



MINUTES OF RAC & RPDAC OF ANGUL, JHARSUGUDA AND SUNDERGARH



Department of Land & Revenue, MCL

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MINUTES OF RAC MEETING, ANGUL

RESUME OF DISCUSSIONS IN THE 1ST MEETING OF THE REHABILITATION
COMMITTEE OF M.C.L. TALCHER.
BHUBANESWAR ON 10.05.1993

The first meeting of the Rehabilitation Advisory Committee (R.A.C.) of M.C.L. Talcher was held in the chamber of the Special Relief Commissioner –cum- Rehabilitation Commissioner, Orissa, Bhubaneswar at 3.30 P.M. All the members of the Committee, except Sri Brundaban Behera ,M.L.A. Talcher attended. On enquiry, it was learnt from the Rehabilitation Officer (SECL/NTPC) Dhenkanal who is also a member secretary of the R.A.C. that despite due intimation to the M.L.A. through special messenger both to his village and Bhubaneswar address, he was absent. The Rehabilitation Commissioner, Orissa has been attending meetings on the subject of rehabilitation held at the level of Hon'ble Minister Revenue, Chief Secretary etc and to enable the members to have the benefit of his association with these meetings. I requested him to preside over today's meeting which he readily agreed.

The meeting has been convened mainly to examine the pros and cons of pension scheme (Subsistence Allowance) of the Coal India vis-à-vis the one-time compensation scheme of NTPC and recommended for adoption of the most appropriate one in respect the displaced families of the M.C.L. project as decided in the review meeting taken by the Chief Secretary Orissa on 19.03.1993 at Bhubaneswar. The agenda for the meeting also included other items.

According to the rehabilitation policy formulated by the State Govt for coal projects in Orissa, the land losers are to get employment according to the priorities fixed therein. Land losers falling in priorities in 'A' and 'B' must get rehabilitation benefit by way of employment, while for land oustees coming within priorities 'C' and 'D' may be given employment subject to availability of jobs. A family in the aforesaid context shall include the wife, husband as the case may be and other unmarried children, but not a major son who has been separated from the family on or before the notification U/S 4(1) of the L.A. Act 1894 in respect of area, village shall be treated as a separate family. Basing on this definition, nominations have been sponsored and out of 2938 nominations sponsored so far, employment has been given only to 1442 persons leaving a balance of 1496, the priority-wise break-up of which is as follows:

Priority	A	-	163
-do-	B	-	38
-do-	C	-	39
-do-	D	-	1256

			1496

The firm employment potential obtaining in all the projects of MCL, Talcher as a whole as indicated by the Chairman-cum-Managing Director, MCL is as follows:

1992-93	-	350
1993-94	-	240

		590

With the jobs available as above, 240 candidates falling the categories A to C and be covered in full while only 30 candidates falling in category 'D' can be provided employment. This leaves 906 candidates falling in the category 'D' to be provided with rehabilitation assistance. As so many jobs are not available with MCL it was decided to examine the possibility of extending alternative rehabilitation benefits to them.

Detailed deliberations were held on 'subsistence allowance' scheme framed by Ministry of Energy, Department of Coal for Sonepur Bazari open cast project (West Bengal) and subsequently adopted for various coal, lignite etc. projects all over the country and the one-time compensation scheme of NTPC Kaniha, Talcher. It was decided that as the NTPC and MCL Projects are located in the adjoining areas of Talcher Sub-Division. The NTPC scheme might became more acceptable to the land losers of MCL. As such the members desired to have further information in this regard like the no. of land losers, the extent of land lost, Khata No and the no. of nominations sponsored treating the son as a separate family as per the above definition to finalize the recommendations. The CMD, MCL expressed his difficulties to accept any rehabilitation benefit other than the 'subsistence allowance' scheme already approved by the Government of India without the clearance of Coal India and the Ministry of Coal.

The Rehabilitation Commissioner clarified that the R.A.C. is a only a recommendatory body and the recommendation made by them are not final and binding. It is for the State Government to decide which scheme is more acceptable to the State Government as well as to the land l osers taking ground realities into consideration. The help of the State Govt can be taken if there be any difficulties for getting the clearance of Department of Coal for a scheme other than the 'subsistence allowance' to be adopted by the State Government.

The Rehabilitation Officer and Chief General Manager, Jagannath Area, MCL, Talcher have been asked to compile the information required by the RAC to facilitate better appreciation of the financial commitment involved if one time compensation scheme of the NTPC is followed keeping the definition of family as is prevalent now. It was decided to hold the next meeting of the committee at 3.30 PM on 20.05.1993.

Sd/-
(Srinibas Rath)
Revenue Divisional Commissioner,
Northern Division, Orissa
Samabalpur.

Memo No. 905 /L.A. Dated 15.05.1993
XL II-32

Copy forwarded to the Collector,Dhenkanal/Chairman-cum-Managing Director, MCL, Sambalpur/General Manager, MCL, Talcher Area, Talcher/ Sri Sriballava Panigrahi, M.P., Deogarh Constituency at Sambalpur/ Sri Brundaban Behera, MLA, Talcher/ Rehabilitation Officer, MCL/NTPC, Dhenkanal/Spl LAO, Dhenkanal/Deputy Director of Mines, Talcher/ PS to RDC (ND), Sambalpur for information and necessary action.

Sd/- (15.5.93)
Under Secretary to RDC

Memo No 906/ L.A. Dated 15.5.1993

Copy forwarded to the Chief General Manager, Jagannath Area, MCL, Talcher for information and necessary action.

Sd/- (15.5.93)
Under Secretary to RDC

MINUTES OF SECOND MEETING OF THE REHABILITATION ADVISORY COMMITTEE OF MAHANADI COALFIELDS LTD TALCHER HELD IN THE RESIDENCE OFFICE OF THE REVENUE DIVISIONAL COMMISSIONER (ND), ORISSA, SAMBALPUR AT 5.00 P.M. ON 07.06.93 (MONDAY)

The Revenue Divisional Commissioner (ND) Sambalpur presided over the meeting. List of other members and special invitees who attended the meeting is annexed.

Initiating the discussion the Revenue Divisional Commissioner (ND) gave a resuming of the discussion held by him with the villagers of village Danara which he visited on 12.5.93. he indicated that he had gone round the village to see for himself the position of availability of water for drinking and other purpose in the village. He found that MCL is supplying water to the villagers through tankers filling the wells and has also established deep tube wells with submersible pumps which is supplying adequate water. The MCL officers have been advised to regulate the water supply and to provide extra tanks and troughs to control the supply of water to provide enough and clean drinking water for the cattle and to avoid wastage. The MCL officers agreed to comply with the observations.

He said that the villagers were not in a mood to vacate the land unless all the oustees including women were assured of jobs provide by MCL. In that context the scheme relating to the subsistence allowance to be given in lieu of jobs has not been favoured by the land losers. They had vehemently objected to the requisition of land in a village in piece meal manner. Their demands are more or less like that of the people of Danra. He mentioned that the people of Balugaon are as determined as the people of Danra to put up resistance if possession is taken over forcible with police help. He further stated that he had visited Danra once again after the visit of the RDC, tried to convince the people to see reason out had failed to persuade people to part with possession. The CMD, MCL has objected to mention admissibility of employment to A & B categories as mandatory. He said that persons falling in category A & B would be given employment on 1st and 2nd priority respectively subject to availability of jobs. He contended that if it is made mandatory, then the jobs are to be provided for these two categories even if jobs are available with MCL.

The Revenue Divisional Commissioner (ND) clarified that, at any cost, the persons falling in categories A & B should be provided with employment, otherwise there is no sense of making the priorities for employment. He clarified that State Govt are committed to employment to A and B class category displaced persons in respect of IB Thermal Power Station of OPGC at Banharpali in Sambalpur District.

Sri Sriballava Panigrahi M.P. mentioned that the aim of MCL should be to see that the land losers are employed first.. CMD, MCL as a token of clarification mentioned that the land oustees are being considered first and if no land oustees are available, then local candidates are being considered. The M.P. demanded that training institution should be started to enable the children of the land oustees to upgrade their standard and skills. He also desired that public relation wing of the company should be strengthened and upgraded so that the policy and scheme should be widely published , acquaint the displaced persons with the rehabilitation benefits available besides employment and in lieu of employment. MCL should strive for removing unnecessary for from the mind of the people, MCL is going to close down their mining activities at Talcher. As for example, he suggested that the news item published in Daily Samaj that Govt of India is going to import coal for NTPC project from Vizag and in that case there is a fear of closure of Kalinga OCP should be countered effectively.

EMPLOYMENT POTENTIAL FOR LAND LOSERS:

The availability of jobs for different project for the year 1992-93 and 03-94 as mentioned by the CMD, MCL is as follows:

<u>Name of the Project.</u>	<u>92-93</u>	<u>93-94</u>	
Lingaraj	120	60	
Kalinga	100	50	
Bharatpur	40	50	
Ananta	100	70	

	350	+ 240	= 590

It transpired from the discussion that enumeration had not been in respect of some villages acquired under L.A. Act of A,B,C & D category oustees coming under all the four projects of MCL at Talcher. It was decided that the MCL officers should take up enumerations if not already done and complete by 20.10.93. The Revenue Divisional Commissioner desired that Sri Pattanaik, Spl LAO,MCL should also complete family enumeration in respect of Talabeda and Deulabeda village by 20.06.93 so that the firm requirement of jobs for Lingaraj OCP and other projects could be known.

However, on a rough estimate it was found that with the total no. of jobs available, all the cases falling in category A & B and C of all the mines could be covered. The Collector mentioned that practically no vacancy could be available for absorption of category 'D' but there are some lady oustees coming under category 'A' in village Balugaon and elsewhere who should be rehabilitated with employment. The CMD,MCL expressed his inability to consider giving employment to lady candidates in any category in view of the ban imposed by the Coal India Ltd. Sri B.P. Pattnaik, Spl LAO, MCL mentioned that if the ladies coming under category 'A' are educated above Matriculation and could be considered for the post of Stenos, Typist, Asstt in the office, while expressed his inability to give employment to any woman oustee. The CMD, MCL agreed to consider the cases if the male nominees of such woman are being absorbed. It was decided that in order to reduce the no. of lady candidates they should be permitted to give their nominees and the relationship of the nominees cannot be questioned by the appointing authority. RDC observed that at the same time the authorities of Coal India should be moved to lift the ban on employment of ladies to taking into account their suitability and qualification for certain category of jobs like typist , stenographers etc which are of indoor nature.

PAYMENT OF COMPENSATION:

The Rehabilitation Officer mentioned that as decided in the last meeting a comparative study of subsistence allowance payable per month vis-à-vis one time rehabilitation benefit payable as per NTPC scheme has been worked out by MCL for villagers Hensmul and Danra and it is found that the one time rehabilitation benefit is always higher than the subsistence allowance and could be readily accepted by the oustees. The CMD, MCL clarified that as the subsistence allowance scheme has been approved by the Govt of India for all the coal projects in the country, he is readily agreeable to give his consent for the same for Talcher Coal Fields and in case it is decided to introduce the one time payment of compensation scheme, then he has to

refer the matter to Coal India who in turn have to obtain the orders from their Administrative Ministry. He said that the pension scheme was first contemplated for the SONEPUR BAZARI OCP in West Bengal and it took nearly 4 to 5 years for the Ministry to finalise the same.

In this background, he said that it is not so easy to get the clearance of the Ministry in a short time for payment of one time compensation as is introduced by NTPC. He stated that this shall not be going to solve the problem as land is immediately needed both for Lingaraj and Kalinga mines both of which have come to a dead end. He suggested that the pension scheme may be adopted immediately for which he can give his consent and a reference for one time payment as per with the NTPC scheme may be referred to the Ministry and when adopted difference can be paid. The Collector clarified that he had already negotiated with villagers of Danra and Balugaon respectively twice and with some leaders individually several times to be content with employment being provided to A,B &C categories and with the existing scheme of subsistence allowance being given to D category oustees, but they have not agreed. He suggested that since Kalinga and Lingaraj Projects have both come to a dead end, some force should be used to take possession. However, considering the nature of resistance and the scope for further negotiation with the displaced families, it was felt that use of force at this stage would be inexpedient. The M.P. was of this view that some employment should be given to persons under D category in some of the problematic villages like Danra. On a rough estimate, it was found that some jobs could be available for D category under Kalinga OCP. The R.D.C. therefore suggested that a list is to be prepared for persons falling in D category on the basis of percentage of land lost instead of quantity lost, so that all oustees could be covered by employment.

After the above discussions, the following decisions were taken.

1. Enumeration of families of village Talbeda and Deulabeda should be completed by the LAO, Sri Patnaik by 20.06.93. Enumeration of families losing land under C.B.Act should also be completed by that date.
2. The Spl LAO and the Rehabilitation Officer should bring out the list of D category nominees for village Danra on the basis of percentage of land lost.
3. CMD,MCL will approach his Headquarters and get the clearance for the employment of ladies falling in category A, B & C. The CMD will also send suggestions of acceptance of one time payment scheme of NTPC for adoption in MCL Talcher in place of subsistence allowance (Pension scheme).

4. Collector, Angul will visit both the villages namely Danra and Balugaon along with General Managers/Project Managers ,MCL Talcher to hold further discussion with the villagers and pursue them to hand over possession of lands to MCL authorities and accept above mentioned rehabilitation package as decided in the meeting. Collector indicated that he will be visiting these villages some time in the last week of June'93 along with G.M., Talcher MCL and Spl LAO to hold further discussion with the villagers and send his report to the R.D.C for consideration by Rehabilitation Advisory Committee meeting some time in the 1st week of July'93 after getting report from Collector, Angul.

The meeting ended with vote of thanks to the Chair.

Sd/-

REVENUE DIVISIONAL COMMISSIONER(ND)
SAMBALPUR, ORISSA

Memo No **339** /RC Dt 19.06.93
Copy forwarded to all members for information.

Sd/- 19.06.93
Rehabilitation Officer,
SECL/NTPC, Dhenkanal

Memo No **340** /RC Dt 19.06.93
Copy forwarded to the private secretary to RDC(ND), Orissa, Sambalpur for favor of information of RDC(ND).

Sd/- 19.06.93
Rehabilitation Officer,
SECL/NTPC, Dhenkanal

Memo No **341** /RC Dt 19.06.93
Copy forwarded to the private secretary to Special Relief Commissioner-cum-Rehabilitation Commissioner Orissa, Bhubaneswar for favor of information of Commissioner.

Sd/- 19.06.93
Rehabilitation Officer,
SECL/NTPC, Dhenkanal

Memo No **342** /RC Dt 19.06.93
Copy forwarded to the under secretary to Govt of Revenue & Excise Deptt for information.

Sd/- 19.06.93
Rehabilitation Officer,
SECL/NTPC, Dhenkanal

Members present:

1. Sri D. Kanungo, IAS, Collector, Angul
2. Dr. A.S. Prasad, Chairman-cum-Managing Director, MCL
3. Sri K.K. Dasgupta, G.M, MCL
4. Sri Sriballav Panigrahi, MP, Loksabha, Deogarh
5. Sri Brundaban Behera, MLA Talcher
6. Sri CSSR Rao, OAS(I), Rehabilitation Officer (SECL)
7. Sri Lachhman Panda, Special LAO, MCL
8. Sri B.P. Patnaik, Spl LAO, MCL
9. Sri S Kar, Dy Director Mines

Special invitees:

1. Sri H.N. Mulpury, Executive Director (tech), Talcher
2. Sri S.Tripathy, GM, Talcher Area
3. Sri S.N. Tripathy, IAS, Collector, Sambalpur

MINUTES OF 3RD MEETING OF THE REHABILITATION ADVISORY COMMITTEE OF MCL, TALCHER HELD IN THE OFFICE CHAMBER OF THE SPECIAL RELIEF COMMISSIONER-CUM-REHABILITATION COMMISSIONER, ORISSA, BHUBANESWAR AT 12.00 NOON ON 12.07.93(MONDAY)

On the request of the Revenue Divisional Commissioner(ND), Orissa, Sambalpur, the Rehabilitation Commissioner, Orissa, Bhubaneswar presided over the meeting. List of other members and special invitees who attended the meeting is at annexure-I.

1. In the last RAC meeting held on 07.06.93, it was decided that in order to reduce the number of lady candidates, they should be permitted to give their nominees and the relationship of the nominees should not be questioned by the appointing authority. The CMD, MCL and other executives of MCL present in the meeting did not agree to the above decision. Their apprehension was that it might be abused.

After detailed discussion on pros and cons of this matter, it was decided that the female oustees can nominate male nominees within the ambit of the schedule of succession provided in the succession Acts. The Rehabilitation Commissioner further suggested that in order to obviate any complication/objection from any quarter, it would be wise to invite objections to the nominations within a stipulated period and on expiry of the period of objection, the nomination might be treated as final and orders of Collector, Angul be obtained approving the nomination. The above suggestion was unanimously accepted.

2. As per the decision taken in the meeting held by the Chief Secretary Orissa on 23.04.93, it was decided that while finalizing rehabilitation package, physically handicapped, mentally retarded/orphans should be given due weightage and they should be treated as separate family.

3. **Employment:**

Initiating the discussion on employment position, the RDC stated that in the IB Valley area in the district of Sambalpur, MCL was providing employment to all categories of land oustees irrespective of the extent of land lost by them. He wanted to know from the CMD as to why there was deviation in providing employment in Talcher area. The CMD explained that since sufficient number of jobs were available in IB valley area, all the land oustees irrespective of categorization could be provided with employment. However, he assured to cover all the land oustees coming under category A, B & C in all the projects of Talcher area.

3(ii) A question arose whether employment would be offered to the displaced persons project-wise or the basis of coal fields as a whole. It was felt that it would be more realistic to provide employment project-wise since it would satisfy a greater number of persons displaced by a particular project.

3(iii) The CMD, MCL informed the House that the project wise priority of MCL was for Kalinga and Lingaraj OCPs. MCL would go slow in Ananta OCP in acquiring land since the chances of providing employment to the land oustees of Ananta were very remote.

3(iv) In the course of discussion, Collector, Angul indicated that previously all the oustees irrespective of category and quantum of land lost were given employment by the MCL since jobs were available in plenty. In view of jobs limited to 590 now, the Collector wanted to cover all the A, B & C category oustees on priority basis and D category oustees on the basis of percentage of land lost according to the availability of jobs. He further stated that he had already assured the villagers of Balugaon that all the oustees coming under A, B & C categories including females would be given employment. If the ladies come under D category, they (their nominees) should be absorbed according to the same principle of percentage of land lost, subject to availability of jobs after rehabilitating the oustees of A, B & C categories respectively.

3(v) It was suggested by the RDC(ND) that a reconciliation of figures with regard to number of oustees coming under A, B, C & D categories projectwise both under L.A. Act and CBA Act should be completed by 18-07-93 by MCL authority and furnished to the Collector, Angul, so that it could be jointly reconciled with the list prepared by the District Admn.

3(vi) The G.M., Kalinga area stated that out of sponsored cases of village Danra, 121 cases are under dispute who are not coming forward with requisite documents for interview. He said such cases are either fake or the oustees are non-existent. It was decided that the R.O. should scrutinize all such cases jointly with MCL authorities early and give a report if proper procedure, had been observed by MCL authority. The final procedure will

emerge after the joint verification is done. The RDC(ND) desired that after the list of 'D' category oustees on the basis of percentage of land lost is brought out by R.O. and the exact position of vacancies that could be available after adjusting A,B, & C categories is known, the Collector, Angul along with the R.O. and the G.M.s of the area should hold discussion with the villagers to accept the rehabilitation package as explained above and send his report to RDC(ND) for further action.

Pending absorption in regular employment under MCL, the land oustees coming under D category should be provided employment according to their eligibility and suitability under the contractors working in MCL in accordance with para 4(d) of G.O. No 35318/R Dt 2.6.88 of Govt of Orissa in Revenue & excise Department. Further the list of jobs and persons(land oustees) employed by the private contractors with their name and address should be supplied to the Collector, Angul.

3(vii) It was suggested by the RDC that Hensmul project may not be taken up till 1994 since the MCL is not in a position to provide jobs to the land oustees. He further emphasized that for the present the MCL authorities may concentrate on the Govt land available for their mining operators in village Hensmul.

4. **Pension Scheme.**

It was decided in 2nd RAC meeting that the CMD, MCL will seek approval of Coal India for one time deposit scheme adopted by the NTPC. The CMD agreed to place the matter in the CMD conference scheduled on 14.07.93. The Collector, Angul can hold further discussion with the villagers only if he knows that Coal India has accepted such a decision.

In response to the above, the CMD, MCL vide his letter No MCL:CMD:TS:93 P&P Dt 19.07.93 has furnished detailed statistics with regard to acquisition of land and position of employment in Talcher Coalfields.

The position with regard to the sponsoring of candidates employment so far provided under A,B &C categories of the entire Coalfields area in Talcher by the District Admn and MCL is appended at annexure II and annexure-III respectively.

From the statement furnished by the MCL, there appears to be a wide variation in the figures with that of the Distt Admn. The RDC(ND) therefore, suggested that District Administration and MCL authorities should have a joint verification of the figures to reconcile the discrepancies immediately and furnish to the Collector, Angul so that on the basis of actual availability of jobs, he can hold further discussion with the villagers of Balugaon and Danra.

