र का काम ठप हो जाएगा, जिसका जीडीपी पर असर पड़ेगा। सच तो यह है कि सरकार को न तो जीडीपी की चिंता थी और न ही ऊर्जा क्षेत्र को उबारना उसकी प्राथमिकता थी। क्या यह सच नहीं है कि आवंटित किए गए कुल 145 ब्लॉक में से एक को छोड़कर बाकी किसी में कोई खनन नहीं हुआ ? एक ओर एनटीपीसी और अन्य निजी विद्युत कंपनियों को कोयले की कमी के कारण ठप थीं या क्षमता से कम उत्पादन कर रही थीं, वहीं सरकार इन कंपनियों को कोयला आवंटन कर अपना वारान्यारा कर रही थी।

एमएमडीआर अधिनियम में संशोधन वर्षा लटका रहा। सरकार अब यह दलील दे रही है कि कुछ राज्यों द्वारा नीलामी व्यवस्था का विरोध किए जाने के कारण संशोधन लाने में विलंब हुआ। सच तो यह है कि राज्यों ने 2006 में ही नीलामी के पक्ष में सहमति दे दी थी, बशर्ते उससे पैदा होने वाले राजस्व में उनका भी अंश निर्धारित किया जाए। स्वयं तत्कालीन कोयला राज्यमंत्री, जो अभी कोयला मंत्री हैं, ने 21 दिसंबर 2009 को संसद को यह बताया था कि अधिकांश राज्य नीलामी व्यवस्था के लिए सहमत हैं, किंतु संशोधन लाने में छह साल की देरी की गई। संशोधित होने वाले विधेयक का मसौदा 2006 में तैयार था, परंतु सरकार ने इसे 2010 में पारित किया और उसके जो नियम उपनियम थे उन्हें फरवरी 2012 में प्रकाशित किया। इस तरह एक कानून बनाने में आठ साल का लंबा समय लगाया गया। यह विलंब क्यों ?

इस साल जून में सरकार ने आवंटित कोयला खदानों में हुए खनन की जांच के लिए एक अंतर मंत्रालय समूह बनाया था। कोयला मंत्रालय की अतिरिक्त सचिव जोहरा चर्टजी इस समूह की मुखिया थीं। उन्होंने अपनी ड्राफ्ट रिपोर्ट में यह कहा था कि 53 आवंटन तुरंत रद्द किए जाएं। महालेखा परीक्षक ने जिन 145 कोयला ब्लॉक के कुल 57 आवंटन पर 1.86 लाख करोड़ का घोटाला होने की बात की है उनमें से यही 53 ब्लॉक अकेले 1.85 लाख करोड़ के घोटाले के लिए जिम्मेदार हैं अर्थात् 57 में से 53 निकाल दें तो चार आवंटन केवल 1000 करोड़ के घोटाले के लिए जिम्मेदार हैं। इतने बड़े पैमाने पर लूट हुई है और सरकार शून्य नुकसान का दावा करती है।

2जी स्पेक्ट्रम आवंटन घोटाले में ऐसी ही बंदरबांट नीति के अंतर्गत नौ लाइसेंस दिए गए थे। सरकार ने प्रति लाइसेंस 1658 करोड़ रुपये बेस प्राइस निर्धारित किया था अर्थात् राजस्व में कुल 14,922 करोड़ रुपये आए। विपक्ष के मुखर विरोध और न्यायालय के हस्तक्षेप के कारण सरकार को लाइसेंस रद्द करने पड़े। नए सिरे से लाइसेंस जारी करने के लिए सरकार ने अब प्रति लाइसेंस 14,000 करोड़ रुपये बेस प्राइस तय किया है। अर्थात् नई दर के हिसाब से प्रति लाइसेंस 12 हजार 342 करोड़ का चूना राजकोष को लगाने की व्यवस्था सरकार ने की थी। अब नई दर के हिसाब से 1.26 लाख करोड़ रुपये राजकोष में आएगा। कोयला घोटाले की भी क्षतिपूर्ति हो, यह विपक्ष का दायित्व बनता है। यदि 2 जी मामले में तत्कालीन संचार मंत्री ए राजा जेल जा सकते हैं तो प्रधानमंत्री अपने पद पर कैसे रह सकते हैं।



कोयला घोटाले में काले हुए हैं हाथ

*अपनी सरकार को घोटालों से लड़ने को कहें, इसके बजाय
यूपीए अध्यक्ष उसे विपक्ष से लड़ने को कह रही हैं*

