

**GOVERNMENT OF INDIA
COAL
LOK SABHA**

UNSTARRED QUESTION NO:5619
ANSWERED ON:30.04.2013
LAND ACQUISITION FOR COAL MINING
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Will the Minister of COAL be pleased to state:

- (a) whether the Coal India Limited and its subsidiaries are facing impediments in acquiring land for new coal mine projects and other extended projects;
- (b) if so, the details of impediments being faced by them; and
- (c) the action taken/being taken by the Government in this regard?

Answer

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

(a) & (b):Coal India Limited (CIL)and its subsidiaries are facingcertainimpediments for new & extended coal mine projects the main ones of which are briefly mentioned below:-

Forest Land:

(i) Proposals for diversion of forest land for non-forest purpose have to obtain clearance from the State as well as the Central Government. No Objection Certificate

(NOC) is to be issued by the State Government for processing the acquisition of land recorded as Jungle-Jhari / Chote Jhar, Bare Jhar ki Jungle under the Forest

(Conservation) Act 1980. The concerned District Collector issues the NOC. Delay takes place in issuing NOC. Further, NOC under Scheduled Tribes and other Traditional Forest Dwellers (ST & OTFD) Act takes considerable time causing delay in process of proposal. Sometimes delay also occurs due to shortage of authorized agencies to carry out survey for Differential Global Positioning System (DGPS) maps whose submission is required for grant of Forestry Clearance by certain cases, dispute of ownership over the land between the Revenue Authority and the Forest Department delays the clearance of forestry proposals.

(ii) Delay also takes place in handing over the forest land after its release by the Central / State Government.The State Forest Department is to ensure the issue of stage-II clearance/ handing over of forest land to the company simultaneously with payment of all dues to the State Forest Department.

Non-Forest Land:

(i) State Government maintains the land records which are the primary requisite for preparing the land acquisition proposals. These land records commonly known as Record of Rights (ROR) are often found outdated causing problems in ascertaining the actual ownership and title of the land.Delay occurs in processing the acquisition proposals at various levels of the State Government.

(ii) Authentication of coal bearing areasacquired by the State Government is required

to ascertain the actual ownership of the area. Authentication work is carried out by the concerned Circle Officer of the District and delay in it affects the acquisition process. Dispute about ownership of Government land between the Revenue and the Forest Department delays the transfer in some cases.

(iii) Handing over the possession of Government land is delayed in some cases due to large scale encroachment over such land. State Government is required to transfer the land free from all encumbrances.

R&R Problems:

Difficulties are being faced by the companies regarding rehabilitation and resettlement of project affected families. These include demand for employment and other resettlement benefits beyond the company's R & R norm; non-availability of valid title document; dispute amongst co-sharers of the land losers; and resistance in shifting to rehabilitation site even after receiving full amount of compensation for the land and houses. Besides, in view of other agencies acquiring land in the vicinities of mining operations areas of CIL & its subsidiary companies, by paying higher compensation, difficulty is also being faced in acquisition of land in these areas.

(c) : Actions taken by Government /subsidiary companies are as below:

(i) Vigorous follow up action with land acquisition officials of State Govts. to expedite acquisition proceedings. Regular review meetings with State Authorities viz. Land Revenue Commissioner, Land/Revenue Secretary to sort out acute problems.

(ii) Follow up with Forest Officials on regular basis at district & tehsil level to fulfill the requirement & queries. Similar follow up with the Regional Office and Delhi office of Ministry of Environment & Forests for expeditious clearance of the forestry proposals.

(iii) Discussions with the land owners/ villagers for selection of rehabilitation site and to persuade them to accept the rehabilitation benefits and to shift to the rehabilitation site.

(iv) In view of changing aspirations of the Project Affected Persons (PAPs) and to meet other R&R issues, CIL has revised its Resettlement & Rehabilitation Policy which is effective from 13th March, 2012.

Apart from above, Ministry of Coal regularly holds meetings with Ministry of Environment & Forests (MoEF) & State Governments for pursuing these issues.