(Action: R.O./G.M. Kalinga Area)

The CMD,MCL suggests two methods as a solution to the issue in village Danra which are follows:

- 1) Those families who have not got any job in the earlier acquisition of Danra should be given priority in employment. Those families who have already got more than one jobs chance not be given any more employment since they have engaged some rehabilitated benefit.
 - 2) In the earlier acquisition at Danra as many as 487 jobs were given and there is a feeling among the land losers that different yardsticks are being applied for acquisition of land in the same village to overcome peoples apprehensions, the CMD suggested adjustment of surplus vacancy for Ananta against the shortage of Kalinga only with a view for resolving the issue, but this should be one time adjustment with regard to the first suggestion it was indicated by the MLA, Talcher that before the policy decision is taken, the land oustees should be persuaded to accept this formula.
5. The MLA Talcher wanted relaxation of 12 years norm for purchase of land for being considered as oustees. It was made clear that since it was a decision of Govt in revenue & Excise Deptt, Govt alone can relax the provision contained in their letter No 5408/R Dt 30.01.93. No action can be taken till then.

6. Construction of Training Center:

In village Kendupalli an area of Ac 300.00 of land was acquired by the NCDC (now MCL) under CBA Act. CMD brought to the notice of the Committee that some villagers who have already received compensation are now encroaching the land and creating obstacles in construction work. The RDC advised him to get F.I.R. lodged with the police for necessary action according to law. The Collector was also instructed to study the problem and take steps as appropriate.

(Action: Collector, Angul)

7. In village Kuio Jungle Ac. 29.08 of Govt land and Ac. 0.38 acres of private land have been delivered to MCL authority for development of rehabilitation site for the displaced persons of Jambubahali village. The Collector, Angul was asked to instruct the Tahasildar, Talcher to issue Pattas in favor of the beneficiaries so that they could be persuaded to move to the site.

(Action: Collector, Angul)

8. The enumeration work in respect of land oustees of village Balugaon who have been allotted with ceiling surplus land should be completed by 31.7.93. If any fraudulent lease is found to have been given, Collector, Angul should take steps under OGLS Act 1983 for cancellation of pattas.

(Action: Collector, Angul)

9. It was decided that the enumeration work in respect of village Balugaon-Khamar and Debalaypur should be completed by Sri B.P.Patnaik, LAO-II by 07.08.93.

(Action: B.P.Patnaik, LAO-II)

After the above discussion, the following decisions were taken.

- 1) For the purpose of employment all the land oustees coming under A,B & C categories in the entire Coal Field area should be provided with jobs on project basis and not in Coalfield basis.
- 2) The land oustees coming under D category should be provided with remaining jobs if available on the basis of percentage of land lost.
- 3) In case of lady oustees coming under A,B & C categories, they may nominate one of their male relations coming in the schedule under respective Succession Acts.

- 4) The land oustees who are physically handicapped and mentally retarded or orphans are to be treated as separate family.
- 5) CMD, MCL may intimate the decision of Coal India and concerned Ministry with regard to one time deposit scheme for the beneficiaries who could not be provided with jobs.
- 6) After the exact no. of jobs available for D category is worked out, Collector, Angul should again hold discussion with villagers of Danra to accept jobs as available now to the oustees of D category and part with their land to the MCL authorities for mining operation.
- 7) Sri B.P.Patnaik, LAO-II should complete enumeration work of village Debalayapur and Balugaon-Khamar by 7.8.93.
- 8) Further verification of fake and non-genuine cases of village Danra should be completed by the R.O. and MCL authorities immediately so that the exact no. of jobs for D category oustees can be ascertained and reported to Collector to enable him to hold further discussion.

The meeting ended with vote of Thanks to the Chair.

Sd/- S.Sahoo

Dt 28.7.93

SPECIAL RELIEF COMMISSIONER-CUM-
REHABILITATION COMMISSIONER,ORISSA
BHUBANESWAR.

Memo No **393** /R Dt 29.07.93
Copy forwarded to all members for information.

Sd/- 29.07.93
Rehabilitation Officer,
SECL/NTPC, Dhenkanal &
Member Secy of the RAC,MCL

Memo No **394** /R Dt 29.07.93
Copy forwarded to the private secretary to SRC-cum-Rehabilitation Commissioner,
Orissa, Bhubaneswar for favor of information of SRC.

Sd/- 29.07.93
Rehabilitation Officer,
SECL/NTPC, Dhenkanal &
Member Secy of the RAC,MCL

Memo No **395** /R Dt 29.07.93

Copy forwarded to the private secretary to RDC(ND) Sambalpur for favor of information of RDC.

Sd/- 29.07.93
Rehabilitation Officer,
SECL/NTPC, Dhenkanal &
Member Secy of the RAC,MCL

Memo No **396** /R Dt 29.07.93

Copy forwarded to the under secretary to Govt of Revenue & Excise Deptt for information.

Sd/- 29.07.93
Rehabilitation Officer,
SECL/NTPC, Dhenkanal &
Member Secy of the RAC,MCL

Members present:

1. Shahadev Sahoo, IAS, SRC-cum-Rehabilitation Commissioner, Orissa, Bhubaneswar
2. Srinibash Rath, IAS, RDC(ND), Sambalpur
3. D. Kanungo, IAS, Collector, Angul
4. Dr. A.S. Prasad, Chairman-cum-Managing Director, MCL
5. Brundaban Behera, MLA Talcher
6. B.K. Patnaik, OAS(I) (SB) Rehabilitation Officer, SECL/NTPC, Member Secy
7. CSSR Rao, OAS(I), Rehabilitation Officer (SECL)
8. S.R.Habada, Under Secy to Govt, Revenue Deptt
9. L.K Mishra, MCL Bhubaneswar
10. P.Nandi, Addl. CME, MCL
11. L.Panda Spl LAO, MCL
12. B.P.Patnaik, Spl LAO-II, MCL
13. S.K.Lal Joneja, G.M.
14. S.D.Tripathy, GM, Talcher Area
15. D. Kar, Dy Director Mines Talcher
16. M.K.Sinha, GM, Kalinga Area

MINUTES OF THE 4TH REHABILITATION ADVISORY COMMITTEE MEETING OF MAHANADI COALFIELDS LTD (MCL) HELD ON 21.2.1994 AT 3.00 P.M. IN THE OFFICE CHAMBER OF COLLECTOR, ANGUL

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The Revenue Divisional Commissioner, Northern Division-cum-Chairman, Rehabilitation Advisory Committee (RAC) who presided over the RAC meeting of NTPC in forenoon could not remain present owing to a meeting at Bhubaneswar. The Collector, Angul presided over the meeting.

The list of members present and special invitees who attended the meeting is at Annexure-I.

1.1 Sri V.K. Sehgal, Director(Tech) MCL attended the meeting on behalf of the CMD.

1.2 Initiating the discussion, the Collector stated that the MCL is not following the rehabilitation guidelines formulated by the State Govt, so far as rehabilitation under CBA Act is concerned. He emphasized that there should be one policy, both for CBA Act and L.A Act . The Director(Tech),MCL stated that rehabilitation package is being done by the Central Govt under C.B.Act and State Govt under L.A Act. However, the House did not go along with the clarification of Director(Tech) and proposed and recommended that the rehabilitation package under both the Acts should in fairness, be similar and any dichotomy and variation in the rehabilitation package is creating disharmony and suspicion in the minds of the land oustees. It is also further recommended to Government that the district administration should not be left out of rehabilitation of the land oustees under CBA Act.

(Action: CMD,MCL)

1.3 It was proposed that the RAC will henceforward involve in preparation and implementation and monitoring of the rehabilitation package both under CBA Act and LA Act. This will provide much needed coherence to the rehabilitation package under the spa-rate Acts.

1.4 The Collector, Angul stressed that in respect of each and every village coming under CBA Act & LA Act acquired by MCL, there should be a rehabilitation package for each family. Since the field machinery under the District Administration is very limited, he was of the opinion that an independent body say a consultant, be appointed by the MCL for doing Socio-Economic Survey for

each displaced family to work out a comprehensive, realistic and integrated rehabilitation package covering interalia the rehabilitation profile in respect of each land oustee, in a time bound manner.

(Action:MCL)

In reply, the Director(Tech) intimated the house that the MCL has already moved Government of India in this regard which is under active consideration of the Ministry.

- 1.5 After a threadbare discussion, it was felt that since the MCL is not giving employment to the ladies, it posed a major problem to the District Admn. Again, it is seen from the field experience that majority of ladies are interested to nominate their son-in-law. The committee recommends to Govt for accepting the nomination of son-in-laws for employment even though they are not successors of women under Succession Laws. The approval by the RDC-cum-Chairman, RAC be taken before sending proposal to Government.
- 1.6 It was brought to the notice of the house by the Collector that the CMD, MCL has imposed a pre-condition that ITI passed candidates should have secured 60% of marks in order to be eligible for jobs in MCL. Since such of the candidates with 60% marks in the category from among the land oustees are rarely available, they are debarred from getting employment. The GM, Jagannath clarified that irrespective of marks secured by candidates in the ITI, all the cases will be sponsored through local Employment Exchange and the candidates will be selected according to their merit.
- 1.7 He Director(tech) and all the GMs assured to furnish the job projection in MCL for the coming five years within a month, so that it will facilitate the District Administration to chalk out rehabilitation package village-wise.
- 1.8 Delay in implementation of rehabilitation package and periphery development programmes are creating serious problems for land oustees leading to frequent law and order situations. There should be immediate stress in implementation of the rehabilitation package and periphery development by the MCL. Accumulating grievances of people for their rehabilitation including employment and installation of basic minimum infrastructures in the villages are triggering trouble in the belt.

Any future programme of land acquisition for MCL should first address satisfactory implementation of rehabilitation package. The mismatch between large scale acquisition of land under CBA Act and LA Act and commensurate implementation of rehabilitation programme in a time bound manner is posing problems of difficult dimension. This needs to be resolved. It was decided that the recommendations of the RAC in this regard may be intimated to the State Government.

1.9 The MCL are making abnormal delay in providing employment to land oustees for various reasons of non-availability of jobs etc and by the time they are considered, they are over aged and deprived of job facilities. The Collector proposed to adopt the date of passing of award in the L.A cases as the cut off date in all the villages including Danra village. It was decided to recommend this to the State Govt for acceptance since there is a time lag in between Notification U/S 4(1) and taking over possession of land by the MCL. The date of award should be the reference date for the purpose of employment.

1.10 The RAC met some of the representatives of Danra and had a dialogue with time to resolve their problems. The Director(Tech) agreed to the following suggestions:-

(a) Payment of interest on compensation, if not taken by the oustees due to non-finalisation of rehabilitation package, was agreed.

(b) Some qualified young people who are eligible for rehabilitation can be sent by M/S MCL for Technical Training according to their suitability.

(c) However, he did not agree to the demands of the people of the village 'Danra' to acquire the Basti site since it is not a coal bearing area.

(d) Since the areas adjacent to Basti site have been acquired and mining operations are going on all sides except access point, the habitation is precariously sandwiched between mines. The existence of the people in the habitat is major area of concern with critical lack of drinking water, fire hazard and serious pollution affecting people and agricultural operations.

Collector suggested that in the event of non-acquisition of the Basti by the MCL, the MCL may construct their employees colony over Ac 65.00 acres of land available at village Danra.

- 1.11 Collector urged that since the MCL is not providing employment to the land oustees of Hensmul village, 4(1) Notification in the village may be re-considered vis-à-vis rehabilitation package.
- 1.12 The Director(Tech) stated that he will close down the mines rather concede to the recommendations of the RAC. This is an unfortunate and unwarranted stand, perhaps without authority. It was felt that another meeting of RAC may be convened early with specific request that CMD MCL may participate to decide on various pending issues on rehabilitation.

Sd/- 23.3.94
(P.K Nayak)
Collector, Angul

Memo No **200** /R Dt 23.03.94

Copy forwarded to all members for information and necessary action.

Sd/- 23.03.94
Rehabilitation Officer,
SECL/NTPC, Dhenkanal &
Member Secy of the RAC,MCL

Memo No **201** /R Dt 23.03.94

Copy forwarded to the private secretary to RDC(ND) Sambalpur/ Private secretary to Rehabilitation Commissioner-cum-Revenue Secretary, Orissa, Bhubaneswar for favor of information of RDC(ND)/Rehabilitation Commissioner.

Sd/- 23.03.94
Rehabilitation Officer,
SECL/NTPC, Dhenkanal &
Member Secy of the RAC,MCL

Memo No **202** /R Dt 23.03.94

Copy forwarded to the under secretary to Govt of Revenue & Excise Deptt for information.

Sd/- 23.03.94
Rehabilitation Officer,
SECL/NTPC, Dhenkanal &
Member Secy of the RAC,MCL

**MINUTES OF THE 5TH RAC MEETING MCL HELD ON 12.4.1994 AT 3.00 P.M. IN
THE OFFICE CHAMBER OF COLLECTOR, ANGUL**

At the outset the Revenue Divisional Commissioner, Northern Division-cum-Chairman RAC, MCL welcomed the members of the RAC for sparing their valuable time in attending the meeting. He welcomed Sri C.R. Das, now CMD, MCL and hoped that his rich experience will benefit the RAC.

The list of members present and the special invitees who attended the RAC meeting are hereunder:-

1. Sri P.K. Nayak, IAS, Collector, Angul
2. Sri B.K.Pattnaik, OAS(I), RO, SECL/NTPC, Dhenkanal
3. Sri C.R. Das, CMD,MCL, Sambalpur
4. Sri Sriballav Panigrahi, MP, Deogarh
5. Sri P.C. Patra, Deputy Director, Mines Talcher
6. Sri S.D. Tripathy, GM, Talcher Area
7. Sri R.R. Mallik, OAS, Sub-Collector, Talcher
8. Sri B.Mahapatra, OAS, Tahasildar, Talcher
9. Sri B.P. Pattnaik, OAS, LAO-II MCL, Dhenkanal
10. Sri S.K.Juneja, GM, Jharsuguda Area
11. Sri P.Upadhya, GM, in charge Kalinga Area
12. Sri Sekhar Rai, P.O., Kalinga OCP

- 1.1 While confirming the minutes of the 4th RAC held on 21.2.1994 Sri Sriballav Panigrahi, MP expressed his regret and stated that since on 21.2.94, the parliament session commenced the 4th RAC should not have been convened. The Chairman informed that since the meeting was fixed after three adjournments and Government have taken serious view of non-holding of meeting it was not possible to adjourn the meeting further. However, he assured that there will be no such dislocation in future and the meeting will be convened according to the convenience of the non-official members.

- 1.2 In the meeting held on 26.2.94 vide resolution No 3 was agreed upon that all the land losers in A,B & C categories will be provided with job rehabilitation package. The land losers in D category will be provided with jobs available on percentage of land loss basis. The left out land losers in 'D' category and 'E' category will be rehabilitated in self employment schemes, the cost of which will be borne by the MCL authorities. On this issue, the CMD stated that no monetary limit has been fixed by the Coal India Limited for rehabilitation through self employment. According to him, the said money under the scheme will have to come from Government of India. But he assured the house that he will move Govt of India in Ministry of Coal as well as Coal India Limited for fixation of monetary limit for the viable schemes suitable for the land oustees of the area. It was resolved that by end of June 1994 , schemes for self employment will be formulated by the MCL for implementation.
- 1.3 Since the no. of 'D' category oustees is quite sizeable and they are without job, the CMD assured and it was resolved that in future shopping complex to be constructed by the MCL in their township will be allotted to 'C' 'D' % 'E' category oustees on principle.
- 1.4 The CMD also assured to engage the land oustees under contracting agencies as a matter of principle.
- 1.5 The M.P. expressed his concern regarding the engagement of transport contractors from among ex-servicemen. According to him there is a lot of mis-management and impersonation in the grab of ex-servicemen. So he impressed upon the CMD to exercise proper scrutiny before engaging the ex-servicemen as transport contractors.
- 1.6 Collector urged that the ITI pass candidates from Talcher ITI are sitting idle without jobs by MCL which creates problems for the District Administration. The CMD assured that the ITI passed candidates will be called for interview and test through Talcher Employment Exchange and that land oustees will be given priority.

- 1.7 The M.P. brought to the notice of the house that currently, MCL is conducting interview for the post of assistant Foreman. Against, 24 numbers of vacancies including SC & ST quota, 700 candidates have been called for the interview. The M.P. specifically requested the CMD to give preference to the land oustees if other wise found eligible for the post.
- 2.1. The Collector, Angul brought to the notice of the Chairman that at para-7 of G.O No 71/R dated 2.1.89 of Government in Revenue Department in which uniform guidelines for rehabilitation of the displaced persons/families due to SECL project at Sambalpur and Dhenkanal District have been formulated, each displaced shall be given assistance @ Rs 20,000/- (twenty thousands) is envisaged. But subsequently, in the copies of the said G.O. a zero has been struck off making it as 2000 (Two thousand) . RDC (ND)-cum-Chairman desired that a reference may be made to Revenue Deptt to ascertain the correct figure, which has significant financial implication vis-à-vis the displaced families.
- 3.1. Since the statutory period of 4(1) notification in respect of village Hensmul has elapsed long since, the requisition filed by the MCL should be treated as invalid and in case of necessity, MCL may file fresh requisition.
- 3.2. It was also decided that the piece-meal requisition of private land by the MCL discontinue.
- 4.1 The Collector, Angul brought it to the notice of the house that the MCL authorities have issued a huge number of assurance letters to the land oustees that MCL will issue appointment orders on attaining majority. The CMD stated that in such cases where assurance letters have been issued by the MCL officers, they will be honored and they will be allowed to join in order to avoid legal complicity.

5.1 In the 4th RAC meeting held on 21.2.94, it was resolved at para-5 that majority of ladies are interested to nominate the son-in-laws for employment in MCL. Therefore, 4th RAC recommended to Government for accepting the proposal of son-in-law for employment even though they are not successors of women under Succession Laws. In reiterating the above decision, it was again resolved that the decision of the RAC may be recommended to Government for acceptance as it will wear away the land oustees from the path of resistance. However, a condition should be imposed and an undertaking in the form of affidavit should be taken from the son-in-law (nominee) that he will maintain his family and mother-in-law in case he gets employment in MCL. In the event of any desertion, the employee will lose the job.

6.1 At para-1.9 of the minutes of the 4th RAC dated 21.2.1994, it was resolved to move Government to accept the date of award as the reference date for the purpose of employment in all the villages. Since there is a time lag between notification U/S 4(1) and taking over possession of land by the MCL after deliberation and in modification of the above resolution, the committee now resolved to move Government to accept the date of enumeration i.e. 1.4.1992 as reference date for the purpose of employment in case of village Danara considering its peculiar problems urging upon law and order and in regard to other villages, the date of 4(1) notification as the cut off date for the purpose of employment. Accordingly, Government may be moved by the Collector for acceptance of the proposal.

(Action: Collector, Angul)

7.1 Government of Orissa in Revenue & Excise Department vide their letter No 57785/R. dated 24.12.93 have lifted the ban on purchase cases imposed vide their letter No 540/R dated 30.1.1992 and have now decided that a person may be given employment opportunity who held the land prior to the publication of notification U/S 4(1) of L.A. Act. however, the other stipulations imposed in the letter No 540/R dated 30.1.1992 remains unchanged. The RAC could not take any decision beyond this and the CMD assured the house that he will move to Government of Orissa for a detailed clarification on certain points; on receipts of clarification from Govt, the matter will be placed in the next RAC for devising ways for implementation of the G.O.

8.1 The R.O. brought to the notice of the house that most of the times confusion arises at different quarters regarding interpretation of the definition of family. At para-3 of G.O. 71 date 2.1.1989, a family includes the husband, wife as the case may be and their unmarried children. But does not include a major son who has been separated from the family on or before the date of notification U/S 4(1) of LA Act 1894 and in respect of the area/ village he shall be treated as separate family. But in almost all previous cases all major sons. Grand sons, son-in-laws, nephews and other relation nominated by the land losers have been given employment without enquiring into the fact of separation of land by metes and bounds by the major sons for which presently all the members of the family demand jobs. The Chairman clarified that in view of the clear definition of 'family' the fact and status should be strictly enquired into by the Joint Committee consisting of the State Govt nominees and the MCL representatives and action should be taken in strict accordance with para-3 of the G.O. No 71/R dated 2.1.1989. there should be no occasion to complain that avenue of employment has been offered to fake and fraudulent land oustee families.

9.1 The R.O. brought it to the notice of the house that in order to cope up with the work load of Rehabilitation cell, the CMD MCL has been moved by the Collector on two occasions for giving his commitment to bear the TA/DA of one Zone Officer/Asst. Rehabilitation Officer in the rank of class-II, two R.Is. and two Chainmen. However, CMD agreed to bear the establishment charges for the post of one Zone Officer/Asst Rehabilitation Officer, two R. I.s and two Chainmen. Accordingly, it was decided that Govt in Revenue Deptt may be moved for creation of the above posts to ease the burden on the existing inadequate setup.

The meeting ended with vote of thanks to the Chair and to the members present.

Sd/- 11.05.94
REVENUE DIVISIONAL COMMISSIONER
NORTHERN DIVISION-CUM-CHAIRMAN, RAC MCL

Memo No **367** /R Dt 11.5.94
Copy forwarded to all members for information.

Sd/- 11.5.94
Rehabilitation Officer,
SECL/NTPC, Angul &
Member Secretary of the RAC, MCL

Memo No **368** /R Dt 11.5.94
Copy forwarded to the private secretary to SRC-cum-Rehabilitation Commissioner
Orissa, Bhubaneswar for favor of information of SRC.

Sd/- 11.5.94
Rehabilitation Officer,
SECL/NTPC, Angul &
Member Secretary of the RAC, MCL

Memo No **369** /R Dt 11.05.94
Copy forwarded to the private secretary to RDC(ND), Orissa, Sambalpur for favor of
information of RDC(ND).

Sd/- 11.5.94
Rehabilitation Officer,
SECL/NTPC, Angul &
Member Secretary of the RAC, MCL

Memo No **370** /R Dt 11.05.94
Copy forwarded to the under secretary to Govt of Revenue & Excise Deptt for
information.