एन.टी. रामकृष्ण रेड्डी

(सांसद एवं पूर्व केन्द्रीय मंत्री भारत सरकार)

वर्तमान समय में भारतीय संसद का काम ठप्प है। कर्द सवाल सरकार और विपक्ष से पूछे जा रहे हैं। मुद्दा है 1 लाख 86 हजार करोड़ के कोयले घोटाले का। सीएजी रिपोर्ट ने प्रधानमंत्री के अधीन रहे कोयला मंत्रालय में बड़े पैमाने पर गड़बड़ी की बात कही है। इस लेकर विपक्ष, विशेष कर बीजेपी ने प्रधानमंत्री से नैतिक जिम्मेदारी लेने की मांग उठाई। सरकार ने इस मांग की तुरंत खारिज ही नहीं किया बल्कि सीएजी रिपोर्ट आने के एक घंटे के अंदर उसे 'बकवास' भी करार दिया। कांग्रेस और उसकी सरकार में मंत्रियों ने एक साथ संवैधानिक संस्था सीएजी, विपक्ष और विपक्ष की कई राज्य सरकारों पर हल्ला बोल दिया और कहा कि घोटाला, केंद्र सरकार ने नहीं बल्कि विपक्ष और उनकी राज्य सरकारों ने किया है। अजीब लोग हैं क्या-क्या पते छिपाते हैं। कही पे लूट हुई है कहीं बताते है।

तेवर और कलेवर

सरकार के इस व्यवहार ने संसद में कोयला घोटाले के तेवर और कलेवर का एहसास सदन में चर्चा से पहले ही साफ कर दिया था। विपक्ष और देश को यह लग गया था कि सरकार राज्य विधानसभाओं मके होने वाली बहस को संसद में कराना चाहती है। ये वे विधानसभाएं हैं जहां कांग्रेस मुख्य विपक्षी दल है। कभी भी इन घोटालों और राज्य सरकारों के उनमें शामिल होने की बात कांग्रेस ने उन विधानसभाओं में नहीं उठाई और अब दूसरों के सिर ठीकरा फोड़कर अपने को पाक-साफ साबित करने की कोशिश कर रही है।

प्रधानमंत्री जी ने पिछले एक हफ्ते से अपने मंत्रियों प्रवक्ताओं द्वारा दिए जा रहे बयानों के संकलन को रस्मी तौर पर संसद के पटल पर रखकर और बाहर मीडिया के सामने पढ़कर अपने जिम्मेदारी से पल्ला झाड़ लिया इस बयान में न तो घोटालों के गुरुघंटालों के खिलाफ कार्रवाई का जिक्र थाना ही नैतिक जिम्मेदारी का एहसास। यदि संसद में बहस होती तो यही कुतर्क दिए जाते। सरकार जिस चर्चा के न हो पाने पर इतने कष्ट में है, क्या उसमें वह कोई नए तर्क, तथ्य लाने वाली है, या वहीं ढांक के तीन पात-‘हमने कुछ नहीं किया, सब विपक्ष ने किया है’।

ब्लैकमेलर कौन

आज देश संसदीय इतिहास के एक बड़े राजनैतिक संकट से दो-चार हो रहा है, जब सरकार और विपक्ष आपसी संवाद के बजाय मीडिया के माध्यम से बात कर रहे हैं। सदन का पटल प्रबंधन और विपक्ष से संवाद सरकार को जिम्मेदारी होती है, सरकार को जिम्मेदारी होती है, पर सरकार के मंत्री सदन के भीतर विपक्ष की तरह शोर-शराबा करते दिख रहे हैं। युपीए की मुखिया सत्तापक्ष को हंगामा करने के लिए प्रोत्साहित करती दिखती हैं। मुख्य विपक्षी पार्टी को ब्लैकमेनर कह रही है।

