

Date: 03/02/2017

Corrigendum to EOI Request issued by NMET
(EOI Request No: 4/1/2015-NMET dated December 27, 2016)

The amendments mentioned in this Corrigendum shall be applicable to the EOI Request issued by NMET for the purpose of Empanelment of Explorers with NMET pursuant to Notice dated December 27, 2016 issued in this regard.

Sr. No.	Reference to Clause in EOI Request	As appearing in Original EOI Request	To be read as
1.	1.2	"Consortium" shall refer to a group of maximum 3 (three) entities that have collectively submitted an EOI in accordance with the provisions of this EOI Request and pursuant to a consortium agreement entered into amongst them;	"Consortium" shall refer to a group of maximum 3 (three) Members that have collectively submitted an EOI in accordance with the provisions of this EOI Request and pursuant to a consortium agreement entered into amongst them;
2.	1.15	"Member" shall mean each Eligible Entity forming part of a Consortium;	"Member" shall mean a Company or partnership firm or sole proprietorship firm forming part of a Consortium;
3.	1.20	"Parent" means, with respect to an Interested Explorer , any entity which directly or indirectly, holds more than 50 % (fifty per cent) equity in the Interested Explorer ;	"Parent" means, with respect to an Interested Explorer (other than a Consortium) , any entity which directly or indirectly, holds more than 50% (fifty per cent) equity in such Interested Explorer ;
4.	4.1 (b)(iii)	Ensure official intimation and clearances from the local administration, police, forest officials, village/panchayat heads etc. and other stakeholders before commencement of work in the area.	Commence provision of Exploration Services to NEA, upon NEA procuring necessary clearances from the local administration, police, forest officials, village/panchayat heads etc., and other stakeholders
5.	5.1	Only Eligible Entities i.e., companies, partnership firms and Consortiums of companies and/or partnership firms can submit an EOI in response to this EOI Request.	Only Eligible Entities i.e., companies, partnership firms and Consortiums can submit an EOI in response to this EOI Request.
6.	5.1.2	In case of firms, only partnership firms are eligible for participation and not sole proprietorship firms.	In case of firms, (i) sole proprietorship firms are eligible to participate only as Member of Consortium (and submit an EOI in response to this

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			EOI Request as part of the Consortium), and not independently; (ii) Partnership firms are eligible to participate independently or as Member of Consortium and submit an EOI in response to this EOI Request.
7.	5.1.3	Consortiums with one of the companies or partnership firms acting as the Lead Member are allowed to submit an EOI. For Consortiums participating in the empanelment process, it shall also be noted that:	Consortiums with one of the Members acting as the Lead Member are allowed to submit an EOI. For Consortiums participating in the empanelment process, it shall also be noted that:
8.	5.1.3.1	The companies or partnership firms forming a Consortium shall have to keep the original composition of the Consortium unchanged throughout the Period of Empanelment;	The Members forming a Consortium shall have to keep the original composition of the Consortium unchanged throughout the Period of Empanelment;
9.	5.3	The Interested Explorer must meet the Clause 17.1 of the EOI Request. In case of Consortium submitting an EOI, the financial capabilities of the any member may be considered for meeting the financial qualification as specified under Clause 17.1 of this EOI Request.	The Interested Explorer must meet the Clause 17.1 of the EOI Request. In case of Consortium submitting an EOI, the financial capabilities of any Member may be considered for meeting the financial qualification as specified under Clause 17.1 of this EOI Request. However, the conditions related to Parent will not be applicable in case of Consortiums.
10.	10.2.1(ii)	Certified copy of memorandum respective jurisdiction). In case of a Consortium submitting an EOI, the memorandum of association and articles of association, partnership deed/equivalent constituent and incorporation documents for all the	Certified copy of memorandum respective jurisdiction). In case of a Consortium submitting an EOI, the memorandum of association and articles of association in case of a company, partnership deed in case of a partnership firm, registration