Sd/- 11.5.94
Rehabilitation Officer,
SECL/NTPC, Angul &
Member Secretary of the RAC, MCL

MINUTES OF 6TH REHABILITATION ADVISORY COMMITTEE MEETING OF MAHANADI COALFIELDS (MCL) HELD ON 16.01.96 AT 3.00 P.M. AT JAGRUTI VIHAR (BURLA), SAMBALPUR.

The Revenue Divisional Commissioner (ND) Sambalpur-cum-Chairman, Rehabilitation Advisory Committee MCL, presided over the meeting. Collector, Angul welcomed all the members of the R.A.C.

The list of members present and special invitees who attended the meeting is at annexure-I.

1.1 Initiating the discussion, Collector, Angul stated that the major issues of discussion are (1) job rehabilitation to the left out land losers under 'D' category, (2) rehabilitation of 'E' category land losers in self employment scheme, (3) change of notification i.e. notification No 71 dated 2.1.89 of Revenue & Excise Deptt., Govt of Orissa taking into consideration both L.A. Act, 1894 and CBA (A&D) Act 1957, (4) rehabilitation package for the families where no eligible members of the oustees is available to be gainfully employed, (5) rehabilitation benefit to physically infirm and mentally retarded persons, (6) rehabilitation package for widows and destitute, (7) rehabilitation of illiterate women nominees and land oustees, (8) separate rehabilitation package for providing subsistence to over aged and medically unfit, (9) rehabilitation of the genuine divorcees, (10) physically deficient and spinsters and (11) approval of the proceedings of the review meetings held on 1.7.94 for land acquisition and rehabilitation problems of Danra and (12) 25.4.94 meeting for rehabilitation of village Brahamnbahal and Damol.

1.2 After threadbare discussion, the minutes of the last RAC meeting dated 12.4.94 was confirmed. During the discussion, Collector, Angul explained the rehabilitation package prepared for NTPC especially for 'D' and 'E' category land oustees. He emphasized on self employment schemes for rehabilitation of 'E' category land oustees and left out 'D' category land losers who can not be provided job rehabilitation in MCL. He opined that since land is not available with Rs 50,000/- a separate package of rehabilitation may be taken up in new mining areas which will come up very soon. Before the mining operation is started in new mines, rehabilitation policy should be chalked out thoroughly for the affected land oustees.

- 1.3 Participating in the discussion, the MLA Talcher requested MCL authorities to absorb some land oustees with contracting agencies working in MCL. He expressed his concern regarding the transporting agencies who are reluctant to engage local land oustees, but on the other hand engaging some persons of other States. The CMD, MCL assured to look into the matter and to engage land oustees in contracting and transporting agencies, as a matter of principle.
- 1.4 The M.P. expressed his concern regarding engagement of Ex-servicemen as transport contractors. He told that some of them are not Ex-servicemen or local people. At times the transport contractors are terrorizing the local people and indulging in anti-social activities. The CMD MCL agreed to take action if specific allegations are brought out.
- 1.5 The Collector, Angul clarified that the ITI passed candidates from Talcher ITI, the written and trade test have been completed. As a matter of principle, the land oustees are given priority over other candidates for all the open recruitment conducted by MCL. Regarding the rehabilitation assistance, Collector, Angul pointed out that each displaced family shall be given assistance of Rs 2000/- as clarified by the Revenue & Excise Deptt., Govt of Orissa vide Notification No 33928/R dated 30.07.94.
- 1.6 As regards assurance letters issued by MCL to the land oustees, Collector, Angul stated that only 4(four) such cases are pending as they have not been issued in conformity with prescribed guidelines of Govt of Orissa. In a reply to the question of MLA, Talcher regarding assurance letters issued to the villagers of Jambubahali. Collector opined that after filing of de-requisition proposal of 'Basti' site of village Jambubahali by the CGM, Kalinga Area, he will verify all such cases for necessary action.
- 1.7 As regards rehabilitation benefit to the son-in-laws being the nominee of lady land oustees, it was discussed that strictly adhering to the Govt orders issued vide Revenue & Excise Department Notification No 62285 dated 6.10.89, the son-in-law of the land oustees is considered as a member of his family. Where an oustee has no adult member of the family suitable for employment, his son-in-

law will be eligible for employment in accordance with the paragraph of Govt Notification No 71/R datd 2.1.89 for a limited purpose.

- 1.8 The M.P. suggested formation of a grievance cell for hearing of grievances as a large number of land oustees are not able to put forth their grievances before the appropriate authority. He also discussed about the problems of the encroachers of village Balanda. They have encroached the Govt land for a pretty long period. Collector, Angul and CMD,MCL assured to look into the matter.

2. The M.P. expressed his concern regarding definition of family as per the views of world bank. It was decided that the matter be referred, comprising of Rehabilitation Officer, NTPC/MCL, Angul, the concerned Project Officers and Spl LAO, MCL, Angul, for rehabilitation purpose and hearing of grievances. The following line is to be incorporated “ who has been separated from the family on or before the date of notification U/S 7(1) of the Coal Bearing Areas (Acquisition & Development) Act 1957 in respect of area/village. He shall be treated as a separate family” in the prescribed guideline for rehabilitation of the land oustees issued vide notification No 71 dated 2.1.89.

3. The CMD, MCL discussed about the new projects and instructed the C.G.Ms and Project Officers to prepare a list of the labourers employed by the contractors from outside the State and hand over the same to the District Administration. Regarding employment of female nominees, CMD, MCL clarified his difficulties and the stringent mining laws prohibiting employment of ladies in mining operation.

4. As regards the rehabilitations of destitute, physically handicapped, mentally retarded, illiterate women nominees, over aged and medically unfit persons, physically deficient and spinsters and genuine divorcees, it was decided that the one time financial support will be extended to the eligible families in afore-mentioned category of land oustees similarly as the case of the scheme prescribed by Irrigation Department for the oustees in different irrigation projects of the State.

5. The Collector, Angul brought it to the notice of the house regarding the format of affidavit prescribed by Jagannath Area for village Hensmul. After threadbare discussion, it was decided that the CGM, Jagannath Area, MCL will rectify the proforma especially, the paragraph-4 and 5 of the format. The cut off date for deciding eligible families for village Hensmul earlier fixed by Collector, Angul to 1.7.94 was approved.

The proceeding of the review meeting held on 1.7.94 for land acquisition and rehabilitation problems of Danara was unanimously approved. The cut off date i.e. 1.4.95 for finalizing the eligible families for providing job rehabilitation to the oustees of Brahmanbahal & Damol and the proceedings of the review meeting held 25.4.94 between the District Administration and MCL management for reviewing the progress of land acquisition and rehabilitation of Brahmanbahal and Damol was also approved. The job rehabilitation for 18 land oustees / nominees of Mahendrapur & Baulapur which was decided by the District Admn so as to start the construction work of Kalinga Colony was also approved.

- 6.1 The CMD,MCL discussed about the forest land of Samaleswari project and other mines of IB valley area> Collector, Jharsuguda presented the detailed picture in the meeting.

- 6.2 R.D.C. instructed to prepare data of each family with photograph for rehabilitation purpose. He emphasized that the N.G.Os may be engaged for the above purpose and rehabilitation matters. The issue regarding payment of compensation was also discussed. The RDC suggested to take sufficient care for payment of compensation and the compensation amount may be deposited adopting joint account principle (husband & wife) so as to avoid unnecessary misuse of the compensation by the illiterate and ignorant land oustees. The principle for issue of family card should be scrupulously ensured. For maintenance and preparation of data, three copies of photograph of wife and husband may be procured from the oustees.

- 7 The M.P. suggested to open Training Institutes for the children of the land oustees. He indicated that unless it is done, the land oustees cannot be rehabilitated as bearers and loaders as is the case to-day.

- 8 The Project Officer, Lingaraj OCP pointed out the issue of the resettlement of the land oustees of village Balugaon. RDC instructed him to discuss the matter with Collector, Angul.

The meeting ended with vote of thanks to the Chair and the members present.

Sd/- 08.02.96

(N.C. VASUDEVAN)
REVENUE DIVISIONAL COMMISSIONER(ND)
SAMBALPUR & CHAIRMAN, REHABILITATION
ADVISORY COMMITTEE MCL, TALCHER.

ANNEXURE-A

LIST OF THE MEMBERS PRESENT IN THE R.A.C. MEETING ON MCL AT JAGRUTI VIHAR, BURLA, SAMBALPUR HELD ON 16.01.96.

1. Sri Sriballava Panigrahi, M.P. Deogarh.
2. Sri Mahesh Sahoo, MLA, Talcher
3. Sri P.K. Nayak, IAS, Collector, & District Magistrate, Angul
4. Smt Arati Ahuja, IAS, Collector, & District Magistrate, Jharsuguda
5. Sri C.R. Das, CMD, MCL
6. Sri B.N. Sahoo, OAS (I) (SB), ADM-cum-R.O. NTPC/MCL, Angul
7. Sri N.K. Sharma, CGM, Jagannath Area
8. Sri M.B. Mathur, CGM, Kalinga Area
9. Sri B.Khan, P.O., Lingaraj OCP
10. Sri Ratnakar Rout, OAS, Spl LAO, MCL Angul
11. Sri Sailendra Pattanayak, OAS, Spl LAO, MCL, Angul
12. Smt Anjana Prusty, OAS, Zone Officer, IB Valley Area.

OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE, ANGUL
(Rehabilitation Cell)

Memo No. **174** /Dt 23.03.96

Copy to all members for information and necessary action.

Sd/- 23.03.96
ADDL DIST. MAGISTRATE-CUM-
REHABILITATION OFFICER,
NTPC/MCL, ANGUL

Memo No. **175** /Dt 23.03.96

Copy to P.S. to RDC(ND), Sambalpur for kind information of RDC.

Sd/- 23.03.96
ADDL DIST. MAGISTRATE-CUM-
REHABILITATION OFFICER,
NTPC/MCL, ANGUL

Memo No. **176** /Dt 23.03.96

Copy to OSD-cum-Dy Secretary to Govt Steel & Mines, Orissa,
Bhubaneswar for kind information and necessary action.

Copy to Spl LAO, MCL, Angul for information and necessary action.

Sd/- 23.03.96
ADDL DIST. MAGISTRATE-CUM-
REHABILITATION OFFICER,
NTPC/MCL, ANGUL

R.A.C. Proceedings 21.9.97 895
24.11.97

Summary minutes of the proceeding of the R.A.C. meeting of Talcher/Ib-Valley, MCL area held on dt.21.9.97 at 11 A.M. at Jagruti Vihar, Burla under the Chairmanship of the Revenue Divisional Commissioner, N.D., Sambalpur.

(11)

1. The Revenue Divisional Commissioner presided over the meeting. The list of members attended the meeting is at annexure "A". C.M.D., MCL, Burla welcomed all the members and assured full co-operation from the MCL and after that the proceeding of the last RAC was confirmed.

Inaugurating the discussion the Commissioner flagged the following issues. (I) the confusion faced by the land losers as to the acquisition of the land through L.A. Act and C.B.Act (ii) lack of uniform policy with regard to payment of compensation and requisite rehabilitation properly in various projects of MCL (iii) use of fallow land for afforestation.

3. The M.L.A., Talcher stated that (I) there is no uniformity in respect of payment of compensation & rehabilitation by Water Resource Department/NTPC/NALCO/MCL etc. in his area. (ii) The MCL authorities have committed for several facilities before acquisition of land but after taking possession of the land they forget to comply. (iii) The committee should decide once for all which projects will be taken up and what compensation and benefit will be paid.
4. The M.P., Deogarh narrated the story of a blind land loser as to how his wife employed by MCL deserted him and he is left with no means of livelihood. There should be some provision in shape of pension to such handicapped land loser and MCL authorities should take care of this as a means of livelihood.
5. Providing employment is only partial rehabilitation. There is provision of cash grant upto Rs.50,000/- and the son-in-law of a land oustee can be given employment on the condition that he must look after the old parents and his wife.
6. Employment should be available for oustees of both L.A.Act and C.B.Act.
7. Before starting mining operation detailed survey should be conducted to ascertain the total land needed to be acquired under the L.A.Act/C.B.Act and the land oustees rehabilitated according to finalised package.
8. There are problems of encroachment in respect of land acquired under C.B.Act, which is complicating rehabilitation. In respect of all Hirakud land oustees encroaching these lands the presumption should be that they are DC Patta holders and accordingly, they are entitled for rehabilitation.

9. The Hon'ble M.P. suggested to form rehabilitation committee at different level i.e., Tahasil level/G.P. level. (cp)
10. The engagement of large number of workers from outside the State and the Project areas by the MCL received criticism, because it leads to immediate discontentment, crime, unrest, law and order and their very resettlement in the State after completion of mining operation will create unbearable burden in the long run. They must have constructed temporary dwelling houses either in the land acquired by the MCL or in Govt. land which should be removed immediately after the Project is over. To the extent possible, the contractor should be encouraged to hire local people to reduce the above problems.
11. The engagement of workers on daily wages is not included in the rehabilitation package. They are casual labourers and all the rehabilitated land losers are eligible and entitled to work as labourers in the MCL and its contractors if they so wish.
12. To give a sense of belongingness to the workers, campus recruitment from local technical institutions and training of children of land oustees should be sponsored by MCL as done by other organisation.
13. The uneducated and illiterate land loser should not be harassed by insisting to file affidavit in the proforma prescribed by MCL but the information can be collected from door to door by the MCL authorities and submit in the proforma prescribed by them.
14. Collector, Angul submitted that while acquiring private land under L.A. Act and C.B. Act, small patches of land like of Ac.65.00 in Danara, Ac.44.00 in Langijoda, Ac.24.00 in Gopal Prasad, Ac.13.86 in Kusumpala have been left out for non-availability of coal or some other reasons and the left out land can not be put to use by the land owners as the entire village has shifted to other place of resettlement. The Commissioner clarified that when a patch of private land can not be used by the Khatadar due to the operation of coal mines the entire village can be declared as fully affected and the land loser are eligible and entitled for full rehabilitation assistance by the project. Steps should also be taken to declare the leftout land like temples as abandoned and taken to Govt. Khata. The Revenue and mining authorities are to keep watch to prevent possible misutilisation of land either by the lessee or encroachers.
15. The C.M.D., MCL submitted that they are consulting the concerned Collectors in all the issues and stated that the Government land is first

transferred from State Government to Central Govt. and then the Central Govt. grant lease to the MCL for mining operation. He presented that the land loser are interested only for the job in MCL which is not possible as the MCL is already overstaffed. They are thinking of rehabilitation through other viable means of self-employment by providing loan in the light of anti-poverty programme of Govt. of Orissa. But no other policy has been received by them from their authorities.

16. Commissioner clarified that land taken under C.B. Act can only be put to use as prescribed under Sec.4(1) of Act. These do not include open cast mining, large buildings for houses, quarters, guest houses, hospitals etc.

17. The M.P., Deogarh stated that there are well defined policy on rehabilitation being implemented in the coal mining area of Bihar, West Bengal, Dhanbad etc. and the people are far better socially as well as economically.

18. The M.L.A., Talcher complained that blasting operation is being carried on near human habitats and the people are scared. However they can not leave without getting compensation and rehabilitation. They keep constantly running to us for relief. It is decided that the blasting should not be carried out near human habitations and should be confined to safety zone.

19. The Collector, Angul submitted that the MCL is utilising the small parcels of Govt. land which are surrounded by acquired tenancy land in the mining work without getting these land transferred in their favour.

20. To sortout the problem R.D.C. desired that the Tahasildar should send the notice under appropriate provisions of law for necessary action. The mining authorities should not allow the mining operation in Govt. land unless and until necessary clearance is obtained from the Tahasildars as MCL authorities will face action under OPLE Act. The Officials of MCL will also be responsible for the loss of Govt. of Orissa. Often the procedure is not being followed in C.B. Act with regard to handing over the land by Revenue authorities to the MCL officials as the consent of State Govt. is necessary in C.B. Act in respect of Govt. land.

21. Similarly in Case of 2 reserved forests the Govt. of Orissa has lost revenue on surface right as the forest Department directly handed over the land to MCL by passing the Revenue authorities. He observed that the Forest Department after receiving the revenue of forest growth handed over the land to MCL for mining operation for realising the mining revenue by the Mining Department. The Forest Department and the Mining Department are equally responsible for the loss of surface revenue as the land were transferred straight way without rotating through Revenue Department. The

- Revenue and Excise Department and after ensuring compensatory afforestation and realising the revenue on surface right the land could be transferred to MCL for mining operation. This is illegal. The Tahasildar should start cases combining the provisions of OPLE Act, OGLS Act and OSS Act, after issuing notices to the departments concerned.
22. The Collector, Jharsuguda brought to the notice of the house that the list of beneficiaries selected and recommended by the Rehabilitation Committee to MCL for employment has not been taken into consideration on various pleas. It is decided that the C.M.D., MCL will depute his representative to participate in the selection process in Rehabilitation Committee.
23. The CGM, MCL, Brajaraj Nagar submitted that the MCL has already paid the dues against the Govt. land measuring Ac.497.95 which was taken advance possession but further demand notice are being sent by the Tahasildar, Lakhanpur. Collector, Jharsuguda informed that the A.G., Orissa, Bhubaneswar has pointed out the loss and included the interest from the date of possession. The M.D., MCL, Burla contended that all the facts had not been presented before the Audit. The case of MCL should be considered on merits in the case record. There is always a forum for appeal and these formal forums should be exhausted first.
24. There are large amounts lying unpaid towards compensation as well as rehabilitation for the land acquired under C.B. Act in the Ib-Valley Area. There is no proper survey as to the number of families affected and also monitoring agency to ensure the proper and timely rehabilitation of land losers. This position is unsatisfactory. The Collector should make a survey. The MCL should also consider it their responsibility of identifying these cases. There are 1051 families yet to be rehabilitated in MCL area of Talcher although the names have been sponsored to MCL.
25. The Commissioner instructed that the figure on allotment of reclaimed Govt. land for homestead purposes to the displaced families and financial assistance for construction of temporary shed should be separately discussed in detail by the Collector and the CGM of the area.
26. A committee consisting of representatives of the CGM of the area and the Collector of the district shall conduct joint enquiry to determine the number of affected persons on the basis of eligibility criteria and decide the quantum/mode of rehabilitation.
27. There should be transparency in the list of eligible persons for job. The names should be published in notice boards and not sent in piecemeal.

28. There should be uniformity in rehabilitation packages of different areas.
29. The principles of the Orissa Resettlement and Rehabilitation of Project affected persons policy 1994 should be kept as a norm while framing individual rehabilitation packages.

-Sd-

Revenue divisional Commissioner,
Northern Division & Chairman, R.A.C., MCL,

Memo No. _____ / DT. _____ /
Copy to all members for information and necessary action.

Sd/-
Rehabilitation Officer,
MCL/NTPC, Angul.

Memo No. _____ / DT. _____ /
Copy to Private Secretary to R.D.C. (N.D), Sambalpur for
information.
Copy to Deputy Secretary, Steel & Mines, Orissa, Bhubaneswar
for necessary action.

Sd/-
Rehabilitation Officer,
MCL/NTPC, Angul.

Memo No. 999 / DT. 17/4/97 /
Copy to Spl. L.A.O., MCL, Angul/Tahasildar, Talcher for
necessary action.

Sd/-
Rehabilitation Officer,
MCL/NTPC, Angul.

4

**LIST OF MEMBERS PRESENT IN THE R.A.C. MEETING ON M.C.L. AT
JAGRUTI VIHAR, BURLA, SAMBALPUR HELD ON 21.09.97.**

1. **Shri Sriballava Panigrahi,
Hon'ble M.P., Deogarh.**
2. **Shri K. M. Rout, OAS (S),
Collector & D. M., Angul.**
3. **Shri C. J. Venugopal, IAS,
Collector & D.M., Jharsuguda.**
4. **Shri K. C. Das, IAS,
Collector & D.M., Sundargarh.**
5. **Shri Mahesh Sahoo,
M.L.A., Talcher.**
6. **Shri A. R. Sharma,
C.M.D., M.C.L., Burla, Sambalpur.**
7. **Shri M. P. Mishra, OAS (S),
R.O., M.C.L./NTPC, Angul.**
8. **Shri S. N. Sharma,
Director(Tech), M.C.L.**
9. **Shri M. B. Mathur,
C.G.M., Kalinga Area, M.C.L.**
10. **Shri B. P. Singh,
C.G.M., Jagannath Area, M.C.L.**
11. **Shri B. N. Mishra,
C.G.M., IB Valley, M.C.L.**
12. **Shri H. Prasad,
C.G.M., Basundhara Area, M.C.L.**
13. **Shri G. Rai,
C.G.M., Orient Area, M.C.L.**
14. **Shri R. Soneja,
C.G.M., Hingula Area, M.C.L.**
15. **Shri N. Mohanty,
C.G.M., Sambalpur, M.C.L.**
16. **Shri D. Pallei, OAS (I) Jr.,
Sub-Collector, Talcher.**
17. **Shri N. C. Mishra, OAS,
Spl. L.A.O., M.C.L., Angul.**
18. **Shri Kailash Sahu, OAS,
Spl. L.A.O., M.C.L., Angul.**

**MINUTES OF THE REHABILITATION ADVISORY COMMITTEE MEETING OF M.C.L.
HELD ON 23.05.98 AT ANGUL**

The list of Members present is given at Annexure-A.

The following decisions were taken:

1. The cases of unemployed land oustees of MCL which have not been covered will be scrutinized by a committee consisting of following members:

- i) Collector, Angul
- ii) MLA, Talcher
- iii) C.G.M., Kalinga Area, Talcher

The principle to be followed by the committee will be by and large the same as that for previous cases. The 'D' category oustees will be considered for jobs in Kalinga Area only. The matter will be put up to the Revenue Divisional Commissioner in file for approval after which employment will be provided.