हमारी संसद ने अपने छह दशकों से ज्यादा के इतिहास में बहुत से ऐसे घोटाले देखे हैं, बहस देखी है, कार्रवाई देखी है। 1948-49के बीच फौज में जीप खरीद घोटाला, जिसमें तत्कालीन रक्षामंत्री को दोषी करार दिया गया। 1955 में पूंजीपति सिराजउद्दीन एंड कंपनी का डायरी बम, जिसमें कई बड़े नेताओं की दलाली की बात उजागर हुई। 1957 में उद्योगपति हरीशचंद्र मूंदड़ शेर घोटाला, जिसमें तत्कालीन वित्तमंत्री टीटी कृष्णमांचारी को पद से हटाया गया। 1971 में नागरवाला कांड, जिसमें तत्कालीन प्रधानमंत्री और पीएन हक्सर पर बैंक से फर्जी लेनदेन का आरोप था। 1980 में तेल कुआं कांड जिमें तेल व डीजल के ठेकों में बड़े पैमाने पर घोटाले की बात आई थी। 1982 में अंतुले सीमेंट घोटाला, 1986 में बोफोर्स घोटाला जिसकी आंच स्व. राजीव गांधी तक पहुंची। हर्षद मेंहता शेर घोटाला जिसमें संसद ने दो केंद्रीय मंत्रियों वी शंकरानन्द और राजेश्वर ठाकुर की दोषी पाया इस्तीफा लिया। 1993 में बंदरगाह घोटाला, जिसमें भूतल परिवहन मंत्री जगदीश टाइलर बुरी तरह फंसे थे। 1994 में चीनी घोटाला जिसमें तत्कालीन मंत्री कल्पना राय, वाणिज्य सचिव तेजेंदर खन्ना, कैबिनेट सचिव जफर सैपुल्ला पर गंभीर आरोप लगे थे। ऐसे तमाम मुद्दों पर संसद ने चर्चा की और जबाबदेही भी तय की, पर ऐसा कभी नहीं हुआ कि सरकार ने चर्चा से पहले ही मुद्दे को खारिज कर दिया हो। आज का कोयला घोटाला सीएजी के रिपोर्ट के बाद सामने आया है जिसमें 1 लाख 86 हजार करोड़! के नुकसान की बात कहीं गई है। सवाल यह है कि 1993 से 2004 तक जहां देशभर में मात्र 215 कोयला खदानें आमंटित हुईं, वहीं कांग्रेस नेतृत्व वाली वर्तमान सरकार ने 2004 से 2009 के बीच डेढ़ सौ बड़ी कोयला खदानों का आवंटन कर डालती है। मंत्रियों और औद्योगिक घरानों को कोयले की खदानों का जमींदार बनाया गया। सरकार दलील दे रही है कि खदानों से खनन हुआ ही नहीं तो घोटाला या घाटा कैसे। यह तर्क वैसा ही है जैसे कोई व्यक्ति सस्ते दामों में कोई जमीन का टुकड़ा खरीद ले और 10 साल बाद कहे कि हमने इस जमीन पर मकान नहीं बनवाया तो इसकी कीमत कैसे बढ़सकती है। सरकार के तर्क से एक सवाल और खड़ा होता है। कोल माफियाओं ने खदानों से कोयला नहीं निकाला जिसके चलते कोयले की जरूरत पूरी करने के लिए 20 गुने दामों में सरकार को विदेशों से कोयले का आयात करना पड़ा, यानी दोहरी मार।

उदारवाद नहीं, उधारवाद

इसी घोटाले-घपले का नतीजा है कि हमारी संपूर्ण अर्थव्यवस्था चरमरा गई है। देश आर्थिक उदारवाद की जगह उधारवाद के रास्ते पर खड़ा हो गया है। महंगाई सिर चढ़कर बोल रही है, बेरोजगारी चरम पर है। आज वह कहावत पूरी तरह चरितार्थ हो रही है कि कोयले के घोटाले में हाथ भी काला, मुंह भी काला। कांग्रेस का हाथ काला हो गया और सरकार का मुंह। इस सबके बावजूद सरकार को गलतीका कोई एहसास नहीं है और वह चोरी और सीनाजोरी के सिद्धांत पर चल रही है। मजे की बात यह है कि यूपीए की मुखिया विपक्ष से पूरी ताकत से लड़ने का आह्वान कर रही है। ऐसा आह्वान वे महंगाई, भ्रष्टाचार, घोटालों, आतंकवाद से लड़े के लिए अपनी सरकार और कांग्रेस से करतीं तो सरकार के चेहरे पर पुती कालिख कुछ कम होती।

व्यक्तिगत चर्चा के लिए



तोल-मोल का कोल

edrkj vckl udoh

(सांसद एवं पूर्व केन्द्रीय मंत्री भारत सरकार)

