

## Schedule - II

### Format of Affidavit (In Original on minimum Stamp paper of Rs. 100/-) to be submitted by the Consumer

Deponent: ..... aged about ..... years, Occupation:  
Business, Proprietor / Director / Partner of M/s .....  
resident of .....

#### AFFIDAVIT

I, ..... designation ....., aged about .....  
years, Occupation - Business, resident of ..... do  
hereby take oath and state on solemn affirmation as under:

1. I am Proprietor / Director / Partner of M/s .....,  
situated at ....., engaged  
in for manufacturing of .....
2. I am authorized by the above unit / company to swear this affidavit on oath, as I am  
well conversant with the facts of the matter;
3. That my / our unit is in regular operation in manufacturing of ..... and coal  
is used in our unit;
4. That I / we have obtained necessary License / No Objection Certificate / Clearances /  
Permissions from the appropriate authorities to operate the said unit for the  
manufacturing of above mentioned product;
5. I confirm that annual coal consumption in the said unit is less than 10,000 MT and it  
does not have any existing linkage of coal from any nationalized coal company for  
which coal will be procured through Coal e-Distribution by Bihar State Mining  
Corporation Ltd. (BSMC);
6. That my / our unit has actually consumed ..... MT of coal for our production in  
FY 2017-18, ..... MT in FY 2018-19 and ..... MT in FY 2019-20;
7. That my / our unit has applied to purchase of Coal from Bihar State Mining Corporation  
Ltd., Patna for manufacturing purpose which is to be supplied by the subsidiaries of  
Coal India Limited who will allocate the said quota to BSMC for onward distribution to  
the consumers in Bihar State during the year 2020-21 and 2021-22. All necessary  
documents required for registration would be submitted by us to BSMC within the  
timelines notified by BSMC.

8. That whatever quantity of coal will be allocated by BSMC to my / our unit, I / we will lift the same and utilize the entire quantity of coal in our own unit and for our own production only.
9. I / we undertake to lift the Coal and transport it to our said unit at our own cost from any colliery as allotted to BSMC by Coal India subsidiaries.
10. I hereby state that whatever decision regarding distribution of coal quota for financial year 2020-21 and 2021-22 that may be taken by BSMC will be binding on us and we will not raise any dispute or claim of whatsoever nature, any time in future, regarding the said distribution of coal quota so done by BSMC
11. I / we hereby confirm that the coal shall be supplied to us only against advance payment only. At the end of the relevant period, if any amount paid by us towards supply of coal stands to the credit of our account, being unutilized amount. BSMC shall refund such unutilized amount as and when received from the Coal Company, on our application. I / we further state that no interest shall be payable to us on such unutilized amount standing at the credit of our account. I we undertake to sign the Fuel Supply Agreement (FSA) with BSMC which shall contain detail terms and conditions regarding the supply of coal
12. BSMC is only a channelling agent as made clear by the Government: we specifically understand that BSMC shall not be responsible for quantity, quality, loss in transit change in Government policy and non-availability of coal from coal companies. I / we also understand that BSMC shall not be responsible for any change in Coal Policy and its resultant consequences.
13. That I / we shall maintain all necessary records of coal received from BSMC, its consumption production, sales, electricity consumption, and worker's wages etc. and will make them available to the Officers of BSMC / any other Officers authorized by Government, us and when required. And shall also submit the utilization report of coal quantity in prescribed format. I / we indemnify BSMC / Government that the failure in submission of utilization report / certificate shall result in suspending / cancellation of coal quota allotted to our unit without prejudice to above, BSMC / Government shall be at liberty to take necessary action, as deemed fit / after giving reasonable opportunity of being heard, in case of misutilisation, non-submission of utilization or breach of any terms and conditions of FSA.
14. I / we have made application for grant of EC to SEIAA / DEIAA which has not been rejected / cancelled by the authority.

15. I / we have valid CTO or applied for CTO to State Pollution Control board, Bihar which has not been rejected / cancelled by the authority.

16. I / we hereby confirm that no notice has been received from any state / central / any other authority for the closure of our unit.

17. I / we hereby confirm that all the documents submitted by me / us are authentic and valid.

**Hence this affidavit.**

**Signature of Deponent**

(Name.....)

Place: .....

Date: ...../...../2020

**Authorised Proprietor / Director / Partner of**

M/s .....

**Verification**

Verified that the contents of above affidavit from Para 1 to 17 are true and correct to the best of my knowledge and information received from official records of the company / unit.

Hence verified and signed at ..... on this ..... day of ..... 2020.

Signature of Deponent

**I know and identify the deponent**

**Advocate**

Before Me

(Before\_\_\_\_\_)