2. In respect of other unresolved cases of back log oustees, similarly a committee consisting of following members:

- i) Collector, Angul
- ii) MLA, Talcher
- iii) C.G.M., Concerned Area

Will scrutinize the cases.

Thereafter it will be submitted to the Revenue Divisional Commissioner-cum-Chairman and his order be carried out.

3. In those cases, where persons whose houses/ homestead land have been acquired and who do not want to shift to the place provided by the MCL or in whose cases the sites have not been given, a lumpsum amount of Rs 60,000/- will be paid in cash in lieu of cost of land and cost of land development/ infrastructure. The families will shift after one month of receiving the amount, and before two months. After two months of payment of the amount, the persons will be evicted by use of force if they have not moved by 2 months.

]

4. In those cases where house site pattas have to be distributed , it should be recorded on the pattas on lease against land, if any, that the person will construct septic latrine within 3 months failing which the pattas will be cancelled. This principle already communicated by the RDC(ND), Sambalpur to all concerned shall be strictly followed.

5. It was submitted by the MLA, Talcher that some land which has not been acquired has been affected by the OB dump and some basement/roads have been obstructed. The RDC(ND) advised that in such cases, petition should be filed before the Sub-Collector-cum-Sub-Divisional Magistrate U/S 133/144/147 Cr. P.C. and law should take its own course.

6. On the note circulated by the RDC(ND) on long term implication of employment land use, ancillary industries, the MCL will furnish other evidence to the Chairman which will be take up in the next RAC.

7. The present practice of allocating quarters of MCL to land oustees and contractors is both unprofessional and is heating discontentment among employees. Wrong precedents are being created. There will be ramification on future land and order. This should be discontinued.

Sd/- 23.5.98

Revenue Divisional Commissioner-cum-
Chairman, RAC

Memo No 1601 /L.A. Date. 26.5.98

Copy forwarded to Dr Debendra Pradhan, Hon'ble Minister of State, Surface Transport, Govt of India/Sri Mahesh Sahoo, MLA, Talcher/ Sri Kulamani Deo, IPS, DIG (NR) Sambalpur/Sri Kulamani Rout, OAS(S), Collector, Angul/Sri S.N. Sharama, Chairman-cum- Managing Director, MCL, Burla, Sambalpur /Sri M.P. Mishra, Rehabilitation Officer, MCL/NTPC, Talcher/ Sri G.K. Choudhury, Director(Pers), MCL, Sambalpur/ Sri B.P. Singh, Director(Tech), MCL, Sambalpur/ Sri Dharmananda Dalai, Sub-Collector, Talcher/ Sri N.C. Mishra, Spl Land Acquisition Officer, MCL, Angul/Sri S. Bannerjee, CGM, Jagannath Area, Talcher/ Sri S.C. Pandey, CGM, Kalinga Area, Talcher for information and necessary action.

Sd/- 27.5.98
Under Secretary.

Copy forwarded to the Deputy Secretary to Government in Revenue & Excise Department, Orissa, Bhubaneswar/Deputy Secretary to Govt. Steel and Mines, Orissa, Bhubaneswar for information and necessary action.

Sd/- 27/5
Bimla

Sd/- 27.5.98
Under Secretary.

ANNEXURE-A

1. Dr Hrusikesh Panda, IAS Chairman
Revenue Divisional Commissioner,
Northen Division, Sambalpur
2. Dr Debendra Kumar Pradhan
Hon'ble Minister of State,
Surface Transport, Govt of India
3. Sri Mahesh Sahoo, MLA, Talcher
4. Sri Kulamani Deo, IPS
D.I.G. (NR), Sambalpur
5. Sri Kulamani Rout, OAS(S)
Collector, Angul
6. Sri S.N. Sharma
Chairman-cum-Managing Director
MCL, Burla, Sambalpur
7. Sri M.P.Mishra, Rehabilitation Officer
MCL/NTPC, Angul
8. Sri G.K. Choudhury, Director(pers),MCL
9. Sri B.P. Singh, Director(Tech),MCL
10. Sri Dharmananda Dalai, Sub_Collector, Talcher
11. Sri N.C. Mishra, Spl LAO, MCL, Angul
12. Sri S. Bannerjee, CGM, Jagannath Area
13. Sri S.C. Pandey, CGM, Kalinga Area

**MINTUTES OF THE 9TH REHABILITATION ADVISORY
COMMITTEE (RAC) MEETING FOR MAHANADI COALFIELDS
LTD. OF ANGUL DISTRICT**

Date & time : June 18, 2001; 10 AM

Venue : Deepshikha Guest House, Kaniha

The list of the members present and special invitees is given at 'Annexure -A'.

The Revenue Divisional Commissioner-cum-Chairman, R.A.C., Shri T. Ramachandru, I.A.S., presided over the meeting. Initiating the discussion, the Chairman welcomed all the members & invitees present in the meeting and stated that they should keep both the meaningful rehabilitation and resettlement of the Project Affected Persons (PAPs) and commercial interest of the MCL in mind while deliberating upon the agenda items.

Participating in the discussion, the Hon'ble Union Minister of State, Agriculture Dr. Debendra Pradhan expressed his concern over the delay in convening of the R.A.C. meeting. He expressed his hope that the Committee would sit regularly henceforward.

The Chairman stated that though the Government has not given any indication regarding frequency of the meeting of the R.A.C. in its Resolution, attempt would be made to convene it at least once in six months now onwards.

The Collector, Angul and Member Secretary, RAC briefed the Committee about its functions and objectives, which was followed by agenda-wise discussion/decisions as follows:

1) JOB REHABILITATION :

The Collector intimated the Committee about the job rehabilitation policy presently followed by the MCL basing upon the instructions contained in the letter No. 71 dated 02.01.1989 of the Revenue and Excise Deptt., Govt. of Orissa, adopted as such during the first meeting of the R.A.C.



He further stated that at present, A, B, and C category of the land oustees are provided employment by the MCL, whereas the 'D' category of the land oustees are not considered though they are eligible to get employment subject to availability of job as per the Govt. policy of 1989. At this stage, the C.M.D., MCL expressed his limitation in providing job to every land oustee in view of fast mechanisation of the mining process and other cost-reduction measures of the Govt. That is the reason for which the C.I.L. vide its letter No. 124 dated 23.03.2000 has proposed for one-time cash grant/monetary compensation in lieu of employment for acquisition of land. The details of this one-time cash grant proposal were discussed at length.

The following **decisions** emerged after the discussion as far as job rehabilitation is concerned:

- I) The policy of providing jobs to 'A', 'B' and 'C' category of land oustees would continue as in vogue at present.
- II) As per the Government policy (of 1989) as adopted in the 1st RAC, the 'D' category of land oustee "shall be provided with employment **according to availability**". The Collector stated that as no information regarding the project-wise job requirement is received from the MCL Area Offices, it has not been possible to assess the availability of job for 'D' category land oustees. After discussion, the C.M.D, MCL agreed to provide information regarding project wise manpower requirement to the office of the R.O., MCL/NTPC, Talcher /District Administration, Angul on regular basis.
- III) The proposal regarding **one-time cash grant / monetary compensation in lieu of employment** for acquisition of land, was unanimously adopted by the Committee as proposed by the MCL. The details of this package are reiterated below:
 - Rs.1,00,000/- (Rupees One Lakh) only for first acre of land on pro-rata basis subject to a minimum of Rs. 25,000/-;
 - Rs. 75,000/-(Rupees Seventy Five Thousand) on pro-rata basis for 2nd and 3rd acre of land; and
 - Rs.50,000/-(Rupees Fifty Thousand) on pro-rata basis for the land beyond 3 acres.

The MCL authorities were requested to implement this decision with immediate effect.

IV) Whereas the land oustees of the 'D' category would invariably be persuaded to opt for monetary compensation/financial package, the land oustees of 'A', 'B' and 'C' categories would also be asked to exercise their option between job and monetary compensation.

(Action : CMD, MCL/R.O., MCL)

2) RESETTLEMENT :

The Collector, Angul and Member Secretary intimated that, as per the present policy, each displaced family is to be allotted Govt. land up to 10 decimals for homestead purpose. However, he further intimated, during the last meeting of the RAC held on 23.05.1998, it was decided to provide a lump sum amount of Rs.60,000/- in cash in lieu of the cost of land, land development and infrastructure to those displaced families who opt for cash compensation in lieu of resettlement plot. Against this, the MCL has been providing a lump sum amount of Rs.50,000/- only to the displaced families.

The Hon'ble MLA, Talcher suggested provision of burial ground and gochar land in resettlement colonies besides the usual infrastructure development / common facilities provided by the MCL at present.

The Collector, Angul intimated that besides the provision of land for homestead purpose, one-time lump sum payment of Rs.2,000/- is given to each displaced family for construction of a temporary shed. As this amount was fixed more than 10 years back, it was proposed to increase the amount of this assistance to Rs.10,000/- per displaced family.

The Committee in detail discussed all these issues, and the following decisions were taken:

- (53)
- I) The Committee felt that the MCL should honour the decision of the 8th RAC as regards payment of lump sum amount of Rs.60,000/- as replacement cost of homestead land of the displaced family. It was recommended to the MCL to consider the matter and after that it should clear the differential payment to the PAPs who have already received one-time payment at the rate of Rs.50,000/-. The CMD, MCL agreed to consider the matter afresh.
 - II) The CMD, MCL also agreed to consider an increase in the amount provided to the displaced families for construction of temporary shed from Rs.2,000/- to Rs.5,000/- for the present.
 - III) It was agreed by the MCL authority that they would take steps to provide land for burial ground and Gochar etc. in the resettlement colonies in consultation with revenue authorities.
 - IV) While participating in the discussion about the resettlement colony, the RDC & Chairman, RAC clarified to the MCL that the Government land for resettlement colony can be made available only on payment of premium as assessed by the Tehsildar concerned.

**(Action : C.M.D, MCL/All CGMs/
GMs/Tehsildar, Talcher)**

3) ABSENCE OF TIME LIMIT UNDER THE C.B.A. (A & D) ACT, 1957 FOR PASSING OF AWARD :

The Collector & Member Secretary, RAC intimated the Committee that majority of the Govt. and vacancy land is being acquired by the MCL authority under the Coal Bearing Areas (Acquisition & Development) Act, 1957. He further stated that, whereas under the Land Acquisition Act, 1894, the process of land acquisition including passing of award is to be completed within 3 years (failing which the land acquisition proceeding shall lapse), there is no such time limit prescribed in the C.B.A (A&D) Act, 1957. As a result, the people are not only debarred from mortgaging / selling of land during that period but also get

(delayed) payment only when the MCL desires to utilise such acquired land and passes their awards. In some of the cases, awards have not been passed even after lapse of 10 years of 'declaration of acquisition of land' under Section 9(1) of the C.B.A. (A&D) Act, 1957.

The Committee went through the details of the problems illustrated in the agenda notes through the tables and finally, took the following decisions:

- I) It was unanimously decided to move to the competent authority for amendment in the C.B.A. Act to provide time limit for passing of award on the pattern of L.A Act. The CMD, MCL was requested to get a draft amendment prepared and send it early to the Collector, Angul for taking further action in the matter through proper channel.
- II) The CMD, MCL was requested to acquire the land in comparatively smaller chunks and ensure that the award is preferably passed within maximum 4 years from the notification under Section 7(1) of the C.B.A. Act.
- III) Present practice of taking date of 4(1) notification under L.A. Act and date of 7(1) notification under CBA Act as 'cut-off date' for the purpose of job rehabilitation would continue.
- IV) However, whenever, the MCL is not able to pass award within the 4 years' time limit from the date of 7(1) notification under C.B.A. Act, the matter of fixing up of the 'cut-off date' for job rehabilitation would invariably be put up before the RAC for decision.

(Action : CMD, MCL/R.O MCL)

4) ANOMALY IN THE RATE OF AWARD OF COMPENSATION :

The matter of anomaly in the rate of award of compensation as a result of the absence of time limit under C.B.A. (A&D) Act, 1957 for passing of award was brought to the notice of the Committee. The cases of Solada village acquired by the Kalinga

Area the year 1989 vis-à-vis Gopalprasad village acquired by the Hingva Area in the year 1997 and Patharamunda vis-à-vis Kanaha village were cited before the Committee. It was suggested that the MCL might consider increasing the rate of interest to compensate for revision in the price of land over the years. After discussion, the following **decisions** were taken:

I) The MCL authority should try to expedite the passing of award i.e. preferably within 4 years from the date of notification under Section 7(1) as indicated in the earlier paragraph.

II) The R.O., MCL and the CGMs/GMs of MCL concerned would jointly study the specific cases of Solada (Kalinga Area), Kanaha & Patharamunda (Lingaraj Area) and suggest solution within a period of one month, which shall be forwarded to the CMD, MCL for consideration.

(Action : R.O., MCL & all C.G.Ms/G.Ms)

5) INCOMPLETE ACQUISITION - LEAVING SMALL POCKETS OF AGRICULTURAL AND HOMESTEAD LAND

Both the Collector, Angul and the Hon'ble MLA, Talcher brought to the notice of Committee the cases of incomplete acquisition viz., Langjoda, Gopalprasad, Kusumpal etc. The left out patches in the above mentioned villages are neither commercially nor agriculturally viable. The following **decisions** were taken in this regard:

I) The MCL as far as possible should not leave such patches during land acquisition in future.

II) The R.O., MCL would specifically identify such left out patches of land in different villages before the end of June, 2001 and submit a complete report to the Collector, Angul and C.M.D., MCL for taking further action. During this enquiry by the R.O., the concerned C.G.M/G.M., MCL would extend necessary support and provide all necessary information.

(Action : R.O., MCL/ CGMs/GMs, MCL, Talcher)

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6) **PROBLEMS RELATING TO THE REHABILITATION POLICY :**

I) The issue relating to job rehabilitation of 57 pending cases of village Danara was discussed in detail. The CMD, MCL assured that if there is no legal hurdle in term of immediate stay of the court, he would issue letter of employment to the beneficiaries immediately.

II) The Collector, Angul intimated that despite a specific decision of the 3rd R.A.C., the cases of physically handicapped /mentally challenged persons are not treated by the MCL as separate family for which they are not able to get rehabilitation & resettlement benefits.

After detailed discussion, it was decided that whenever a physically handicapped/mentally challenged person is self-awardee / nominee or otherwise, s/he will be asked to receive cash compensation in lieu of job.

III) Where no eligible member of awardee's family is available to be employed, such awardee will also be asked to receive cash compensation in lieu of job.

IV) The C.M.D., MCL indicated about their limitation to provide jobs in the mines to the female land oustees / nominees. It was discussed and decided that the female land oustees / nominees would also be persuaded to take one-time cash compensation in lieu of job

V) The case where awardee does not have any eligible member for employment except married daughter(s) would be considered as issueless family and may be provided with monetary compensation on humanitarian ground.

(Action : C.M.D., MCL/R.O., MCL/ All CGMs/GMs)

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7) **OTHER MATTERS:**

I) It was decided to follow up action on the report relating to Rakas Reserve Forest at the Govt. level.

a. (Action : CMD, MCL /R.O.,MCL)

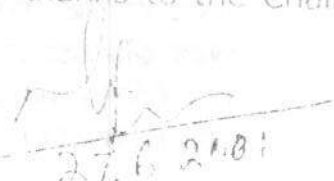
II) The MCL authorities were requested to take immediate steps for payment of outstanding premium dues against the Govt. land allotted for resettlement sites at Gurujang, Ghantapada, Kuio and Handidhua.

a. (Action : CMD, MCL/CGMs/GMs)

III) As proposed by the Collector, Angul, it was decided that before putting up the list of eligible candidates to the Collector for sponsoring to the MCL authorities for employment, such list should be thoroughly scrutinised by the joint committee including consideration of eligibility of the nominee, verification of his/her educational & other documents etc.. Once the list is sponsored, it would be followed only by a medical test. In case of any doubt, the matter can be referred to the office of the Collector for clarification.

(Action : RO, MCL/CGMs/GMs)

The meeting ended with vote of thanks to the Chair and participants.


27.6.2001
Chairman, RAC and
Revenue Divisional Commissioner,
(N.D.), Sambalpur

Memo No. 508 / Dated 30.6.2011 / 48

Copy forwarded to all the members of Rehabilitation Advisory Committee for information and necessary action.

Singh
**Collector & Member Secretary,
R.A.C., Angul**

Memo No. _____ / Dated _____ /

Copy forwarded to the Principal Secretary to Government in Revenue Deptt., Orissa, Bhubaneswar for favour of kind information and necessary action.

Singh
**Collector & Member Secretary,
R.A.C., Angul**

Memo No. _____ / Dated _____ /

Copy forwarded to the Commissioner -cum- Secretary to Government in Steel & Mines Deptt., Orissa, Bhubaneswar for favour of kind information and necessary action.

Singh
**Collector & Member Secretary,
R.A.C., Angul**

Memo No. _____ / Dated _____ /

Copy Submitted to the Chief Secretary, Orissa, Bhubaneswar for favour of kind information.

Singh
**Collector & Member Secretary,
R.A.C., Angul**

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ANNEXTURE-'A'MEMBERS & INVITEES PRESENT

Sl. No	Name	Designation
1.	Dr. Debendra Pradhan	Hon'ble Union Minister
2.	Shri Mahesh Sahoo	Hon'ble M.L.A., Talcher
3.	Shri Nagendra Pradhan	Hon'ble M.L.A., Athamallik
4.	Shri L. N. Gupta, IAS	Collector, Angul
5.	Shri R. K. Chechani	C.M.D., MCL, Burla
6.	Shri K. B. Sahu	Nominee of Hon'ble M.P., DKL
7.	Shri S. Pandey	C.G.M., Kalinga Area
8.	Shri R. C. Malhotra	C.G.M., Jagannath Area
9.	Shri R. B. Upadhyaya	C.G.M., Talcher Area
10.	Shri S. M. Keher	G.M., Lingaraj Area
11.	Shri A. K. Mukharjee	G.M., Hingula Area
12.	Shri R. J. Singh	G.M., Chhendipada Area
13.	Shri S. N. Das, OAS (I) SB	R.O., MCL/NTPC, Talcher
14.	Shri B. B. Panda, OAS (I) JB	Sub-Collector, Talcher
15.	Shri A. K. Singh, OAS	Spl. LAO, MCL, Angul (I)
16.	Shri Prakash Ch. Mohanty, OAS	Spl. LAO, MCL, Angul (II)
17.	Shri G. C. Rath, OAS	Tehsildar, Talcher
18.	Shri G. K. Choudhury	Director, Personnel, MCL
19.	Shri S. P. Singh	Director, Technical, MCL
20.	Shri L. N. Agarwal	CGM/CTS to CMD, MCL
21.	Shri A. K. Sarangi	Dy. Chief Manager, L&R
22.	Shri D. B. Sahu	Chief Survey Officer, Lingaraj
23.	Shri Tenjit Singh	S.O. (Survey) Jagannath
24.	Shri S. P. Singh	Dy. Chief Manager, L&R, Kalinga
25.	Shri S. K. Pal	Supdt. of Mines, Hingula Area
26.	Shri N. K. Tripathy	Supdt. of Mines, Kaniha

**MINUTES OF THE 10TH REHABILITATION ADVISORY COMMITTEE (RAC)
MEETING FOR MAHANADI COALFIELDS LTD. OF ANGUL DISTRICT.**

Date & Time : March 28,2002:11 AM
Venue : Conference Hall, C.G.M. Office, Jagannath Area
MCL, Talcher

The list of the members present and special invitees is given at **Annexure-A.**

The Revenue Divisional Commissioner-cum-Chairman RAC, Sri G.K.Dhal, IAS presided over the meeting initiating the discussion. The Chairman welcomed all the members and invitees present in the meeting.

Participating in the discussion, the Hon'ble M.P. Dhenkanal, Hon'ble MLA, Talcher and representative of Hon'ble M.P., Deogarh suggested for circulation of agenda notes a week before the RAC meeting. It was noted for future guidance.

It was decided to convene RAC meeting at least once in six months now onwards.

The Collector, Angul and Member Secretary RAC initiated the discussion agenda wise and the following discussions were taken.

Agenda-1

- (a) The details of action taken report on 9th RAC resolutions were placed before the committee and the following decisions were taken:

The Collector, Angul intimated the Committee about the non-submission of project wise manpower report by the CMD,MCL, Burla as discussed earlier. The Committee instructed the MCL to report regularly in every quarter, the manpower position in MCL to the Chairman, RAC with a copy to Collector-cum-Member Secretary to RAC.

- (b) It was decided in the 8th RAC to make payment of limp sum amount of Rs 60,000/- as replacement cost of homestead land of displaced families. However, MCL implemented the decision after 9th RAC. CMD,MCL indicated that assessment of entitled persons for differential amount of Rs 10,000/- will be made village wise to arrive at a frozen list from the date of 8th RAC. Then MCL will make payment after approval of the Board.

(c) Hon'ble M.P., Dhenkanal and representative of Hon'ble M.P. Deogarh suggested that there should be one comprehensive rehabilitation package, as MCL requires acquisition of land in a continuous manner. After discussion, RAC constituted a working group under the Chairmanship of Collector, Angul for preparing a comprehensive rehabilitation package for MCL. The committee will have GM(P&A), Corporate Office, MCL Burla, nominees of Collector, Sundergarh and Collector, Jharsuguda as members. The Committee will engage Nabakrushna Chaudhury Centre for Development Studies Bhubaneswar as consultant. CMD,MCL agreed to bear the consultation charge fee.

After threadbare discussion on the action taken report to the proceedings of 9th RAC, the committee confirmed the minutes of the 9th RAC meeting.