देश भारतीय लोकतंत्र की सबसे बड़ी राजनैतिक अविश्वसनीयता, गैर जिम्मेदारी और बेईमानी के काले दौर से गुजर रहा है, जब भ्रष्टाचार और घोटालों को लोकतांत्रिक अधिकार और जनधन की लूट को जनादेश बताकर सत्तापक्ष अपनी हर बुराई पर बेशर्मी का पर्दा डाल रहा हो। विपक्ष की संसद में उठ रही आवाज साबित करने की बेसुरी कोशिश हो रही है। देश की पहली लोकसभा के उस इतिहास को जिसके सदस्य जवाहर लाल नेहरू, बल्लभ भाई पटेल, बी0आर0 अम्बेडकर, मौलाना कलाम, सुचेता कृपलानी, अशोक मेहता, रफी अहमद किदवई, बाबू जगजीवनराम सरीखे लोग थे, और विपक्ष नाम मात्र का था, तब भी विपक्ष की आवाज नक्कार खाने में तूती की आवाज नहीं बल्कि सुनी-समझी और स्वीकार की जाती थी। उस समय सड़क की भावना और संसद के कानूनों, प्रवधानों के बीच सामन्जस्य और संवाद ही संसदीय लोकतंत्र का मूल मंत्र था। भारतीय संसद, साठ दशकों से ज्यादा तक देश के सामने आई विभिन्न चुनौतियों पर चर्चा और समाधान अपनी संवैधानिक, राजनैतिक लोकतांत्रिक जिम्मेदारी का एहसास कराती रही है।

पिछले तीन दशकों से देश के संसदीय इतिहास ने करवट ली और गठबन्धन और गठजोड़ से सरकारों का गठन शुरू हुआ। किसी एक पार्टी को बहुमत ना मिलने पर कुछ क्षेत्रिय पार्टियों के साथ साझा कार्यक्रमों के आधार पर सरकारें बनी, कुछ पार्टियों ने अपने क्षेत्रीय और राजनैतिक हितों को ध्यान में रखकर ऐसी सरकारों को बाहर से भी समर्थन दिया। समय-समय पर कुछ बड़ी पार्टियों ने भी गठबन्धन सरकारों को बाहर से समर्थन दिया, जैसे वामपंथी दलों द्वारा यू0पी0ए0-1 को दिया समर्थन या कांग्रेस द्वारा चन्द्रशेखर सरकार या भाजपा द्वारा वी0पी0 सिंह सरकार को बाहर से दिया समर्थन प्रमुख है। यह अलग बात है कि इनमे से अधिकांश बड़ी पार्टियों ने उक्त सरकारों से बीच में ही समर्थन वापस लिया। उसके पीछे अपने-अपने राजनैतिक तर्क और कारण थे।

आज संसद में घोटालों, भ्रष्टाचार पर सरकार, प्रधानमंत्री को नैतिक जिम्मेदारी लेने की मांग पर चर्चा और बहिर्गमन, हंगामा देश में बड़ा मुद्दा है। विपक्ष द्वारा संसद में अपनी बात पुरजोर तरीके से रखना और सत्ता के अहंकार और अनसुनी पर समय-समय पर हंगामा, बहिर्गमन संसदीय इतिहास-परम्परा का हिस्सा है। भारत तो दुनिया का सबसे बड़ा लोकतंत्र है, ऐसी स्थिति तो उन संसदीय लोकतंत्र वाले देशों में भी होता है, जहां मतदाताओं और चुने हुए प्रतिनिधियों की संख्या भारत के मुकाबले पांच प्रतिशत भी नहीं होती। अल्जीरिया, अंगोला, आस्ट्रेलिया बेल्जियम, ब्राजील, कनाडा, कोरिया, इजराईल, इटली, न्यूजीलैण्ड, माल्टा, फिलीपीन्स, सौमालिया, जाम्बिया, वियतनाम, आदि ऐसे बहुत से देश हैं जहां संसदीय लोकतंत्र हैं। वहां भी बहिर्गमन, हंगामे के बीच विपक्ष अपनी बात रखता रहा है या विपक्ष की बात अनसुनी होने पर संसद का काम-काज हतो ठप्प रहता है।

कुछ ऐसे देश जरूर हैं जहां जनभावनाओं और विपक्ष की आवाज को दबाने की कोशिश की जाती रही है जिसके नतीजे में वहां का लोकतंत्र, लंगडा-लूला हो चुका है, पड़ोस का पाकिस्तान इसका ज्वलन्त उदाहरण है। भारत ने भी आपातकाल में ऐसे काले युग को देखा है।