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		Members of the Consortium shall be submitted;	certificate and notarized affidavit (regarding its proprietorship) in case of a sole proprietorship firm, as applicable, or equivalent constituent and incorporation documents for all the Members of the Consortium shall be submitted (in case the Member is a foreign Eligible Entity, such document will need to be certified by a director or company secretary along with an unqualified opinion issued by the legal counsel of such foreign Eligible Entity stating that the company/partnership firm/sole proprietorship firm is duly and validly constituted and is in existence (or operation) and is in compliance with the applicable law of the respective jurisdiction);
11.	10.2.1(iii)	Letter of Authority along with board resolution/power of attorney duly executed by such partners as authorized by the partnership deed governing such partnership, authorizing the person signing the EOI on behalf of the Interested Explorer (Annexure 3). In case the Interested Explorer is a foreign Eligible Entity such board resolutions/power of attorney duly executed by such partners as authorized by the partnership deed governing such partnership shall be supported by an unqualified opinion issued by the legal counsel of such foreign Eligible Entity stating that the board resolutions/power of attorney duly executed by such partners as authorized by the	Letter of Authority along with board resolution/power of attorney duly executed by such persons as authorized by the charter or constitution documents of the company or such partners as authorized by the partnership deed governing such partnership, as applicable, or notarized affidavit by sole proprietorship (in case the Lead Member of the Consortium is a sole proprietorship), authorizing the person signing the EOI on behalf of the Interested Explorer (Annexure 3). In case the Interested Explorer is a foreign Eligible Entity such board resolutions/power of attorney/ notarized affidavit shall be supported by an unqualified opinion

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		partnership deed governing such partnership, are in compliance with the applicable law of the respective jurisdictions of the issuing entity and the authorizations granted therein are true and valid;	issued by the legal counsel of such foreign Eligible Entity stating that the board resolutions/ power of attorney/ notarized affidavit, are in compliance with the applicable law of the respective jurisdictions of the issuing entity and the authorizations granted therein are true and valid;
12.	10.2.1(v)	In case of a Consortium, board resolution/power of attorney duly executed by such partners as authorized by the partnership deed governing such partnership for participating in Consortium from each of the Consortium Members in favour of the person signing the EOI. In the event, any Member of the Consortium (other than Lead Member) is a foreign Eligible Entity, such board resolutions/power of attorney duly executed by such partners as authorized by the partnership deed governing such partnership shall be supported by an unqualified opinion issued by the legal counsel of such foreign Eligible Entity stating that the board resolutions/power of attorney duly executed by such partners as authorized by the partnership deed governing such partnership, are in compliance with the applicable law of the respective jurisdictions of the issuing entity and the authorizations granted therein are true and valid;	i. In case of a Consortium, board resolution/power of attorney duly executed by such persons as authorised by the charter or constitution documents of the company or such partners as authorized by the partnership deed governing such partnership, as applicable, or notarized affidavit by sole proprietorship, for participating in Consortium from each of the Consortium Members in favour of the person signing the EOI. In the event, any Member of the Consortium (other than Lead Member) is a foreign Eligible Entity, such board resolutions/power of attorney/ notarized affidavit shall be supported by an unqualified opinion issued by the legal counsel of such foreign Eligible Entity stating that the board resolutions/power of attorney/ notarized affidavit, are in compliance with the applicable law of the respective jurisdictions of the issuing entity and the authorizations granted therein are true and valid;
13.	10.2.1(vi)	In case of a Consortium, a power of attorney in favour of the Lead Member issued by all the other	In case of a Consortium, a power of attorney (as per format attached hereto as Annexure 5) duly

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		Members of the Consortium shall be provided in original as per format attached hereto as Annexure 5. In the event, any Member of the Consortium (other than Lead Member) is a foreign Eligible Entity, such board resolutions/power of attorney duly executed by such partners as authorized by the partnership deed governing such partnership shall be supported by an unqualified opinion issued by the legal counsel of such foreign Eligible Entity stating that the board resolutions/power of attorney duly executed by such partners as authorized by the partnership deed governing such partnership, are in compliance with the applicable law of the respective jurisdictions of the issuing entity and the authorizations granted therein are true and valid;	executed by such persons as authorised by the board resolution/ charter or constitution documents of the company or such partners as authorized by the partnership deed governing such partnership, as applicable, or notarized affidavit in case of a sole proprietorship firm, in favour of the Lead Member issued by all the other Members of the Consortium shall be provided in original. In the event, any Member of the Consortium (other than Lead Member) is a foreign Eligible Entity, such board resolution/power of attorney/notarized affidavit shall be supported by an unqualified opinion issued by the legal counsel of such foreign Eligible Entity stating that the board resolution/power of attorney/notarized affidavit are in compliance with the applicable law of the respective jurisdictions of the issuing entity and the authorizations granted therein are true and valid;
14.	10.2.1(vii)	Any other relevant information which the Interested Explorer would like to submit in support of its EOI;	In case any Member of a Consortium is a sole proprietorship firm, then valid identity proof (PAN card in case of Indian entities) and address proof of the sole proprietorship firm and its proprietor will need to be submitted. In case the sole proprietorship is a foreign entity then equivalent documents (tax registration certificate or business entity registration certificate) will need to be submitted supported by an unqualified opinion issued