2. JOB REHABILITATION.

a. The Collector intimated the committee about the job rehabilitation policy presently followed by the MCL basing upon the instructions contained in letter No 71/R 2.1.1989 of Revenue & Excise Deptt. And letter No 58349/R Dt 09.11.1998 of Revenue & Excise Deptt. Govt of Orissa. The CMD,MCL expressed his limitation in providing job to every land oustee in view of the fast mechanization of the mining process. The committee felt that the quantum of one time cash compensation in lieu of employment is a lower side.

After discussion, the RAC recommended to provide Rs. 5.00 lakhs as one time cash grant compensation in lieu of employment to the eligible land oustees/nominees.

b. The change of nominee in favour of son or daughter will be allowed, who was minor to the cut off date and in the meantime he become major, if the land oustee nominee desires so and found medically otherwise unfit for job on the basis of one job against one job. The CMD,MCL Burla agreed to implement it. The Committee approved that a Sub-Committee under the Chairmanship of Collector where the CGM of concerned mining area would be a member and screen all cases of employment and suggest for appointment.

3. RESETTLEMENT

The Committee discussed about facilities being provided in the resettlement colonies of Balanda and Kuio. The Committee asked the Sub-Collector, Talcher to visit the above two colonies and submit a report the Collector and Member Secretary within 15 days. On the basis of the report, MCL would be asked to make improvements in the colonies.

4. ABSENCE OF TIME LIMIT UNDER THE CBA (A&D) ACT 1957 FOR PASSING OF AWARD.

- a) The Committee took note of the problems faced by the tenants due to undue delay in awarding compensation, after notification u/s 7 of CBA (A&D) Act. in some cases it has taken 15-16 years. It was decided in the last RAC to initiate steps for amendment of CBA (A&D) Act. CMD, MCL Burla intimated that he has already sent a proposal to amendment of CBA Act to the Revenue Department Govt of Orissa. However, whenever MCL is not able to pass award within four years from the date of 7(1) notification of the CBA Act of the CBA Act, the matter of fixing of cut off date for job rehabilitation would be decided by the then Members of the Committee as per the 8th RAC decision and the same will be ratified in the RAC.
- b) The Committee ratified the approval of cut off date in respect of village Solada of Kalinga Area approved the RDC-cum-Chairman RAC in absence of the RAC.
- c)

5. ANOMALY IN THE RATE OF AWARD OF COMPENSATION.

The anomaly in the rate of award of compensation in respect of villages- Kaniha and Patharmunda and the remaining six villages came for discussion. The Committee took date of the inquiry report submitted by the Rehabilitation Officer, MCL/NTPC in this issue, MCL was asked to reassess the compensation in respect of the remaining six villages within a month.

6. INCOMPLETE ACQUISITION LEAVING SMALL PATCHES OF LAND.

As regards the incomplete acquisition, the CMD,MCL Burla agreed to approve all the small patches of village Gengutia, Debalayapur, Nakulabaspur and Ambamunda, it was decided to examine the cases of other villages in greater detail.

Hon'ble MLA Talcher suggested to include village Kalamchhuin Baunsagadia Sahi and Birabarpur as the left out small patches for acquisition. CMD,MCL Burla instructed the General Managers concerned to examine the above cases and intimate the position as early as possible.

The meeting ended with vote of thanks to the Chair and the participants.

Sd/ 14/06/02

Collector, Angul &
Member Secretary RAC

Sd/-

Chairman RAC &
Revenue Divisional Commissioner
(ND), Sambalpur

MEMBERS & INVITEES PRESENT

<u>SI No</u>	<u>NAME</u>	<u>DESIGNATION</u>
1.	Sri K.P.Singh Deo	Hon'ble M.P. Dhenkanal
2.	Sri Nagendra Pradhan	Hon'ble MLA, Athamallik
3.	Sri Mahesh Sahoo	Hon'ble MLA, Talcher
4.	Sri Dharmendra Pradhan	Representative of Hon'ble M.P. Deogarh
5.	Sri N.B. Dhal, IAS	Collector & Dist Magistrate, Angul & Member Secretary
6.	Sri A. Bothra, IPS	Supdt. Of Police, Angul
7.	Sri R.K. Chechani	CMD,MCL, Burla
8.	Sri G.K.Chaudhury	Director(Pers), MCL
9.	Sri S.P. Singh	Directro(Tech),MCL
10.	Sri R.C. Malhotra	CGM, Jagannath Area,MCL
11.	Sri S.C.Pandey	CGM, Kalinga Area,MCL
12.	Sri A.K. Mukherjee	GM, Hingula Area,MCL
13.	Sri Shyam Sunder	GM, Talcher Area, MCL
14.	Sri M.C. Bora	GM, Lingaraj Area

MINUTES OF THE 10TH REHABILITATION ADVISORY
COMMITTEE (RAC) MEETING FOR MAHANADI
COALFIELDS LTD. OF ANGUL DISTRICT

Date & Time : May 28, 2002 : 11 AM

Venue : Conference Hall, C.G.M. Office, Jagannath Area,
M.C.L., Talcher.

The list of the members present and special invitees is given
at 'Annexure-A'.

The Revenue Divisional Commissioner-cum-Chairman
R.A.C., Shri G.K.Dhal, I.A.S. presided over the meeting. Initiating the
discussion, the Chairman welcomed all the members and invitees present
in the meeting.

Participating in the discussion, the Hon'ble M.P.
Dhenkanal, Hon'ble M.L.A., Talcher and representative of Hon'ble M.P.
Deogarh suggested for circulation of agenda notes a week before the
RAC meeting. It was noted for future guidance.

It was decided to convene RAC meeting at least once
six months now onwards.

The Collector, Angul and Member Secretary RAC initiated
the discussion agenda wise and the following decisions were taken.

Agenda- 1:

(a) The details of Action Taken Report on 9th RAC resolutions
were placed before the Committee and the following decisions were
taken:

The Collector, Angul intimated the Committee about the
non-submission of project wise manpower report by the CMD, MCL
Burla as discussed earlier. The Committee instructed the MCL to report
regularly in every quarter, the manpower position of MCL to the
Chairman, RAC with a copy to Collector-cum-Member Secretary
R.A.C.

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(6)

(b) It was decided in the 8th RAC, to make payment of lump sum amount of Rs. 60,000 - as replacement cost of homestead land of displaced families. However, MCL implemented the decision after 9th RAC. C.M.D., MCL, indicated that assessment of entitled persons for differential amount of Rs. 10,000 - will be made village wise to arrive at a frozen list from the date of 8th RAC. Then MCL will make payment after approval of the Board.

Hon'ble M.P., Dhenkanal and representative of Hon'ble M.P., Deogarh suggested that, there should be one comprehensive rehabilitation package, as MCL requires acquisition of land in a continuous manner. After discussion, RAC constituted a working group under the Chairmanship of Collector, Angul for preparing a comprehensive rehabilitation package for MCL. The Committee will have G.M. (P&A), Corporate Office MCL, Burla, nominees of Collector Sundergarh and Collector, Jharsuguda as members. The Committee will engage Nabakrushna Choudhury Centre for Development Studies, Bhubaneswar as consultant. C.M.D., MCL agreed to bear the consultation charge fee.

After a threadbare discussion on the Action Taken Report to the proceeding of 9th RAC, the Committee confirmed the minutes the 9th RAC meeting.

2. JOB REHABILITATION

a. The Collector intimated the Committee about the job rehabilitation policy presently followed by the MCL, basing upon the instructions contained in letter No. 71 R. Dt. 02.01.1989 of Revenue & Excise Deptt. and letter No. 58349 R. Dt. 09.11.1998 of Revenue & Excise Deptt. Govt. of Orissa. The C.M.D., MCL expressed his limitation in providing job to every land oustee in view of the fast mechanisation of the mining process. The Committee felt that the quantum of one time cash compensation in lieu of employment is at lower side.

After discussion the RAC recommended to provide Rs. 5.00 lakhs as one time cash grant compensation in lieu of employment to the eligible land oustees, nominees.

(b) The change of nominee in favour of son or daughter will be allowed, who was minor to the cut-off date and in the meantime has become major, if the land oustee/nominee desires so or found medically

other wise unfit for job on the basis of one job against one job. The CMD. MCL. Burla agreed to implement it. *The committee approved that a subcommittee under the chairmanship of Collector where the concern would be the CGM of the member would screen all cases and suggest for appointment.*

3. RESETTLEMENT
 The Committee discussed about the facilities being provided in the resettlement colony of Balanda and Kulo. The Committee asked the Sub-Collector, Talcher to visit in the above two colonies and submit a report to the Collector and Member Secretary within 15 days. On the basis of the report, MCL would be asked to make improvements in the colonies.

4. ABSENCE OF TIME LIMIT UNDER THE C.B.A. (A & D) ACT, 1957 FOR PASSING OF AWARD

a) The Committee took note of the problems faced by the tenants due to undue delay in awarding compensation, after notification U/s 7 of CBA (A&D) Act. In some cases it has taken 15-16 years. It was decided in last RAC to initiate steps for ammendment of CBA (A&D) Act. CMD. MCL. Burla intimated that, he has already sent a proposal for ammendment of CBA Act to the Revenue Department, Govt. of Orissa. However, whenever MCL is not able to pass award within four year from the date of 7(1) notification of the CBA Act, the matter of fixing of the cut-off date for job rehabilitation would be decided by the Tenants Members Committee as per the 8th RAC decision, and the same will be ratified in the RAC.

b) The Committee ratified the approval of cut-off date in respect of village- Solada of Kalinga Area, approved by the R.D.C. - cum - Chairman, RAC in absence of the RAC.

5. ANOMALY IN THE RATE OF AWARD OF COMPENSATION

The anomaly in the rate of award of compensation in respect of villages- Kaniha and Patharmunda and the remaining six villages came for discussion. The Committee took note of the inquiry report submitted by the Rehabilitation Officer, MCL. NTPC in this issue. MCL was asked to reassess the compensation in respect of the remaining six villages within a month.

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(59)


6. INCOMPLETE ACQUISITION LEAVING SMALL PATCHES OF LAND

As regards the incomplete acquisition, the CMD, MCI Burla agreed to approve all the small patches of village Gengutta, Debalayapur, Nakulbaspur and Ambamunda. It was decided to examine the cases of other villages in greater detail.

Hon'ble M.L.A., Falcher suggested to include villages Kalamchhuin, Baunsagadia Sahi and Birabarapur as the left out small patches for acquisition. CMD, MCI, Burla instructed the General Managers concerned to examine the above cases and intimate the position as early as possible.

The meeting ended with vote of thanks to the Chair and participants.

21/11/02
Collector, Angul &
Member-Secretary, RAC


Chairman, RAC &
Revenue Divisional Commissioner,
(ND), Sambalpur

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Memo No. 512 (14) Dated 05-07-2002

Copy forwarded to all the members of Rehabilitation Advisory Committee for information and necessary action

Collector & Member Secretary
R.A.C., Angul

Memo No. 513 Dated 05-07-2002

Copy submitted to the Principal Secretary to Government, Revenue Deptt., Orissa, Bhubaneswar for favour of kind information and necessary action.

Collector & Member Secretary
R.A.C., Angul.

Memo No. 514 Dated 05-07-2002.

Copy submitted to the Commissioner-cum-Secretary to Government in Steel & Mines Deptt., Orissa, Bhubaneswar for favour of kind information and necessary action

Collector & Member Secretary
R.A.C., Angul.

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ANNEXURE 'A'

MEMBERS & INVITEES PRESENT

<u>SL. NO.</u>	<u>NAME</u>	<u>DESIGNATION</u>
1.	Shri K.P. Singh Deo	Hon'ble M.P., Dhenkanal
2.	Shri Nagendra Pradhan	Hon'ble M.L.A., Athamallik
3.	Shri Mahesh Sahoo	Hon'ble M.L.A., Talcher
4.	Shri Dharmendra Pradhan	Representative of Hon'ble M.P. Deogadh
5.	Shri N.B. Dhal, I.A.S.	Collector & Dist. Magistrate, Angul-cum- Member Secretary
6.	Shri A. Bothra, I.P.S.	Supdt. of Police, Angul
7.	Shri R.K. Chechani	C.M.D., M.C.L., Burla
8.	Shri G.K. Choudhury	Director, Personnel MCL
9.	Shri S.P. Singh	Director, Technical MCL
10.	Shri R.C. Malhotra	C.G.M., Jagannath Area, MCL
11.	Shri S.C. Pandey	C.G.M., Kalinga Area, MCL
12.	Shri A.K. Mukherjee	G.M., Hingula Area, MCL
13.	Shri Shyam Sunder	G.M., Talcher Area, MCL
14.	Shri M.C. Bora	G.M., Lingara Area

**MINUTES OF THE DEFERRED 11TH MEETING OF THE
REHABILITATION ADVISORY COMMITTEE (RAC) OF MAHANADI
COALFIELDS LTD, TALCHER AREA.**

Date & Time: 10th August, 2003: 10.00 A.M.

Venue: Conference Hall, C.G.M. Office, Jagannath Area, M.C.L.,
Talcher.

The list of the members and special invitees present is given at 'Annexure-A'.

The Revenue Divisional Commissioner -cum- Chairman, RAC, Sri G.K. Dhal I.A.S. presided over the meeting. Initiating the discussion the Chairman welcomed all the members and invitees present in the meeting.

At the outset, the CMD, MCL, Burla made a brief presentation on the activities of MCL. A brief of the presentation is given below.

MCL was established on 3.4.1992 as a subsidiary of CIL having jurisdiction over Talcher and IB Valley coalfields. Its production has increased from 23.14 MT during 1992-93 to 52.23 MT during 2002-03. The coal demand is projected to be 60.07 MT during 2003-04. Out of that the share of Talcher coalfields is 41.96 MT. The projected demand for 2006-07 based on the linkage granted by SLC (LT) is 94.43 MT, out of which the share of Talcher coalfields will be 59.71 MT. Kaniha-I project is likely to start coal production during 2003-04. Similarly Bhubaneswari, Gopalprasad and Kaniha -II projects are likely to start production during 2004-05, 2006-07 and XI plan respectively. Mr. Chechani, CMD, MCL sought the kind co-operation of the people public representatives and the State administration for achieving the projected growth rate.

Collector, Angul initiated the agenda wise discussion. The decisions/ observations are recorded as follows.

Agenda-1. Confirmation of the proceeding of the 10th RAC:

Confirmed.

Agenda -2. Review of the Action Taken Report:

The details of Action Taken Report on 10th RAC resolution were placed before the Committee and the following decisions were taken/ observations were made.

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i) Quarterly Man Power report:

The Collector, Angul intimated the Committee about the quarterly project-wise man-power report of MCL, in which the exact vacancy has not been reflected. The Chairman of the Committee instructed the MCL authorities to report regularly the man-power position along with the vacancy position to the Chairman, RAC with a copy to the Collector-cum-Member Secretary of RAC. CMD, MCL was also advised to submit the comparative man-power position of other subsidiaries of CIL.

ii) Review of Rehabilitation & Resettlement Policy:

10th RAC had constituted a working group under the Chairmanship of Collector, Angul to prepare a comprehensive Rehabilitation & Resettlement package for MCL. Accordingly the working group had prepared a package. RAC was apprised of the recommendations of the working group. RAC appreciated the efforts of the working group, but felt that a more elaborate and participatory exercise was necessary before adopting the R&R package. Hence, after detailed discussion it was decided that the Nabakrushna Chowdhury Centre for Development Studies, Bhubaneswar will be engaged as a consultant to prepare a comprehensive rehabilitation package as per the decisions of 10th RAC meeting and public hearing should be held by the said organization and public representatives should be consulted while preparing the draft rehabilitation and resettlement policy.

iii) Change of Nominee:

Change of nominee in favour of son or daughter is being allowed in cases where such son or daughter was minor on the cut off date and in the meantime, i.e., as on the date of consideration has become major on the principle of 'one job against one job' as decided in the 10th RAC meeting. C.M.C, MCL agreed to consider the pending 'D' category cases of Kalinga Areas as special cases.

iv) Fixation of cut-off date:

As per the decision of the last RAC recorded at point No.4(a) of the proceeding the three member committee had fixed the cut off date of village Majhika, Nathagaon, Prasannagar as 06.02.2000, 23.12.1998 and 31.05.1996 respectively. These are the dates on which award has been passed in respect of these three villages. C.M.C, MCL submitted that there is no provision in law for shifting cut off date. As per the R&R Policy of State Government date of notification u/s 7(1) of C.B.A(A&D) Act should be taken as the cut off date. The R.A.C felt that since R&R takes a very long time, 10-15 years in some cases, it is necessary to shift cut off date to do justice to the PAPs. The R.A.C also agreed that there should be one cut off date for all villages having the same date of 7(1) notification.



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As the date of 7(1) notification under C.B.A Act for all the 11 nos. of villages acquired by MCL in Kalinga Area is one, i.e., 20.11.1987, and the cut off date for one of these villages, i.e., Solada has already been fixed to 14.09.1999 by the 10th R.A.C, it was decided that the cut off date for villages sMajhika, Nathagaon and Prasannagar would be 14.09.1999. It was also resolved that the issue of fixation of cut off date would invariably be placed before the R.A.C.

v) One time cash grant in lieu of employment:

10th RAC had recommended to provide Rs.5.00 lac as one time cash grant assistance in lieu of employment. CMD, MCL expressed that MCL was not in a position to implement this decision, as such decision is contrary to the R&R Policy(1988) of the State Govt. and R&R Policy of CIL. It was decided that the one time cash grant/ compensation in lieu of employment will be implemented after the approval of revised policy package which is to be submitted by the Nabakrushna Choudhury Centre for Development Studies, Bhubaneswar.

vi) Anomaly in award of compensation in Kaniha O.C.P:

The C.M.D, MCL conveyed the Committee that all the sale statistics have been taken into account for reassessment of land acquisition compensation for six affected villages in Kaniha OCP and reassessed land acquisition compensation has been submitted to the Ministry of Coal for approval. On verification, the Committee observed that the reassessment has been made taking the average of sale rates of the six villages which is not at all the correct procedure. The reassessment should have been made taking the highest sale value as the base for fixing rate of land as is done in case of Land Acquisition Act. C.M.D, MCL clarified that Land Acquisition notifications under Land Acquisitions Act are issued village wise and hence award is passed village wise. However, C.B.A (A&D) notifications are issued usually for a group of villages. Hence as per the standard practice, the average sale price, not the highest sale price is taken into account while fixing the base price. After detailed discussion R.D.C(ND) agreed to hear the affected persons in the presence of CMD, MCL. C.M.D, MCL was also advised to pay Rs.1, 37,000.00 the highest sale value as compensation in six villages to which CMD expressed his inability as the matter is pending with Ministry. However, after detailed discussions and taking into account all procedures C.M.D, MCL was advised to pay Rs.1,37,000.00 the highest value as compensation in the six villages.

vii) Acquisition of the left over patch in Birabarpur:

Taking into account the submission made by M.L.A, Talcher, Supdt.of Police, Angul and Sub-Collector, Talcher, R.A.C suggested that the house sites of six left out families of Birabarpur village which are adjacent to coal transport road be acquired by the M.C.L. C.M.D, MCL agreed to it. It was also decided to acquire the land under Land Acquisition Act.



Agenda - 3 Brief Review of R&R in MCL, Talcher Coalfields.

RAC took note of the position.

Agenda- 4. Stand of MCL, on provision of job to 'C' category land oustees & women.

MCL continues to provide job to 'C' category landoustees and qualified women. CMD, MCL expressed his inability to provide job to illiterate and non-qualified women. RAC deliberated on the matter and agreed that decision regarding employment of women should be taken on a case-to-case basis.

Agenda -5

- I) The 3 Member Committee consisting of Collector, M.L.A., Talcher and Director, MCL will hear the villagers of Talabeda and submit their report before the next RAC.
- II) It was decided that Balandaposi which has already been acquired by MCL for mining operation can not be used as resettlement site as demanded by the villagers of Hensamul, since it is within the mining zone.
- III) As regards the acquisition of rest part of village Kalamchhuin it was decided that the socio economic viability of the village would be studied by Collector, Angul and Director (Technical), MCL.
- IV) RAC advised MCL to expedite the rehabilitation of Gopalprasad (Gadasahi) and remeasure the structures of Gopalprasad (Patnasahi).
- V) RAC advised MCL to start payment of compensation in village Khuringa and Telipur as early as possible. CMD, MCL offered to provide Rehabilitation & Resettlement benefit, if the entire village is vacated.
- VI) The existing Hingula transport road of Hingula Open Cast Project, which passes through village Kalamchhuin (Baunsagadia Sahi) has been constructed on the acquired land by MCL. General Manager, Hingula Area has requested that the transport road in question be declared as a permanent road for transportation of Coal from Hingula OCP. RAC expressed displeasure over frequent change in the alignment of Talcher Gopalprasad Kaniha road. RAC asked MCL to finance a permanent alignment of Talcher Gopalprasad Kaniha road in consultation with local authorities i.e. Executive Engineer, R&B and the affected villagers and develop the same.
- VII) The left out patches of village Langijoda under Lingaraj Area i.e. Ac. 37.07 of agricultural tenancy land will be acquired by MCL. The CMD, MCL agreed to it.

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Agenda-6:

I) It was decided that claim for employment of self awardee minor children who have become major in the meantime and self awardee unmarried/married ladies will be examined on a case to case basis by 3 Member Committee and the R.D.C's order will be taken on that.

II) It was brought to the notice of RAC that major separated sons are being rehabilitated, i.e., employed by MCL. After their employment, they do not take care of their parents and minor brother/sister. So, the parents are demanding a rehabilitation package for them. RAC took a view that in principle rehabilitation benefit should also be extended to the parents in such cases. CMD, MCL agreed to provide cash compensation in such cases.

CMD, MCL agreed to provide job to son-in-law as per the instructions of Govt. vide G.O No.45943/R, dt.18.10.1995 of Revenue & Excise Department.