वर्तमान समय में भारतीय संसद का काम ठप्प है, कई सवाल सरकार और विपक्ष से पूछे जा रहे हैं, मुद्दा है। 186 हजार करोड़ के “कोयले घोटाले,, का, संवैधानिक संस्था सी0ए0जी0 का जिसमें ने प्रधानमंत्री के आधीन रहे कोयला मंत्रालय में बड़े पैमाने पर गड़बड़ी-लूट की बात कही है। इसे लेकर विपक्ष विशेषकर भाजपा ने प्रधानमंत्री से नैतिक जिम्मेदारी लेने की पुरजोर मांग उठाई। सरकार ने इस मांग को तुरन्त खारिज ही नहीं किया बल्कि सी0ए0जी0 रिपोर्ट आने के एक घंटे के अन्दर उसे “बकवास,, भी करार दिया, कांग्रेस उसकी सरकार के मंत्रियों ने एक साथ संवैधानिक संस्था सी0ए0जी0, विपक्ष और विपक्ष की कई राज्य सरकारों पर हल्ला बोल दिया, और कहा “घोटाला केन्द्र सरकार ने नहीं, बल्कि विपक्ष और उनकी राज्य सरकारों ने किया है। सी0ए0जी0 की रिपोर्ट राजनैतिक पूर्वाग्रह का हिस्सा है।”

सरकार के इस व्यवहार ने संसद में कोयला घोटाले के तेवर और क्लेवर का एहसास सदन में चर्चा से पहले ही साफ करा दिया था, और विपक्ष और देश को यह भी महसूस करा दिया था कि सरकार राज्य की विधान सभाओं में होने वाली बहस को संसद में कराना चाहती है, जिन राज्य सरकारों की बात कांग्रेस कर रही है वह राज्य सरकारें और विधान सभाएं हैं, जहां कांग्रेस मुख्य विपक्षी दल है, कभी भी इन घोटालों और राज्य सरकारों के उनमें शामिल होने की बात कांग्रेस ने उन विधान सभाओं में नहीं उठाई। इस पर यही कह सकते हैं-

^vthc ykx g\$D; k&D; k i rs fNikrs g\$
dgh is yW gpl g\$ dgha crkrs g\$A**

प्रधानमंत्री ने पिछले एक हते से अपनी मंत्रियों, प्रवक्ताओं द्वारा दिए जा रहे बयान का संकलन को रस्मी तौर पर संसद के पटल पर और बाहर मीडिया के सामने पढ कर अपनी जिम्मेदारी से पल्ला झाड लिया। और विदेश चले गये उनके बयान के बाद भी सवाल वही का वही खड़ा रहा इस बयान में “घोटालों के गुरु घंटालों,, के खिलाफ ना तो कार्यवाही का जिक्र, ना ही नैतिक जिम्मेदारी का एहसास, यदि संसद में बहस होती-चर्चा होती तो यही कुर्तक दिए जाते जिसे प्रधानमंत्री ने अपने बयान में और मंत्रियों ने मीडिया में दिए, और इन्ही बैतुके, बेसुरे, बयानों के आधार पर सरकार चर्चा और बहस की बात कर रही है।

आज देश संसदीय इतिहास एक बड़े राजनैतिक संकट से दो चार हो रहा है, जब सरकार और विपक्ष आपसी संवाद के बजाय मीडिया के माध्यम से बात कर रहे हों। ऐसी स्थिति देश में कभी नहीं आई, सदन का पटल प्रबन्धन एवं विपक्ष से संवाद सरकार की जिम्मेदारी होती है, पर सरकार के मंत्री सदन के भीतर विपक्ष की तरह शोर शराबा करते दिख रहे हैं, यू0पी0ए0 के मुखिया सत्तापक्ष को हंगामा करने के लिए उकसा और प्रोत्साहित करती दिखती हैं। मुख्य विपक्षी पार्टी को ब्लैक मेलर कह रही है। कोयला मंत्री धमकी दे रहे हैं कि “कांग्रेस के कार्यकर्ता देश के चप्पे-चप्पे पर हैं, भाजपा को सबक सिखा देंगे।” “कांग्रेस के एक नेता कह रहे हैं कि भाजपा के गुंडों से निपटना आता है” यानी संसद की लड़ाई सड़क पर वह भी बहुत ही भौंडी-भेदी मानसिकता के साथ। हमने भी इन बयानों पर यही कहा कि-

^ ml us vi us dks rks jxnkj l e> j [kk g\$
gedks cl jr dh nhokj l e> j [kk g\$A**

सत्ता का गुरुर और कुर्सी का अहंकार इस बेशर्मी के साथ सिर पर चढ़ कर बोलेगा, इसका अन्दाजा उन लोगों को भी नहीं होगा जिन्होंने कांग्रेस को वोट देकर सत्ता सौंपी है।