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			by the legal counsel of such foreign entity stating that the identity and address proof of such sole proprietorship and its proprietor are valid and subsisting.
15.	10.2.1(viii)	-	Any other relevant information which the Interested Explorer would like to submit in support of its EOI;
16.	10.2.2	(iv) Completion Certificate from sub clause (iii) above. Explanation: For the purpose of sub-clause (iii) and (iv) above as per the Minerals (Evidence of Mineral Contents) Rules, 2015].	(iv) Completion Certificate from sub clause (iii) above (v) In the absence of documents mentioned in sub-clause (iii) and (iv) above or where the exploration project has been undertaken by the Interested Explorer (Lead Member in case of Consortiums) for itself, a. Project Report or Extended Summary detailing work done as part of an exploration project b. Duly notarized affidavit supporting the exploration project experience submitted (vi) Where the exploration project has been undertaken by a key employee (who has led an exploration project) of the Interested Explorer (Lead Member in case of Consortiums), a. Experience Certificate from the relevant Employer for whom the exploration project was executed stating the exploration activities completed as part of the project (as listed in 10.2.2. (iii) above) and that such person has led the project

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			b. Duly notarized affidavit supporting the exploration project Experience Certificate submitted Explanation: For the purpose of sub-clause (iii), (iv), (v) and (vi) above as per the Minerals (Evidence of Mineral Contents) Rules, 2015]
17.	17.1.4	For the purpose of meeting the Financial Criteria, if may be considered. In case of Consortiums, financial capabilities of any member of consortium for the purposes of qualification of Financial Criteria may be considered.	For the purpose of meeting the Financial Criteria, if may be considered. In case of Consortiums, financial capabilities of any Member of Consortium for the purposes of qualification of Financial Criteria may be considered. However, conditions related to Parent will not be applicable in case of Consortiums.
18.	17.2.1	The Interested Explorer (and the Lead Member Parent shall be considered.	The Interested Explorer (and the Lead Member Parent shall be considered. However, conditions related to Parent will not be applicable in case of Consortiums.
19.	18.3.4	i. a project which is of reconnaissance stage shall have a weightage of 2; ii. a project which is of preliminary exploration stage shall have a weightage of 1.5; and iii. a project which is of general and detailed exploration stage shall have a weightage of 1.	i. a project which is of reconnaissance stage or began with reconnaissance stage shall have a weightage of 2; ii. a project which is of preliminary exploration stage or began with preliminary exploration stage shall have a weightage of 1.5; and iii. a project which is of general or detailed exploration stage or began with general or detailed exploration stage shall have a weightage of 1.
20.	18.3.6	For the purpose of meeting evidence in this regard needs to be provided while submitting the EOI.	For the purpose of meeting evidence in this regard, as detailed in 10.2.2 above, needs to be provided while submitting the EOI.
21.	Annexure 3	A board resolution/ power of attorney duly executed by such	[A board resolution/ power of attorney duly executed by such

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		partners as authorized by the partnership deed governing such partnership, authorising such foreign company. Annexure - A Board Resolutions/ power of attorney duly executed by such partners as authorized by the partnership deed governing such partnership	persons as authorised by the charter or constitution documents of the company or such partners as authorized by the partnership deed governing such partnership, as applicable or notarized affidavit by sole proprietorship (in case the Lead Member of the Consortium is a sole proprietorship firm)] [delete whichever is not applicable], authorising such foreign company. Annexure - A Board resolution/power of attorney duly executed by such persons as authorized by the charter or constitution documents of the company or such partners as authorized by the partnership deed governing such partnership, as applicable, or notarized affidavit by sole proprietorship (in case the Lead Member of the Consortium is a sole proprietorship firm)
22.	Annexure 4	Format of Consortium Agreement Parties Details: 1. M/s [insert name of Lead Member] _____ a partnership firm or Company incorporated under the laws of _____ and having its Registered Office at _____ (hereinafter called the "Member-1", which expression shall include its successors, executors	Format of Consortium Agreement Parties Details: 1. M/s [insert name of Lead Member] _____ a partnership firm or sole proprietorship firm or Company incorporated under the laws of _____ and having its Registered Office at _____ (hereinafter called the "Member-