III) In the cases of Gurubaria Pradhan , Rangabati naik and Bijay Barik job rehabilitation to their nominees are accepted by the R.A.C.

IV) In case of Bholu Behera, it was decided that his son will get employment after attaining 18 years of age and in case of Binod Patiar,, the case of daughter-in-law Basanti Samal will be considered for employment.

In case of Manoranjan Mishra the action by MCL has already been intimated to the Hon'ble High Court. RAC advised the Special Land Acquisition Officer, MCL, Angul to communicate the action taken to Sri Mishra.

Other Agenda Items:

i) It was decided that the MCL headquarters will clear all the sponsored list within 60 days from the date of receipt of the same from the concerned area offices. RAC appreciated the measures initiated by District Administration to expedite R&R of PAPs and prepare the list of PAPs in a transparent manner. It was also decided that a copy of the draft list would be sent to local M.P and local M.L.A also

ii) In case of Madhu Naik of Kalinga Area as his son has absconded and now he is claiming service for his son-in-law , it was decided that, the management may wait for some time and if his son comes back in the meanwhile , he will be offered employment instead of his son-in-law, or else on proper declaration the case of son-in-law may be considered.

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iii) The land oustees residing inside Rakas forest area will be given rehabilitation & resettlement benefits as is extended in case of tenants living in Revenue villages.

iv) The 3 members sub-committee of Collector, Angul, M.L.A, Talcher and Director, M.C.L will examine the 40 cases of Danara village.

v) M.C.L was advised to examine the payment of compensation for acquisition of forest land as per the judgement of Hon'ble Supreme Court.

vi) The 3 Member Committee of Collector, Angul, M.L.A, Talcher and Director(Tech), MCL will sit on a monthly basis to sort out the R&R issues of Talcher Coalfields.

vii) Non official members will be provided T.A and D.A as per the orders of Govt.

viii) C.M.D, MCL was advised to refer these allegation regarding collection of money by some officials of MCL from PAPs before providing job to them, to CBI for enquiry.

The meeting ended with a vote of thanks to the Chair and participants.

Member Secretary, RAC &
Collector, Angul

Chairman, RAC &
Revenue Divisional Commissioner,
Northern Division, Sambalpur

CA

Memo No. 875(15) MCL.DT. 05 .11.2003.

Copy forwarded to all the members of Rehabilitation Advisory Committee for information and necessary action.

☞

**Collector & Member Secretary
R.A.C., Angul**

Memo No. 876 / MCL.DT. 05 .11.2003.

Copy submitted to the Commissioner -cum- Secretary to Government, Revenue Deptt., Orissa, Bhubaneswar for favour of kind information and necessary action.

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**Collector & Member Secretary
R.A.C., Angul**

Memo No. 877 / MCL.DT. 05 .11.2003.

Copy submitted to the Principal Secretary to Government, Steel & Mines Deptt, Orissa, Bhubaneswar for favour of kind information and necessary action.

☞

**Collector & Member Secretary
R.A.C., Angul**



**MEMBERS PRESENT IN THE 11TH RAC/PDC MEETING OF MCL,
TALCHER COALFIELDS HELD ON 10.08.2003**

SL. NO	NAME	DESIGNATION
1.	Shri K.P. Singh Deo	Hon'ble M.P. Dhenkanal
2.	Dr. Debendra Pradhan	Hon'ble M.P. Deogarh
3.	Shri Nagendra Kumar Pradhan	Hon'ble MLA, Athamallik
4.	Shri Mahesh Sahoo	Hon'ble MLA, Talcher
5.	Shri Dharmendra Pradhan	Hon'ble MLA, Pallahara
6.	Shri N.B. Dhal, I.A.S.	Collector & Dist. Magistrate, Angul -cum- Member Secretary
7.	Shri Satyajit Mohanty, I.P.S.	D.I.G., N.R., Sambalpur
8.	Shri A.K. Panigrahi, I.P.S.	Supdt. of Police, Angul
9.	Shri R.K. Chechani	CMD, MCL, Burla
10.	Shri G.K. Choudhary	Director, Personnel, MCL
11.	Shri A.K. Tripathy	Director, Technical, MCL
12.	Shri A.K. Mukherjee	C.G.M., Jagannath Area, MCL
13.	Shri S.K. Saraswat	G.M., Kalinga Area, MCL
14.	Shri S.P. Datta Majumdar	G.M., Hingula Area, MCL
15.	Shri B.S. Das	G.M., Talcher Area, MCL
16.	Shri R.B. Singr	Act'g G.M., Lingaraj Area, MCL
17.	Shri P.K. Das	G.M. (Personnel) MCL, Burla
18.	Shri P. Chaudhuri	T.S. to CMD, MCL, Burla
19.	Shri A.K. Patnaik	S.E., R.W.S.&S., Bhubaneswar
20.	Shri A.N. Mohanty	S.E., P.H. Circle, Cuttack
21.	Shri A.K. Biswal	E.E., R.W.S.&S., Talcher
22.	Shri S.K. Sahoo	E.E., R&B Divn, Angul
23.	Shri P.K. Das	E.E., PH. Divn. -II, Cuttack
24.	Shri D.K. Dehury	S.D.O., P.H.D., Angul
25.	Shri P.S.S. Prasad	G.M. (Const.) MCL, Burla

(12)

**Minutes of the 12th Meeting of the Rehabilitation Advisory
Committee (RAC) & Periphery Development Committee
(PDC) of Mahanadi Coalfields Ltd., Angul District**

Date & Time : 16th February, 2005 at 10.00 A.M.

Venue : Office Chamber of Collector & D.M., Angul

The list of the members and special invitees present is given at Annexure-'A'.

The Revenue Divisional Commissioner, Northern Division, Orissa, Sambalpur-cum-Chairman, RAC, Shri Jagadananda Panda, IAS, presided over the meeting. Collector, Angul welcomed Chairman and all the members as well as invitees present in the meeting.

Agenda No.1 : Confirmation of the proceeding of the 11th RAC.

Confirmed.

Agenda No.2 : Review of the Action Taken Report.

Chairman requested Collector, Angul to initiate the discussions.

The details of the Action Taken Report on 11th RAC resolutions were placed before the committee and the following decisions / observations were made.

i) **Quarterly Man Power Report :**

Collector, Angul intimated the committee about the quarterly project wise man-power report of MCL submitted vide their letter No.50 dated

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10.01.2005. He apprised that nos. of vacancies in the said report have not been reflected.

Hon'ble M.P., Deogarh raised that in the last RAC i.e. in the 11th RAC, it has been decided that a copy of such man power report will also be submitted to the Hon'ble MLAs/MPs for their information. But MCL has not submitted any such report to them. Chairman instructed the MCL authorities to furnish the report regularly on the man-power along with the vacancy position also to the Hon'ble Members henceforth.

ii) **Review of Rehabilitation & Resettlement Policy :**

As per the decision of last RAC, Nabakrushna Choudhury Centre for Development Studies, Bhubaneswar was engaged as a consultant to prepare a comprehensive rehabilitation package for the land losers of MCL. But they have not submitted any such report till today, as reported by the MCL authorities.

G.M., Personnel, MCL, Burla on behalf of the C.M.D., MCL intimated the committee about the inability of providing huge nos. of services in MCL to ~~land~~^{the} land oustees due to mechanisation in coal mining. Hon'ble M.P., Deogarh and Hon'ble MLA, Talcher objected to it and opined that cash compensation in lieu of job may not be acceptable to the oustees. C.M.D., MCL reacted upon the issue and expressed that now MCL is proposing to adopt total outsourcing i.e. starting from O.B. dump to coal lifting through private contracts. However, he clarified that R&R benefit will not be affected by such action. Hon'ble M.P., Deogarh informed the committee that privatization of the Public Sector should not hold good for the land losers as well as the management. Hon'ble MLA, Talcher also wanted to know whether there is any such condition of privatisation provided by Govt. of India, Ministry of Coal or it is an option of MCL to do so. S.P., Angul raised the question of Law and

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Order problems arising out of defective R&R matters. It was unanimous on the part of the public representatives and the District Administration that Office of Director (Technical) should be opened at Talcher immediately to sort out day to day operational difficulties.

RAC resolved to advise MCL authorities to open a Director (Technical) office at Talcher to solve the day to day problems on R&R of MCL. C.M.D., MCL told that he has already started the procedure to create one Director (Technical) office at Talcher, which has been agreed in principle by the Board. It was decided that the present Director (Technical) will hold office at Talcher for 15 days and balance part of the month at MCL headquarters, Burla till a full-fledged Director (Technical) is posted at Talcher.

iii) **Change of Nominee :**

As per 11th RAC, it was decided that change of nominee in favour of son or daughter will be allowed in such cases where such son or daughter was minor on the cutoff date and in the meantime i.e. as on the date of consideration has become major on the principle of "one job against one job". On this issue, Director, Personnel, MCL, Burla has written a letter to the R.D.C. (ND), Sambalpur with a copy to Collector, Angul to clarify the meaning of "date of consideration". After a threadbare discussion on the issue, it was decided that as some genuine cases are being deprived of the job rehabilitation benefit, change of nominee in favour of son / daughter be allowed for such cases who was minor to the cut off date and has become major as on the date of last R.A.C. i.e. as on 16.02.2005. This is applicable to the family as defined as per 1989 policy in which there was no eligible candidate for job benefit as on the cutoff date and also applicable to the land oustees to whom offer of employment has already been given but they have not joined due to any reason thereof, such persons can nominate one on the

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principle of "one job against one job". This is also applicable to the family in which there is no eligible nominee irrespective of martial status as on cut off date. Change of nominee will be allowed in favour of wife / son-in-law considering the date of 12th RAC i.e. on 16.02.2005.

iv) **Fixation of cutoff date :**

It was seen from the previous practice that since R&R takes a very long time, i.e. 10 to 25 years in some cases, in which land acquisition has been made under CBA (A&D) Act, 1957, the date of passing of award has been considered as the cut off date of that village. Accordingly it was decided that incase of village Padmabatipur, Rakas, Dasarathipur and Jilinda, the date of passing of award will be treated as the cut-off date for these villages.

v) **One time cash grant in lieu of employment :**

It was decided in the 11th RAC that the one time cash grant / compensation in lieu of employment will be implemented after the approval of revised policy package to be submitted by Nabakrushna Choudhury Centre for Development Studies, BBSR. But they have not submitted any such report on the issue till date. Hence it was decided to refer it to the three member committee to decide the package. The package suggested by NALCO may be referred to and place it before the next RAC for a decision.

vi) **Anomaly in award of Compensation in Kaniha OCP :**

Collector, Angul briefed about the anomaly in rates of award of compensation in Kaniha OCP. He suggested enhancement of the rate as per a principle to be mutually agreed by the affected persons and MCL and told that if the MCL agrees to provide the deferential money,

that may be paid as exgratia to the land owners.

CMD, MCL

informed that the reassessed compensation for Rs.82,000/- per acre has been approved by the Ministry of Coal, Govt. of India for six affected villages of Kaniha OCP. The assessment was made taking the average of sale statistics of the six villages which is not the correct procedure. No action has been taken as per the decision made in the 11th RAC to pay Rs.1,37,000/- per acre i.e. the highest sale value available in six villages. Hon'ble M.P. Deogarh objected to the block system made in Kaniha OCP i.e. 'A' block and 'B' block by the MCL. The Chairman suggested that let the MCL put up the rate of Rs.1.37 lac per acre as reported earlier before the Ministry of Coal, Govt. of India for its approval as the amount presently offered in these six villages is extremely low. CMD, MCL agreed to this proposal and assured that he will take up the matter in the Board for a formal approval.

vii) **Acquisition of leftover patches in village Birabarpur :**

Collector, Angul made a presentation in computers on the actual position of the Birabarpur village as the pollution cases by transporting vehicles of Hingula Area to the committee. It was decided that 11 no. of identified houses of Birabarpur village will be acquired under L.A. Act by the MCL in Hingula Area. As regards the other houses nearer to the coal transporting Road of Hingula Area, the committee advised the three members committee to see the ground reality and place the matter before the next RAC for necessary decision. C.M.D., MCL agreed to the suggestion.

viii) **Acquisition of left out patches of village Kalamchhuin :**

C.M.D., MCL told that the balance land of village Kalamchhuin will not be required for next 3 to 4 years. After a detail discussion over the matter it was decided that the entire balance area of the village will be acquired immediately under "L.A. Act". The Chairman advised the MCL

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that there should be unified approach while acquiring any area taking the entire village as one unit. CMD, MCL agreed to it and assured that immediate necessary action would be initiated on prospective mining survey in Kalamchhuin village, and its eventual acquisition.

ix) **Talabeda issue** :

It was decided that either MCL would de-notify all the acquired land of village Talabeda or the left out land of Ac.84.00 be acquired by MCL. It was further decided that the three member committee will give their opinion in this issue and place it before next RAC.

Agenda No.3

- i) Collector, Angul expressed that there should not be any depreciation in the structure valuation as followed by the Irrigation (Water Resources) Deptt. of Govt. of Orissa." S.P., Angul also told that MCL is deducting more percentage of depreciation in the structure valuation. C.M.D., MCL reacted to it and requested that let the state Govt. give their policy on the structure measurement for decision by MCL. Chairman advised to put up the issue in detail before the next R.A.C.
- ii) MCL agreed to provide ***jobs to 'C' category land oustees*** as before. RAC deliberated on the issue of job to "illiterate women" and agreed that decision regarding employment of women should be taken on a case-to-case basis. The case of three illiterate self awardee women land oustees of 'A' category of village Langijoda were allowed for job benefit instead of cash compensation. Incase of Suina Sahoo of village Solada, it was decided that let MCL would provide job to the 2nd literate daughter of Suina Sahoo. "

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iii) Hon'ble M.P., Dhenkanal insisted upon opening of a **counter for open sale service of Coal at Chhendipada**. It was decided that Collector, Angul; S.P., Angul; and concerned MLA and MPs would seat together and finalise the issue of open sale of coal and place the same in the next RAC. Collector further informed the house that there is pilferage in the distribution of coal and requested CMD, MCL to take stern action against all such bad elements. He further told that the local administrative machinery will be geared up to meet the challenges.

iv) **Khuringa and Telipur village :**

Collector, Angul briefed the matter before the committee and expressed his concern about the non payment of compensation to the villagers. As the MCL acquired all the land of village Khuringa and Telipur except the Basti area, Chairman gave a ruling that unless the balance patch of land in both the villages are acquired, MCL will not be allowed to enter into the land. Sub-Collector, Talcher was directed by Chairman to act upon. All the balance land will be acquired under L.A. Act. MCL authorities agreed for follow up action.

v) **Langijoda Village :**

It was decided that the left out patches of Langijoda will be acquired but no R&R benefit will be allowed further.

vi) RAC advised MCL to expedite the rehabilitation of village Madanmohanpur.

vii) **Danra Issue :**

Hon'ble M.P., Deogarh informed the committee that there are 25 left out cases of village Danara to be sponsored afresh. Out of the 1062

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cases sponsored earlier, there are 224 cases to be examined as per the direction of Hon'ble High Court. Previously 26 cases were re-sponsored to MCL as per the recommendation of Tri-committee, on which no action has been taken by the MCL till date. It was decided that the tri-committee would recommend all the eligible cases for approval of Chairman as per the cut off date and after which, it will be responsored to the MCL. CMD, MCL agreed to the proposal.

viii) **Case of village Hensamul :**

In case of village Hensamul, the village has been acquired in 3 phases for different OCPs and areas. It will be practically difficult to provide R&R benefit to the villagers if payment of their lands and structures will not be made in one go. The matter was viewed seriously by the committee. S.P., Angul suggested for immediate intervention as it involves law and order problem. CMD, MCL agreed for payment of the balance compensation immediately to the villagers of Hensamul.

As regards the case of Hensamul Ragudi Sahi, it was decided that steps will be taken legally to vacate the houses constructed over Govt. land.

Agenda No.4 :

i) **Individual Cases :**

It was decided that the tri-committee will take up the cases and the decision of the committee will be placed before the Chairman for its approval after which MCL will be intimated accordingly.

ii) it was decided that the inhabitants of Rakas Reserve Forest will be provided with R&R benefit as per rules.

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- iii) RAC advised the MCL authorities that the cases of 6 nos. of left out self awardee minors will be considered as on the date of present RAC i.e. on 16.02.2005.
- iv) CMD agreed to process for improvement of permanent road from Talcher - Gopalprasad - Kaniha through their CMPDIL very soon.
- v) RAC advised the MCL to provide funeral ground for Kuio resettlement colony immediately.
- vi) RAC empowered the Tri-committee to solve the problems of village Solada, Kalamchhuin, Nuamunda Sahi, job rehabilitation to physically handicapped, Rehabilitation of left out cases of village Anantaberani and L.A. Chandpur cases. The recommendation of the tri-committee will be placed before the Chairman for his kind approval.
- vii) RAC also advised the Tri-committee to take up all the matters that are in the agenda but not discussed in detail in the meeting. It was further resolved that if there is any reservation on the recommendations of the Tri-committee by the MCL, then it shall be resolved by a High level Committee consisting RDC (ND), Orissa, Sambalpur, Collector, angul and the CMD, MCL.

While discussing the periphery development by MCL, Chairman told that at least 5% of the net annual profit should be earmarked for the periphery development project works by the PSU. It was agreed in due consultation with all the members of the committee that MCL would provide at least Rs.4,50,00,000/- (Rupees Four crores fifty lakhs) only for periphery development project works for the year 2004-05. The committee authorised

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the Collector, Angul to finalise the projects in consultation with the public representatives.

The Chairman suggested that henceforth a Periphery Development Society will be constituted at the District level under the Chairmanship of Collector, Angul in which periphery development funds of various PSUs and industries existing in the district would be kept in separate bank accounts and projects will be implemented as per the suggestions of the Periphery Development Committee. The executing agencies of such project works will be decided by the District Periphery Development Society. The suggested guidelines will be effective from the coming financial year 2005-06 after registration of the society and framing of bye laws. Collector, Angul was requested to frame the bye laws and seek approval of the Chairman for its implementation.

The meeting ended with a vote of thanks to the chair and participants.



Collector, Angul & Member-Secretary,
R.A.C / P.D.C of M.C.L., Angul
(signed in all pages)



R.D.C (ND), Orissa, Sambalpur &
Chairman, R.A.C / P.D.C of M.C.L. of
Angul District

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DISTRICT OFFICE, ANGUL

Memo. No. 501 / MCL Dt. 22-3-05

Copy forwarded to all the members of Rehabilitation Advisory Committee of MCL for information and necessary action.

Arec

**Collector & Member Secretary
RAC /PDC of MCL, Angul**

Memo. No. 502 /Dt. 22.3.05.

Copy submitted to the Principal-Secretary to Govt. Revenue Department, Orissa, Bhubaneswar for favour of kind information and necessary action.

Arec

**Collector & Member Secretary
RAC /PDC of MCL, Angul**

Memo. No. 503 /Dt. 22.3.05.

Copy submitted to the Principal Secretary to Govt., Steel & Mines Department, Orissa, Bhubaneswar for favour of kind information and necessary action.

Arec

**Collector & Member Secretary
RAC /PDC of MCL, Angul**

Memo. No. 504 /Dt. 22.3.05.

Copy to Private Secretary to Revenue Divisional Commissioner (ND) Orissa, Sambalpur for information and necessary action.

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**Collector & Member Secretary
RAC /PDC of MCL, Angul**

**Members / Special invites present in the 12th RAC/ PDC meeting of
MCL held on 16th February, 2005 in the Office Chamber of Collector
& D.M., Angul**

Sl.No.	Name	Designation
1.	Shri Rudra Narayan Pani	Hon'ble M.P. (Rajya Sabha)
2.	Shri Tathagata Satpathy	Hon'ble M.P (Loksabha), Dhenkanal
3.	Shri Dharmendra Pradhan	Hon'ble M.P (Loksabha), Deogarh
4.	Shri Mahesh Sahoo	Hon'ble M.L.A, Talcher <i>Rudraj Reddy</i>
5.	Dr. A. K. Padhee, IAS	Collector & D.M, Angul
6.	Sri Bandhu Bilhor, OAS(I)Sr.	A.D.M-cum-R.O., Angul
7.	Shri A. K. Panigrahi, IPS	Superintendent of Police, Angul
8.	Shri P.K. Jha, IFS	DFO(T), Angul
9.	Shri Abhiram Sharma	CMD, MCL, Burla, Sambalpur
10.	Shri G. D. Gulab	Director (P), MCL
11.	Shri A. K. Tripathy	Director (Tech), MCL
12.	Shri S. K. Saraswata	CGM, Kalinga Area
13.	Shri Y. Upadhyay	CGM, Lingaraj Area
14.	Shri R.B. Sharma	G.M, Talcher Area
15.	Shri R. K. Singhai	G.M., Hingula Area
16.	Shri A.K.Mukharjee	CGM, Jagannath Area
17.	Sri P. K. Das	G.M (P), MCL, Burla
18.	Sri M.D.Palei, OAS(I) Jr.	Sub-Collector, Talcher
19.	Sri M.D.Mallik, OAS(I) Jr.	Sub-Collector, Angul
20.	Sri A. K. Singh, OAS	Spl. L.A.O., MCL
21.	Sri P. K. Bit	General Manager, Civil, MCL
22.	Sri A. K. Sarangi	G.M (L&R), MCL
23.	Sri S. K. Sahu	Executive Engineer (R&B), Angul
24.	Sri B. B. Bhoi	Executive Engineer, R.D., Angul
25.	Sri A. K. Biswal	Executive Engineer, RWS&S, Talcher
26.	Sri Nilambar Jena	Manager, CESCO, Angul
27.	Sri Trilochan Sahu	Manager, CESCO, Chainpal
28.	Dr. Binaya Ku. Nath	A.D.M.O (Medical), Angul

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**PROCEEDINGS OF THE 13TH RAC/ PDC OF MCL HELD ON 10.11.2005 IN THE
OFFICE CHAMBER OF COLLECTOR, ANGUL.**

The list of members and invitees present in the meeting is at Annexure 'A'.