हमारी संसद ने अपने छः दशकों से ज्यादा के इतिहास में बहुत से ऐसे घोटाले, मुद्दे देखे हैं, बहस देखी है, कार्यवाही देखी है, कांग्रेस की ही सरकारों में घोटालों की लम्बी लिस्ट है। 1948-49 के बीच फौज में जीप खरीद घोटाला, जिसमें तत्कालीन रक्षा मंत्री को इसी संसद ने दोषी करार दिया, 1955 में पं० बंगाल के पूंजी पति सिराजउद्दीन एण्ड कम्पनी का डायरी बम, जिसमें कई बड़े नेताओं को दी गई दलाली की बात उजागर हुई, 1957 में उद्योगपति हरीशचन्द्र मुन्द्रा शेयर घोटाला, जिसमें तत्कालीन वित्तमंत्री टी.टी. कृष्णामाचारी को पद से हटाया गया, 1971 में नागरवाला काण्ड, जिसमें तत्कालीन प्रधानमंत्री श्रीमती गांधी और पी०एन० हक्सर पर बैंक से फर्जी लेन देन का आरोप था। बाद में नागरवाला की संदिग्ध हालात में मौत हो गई, 1980 में तेल कुआं काण्ड, जिसमें तेल एवं डीजल के ठेकों में बड़े पैमाने पर घोटाले की बात उजागर हुई थी, 1982 में अन्तुले सीमेन्ट घोटाला, चुरहट घोटाला, 1986 में बोफोर्स घोटाला जिसकी आंच स्व. राजीव गांधी तक पहुंची, हर्षद मेहता शेयर घोटाला जिसमें संसद ने दो केन्द्रीय मंत्रियों वी० शंकरानन्द और राजेश्वर ठाकुर को दोषी पाया, इस्तीफा लिया।

1993 में बन्दरगाह घोटाला, जिसमें भूतल परिवहन मंत्री जगदीश टाइटलर बुरी तरह फंसे थे, 1994 में चीनी घोटाला जिसमें तत्कालीन मंत्री कल्पनाथ राय, वाणिज्य सचिव तेजेन्द्र खन्ना, कैबिनेट सचिव जफर सैफुल्ला पर गम्भीर आरोप लगे थे, कांग्रेस सरकार के दौरान ही 133 करोड़ का यूरिया घोटाले की भी संसद में चर्चा हुई। ऐसे तमाम मुद्दों पर संसद ने चर्चा भी की और जबाबदेही भी तय की, पर ऐसा कभी नहीं हुआ कि सरकार ने चर्चा से पहले ही मुद्दे को खारिज कर दिया हो। दरअसल तब की कांग्रेस "भ्रष्टाचार की हिस्ट्रीशीटर पार्टी" थी, अब "घोटालों की मल्टी नेशनल कम्पनी" बन गई है। जिसे ना भारतीय हितों का ख्याल है ना जन सरोकार की चिन्ता।

कोयला घोटाला, सी०ए०जी० के रिपोर्ट के बाद सामने आया है जिसमें 1 लाख 86 हजार करोड़ के घोटाले, की बात कही गई है, सवाल यह है कि 1993 से 2004 तक जहां देश भर में मात्र दो सौ पन्द्रह कोयला खदानें आवंटित होती हैं, वहीं कांग्रेस नेतृत्व वाली वर्तमान सरकार ने 2004 से 2009 के बीच देढ़ सौ बड़ी कोयला खदानों का आवंटन कर डाला। यानी बारह वर्षों में मात्र दो सौ छोटी-बड़ी कोयला खदानों का आवंटन और चार वर्षों में 150 से ज्यादा बड़ी कोयला खदानों का सभी नियमों, कानूनों को ताक पर रख कर किया गया आवंटन। जिसकी वजह से 1 लाख 86 हजार करोड़ के घोटाले, घाटे की बात कही गई। सरकार से आनन फानन में सम्बन्धित मंत्रियों, औद्योगिक घरानों को कोयले की खदानों का जमींदार बनाया गया।

