

Format for Affidavit to be submitted by the applicant for Coal allotment/  
recommendation on Rs.100/- Non-Judicial Stamp Paper.

**BEFORE THE EXECUTIVE MAGISTRATE .....**

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

**AFFIDAVIT**

I,.....  
..... designation....., aged .....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 industrial unit is registered as Medium/Small/Micro industry and it is in regular operation in manufacturing of.....(product) having SSI registration Number..... Dated.....
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. That our unit has lifted .....MT of coal during the year 2014-15 and .....MT during 2015-16.
6. That our unit has actually consumed.....MT of coal for our production in 2014-15 and .....MT in 2015-16.
7. I state that our unit has applied for purchase of coal to Maharashtra state mining corporation Ltd. (MSMC), Nagpur for manufacturing purpose and to be supplied from collieries of Western coalfields Ltd. (WCL) who will allocate the said quota to MSMC for onward distribution to the MSME units in State during the year 2016-17 and 2017-18.
8. I will apply to M.S.M.E/RITES (technical agencies) to undertake the assessment of coal quota for our unit. I shall ensure to get the latest assessment done from the technical agency, on or before 31/12/2016. I understand that failure to get the assessment done within this period shall result in forfeiting of my security deposit by MSMC and blacklisting of my unit from future coal allotments. The decision of MSMC will be final in this matter and the same shall be binding on me.
9. That whatever quantity of coal will be released by MSMC to my/our unit, I/We will lift the same and utilize the entire quantity of coal in our own factory and for our own production only.
10. I/We undertake to lift the material at our own cost from any colliery as allotted by MSMC and we shall not have any choice as to colliery and grade of coal.
11. MSME/RITES has previously assessed the coal quota of .....MT per month per shift for our units.
12. I state that our units is running in .....shifts and the monthly quota of coal of our units (including.....shifts) is ..... MT per month .if at any time that inspection carried out by MSMC, if it is observed that our unit is not running any particular shift then MSMC will be within its rights to suspend our monthly coal quota.
13. I/We state and certify that the presently coal requirement of my/our unit is .....MT per month, and the same has not been sanctioned by the coal assessment committee. I state that if the coal assessment done by technical agencies (M.S.M.E/RITES) or sanctioned by Allocation Committee is lesser than what is certified by me, then MSMC is hereby authorized to deduct excess quantity of coal allocated to/lifted by us from our subsequent month's quota.
14. I hereby declare that the coal quota which the coal Assessment committee may sanction to our unit will be binding on us.

15. I hereby state that whatever decision regarding distribution of coal quota for year 2016-17 and 2017-18 that may be taken by MSMC 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 MSMC.
16. 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, MSMC 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 MSMC which shall contain detail terms and conditions regarding the supply of coal.
17. MSMC is only a channeling agent as made clear by the Government; we specifically understand that MSMC 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 MSMC shall not be responsible for any change in Coal Policy and its resultant consequences.
18. That I/We shall maintain all necessary records of coal received from MSMC, its consumption, production, sales, electricity consumption, and worker's wages etc. and will make them available to the Officers of MSMC/any other Officers authorized by Government. And shall also submit the quarterly utilization report of coal quantity in prescribed format. I/We indemnify MSMC /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, MSMC/Government shall be at liberty to initiate appropriate legal proceedings in case of misutilisation, non-submission of utilization or breach of any terms and conditions of FSA.

**Hence this affidavit.**

**Signature of Deponent**

(Name.....)

**Nagpur**

**DATE: / /2016**

**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 Nagpur on this.....day  
of....., 2016.

Signature of Deponent

**I know and identify the deponent**

**Advocate**

Before Me

(Before Executive Magistrate)