At the outset R.D.C. (N.D.), Sambalpur & Chairman of RAC/ PDC, MCL welcomed all the members present in the meeting. He expressed his concern that a lot of issues are pending for a long time for which the District Administration and MCL are facing law and order problems frequently. The Chairman hoped that with cooperation of all the members, RAC will be able to solve long pending issues.

The Chairman-cum- Managing Director, MCL stated that production and despatch from Talcher area is still negative, though the position has improved in recent months. He briefly outlined the problems faced by MCL in Talcher area and sought cooperation of all the members of RAC for growth of Talcher area.

Immediately thereafter Chairman wanted to know whether for R&R matters the policy of State Govt. issued during the year 1989 or 1998 will be applicable to MCL, Talcher. **After a threadbare discussion over the matter it was decided that for Talcher Coal Field Area the policy issued by the State Govt. during the year 1989 will be applicable and it was also decided to accept the definition and meaning of some important subjects dealt in 1998 policy of State Govt, if required.** Hon'ble M.P, Deogarh & Hon'ble MLA, Talcher also agreed to it and suggested the delay in R&R matters by MCL should be avoided.

Then, the 1989 R&R policy was discussed elaborately. Hon'ble M.P, Deogarh was of the opinion that precedence should be followed up taking into advantage of the policy. Till to-day employment benefit has been extended to A,B, & C category of land oustees in MCL. Now the CMD, MCL was of the opinion that employment can be provided only to 'A' & 'B' category land oustees. Hon'ble M.L.A, Talcher suggested that the old cases pending against which land acquisition has already been completed in every respect should be cleared up as per old practice and new policy shall be adopted in case of new mines, otherwise it will invite serious law and order problems. CMD, MCL also agreed to it.

The Chairman put forth the views of Sri Pyarimohan Mohapatra, Hon'ble M.P, Rajyasabha before the committee that "in case of land acquisition in MCL, job is the main criteria and all people up to 'C' category should be given job benefit".

Thereafter the Chairman requested all the members to go through the agenda in detail. The following decisions were taken.

1. REVIEW OF ACTION TAKEN REPORT OF 12th RAC OF M.C.L.

1.1

CMD, MCL informed that the action taken report on 12th RAC has already been sent to the RDC (ND), Sambalpur and Collector, Angul during the month of September, 2005. Hon'ble MLA, Talcher suggested that a copy of such action taken report should also be sent to other members for their information. **The Chairman requested the CMD, MCL to ensure that all the public representatives get the action taken report henceforth regularly.**

1.2 Review of R&R Policy:

Hon'ble MLA, Talcher pointed out that previously at CGM, Jagannath Office the office of the Director, Technical was working for three days in a week. CMD, MCL informed that the opening of Director (Technical) Office at Talcher is not a demand, but urgency for growth of production in the area. He further informed that the matter is under active consideration at the highest level. **The Chairman requested the CMD, MCL to pursue the matter at his level.**

1.3 Change of Nominee:

In case of change of nominee, Hon'ble M.P, Deogrh suggested that the cases already considered by RAC, should not be delayed by the MCL. CMD, MCL was of the opinion that job can only be provided to the eligible families, to whom no job has been given earlier. In the 12th RAC it was decided that change of nominee in favour of wife/ son-in-law will be allowed to the family in which there is no eligible nominee irrespective of marital status as on cut off date or considering the date of last RAC. Hon'ble MLA, Talcher suggested that change of nominee in case of adopted son, wife and son-in-law not found in the genealogy on the cut off date, but in existence before the date of consideration i.e date of last RAC, only be considered after approval of CMD, RDC & Collector jointly in anticipation of approval of RAC. **However, the Chairman took a notice of the case and clarified that all such cases will be accepted for job benefit only after duly approved by the Collector which will be ratified in the next RAC.** To avoid delay in such cases CMD, MCL was of view that RAC meeting should be held once in every three months.

1.4 Fixation of Cut Off date:

As decided earlier, the cut off dates of the following villages were approved in the RAC as per the date of passing of award in support of these villages for necessary R&R benefit.

Sl.No.	Name of the village	Date of passing of awards
1.	Padmabatipur	2.6.2005
2.	Jillinda	5.11.2003
3.	Rakas Sabarsahi	5.4.2005
4.	Adwaitprasad	19.3.2002
5.	Jamania	19.3.2002

CMD, MCL agreed to it.

1.5 One time cash grant in lieu of employment:

Hon'ble M.P, Deogarh suggested to constitute one committee to finalise the one time cash grant in lieu of employment under the chairmanship of the RDC (ND), Sambalpur-cum-Chairman, RAC/PDC. He further suggested that committee will take into account the policy of NALCO/ CIL and other policies if any, while finalising the cash grant in lieu of job and **the report will be accepted only after approval by the Govt. in Revenue Department, which is the nodal department on R&R matters in the State.**

1.6 & 7(ii) Anomaly in Award of Compensation in Kaniha OCP:

In case of anomaly in award of compensation in Kaniha OCP, MCL was of opinion that since the matter is sub-judice, no action can be taken at present. The matter was discussed elaborately in the meeting. In Kaniha OCP land acquisition was made in 8 villages dividing them into two blocks i.e two village Kaniha and Patharmunda as Block 'A' and six villages Telesinga, Kansamunda, Adwitprasad, Jmania, Jayapur and Jarada as Block 'B'. Such type of action of MCL was not fair and rational. However after an enquiry made by the ADM-cum- R.O, MCL/ NTPC , the Chairman suggested in the last RAC to accept the rate of Rs. 1.37 lakhs per acre in these six villages where the rate offered was extremely low. Hon'ble members present in the meeting also expressed their displeasure over such action of MCL. The Chairman wanted to know that the rate as suggested by the then R.O., MCL/ NTPC i.e Rs. 1.37 lakhs, belongs to which Kisam of land. After verification of record it was seen that the rate of Patita Kisam of land was taken into consideration. After examining all the facts, the following decisions were taken.

- a) **Basing on the rate of Patita Kisam, for higher Kisam of land higher amount should be paid on rent basis.**
- b) **Pending the issue in the court let CMD, MCL to move the matter to Ministry of Coal, New Delhi for necessary correction/ alternation in the rate of compensation.**
- c) **From the State Govt. side, the district administration through Secretary, Revenue Department should move to Ministry of Coal for finalisation of rate of compensation.**

1.7 Left out patches of village Birabarpur:

As regards the acquisition of identified 11 nos. of houses of village Birabarpur, MCL agreed to acquire the land. As no action has been taken by the MCL till date, villagers are agitating frequently which creates law and order situation in the area. In the last Tri-Committee meeting held on 7.10.2005 the G.M. I/c Hingula Area informed that the proposal of acquisition of 11 nos. of identified houses of village Birabarpur has been submitted to MCL headquarters for approval and is pending at Headquarters. CMD, MCL agreed for acquisition of 11 nos. of identified houses of village Birabarpur. Hon'ble MLA, Talcher wanted to know

that how much time MCL will take to implement the decision of RAC and Tri-Committee shall be clarified. After thorough discussion over the issue the following decisions were taken.

- a) All the decisions taken in RAC/ Tri- Committee meetings shall be worked upon within three months of time or before the next RAC meeting, whichever is earlier.
- b) The proposal sent by G.M, Hingula Area for acquisition of 11 nos. of identified houses of Birabarpur should be cleared within 7 days by the MCL Headquarters and proposal of land acquisition under L.A. Act should be submitted to Collector immediately.

**1.8 &
4(ii)(f)**

Left out patches of village Kalamachhuin:

In case of village Kalamachhuin, there are two main issues for which the villagers are agitating frequently as a result the mining activities of both Hingula Area and Kalinga Area are affected. The villagers are demanding acquisition of all the left out patches i.e Ac. 788.74 of land in one go and that land shall be acquired under L.A. Act. CMD, MCL opined that all the left out patches will be acquired under CBA (A&D) Act, 1957, so that MCL will get mining lease and surface right simultaneously. In the compliance report forwarded by MCL vide their letter No. 642 dated 24.6.2005 it has been reported that at present Kalamachhuin village is not required for mining purpose. As and when the village will be required for mining purpose MCL is ready to acquire the village. Hon'ble M.P., Deogarh and Hon'ble M.L.A, Talcher objected to it, as there is no time limit to land acquisition under CBA (A&D) Act, 1957.

It was decided in the last RAC "that the entire balance area of village Kalamachhuin will be acquired under L.A. Act immediately. The Chairman advised the MCL that there should be unified approach while acquiring any area taking the entire village as one unit. CMD, MCL agreed to it and assured that immediate action would be initiated on prospective mining survey in Kalamachhuin village and its eventual acquisition". During the meeting MCL authorities had a discussion with the villagers of Kalamachhuin regarding the acquisition of left out patches of their village. The Chairman suggested to take up the case of village Kalamachhuin as a special case. After a detailed discussion over the issue the following decisions were taken.

- a) It was unanimously decided that MCL will acquire the entire left out areas of village Kalamachhuin (Both Basti & agricultural land) in one go under L.A. Act. CMD, MCL agreed to it.
- b) The case of village Kalamachhuin will be considered as a special case and will not be applicable to any other village.



- c) **It was decided that the land acquisition proposal under L.A. Act will be submitted by the MCL authorities to Collector, Angul by the end of December, 2005.**

**1.9 & Village Talabeda
4(iv)(b)**

In village Talabeda, out of Ac. 228.00 of land, Ac. 144.00 of land was acquired under L.A. Act during the year 1989. Except 2 families, the rest 319 families are coming under D&E category and thus not eligible for job rehabilitation. For this reason most of the affected persons are not receiving the compensation. As MCL was of the opinion that the land acquired will not be required to be utilised at present, it was decided in the last RAC that either MCL de-notify the acquired land of village Talabeda or the left out patches of land of Ac. 84.00 be acquired by the MCL. Already 42% of the award has been paid to the affected recorded tenants. Since it is not possible to get back the compensation amount already paid to the land losers, it was decided that –

- a) **Possession of Ac. 144.00 of acquired land will be handed over to MCL in Lingaraj Area by the Spl. LAO, MCL.**
- b) **The unpaid amount will be kept in civil deposit in the District Treasury.**

1.10 Depreciation in the structure valuation:

Previously the valuation of structures is being done only after deducting the depreciation from 3 to 10%, depending upon the type of structure. Discussion was made with reference to letter No. 32084 dated 19.9.79 of Water Resource Department, Govt. of Orissa, where there is no provision of depreciation in the structure valuation. **It was decided that henceforth there will be no deduction of depreciation in the structure valuation in respect of land acquisition under CBA (A&D) Act/ LA Act for MCL in Talcher area.**

1.11 Job to 'C' category land oustees:

In the 12th RAC MCL was agreed to provide jobs to 'C' category land oustees as before. The Director (Personnel), MCL vide his letter No. 1299 dated 31.08.2005 informed to the District Administration that "they have principally agreed and decided to provide employment to 'A' & 'B' categories in phased manner as sponsored/ approved by District Administration. However, 'C' category shall be examined subject to availability". Chairman suggested that as per 1989 R&R policy of Govt. job benefit will be given to 'A' & 'B' categories on priority basis and to 'C' & 'D' categories subject to availability. But in case of 'C' categories where the person is losing his whole agriculture land i.e means of his livelihood is affected adversely, such type of case should be considered for job benefit. Hon'ble members present in the meeting also argued to provide job benefit to 'C' category as per the practice. There are approximately 300 cases pending under 'C' category at different levels to be given jobs in

different villages prior to the year 2005. All the pending cases are related to those villages where in already some cases of 'C' category land oustees have been considered. After a threadbare discussion over the issue, it was decided that all the pending cases of 'C' category land oustees of different villages will be examined by the Tri-Partite Committee and total no. of such cases will be worked out and put up in the next RAC for a decision. This will be applicable for the villages in which land acquisition has already been completed.

1.12 Counter for open sale service of coal at Chhendipada:

CMD, MCL reported that one counter for open sale service of coal at Chhendipada has already been opened.

**1.13 & Village Khuringa & Telipur
4(iii) (b)**

It was decided in the 12th RAC that the left out patches of village Telipur and Khuringa will be acquired immediately. CMD, MCL informed that the acquired area of Telipur & Khuringa will be required after 10 to 15 years for mining and the left out patches comes under the Konark Block, which has not yet been allotted to MCL. After getting allotment of Block action would be initiated. Hon'ble M.P, Deogarh & Hon'ble M.L.A, Talcher reacted to it and opined that MCL has acquired the total agricultural land of both the villages and only the Basti area is left out, for this reason affected families are not eligible for job rehabilitation. The left out patches of both villages are 32% & 24% respectively which includes the Basti area only. No compensation and R&R benefit has been paid to the land losers by the MCL till to day. The villagers are creating law and order problems frequently demanding compensation for land and structures and finalisation of R&R benefit. Chairman suggested that it will be unfair to divide the village into two separate blocks for land acquisition and deprive the people from R&R benefit. The Chairman requested the CMD, MCL to consider the cases of these two villages even if the land has been allotted to other Blocks. After deliberation on the issue it was decided that:

- a) **MCL will move the Ministry of Coal, New Delhi to allot the left out small patches of land in their favour.**
- b) **Payment of compensation will be made to the land oustees by the end of January, 2006.**
- c) **R&R benefits will be completed within six months of payment.**

**1.14 & Village Langijoda:
4(iv) (e)**

It was decided in the 12th RAC that the left out patches of Langijoda, will be acquired but no R&R benefits will be allowed further. Hon'ble M.P., Deogarh suggested that it will be inconvenient to the families to live in the left out areas. During the videography in the left out area jointly by MCL and District Administration the persons residing in the area raised

objection for further acquisition, because they have been once displaced from the original village Langijoda and resettled in the left out patches. The issue was discussed elaborately and **it was decided that the land acquisition process will be started only after the consent of the people residing in this area. It was also decided that the R&R benefit in case of 68 left out cases of village Balugoan, Langijoda, Ambamunda and Nakulbaspur will be expedited by the G.M., Lingaraj Area by the end of November, 2005.**

**1.15 & Village Madanmohanpur:
4(iv)(d)**

As per the decision of the 12th RAC it was decided in the Tri-committee meeting held on 7.10.2005 that the R&R benefit of village Madanmohanpur will be processed and sponsored by the end of October, 2005. RAC took a serious view of the issue and it was decided to finalise the R&R list of village Madanmohanpur on priority basis.

**1.16 & Village Danara:
4(ii) (a)**

In case of village Danara, 1062 names of the land oustees/ nominees were sponsored in between 1989 & 1992 for job rehabilitation to MCL. Out of which 794 cases has already been considered for job and out of the rest 268 cases, 44 nominees have filed writ petition before the Hon'ble High Court of Orissa to consider their cases. As per the direction of Hon'ble High Court, the Tri-Committee recommended the names of 26 nominees to be eligible to get rehabilitation out of 44 petitioners. The MCL Hqrs. after due screening of the cases was of the opinion that only 3 cases are genuine for job rehabilitation. Again out of the rest 224 cases already sponsored earlier may be considered as per the direction of the Hon'ble High Court.

Again 25 new cases suggested by Hon'ble M.P, Deogarh are to be examined and sponsored. Hon'ble MLA, Talcher raised that in the mean time MCL has given service to one person leaving the all other sponsored out of 26 cases.

In case of village Danara it was agreed by MCL previously that job benefit to 'D' category land oustees will be provided. Chairman suggested that let all the remaining cases be enquired and put up in the Tri-Committee for further examination, on the basis of one job for one family. After discussion it was decided that all the cases i.e 26 cases already re-sponsored to MCL, rest cases of 224 and 25 cases suggested by Hon;ble M.P. , Deogarh will be re-examined by the Tri-Committee meeting properly. One job for one family will be considered and the details will be put up in the next RAC for approval. \

**1.17 & Village Chandpur:
4(i) (b) &(c)**

The land losers of Chandipur village were employed by MCL during the year 1986 i.e prior to R&R policy of State Govt. without any categorisation. The original R.T. of the land

belongs to village Hensamul. Now when the same land losers are losing their whole agricultural land and home and homestead land at village Hensamul, they are coming under category 'A' for rehabilitation as per the policy. CMD, MCL stated that no employment will be given to the same family to which one employment has already been given before. Hon'ble M.P, Deogarh and MLA, Talcher argued that all the 9 cases of Chandipur village shall be provided with job benefit as they are coming under category 'A' of the policy. Chairman expressed that since these cases are of repeat displacement/ acquisition all the 9 cases shall be considered. CMD MCL told that after examining the family genealogy of the Chandipur these cases will be put up before next RAC. After further discussion on the issue **it was decided that all the 9 cases of village Chandpur will be provided with employment immediately.**

ii) Village Hensamul:

In case of village Hensamul, land has been acquired in six L.A. cases under both CBA (A&D) Act, 1957 and L.A. Act 1894, covering 3 nos. of OCP and two areas i.e Jagannath Area and Lingaraj Area. The payment of compensation to the land oustees has already been completed in case of land acquired under L.A. Act. But in case of land acquired under CBA (A&D) Act, no payment of compensation has been made till date. It is very difficult to prepare the R&R list under such circumstances. CMD, MCL informed that wrong recommendations have been made for employment in case of village Hensamul.

In case of village Ragudisahi, Hensamul eviction notice have been issued by the Tahasildar, Talcher to the encroachers of Govt. land. Out of the total identified families for resettlement in village Hensamul, 161 families have not exercised their option for resettlement.

Further in case of village Hensamul 198 cases already sponsored are yet to be finalised by MCL for job rehabilitation, which creates law and order situation in the area frequently. Hon'ble MP, Deogarh suggested that Collector should find out a suitable place for resettlement of the village. Hon'ble MLA, Talcher and M.P, Deogarh also suggested to provide Rs. 30,000/- to each family of Ragudisahi as they all belong to SC community. Chairman suggested that we may follow 1998 R&R policy in case of encroachment cases on humanitarian ground. The district administration should find out a suitable place for resettlement of these families. After a careful discussion over the issue it was decided that :

- a) **In respect of acquisition of land under different L.A. cases, the total list of R&R will be prepared by the end of February, 2006.**
- b) **Payment of compensation in all respect should be completed by the end of February, 2006.**



- c) All the displaced families of Ragudisahi will be paid Rs. 25,000/- for construction of structure over and above the cost of structure awarded to them by MCL and @ Rs. 5,000/- for transportation charges and the families will be motivated to vacate the area by the end of January, 2006.
- d) CMD, MCL shall take appropriate action against illegal appointments at his level.
- e) A suitable site for resettlement of the village will be finalised jointly by the district administration and MCL authorities.

1.18 & 8 Individual Cases:

The Tri-Committee recommended 42 individual cases for consideration in RAC. There are 110 nos. of individual cases also referred by Hon'ble M.P, Deogarh for necessary consideration of Tri-Committee. **It was decided that all the individual cases will be examined by the Tri-Committee and the eligible list will be sent to the Chairman for his kind approval.**

1.19

In the 12th RAC, it was agreed by the CMD, MCL that improvement of road from Talcher- Gopalprasad- Kaniha will be taken up through CMPDIL. Hon'ble MLA, Talcher suggested to construct one road from Talcher to Hingula Pitha as it is an important destination. CMD, MCL agreed to it. **It was decided that MCL authority will take up survey of such roads through CMPDIL and place it before the next RAC.**

1.24

Under periphery development works, the project proposals amounting to Rs. 4.5 crores has been approved and finalised for the year 2004-05. The executants for different projects have also been identified and communicated to MCL Authorities for placement of funds vide this office letter No. 1376 dated 1.10.2005. In this context, CMD, MCL raised that the C.D. rules needs to be discussed. Collector, Angul informed that CD rules have been communicated during 2005-06 therefore funds for 2004-05 shall be released at the earliest. **It was decided that since periphery funds is a non lapsable fund, it should be released by the MCL by the end of November, 2005.**

2. CONFIRMATION OF THE PROCEEDINGS OF THE LAST RAC MEETING:

After a careful observation on the proceeding of the 12th RAC meeting, **it was unanimously accepted and approved by the RAC.**

3. DECISION ON TRI-COMMITTEE MEETING:

It was decided that the decisions of the Tri-Committee meeting will be worked upon within three months or before the next RAC, which ever is earlier. **All the individual cases**

recommended by Tri-Committee were again referred to Tri-Committee for further examination and will be sent to the Chairman-cum-RDC (ND), Sambalpur for his kind approval after re-examination.

