

**GOVERNMENT OF INDIA  
COAL  
LOK SABHA**

UNSTARRED QUESTION NO:3438

ANSWERED ON:16.03.2011

ACQUISITION OF LAND

Jaiswal Shri Gorakh Prasad ;Yadav Shri M. Anjan Kumar

**Will the Minister of COAL be pleased to state:**

- (a) the norms laid down for providing compensation/employment to persons whose land is acquired by the public sector coal companies;
- (b) whether any instances of violation of these norms by certain public sector coal companies were brought to the notice of the Union Government during the last three years and current year;
- (c) if so, the details thereof; and
- (d) the action taken by the Government on each of these cases?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF COAL (SHRI PRATIK PRAKASHBAPU PATIL)

(a): The CBA Act provides for assessment of compensation on the basis of the market value on the date of notification under section 4(1) of the said Act and it is determined by taking into account the average of the last three years registered sale deeds in the locality and also the ready reckoner rate for the year of notification under section 4(1) of the said Act, prescribed by the State Governments. In addition to the market value so determined, solatium @ 30% of the market value, escalation @ 12% per annum from the date of notification under section 4(1) to the date of notification under section 9(1) of the said Act or for a period of 36 months, whichever is less, interest for delayed payment from the date of notification under section 9(1) of the said Act @ 9% per annum for the first year and 15% per annum for the subsequent years are also being paid to the land losers.

In addition to above, the following Rehabilitation and Resettlement (R&R) benefits are also provided to Project Affected Persons by the public sector coal companies:-

- (a) Alternative house site measuring 100 Sq. meter per family with all necessary infrastructure.
- (b) Each affected family that is displaced shall get a one- time financial assistance of Rs 10,000/- or shifting of the family, building materials, belongings and cattle.
- (c) Each affected family that is displaced and has cattle, shall get financial assistance of Rs. 15,000/- for construction of cattle shed etc.
- (d) Each affected person, who is a rural artisan , small trader or self employed person and who has been displaced shall get a one time financial assistance of Rs. 25,000/- for construction of working shed or shop .
- (e) Each affected family will get subsistence allowance of 25 days of Minimum Agricultural Wages (MAW) per month for one year  
OR
- (f) Each affected family will be offered one time lump sum payment of Rs. 1,00,000/-(One lakh) in lieu of all benefits given in (a) to (e) above.
- (g) Tribal affected family will be given one time financial assistance of 500 days Minimum Agricultural Wages for loss of customary right or usages of forest produce.
- (h) Tribal affected families resettled out of the district shall be given 25% higher rehabilitation and resettlement (R&R) benefits
- (i) The subsidiary will shift the tribal community as a unit and provide facilities to meet the specific needs of tribal community that will allow them to maintain their unique cultural identity.

Subject to suitability and availability of vacancies, the coal companies offer one employment for every two acres of land acquired. A person who has been offered employment can forego employment and receive cash compensation as announced by the concerned State Government. In case the State Government has no policy in this regard, the monetary compensation being offered by CIL R&R Policy is as under :-

(i) Rs. 2,00,000/- (Rs. two lakhs) for first acre of land on pro-rata basis subject to a minimum Rs. 50,000/- only.

(ii) Rs. 1,50,000/- (Rs. One and half lakhs) on pro-rata basis for second and third acre of land.

(iii) Rs. 1,00,000/- (Rs. One lakh) on pro-rata basis for land beyond three acre.

However, CIL Board in its meeting held on 1.2.2011 has decided to enhance compensation in lieu of employment to the extent of Rs. 5 lakh for each acre of land on pro-rata basis subject to a minimum of Rs. 2 lakh.

(b, c & d): There have been a few instances where complaints have been received in the Ministry of Coal seeking higher compensation and employment to land oustees. However, after consulting coal companies it was found that the complaints were for giving amount of compensation beyond the provisions of CBA Act and instructions of the Ministry of Coal, or employment to the non-eligible relatives of the land oustees or more number of employments than provided in R&R Policy. The coal companies are providing compensation /employment as per norms.