

1993-94 are as follows:-

(Rs. crores)

Coal Companies	Power Sector	
	Total amount deducted	Deduction on account of quality
1. Eastern Coalfields Ltd. (ECL) Central	36.23	10.85
4. Coalfields Ltd. (CCL) Western Coalfields	282.38	137.13
5. Ltd. (WCL) South Eastern Coalfields	98.26	75.10
6. Ltd. (SECL) Mahanadi Coalfields Ltd.	211.13	77.56
7. (MCL) Bharat Coking Coalfields Ltd.	79.13	41.07
8. (BCCL) Northern Coalfields Ltd. (NCL.)	351.09	220.87
North Eastern Coalfields (NCL)	131.64	18.91
Total	1189.86	581.49

(c) to (e) Yes, Sir. Coal India Limited is doing sampling of coal for coal despatched to power houses at the loading end. CIL has already written to the power houses requesting them to depute their representatives to participate in the joint sampling arrangements at the loading end.

Writ Petition by UPSEB on Quality of Coal and Weighment

3501. SHRI DIPANKAR MUKHERJEE: Will the Minister of COAL be pleased to state:

(a) whether Uttar Pradesh State Electricity Board has filed a writ petition in the Allahabad High Court demanding: that testing of quality of coal and weighment thereof should be carried out inside the Thermal Power Stations of UPSEB and not in the collieries;

(b) if so, the direction of the court and its compliance;

(c) whether other State Electricity Boards also disputed against the sampling and weighment at collieries; and

(d) if so, what action is contemplated by his Ministry to sort out the dispute

apprehension of the power generation agencies on this issue?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI AJIT KUMAR PANJA): (a) and (b) Uttar Pradesh State Electricity Board (UPSEB) had filed a writ petition before the Hon'ble Allahabad high Court demanding sampling of coal and not of weighment at thermal power station end. The Court while disposing the said writ petition passed an order for the constitution of a high level Committee at the Secretary level. Since the decision about sampling of coal at the loading point was already taken by a Committee of Secretaries prior to passing of the order of the Hon'ble High Court, Coal India Limited (CIL) has filed an application for modification/vacation of the said order before the Hon'ble High Court.

(c) Punjab State Electricity Board (PSEB) and Madhya Pradesh Electricity Board (MPEB) had also filed writ petitions disputing sampling at the colliery end in the Hon'ble Punjab and Haryana High Court and Hon'ble Jabalpur High Court respectively. The

writ petition filed by MPEB was dismissed. PSEB has filed a Special Leave Petition (SLP) before the Supreme Court of India after their writ petition was disposed of by the Hon'ble High Court.

(d) Coal companies are responsible for supply of correct quality and quantity of coal at the pit heads. This is also the point where the property in coal is transferred to the consumers or their transport agents. The quality and quantity of coal supplies have to be verified by the consumer at the point where he or his agent takes possession and any discrepancy regarding weight and quality should be sorted out on that basis. The legal responsibility of the supplier ceases as soon as the property in goods is transferred to the consumer. This is also the position under the Sales of Goods Act.

Deduction of Dues Owed by the SEBs to Coal India Limited

3502. SHRI PRAMOD MAHAJAN: Will the Minister of COAL be pleased to state:

(a) the extent of dues owed by the state Electricity Boards (SEBs) to Coal India Limited (CIL) as on date;

(b) whether Coal India Limited had proposed to the Planning Commission for the deduction of dues owed by the SEBs to Coal India Limited directly from the Central fund allocations to State;

(c) if so, what action the Planning Commission have taken on this proposal and what are the reasons in that behalf;

(d) in how many cases such deduction from the Central fund allocation have been allowed in the past and what are the details and reasons therefor;

(e) whether there is a possibility that the proposed World Bank loan of \$ 500 million might be jeopardised unless urgent steps are taken to bring down the dues; and

(f) if so, what steps Government have taken or propose to take in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI AJIT KUMAR PANJA): (a) According to information furnished by Coal India Limited (CIL), as on 30.6.1994, the total amount of outstanding dues from State Electricity Boards/Power Utilities on account of Coal supplies was Rs. 3215.39 crores of which Rs. 1842.44 crores was undisputed.

(b) and (c) CIL have suggested that their undisputed dues payable by State Electricity Boards (SEBs) could be deducted from Central Plan allocations of the respective States. However, the State Government have been opposing any such deductions.

(d) In the past, when coal sale dues from power sector had increased to a level of Rs. 1877 crores in 1990, Government of India had intervened. It was then decided that the undisputed dues of Rs. 1093.44 crores from SEBs as on 31.5.1990 would be recovered from Central Plan Assistance of the respective States. This recovery has been made in four equal annual instalments. The last instalment has been recovered during 1993-94. The recovery was as follows:—

Year	Amount (in crores)
1990-91	Rs. 273.39
1991-92	Rs. 273.35
1992-93	Rs. 273.36
1993-94	Rs. 273.34
Total	Rs. 1093.44

(e) Lending institutions make detailed assessment of credit worthiness of the intending borrowers before actual lending. Recovery of dues significantly affects the credit worthiness of the borrowing organisation.

(f) Following steps are being taken by CIL/Government to contain and