

# The Odisha Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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No. 1942, CUTTACK, TUESDAY, NOVEMBER 25, 2014/ MARGASIRA 04, 1936

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## STEEL & MINES DEPARTMENT

### NOTIFICATION

The 25th November, 2014

No. 9055-XII-DG-SM-132/2014/SM.—As per the recommendations of Hon'ble Justice M. B. Shah Commission of Enquiry, the State Government has been pleased to constitute a Special Investigation Team (SIT) with the following Members to investigate the allegations regarding certain transactions between the Odisha Mining Corporation Ltd. with M/s. Kalinga Commercial Corporation (KCC) Ltd. The contract between the two entities was basically to off-load the existing Departmental and its Associated works of Daitari Iron Ore Mines on BOT basis. The composition of the Special Investigation Team will be as follows:—

1. Sri Suresh Chandra Mohapatra, IAS - Chairman  
Principal Secretary, Energy Department.
2. M.D., OMC Ltd. - Member
3. Deputy Director of Mines, Jajpur Road - Member
4. A.G.M. (Material) (O/o OMC Ltd.) - Member
5. Regional Manager, Daitari (O/o OMC Ltd.) - Member-Convenor
6. One Member from Finance Stream  
Preferably a Chartered Accountant  
to be selected by the Chairman. - Member

(1) Terms of reference of the SIT:-

The SIT will enquire into the following:—

- (i) Irregularities/ illegalities in awarding the contract to M/s. Kalinga Commercial Corporation Ltd.
- (ii) The actual claims of M/s. KCC Ltd. towards its so called Capital Investments.

- (iii) Certification by a host of OMC official at Daitari site countersigning the Contractor's Bill certifying its actual delivery and usage at BOT site.
  - (iv) Allegations regarding proposals by OMC officials for payment for usage of machinery despite the same not being covered by the Contract (Force Majeure and other clauses).
  - (v) Whether the amounts can be paid to KCC Ltd. without the disputes being referred to Arbitration.
  - (vi) Any other issue which the SIT may consider relevant may be gone into.
- (2) In terms of order dated the 5th November, 2012 passed in WP(C) No. 523/13 of Hon'ble High Court of Odisha, KCC Ltd. will participate in the enquiry with officials of OMC Ltd. and shall have the right of hearing before the Expert Team.
- (3) The Expert Team (SIT) will visit the site for actual physical verification.
- (4) The Special Investigation Team will conclude the Enquiry within four weeks of its constitution and a report of the Expert Team/SIT shall be submitted before the Hon'ble High Court of Odisha within one week from the date of conclusion of its investigation.

By Order of the Governor

G. SRINIVAS

Commissioner-cum-Secretary to Government