सरकार तर्क यह दे रही है कि खदानों से खनन हुआ ही नहीं तो घोटाला या घाटा कैसे, यह तर्क वैसा ही है जैसे कोई व्यक्ति सस्ते दामों में कोई जमीन का टुकड़ा खरीद ले और 10 साल बाद तर्क दे कि "हमने इस जमीन पर मकान बनवाया ही नहीं तो इसकी कीमत कैसे बढ़ सकती है,, या कोई व्यक्ति यह कहे कि "उसने बीस साल पहले जिस दाम में सोना खरीदा था, उसका दाम कैसे बढ़ सकता है। जब उसने उसका गहना ही नहीं बनवाया।" सिर्फ यही नहीं इस सरकार के तर्क से एक सवाल और खड़ा होता है कि क्यों कोल माफियाओं और औद्योगिक घरानों ने जिन्हे कोल ब्लॉक आवंटित हुए ने कोयले खदानों से कोयला नहीं निकाला, जिसके चलते कोयले की जरूरतों को पूरा करने के लिए 20 गुने दामों में सरकार को विदेशों से कोयले का आयात करना पड़ा। यानि दोहरी मार, जमाखोरी और काला बाजारी का अपराध भी इस "कोयला घोटाले,, से जुड़ा रहा है। कोयले का अपार भण्डार होने के बावजूद बीस गुने दामों पर विदेशों से कोयला खरीद हुई। जिसका जीता जागता सबूत है कि पिछले तीन वर्षों में हमारे देश में कोयले के अपार भण्डार होने के बावजूद कोल इण्डिया लिमिटेड ने दक्षिण अफ्रीका के लिमपोपो प्रान्त में कोल सम्पत्ति खरीदी, मोजाम्बिक के टेटे

प्रान्त में 224 वर्ग किमी. का कोयला क्षेत्र लीज होल्ड पर मंहमें दामों में लिया स्टील अथारिटी, इस्पात निगम, एन0टी0पी0सी0 आदि सरकारी संस्थानों ने कोयला प्राप्त करने हेतु विदेशी कम्पनियों से ऊंचे दामों में अनुबंध किया।

इसी घोटाले-घपले का नतीजा है कि हमारी सम्पूर्ण अर्थ व्यवस्था चरमरा गई है, देश "आर्थिक उदारवाद की जगह उधारवाद,, के रास्ते पर खड़ हो गया है। मंहगाई सिर चढ़कर बोल रही है बेरा. जगारी चरम पर है। आज वह कहावत पूरी तरह से चरित्रार्थ हो रही है कि कोयले के घोटाले में हाथ भी काला-मुंह भी काला-कांग्रेस का हाथ काला हो गया और सरकार का मुंह। इन सबके बावजूद सरकार किसी तरह की गलती का एहसास नहीं कर रही है और चोरी और सीना जोरी के सिद्धान्त पर चल रही है। मजे की बात यह है कि सरकार की मुखिया विपक्ष से पूरी ताकत से लड़ने का आवहान कर रही है, अच्छा होता कि वह ऐसा आवहान मंहगाई, भ्रष्टाचार-घोटालों, आतंकवाद से लड़ने के लिए अपनी सरकार और कांग्रेस से करती तो सरकार के चेहरे पर पुती कोयले की कालिख कुछ कम होती।

आज कोशिश की जा रही है कि कोयला घोटलों के खिलाफ उठी आवाज की हवा निकाल दी जाय भाजपा को अलग-थलग कर दिया जाय और जनादेश के नाम पर, बहुमत के नाम पर, संख्या बल के नाम पर घोटाले, भ्रष्टाचार को खेल जारी रखा जाय, लोगों में आक्रोश बढ़ रहा है, जिसका एहसास ना सरकार को है ना कांग्रेस को, यही आक्रोश सरकार के अहंकार के ताबूत में आखरी कील साबित होगा, लोग तो बस इन्तजार कर रहे हैं कह रहे हैं कि-

^mlga crkvka gok, a cny Hkh I drh gA
ejh rckgh is tks ylx ełdjkrā gAA**



THE GREAT COAL ROBBERY

A BJP Publication
September 2012

...I was holding the charge of Coal Minister for a part of the time covered by the report. I want to assure Hon'ble Members that as the Minister in charge, I take full responsibility for the decisions of the Ministry.

— Prime Minister
Dr Manmohan Singh

Delay in introduction of the process of competitive bidding has rendered the existing process beneficial to private companies.

— CAG Report on Allocation
of Coal Blocks

If coal is not mined, if coal remains buried in mother earth, where is the loss? The loss can arise only if one tonne of coal is taken out of mother earth and sold at some unacceptable 'price or value.'

— Finance Minister
P Chidambaram

If someone takes out money from Chidambaram's bank account, puts it in one's own account but doesn't encash it, will he assume he has not suffered a loss?