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		and permitted assigns); 2. M/s _____ a partnership firm or Company incorporated under the laws of _____ and having its Registered Office at _____ (hereinafter called the "Member-2", which expression shall include its successors, executors and permitted assigns); and 3. M/s _____ a partnership firm or Company incorporated under the laws of _____ and having its Registered Office at _____ (hereinafter called the "Member-3", which expression shall include its successors, executors and permitted assigns) for the purpose vide its EOI Request No: 4/1/2015-NMET dated [•]; WHEREAS the EOI Request stipulates that in case EOI is being submitted by a Consortium, the Members of the Consortium will have to submit a legally enforceable Consortium Agreement in a format specified by NMET.	1", which expression shall include its successors, executors and permitted assigns); 2. M/s _____ a partnership firm or sole proprietorship firm or Company incorporated under the laws of _____ and having its Registered Office at _____ (hereinafter called the "Member-2", which expression shall include its successors, executors and permitted assigns); and 3. M/s _____ a partnership firm or sole proprietorship firm or Company incorporated under the laws of _____ and having its Registered Office at _____ (hereinafter called the "Member-3", which expression shall include its successors, executors and permitted assigns) for the purpose vide its EOI Request No: 4/1/2015-NMET dated [•]; WHEREAS the EOI Request stipulates that in case EOI is being submitted by a Consortium, the Lead Member is an entity engaged in exploration and/or mining activities the Members of the Consortium will have to submit a legally enforceable Consortium Agreement in a format specified by NMET.

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		 IN WITNESS WHEREOF, the Members have, through their authorized representatives, executed these present on the Day, Month and Year first mentioned above. For M/s _____ [Member 1] (Signature, Name & Designation of the person authorized vide board resolution/power of attorney duly executed by such partners as authorized by the partnership deed governing such partnership dated [●]) For M/s _____ [Member 2] (Signature, Name & Designation of the person authorized vide board resolution/power of attorney duly executed by such partners as authorized by the partnership deed governing such partnership dated [●]) For M/s _____ [Member 3] (Signature, Name & Designation of the person authorized vide board resolution/power of attorney duly executed by such partners as authorized by the partnership	 IN WITNESS WHEREOF, the Members have, through their authorized representatives, executed these present on the Day, Month and Year first mentioned above. For M/s _____ [Member 1] (Signature, Name & Designation of the person authorized vide board resolution/power of attorney duly executed by such persons as authorised by the charter or constitution documents of the company or such partners as authorized by the partnership deed governing such partnership, as applicable or notarized affidavit by sole proprietorship dated [●]) For M/s _____ [Member 2] (Signature, Name & Designation of the person authorized vide board resolution/power of attorney duly executed by such persons as authorized by the charter or constitution documents of the company or such partners as authorized by the partnership deed governing such partnership, as applicable or notarized affidavit by sole proprietorship dated [●]) For M/s _____ [Member 3] (Signature, Name & Designation of the person authorized vide board resolution/power of attorney duly executed by such persons as authorised by the charter or

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		deed governing such partnership dated [●])	constitution documents of the company or such partners as authorized by the partnership deed governing such partnership, as applicable or notarized affidavit by sole proprietorship dated [●])
23.	Annexure 5	KNOW ALL MEN BY THESE PRESENTS a company/partnership firm incorporated under the laws of..... For and on behalf of Consortium Member M/s. _____ _____ [Signature of person authorized by the board/partners]	KNOW ALL MEN BY THESE PRESENTS a company/partnership firm/sole proprietorship firm incorporated under the laws of..... For and on behalf of Consortium Member M/s. _____ _____ Signature of sole proprietor or person authorized by the board/partners]