— Shri Arun Jaitley, Leader of
the Opposition, Rajya Sabha

Earlier the Bofors was a talking point. People forgot about it. Now it is coal. This too will be forgotten.

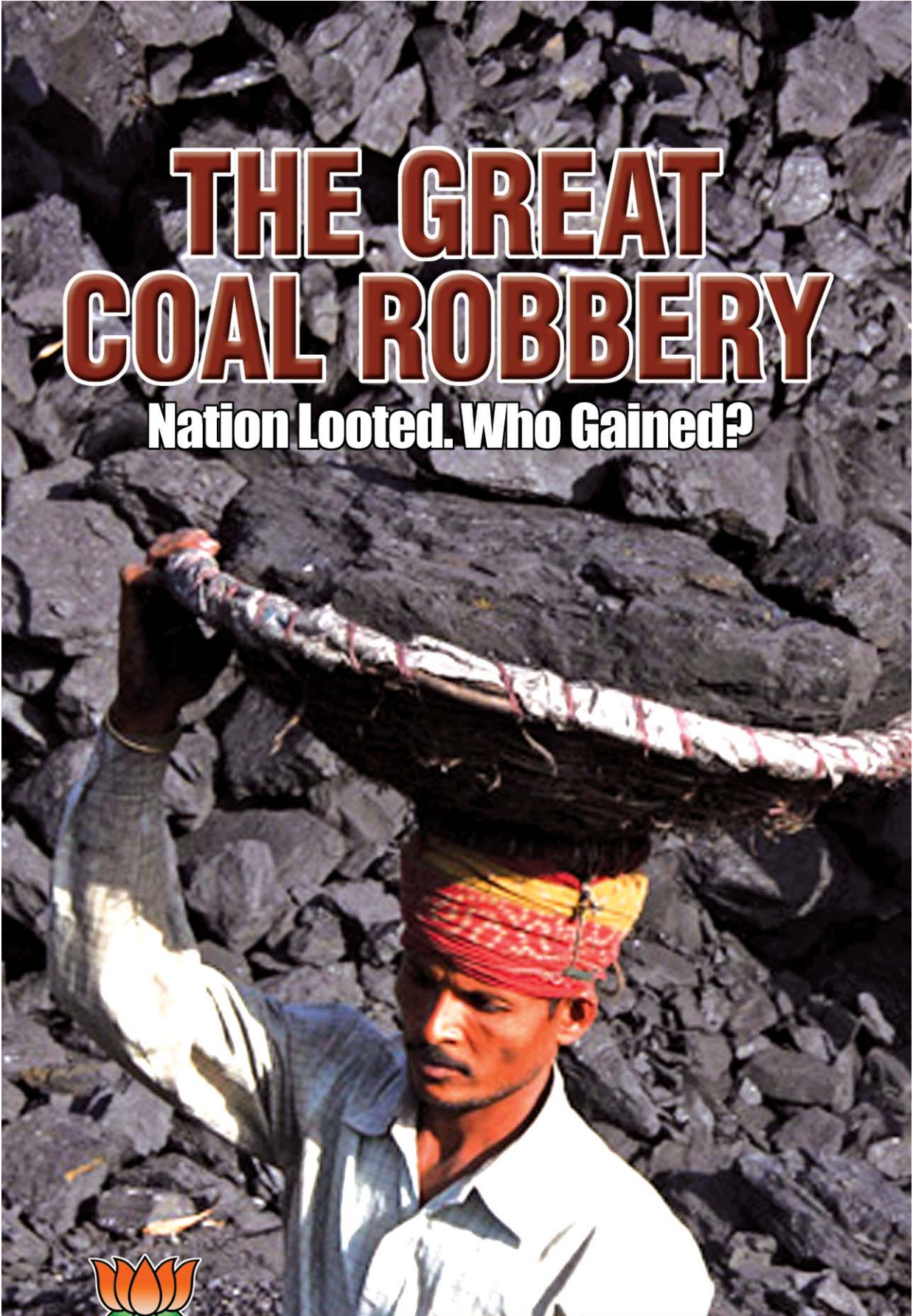
— Home Minister
Sushilkumar Shinde

It seems like the scams by the UPA Government are competing against each other. I am accusing the government that it delayed the process of policy making, so that it could allocate coal blocks quickly. Revenue came, but not to the government, it went to the Congress Party.

— Smt Sushma Swara, Leader of
the Opposition, Lok Sabha

THE GREAT COAL ROBBERY

Nation Looted. Who Gained?



BHARATIYA JANATA PARTY