4. **BRIEF REVIEW OF R&R PROBLEMS OF DIFFERENT VILLAGES:**

(i)a.a **Village Balanda:**

In case of village Balanda, the land acquisition was made during the year 1986. A list of 411 land oustees/ nominees was sponsored earlier for job rehabilitation. Out of which 381 cases have been given employment till today. Further applications from 34 land oustees also received for consideration of job benefit as left out cases. **It was decided that all the eligible cases will be sponsored immediately and the process of rehabilitation will be expedited since the Balanda OCP is about to close.**

b.d **Village Jilinda:**

In case of village Jilinda land acquisition under CBA (A&D) Act was made during the year 1996 and the award of compensation was passed in the year 2003 and payment is over. The details of land particulars have not been submitted to Spl. LAO, MCL till date. Hon'ble M.P, Deogarh suggested that as both the villages are adjoining and under acquisition for new Bhubaneswari OCP, the R&R list should be prepared by taking the land particulars of a family in both the villages. **It was decided that the list of eligible nominees of the village will be prepared by the end of January, 2006.**

b.e **Village Naraharipur:**

In case of village Naraharipur the land acquisition was made under CBA (A&D) Act during the year 1996. But till today award has not been passed and no list of R&R has been prepared. **It was decided that MCL should take up jointly the case of village Naraharipur and Jilinda and steps should be taken to pass the award at Ministry of Coal level through special drive as soon as possible.**

ii. a.b **Village Majhika:**

In case of village Majhika, a list of 222 nominees/ land oustees were sponsored for consideration of job rehabilitation out of which 194 cases were considered and 28 cases are still pending with MCL. The resettlement site for the displaced families has not yet been finalised. MCL selected the Danara rehabilitation site for the displaced families of Majhika, but the villagers of Danara are opposing this. Unlike the 4(1) notification of L.A. Act, under CBA (A&D) Act the 7(1) is the basic notification of land acquisition. Some of the villagers are demanding payment of full compensation for structures constructed in between 4(1) and 7(1) notification under CBA (A&D) Act. CMD, MCL told that the issue requires legal opinion. Chairman suggested that legal opinion from Govt. of Orissa may be obtained by CMD, MCL.

After discussion on the issue it was decided that the rest 28 cases for job rehabilitation will be cleared within one month. Danara rehabilitation site has been selected for the displaced families of Majhika, MCL authorities should take the help of district administration to finalise the matter immediately. It was also decided that the case of land purchased before 7(1) but after 4(1) in village Majhika will be considered after obtaining legal opinion in this regard.

b.(c) Village Badajorada:

In case of village Badajorada, people are demanding job rehabilitation to 94 cases already sponsored during the year 1991 basing on the principle adopted during the year 1991. The matter was subjudice for sometime, in which there was no direction of Hon'ble High Court to not to consider the 94 cases for job rehabilitation. All the cases of 94 nominees are still pending with MCL. Hon'ble M.P., Deogarh and Hon'ble MLA, Talcher pointed out that for no fault of the villagers, they are suffering. They were of the opinion that the land acquisition made in village Mahendrapur, Badajorada and Baulpur may be taken into account and the 94 cases be re-examined by the MCL and district administration jointly. After reassessment of the category, all the cases may be considered for job rehabilitation. **It was decided that job benefit to all the 'B' category land oustees will be processed by the MCL immediately. The cases of 'C' & 'D' category nominees will be re-examined by the Tri-Committee and will be put up in the next RAC for a decision.**

c(d) Village Solada:

In case of village Solada, land acquisition was made for Ac. 190.00 of land of Solada Deulasahi by Kalinga Area, in which the transporting road of Hingula area passes through the acquired land. It was seen that 5 houses were left beyond the boundary of acquisition and it was decided in the last RAC that all the 5 left out houses will be acquired through direct purchase by the MCL. The matter is pending with MCL. Previously, during the year 1996, 67 cases were sponsored against the acquisition of Ac. 190.00 of land. Out of which 16 cases have already been cleared leaving a balance of 51 cases. Further 112 cases have been sponsored against the same land acquisition as left out cases. Out of which MCL Hqrs. cleared 74 cases for screening at area level. The old 51 cases have been sent back to area level by the MCL Hqrs. for approval of Collector, after further survey of family genealogy. It was decided in the last RAC that a squad will be constituted under the Chairmanship of ADM-cum-RO to recommend higher compensation to the new structures in the acquired area. The report of squad already approved in the last Tri-Committee meeting and MCL agreed to pay the compensation as per the recommendation of the squad. After a threadbare discussion over the issue it was decided that:

- a) Joint survey in case of 51 cases will be completed within one month after which approval of Collector will be communicated to the concerned G.M. of the area.
- b) Payment of compensation to new structures as per the recommendation by the squad will be made within 15th December, 2005.
- c) In all other cases the concerned G.M. should finish the processing work within 90 days or by the end of January, 2006.
- d) MCL will execute the deeds and make payment of compensation to the left out five houses of Deulasahi immediately.

d.(e) **Village Anantabereni:**

The land acquired in village Anantabereni has already been utilised by the MCL for mining purpose. There are 27 nos. of left out cases pending to be considered for R&R benefit. Hon'ble M.P, Deogarh raised the issue and expressed that it is unfair not to consider the cases even after starting of mining activities over the land. **It was decided that the details of left out cases will be put up before the Tri-Committee for examination and finalisation of the cases for R&R benefit and the findings of the Tri-Committee will be put up in the next RAC for a decision.**

e(g&h)

(i) **Village Padmábatipur:**

In case of village Padmabatipur land acquisition under CBA (A&D) Act was made during the year 1979 and the award has been passed for compensation on 2.6.2005. For the balance area of Ac. 48.00 of land, 4(1) notification has already been published under CBA (A&D) Act and 7(1) proposal will be sent to MCL Hqrs. very soon, as reported by the G.M, Kalinga Area. Finalisation of R&R benefit is under progress and for resettlement site; MCL has approved the acquired area of Kochianali & Chintamanipur for the purpose. CMD, MCL expressed that permission of parent department i.e Steel & Mines Department, Govt. of Orissa is required, as the purpose of land acquisition was done for mining purpose. **It was decided in the meeting that finalisation of R&R benefit will be done by the end of November, 2005. The district administration will move to Steel & Mines Department for obtaining necessary permission for development of resettlement site in the acquired area of Kachiamundi and Chintamanipur.**

(ii) **Village Rakas:**

The land acquisition was made in village Rakas during the year 1979. Till to day award has not been passed in support of the land acquisition. 7(1) proposal under CBA(A&D) Act for the balance land of Ac. 309.00 of land in village is under progress in Kalinga area. In the present acquisition most of the villagers are coming under 'C' category for which they are

creating law and order problems in the area. They are also objecting the mining operation in the forest land. Hon'ble M.P, Deogarh suggested that let the R&R list be finalised by taking the balance land into consideration and MCL to convene a meeting in the village and motivate them to allow mining operation in the forest area. CMD, MCL agreed to the proposal. After discussion it was decided that :

- a) **MCL will expedite the passing of award of compensation by deputing one officer to the Ministry of Coal, New Delhi immediately.**
- b) **The R&R list will be prepared by taking the balance land of Ac. 309.00 and the land for which already notification has been made.**
- c) **Steps should be taken by the MCL for early declaration of 7(1) notification for the balance land of Ac. 309.00.**

f.(i) Village Nathgoan & Lokeipashi:

In case of village Nathgoan, 39 cases were sponsored for job rehabilitation, out of which 6 cases have already been employed and 33 cases are pending at MCL level. Further Hon'ble M.P, Deogarh and Hon'ble MLA, Talcher suggested that in village Nathagoan, there is a small patch of land left out for acquisition. They opined that Collector should personally verify the left out patches and report before the next RAC. CGM, Kalinga area expressed that the left out patches of Nathgoan will be acquired very soon and the process of pending case will be expedited. In case of village Lokeipashi also, there are some left out patches, which need to be acquired. Here in both the villages, land acquisition has been made under CBA (A&D) Act. **It was decided that the pending cases of village Nathagoan will be considered within a months and all the left out patches of both the village will be acquired by MCL.**

III a(a) Village Gopalprasad

In village Gopalprasad land acquisition was made during the year 1997 for Ac. 510.00 of land under CBA (A&D) Act and the rest land of Ac. 16.020 was acquired under LA Act during the year 2001. A list of 274 nominees were sponsored by the joint committee to the MCL for consideration job rehabilitation. Out of which 201 cases were already vetted by the MCL headquarter and approved by the Collector for consideration of necessary job rehabilitation. As the entire village is displaced, it requires resettlement of the displaced families. MCL has not yet finalised the resettlement site. Hon'ble M.P., Deogarh and Hon'ble MLA, Talcher raised the question that after approval of Collector, why it has been delayed by the MCL to give offer of employment to the land oustees. The CMD, MCL intimated that some wrong cases have been recommended for job rehabilitation. Further MCL had an agreement with the villagers that all eligible cases will be employed by the end of six months i.e on or before 6th December, 2005. **It was decided that MCL will find out the wrong cases sponsored for R&R benefit and such cases will be re-examined by the**

joint committee. CMD, MCL agreed that all the eligible and clear cases will be provided with employment by the end of November, 2005.

b(c) Village Mallibandha & Bhalugadia:

In case of village Mallibandha and Bhalugadia, the land has been acquired under CBA(A&D) Act. The process of R&R has not been started till date. G.M, Hingula Area informed that due to less man power, the work could not progress. Hon'ble M.P, Deogarh suggested that contractual appointment may be made by the MCL out of trained and temporary J.C. of different departments of Govt. **It was decided that MCL will expedite the process of R&R and payment of compensation in both the villages.**

IV.

a.(c) Village Balugaon Khamar:

The land acquisition has been made under L.A. Act in village Balugaon Khamar against which the award is under progress. After payment of compensation the R&R list will be finalised. **It was decided that by the end of December, 2005, payment of compensation and finalisation of R&R list will be completed.**

6. Shifting of Govt. institutions:

In case of shifting of Govt. institutions like dispensary, L.I. centre, School & College buildings etc. from the acquired area of MCL of village Prasannagar and Nathgoan, there are two sites which have been selected by the Tahasildar, Talcher i.e one at village Kalamachhuin and other at village Birabarpur. As in both the village Kalamachhuin and Birabarpur the entire land is proposed to be acquired by different areas, it will be not be feasible to shift the institutions to these areas. Hon'ble MLA, Talcher proposed to shift these institutions to some where nearer to Hingula Pitha. Hon'ble M.P, Deogarh suggested that as originally the two big villages are benefited by these organisations i.e Kalamachhuin & Solada and these two villages are going to be displaced in near future, a suitable site may be selected nearer to N.H.-23 or river side. **It was decided that a committee may be formed to find out one alternative site, free from pollution and where all types of infrastructure support will be available. The resettlement site will be developed as a model resettlement colony.**

7. Other important issues:

a(i) Job rehabilitation in case of physical handicapped/ widow/ Divorcee persons:

It was decided in the Tri-Committee meeting held on 26.2.2005 that a daughter of 30 years of age or more, physically handicapped persons, widow/ divorce women are to be treated as separate families, so far as R&R benefit is concerned. Chairman suggested that we may consider these cases as per the 1998 policy of Govt. Hon'ble M.P, Deogarh told that

some nominees are creating social problems after getting job i.e not looking after their parents/ sister/ brothers etc. **It was decided and unanimously accepted that cases of physically handicapped , widow/ divorce and daughter of 30 years age or more will be treated as separate family for the purpose of R&R benefit.**

b.(ii) Unauthorised occupation of land by MCL:

It was agreed in principle that MCL will purchase immediately any such unauthorised occupied land in Lingaraj Area.

c.(iv) Adoption Case:

It was agreed in principle that **legal adoption deed will be accepted if it has been executed on or before the date of consideration i.e the date of last RAC.**

d(vi) It was agreed in principle that if any project affected person will lose all land except 10% of the total land and deprived of R&R benefit, **such cases will be considered on case to case basis.**

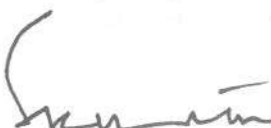
8&9 Already discussed.

10. Any other issues (As per additional agenda)

a) The Chairman-cum-RDC, Northern Division, Sambalpur informed to the committee that Hon'ble Minister, Revenue , Food & Civil Supply Department, Govt. of Orissa, Bhubaneswar requested to include the Hon'ble M.P., Deogarh as a member of Tri-Committee formed by RAC. Hon'ble M.P., Deogarh suggested that the committee may be treated as Sub-Committee in stead of Tri-Committee. Hon'ble MLA, Talcher suggested that Tri-Committee to be continued and if possible Hon'ble M.P., Deogarh may be inducted in his place. Chairman requested Hon'ble MLA, Talcher to accept the concept of Sub-Committee in which the Hon'ble M.P, Deogarh and Hon'ble MLA, Talcher will be members. CMD, MCL pointed out that this is Tri-Partite Committee and there should be equal representative of elected representatives, MCL & district administration. **It was decided that instead of Tri-Committee, there will be Sub-Committee to sort out different problems of MCL as entrusted by RAC. There will be six members in the Sub-Committee under the Chairmanship of Collector, Angul.** The members are as follows:

- | | | | |
|------|-------------------------|---|----------|
| i) | Collector, Angul | : | Chairman |
| ii) | Hon'ble , M.P. Deogarh | : | Member |
| iii) | Hon'ble MLA, Talcher | : | -do- |
| iv) | S.P., Angul | : | -do- |
| v) | Director, Personal, MCL | : | -do- |
| vi) | CGM, Jagannth Area, MCL | : | -do- |

b) In case of left out cases of village Laxmanpur, **it was decided that the details of such left out cases will be put up in the next RAC.**



c) It was decided that the proposal submitted by Hon'ble Minister State (Ind.), School & Mass Education, Department for improvement of Kosala-Kumanda road will be finalised during the PDC meeting to be held in the month of January, 2006.

d) **Santinagar Issue:**

Santinagar is situated over the acquired land of MCL. There is a big Basti developed in that area. When Lingaraj area of MCL started dumping O.B. Materials in Santinagar area, it was objected by the Basti people.

Hon'ble MLA, Talcher stated that Santinagar Basti shall be resettled by MCL as the Basti is existing since 20 years or more in the area. CMD, MCL objected to it and told that there is every apprehension of more claims like this in other areas by some other groups. Chairman authorised the Collector to visit the site along with MCL representatives and to videograph the area and finalise the no. of houses to be displaced. Chairman also suggested to find out a suitable place for resettlement of displaced families. It was decided that:

- a) **In Santinagar, MCL will pay the cost of structures to the displaced families as the land is objectionable Kismam i.e Jungle. They will be resettled in a suitable place and benefit will be given at par with the Ragadisahi, Hensamul i.e @ Rs. 25,000/- for structure and @ Rs. 5,000/- for transporting/ hire charges.**
- b) **The no. of families required to be displaced only be decided properly basing on the report of Collector, after which the Chairman will discuss with the CMD, MCL and finalise the issue.**
- c) **Dumping of O.B. materials will be stopped for the time being by Lingaraj Area.**

PDC:

A sum of Rs. 4.5 crores has already been approved by the PDC for the year 2004-05 in the last meeting. After approval of projects and its executing agencies, funds have not been released. Hon'ble M.P, Deogarh suggested that the projects proposals approved for the year 2004-05 shall be implemented forthwith as the amount approved in the PDC is a non-lapsable fund. Collector, emphasised on release of funds for the year 2004-05 under PDC. **CMD, MCL assured to release the fund at the earliest.**

It was decided that before finalisation of P.D. works for the year 2005-06 a Periphery Development Society for Angul district should be constituted under the Chairmanship of Collector. Chairman suggested that out of the total fund approved for the year 2005-06, 25% will be retained with different areas of MCL to meet their requirement and the rest 75% will be deposited with the PD society under the control of Collector, Angul. Further from the funds deposited in the P.D. Society 60% will be spent towards prioritised

sectors like drinking water, health services, ST/ST schools etc. and the rest 40% on major project proposals. It was decided that the matter will be discussed elaborately during the next meeting to be held in January, 2006.

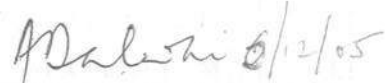
Hon'ble MLA, Talcher suggested that the unlike other PSUs i.e like NALCO & NTPC, MCL should sent some land losers for ITI training. Chairman requested CMD, MCL to consider the matter.

Chairman suggested that implementation of decisions taken in the RAC/ PDC meeting should be started immediately for the benefit of the land losers in the area.

The meeting ended with vote of thanks to the Chair and participants.



Collector, Angul & Member-Secretary,
R.A.C / P.D.C of M.C.L., Angul



R.D.C (ND), Orissa, Sambalpur & Chairman,
R.A.C / P.D.C of M.C.L. of Angul District

Annexure-A**MEMBERS PRESENT IN RAC/PDC MEETING OF MCL HELD ON 10.11.2005**

1.	Hon'ble M.P, Deogarh
2.	Hon'ble M.L.A, Talcher
3.	Collector & D.M., Angul
4.	Superintendent of Police, Angul
5.	Project Director, DRDA, Angul
6.	Addl. District Magistrate, Angul
7.	D.F.O.(T), Angul
8.	Chairman-cum- Managing Director, MCL, Burla, Sambalpur
9.	Director, Personnel , MCL, Burla, Sambalpur
10.	CGM, Jagannath Area, MCL, Talcher
11.	G.M, Kalinga Area, MCL, Talcher
12.	G.M, Lingaraj Area, MCL, Talcher
13.	G.M., Talcher Area, MCL, Talcher
14.	G.M, Hingula Area, MCL, Talcher
15.	Shri A.K.Sarangji, MCL Hqrs., Burla Sambalpur
16.	Special LAO, MCL, Angul
17.	Nominee of Hon'ble Minister of State (Ind.) School & Mass Education, Orissa, Bhubaneswar

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(14)

DISTRICT OFFICE, ANGUL

Memo. No. 1687/MCL Dt. 12-12-05

Copy forwarded to all the members of Rehabilitation Advisory Committee of MCL for information and necessary action.

blc

[Signature]
12/12/05
A.D.M.-cum-Rehabilitation Officer
MCL/NTPC, Angul

Memo. No. 1688/MCL Dt. 12-12-05

Copy submitted to the Principal-Secretary to Govt. Revenue Department, Orissa, Bhubaneswar for favour of kind information and necessary action.

[Signature]
12/12/05
A.D.M.-cum-Rehabilitation Officer
MCL/NTPC, Angul

Memo. No. 1689/MCL Dt. 12-12-05

Copy submitted to the Principal-Secretary to Govt. Steel and Mines Department, Orissa, Bhubaneswar for favour of kind information and necessary action.

[Signature]
12/12/05
A.D.M.-cum-Rehabilitation Officer
MCL/NTPC, Angul

Memo. No. 1690/MCL Dt. 12-12-05

Copy to Private Secretary to Revenue Divisional Commissioner (ND), Orissa, Sambalpur for information and necessary action.

[Signature]
12/12/05
A.D.M.-cum-Rehabilitation Officer
MCL/NTPC, Angul

DISTRICT OF COLUMBIA

OFFICE OF THE ATTORNEY GENERAL

IN RE: [Illegible Name]

[Illegible text]

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[Illegible text]



MINUTES OF RPDAC MEETING, ANGUL

(51)

**Proceeding of the 1st Rehabilitation and Periphery Development
Advisory Committee of MCL held on 07.11.2006 in the conference
hall of AUCCB, Angul.**

The RPDAC came into being vide Government notification No 25092/R.06.07.2006.(Annexure "A") Accordingly as per the instruction, R.D.C (N.D) Sambalpur vide his letter No 2321 dt.02.11.2006 constituted the RPDAC of MCL, Angul District(Annexure "B") and the 1st meeting of RPDAC, MCL was held on 07.11.2006.

The Chairman-cum-R.D.C (N.D), Sambalpur was in the Chair.
The members & invitees mentioned at Annexure 'C' attended the meeting.

At the outset the Revenue Divisional Commissioner (N.D) & Chairman of RPDAC, MCL welcomed all the members and invitees present in the meeting. He expressed his concern about the long standing issues of the land oustees and hoped that the new RPDAC would be able to address these issues. The Chairman sought the co-operation of all the members & especially the MCL to solve the pending problems.

As Government of Orissa has introduced new Rehabilitation and Resettlement policy, 2006, the Chairman requested all the members to give their opinion on the new policy. Hon'ble M.P. Deogarh wanted that the progressive features of both new and old policies be accepted. He further opined that the committee may go beyond these policies in interest of the land oustees and take approval of Government. Hon'ble M.L.A. Talcher wanted that the decision of the RPDAC should be implemented within 03 months. The CMD, MCL expressed his reservation in implementing the new policy as this had not been circulated officially to them. He wanted some more time to study the policy, take the direction from Coal India/Ministry of Coal and then implement it. He also raised some points on constitution of the RPDAC itself. Here, the Collector, Angul intervened with the permission of the Chair and informed the house that the new policy was published in the official gazette on 14th May, 2006, hence deemed to have been circulated to all. Hon'ble M.L.A. Athamallik wanted the new policy to be implemented immediately. Hon'ble M.L.A, Angul wanted to know why the names of the land oustees of Railway line of Kalinga OCP have not been included in the Rehabilitation list. The Chairman gave his final decision that this policy would be applicable to the new acquisition for which 4(i) of L.A .Act and 9(i) of CBA would be done after 14.05.2006. Then discussion as per agenda was taken up.

(D)

1: Review of Action Taken Report of last RAC

1.1: Review of Action taken report of 12th RAC of MCL

It was decided in the last RAC that the action taken report would be provided to the Hon'ble public representatives by the CMD, MCL, Burla. The Hon'ble representatives expressed their displeasure over non compliance of the same. The Chairman advised the CMD, MCL to send the copies of action taken report to all the members of new RPDAC.

1.2: Review of R & R policy & opening of Office of Director [Technical]

There was a threadbare discussion on opening of Office of the Director (Technical) at Talcher. Hon'ble M.L.A Talcher reminded the CMD, MCL that the Office of the Director (Technical) was functioning at Talcher for some time. But the CMD, MCL expressed his inability to comply this as it is a policy decision and need to be taken at a higher level. He requested the Hon'ble public representatives to take up this matter at the Government of India level.

1.3: Change of nominee

This point has been complied with the satisfaction of the house.

1.4: Fixation of cut off date

There was a discussion on which date would be taken as the cut off date for acquisitions under CBA (A & D) Act i.e. the date on which the General Manager sent the award to the Ministry or the date on which Ministry of Coal accords its approval. After a detailed discussion it was decided that the date of release of the award from the Ministry of Coal will be the Cut off date for the purpose of Rehabilitation.

1.5: One time cash grant in lieu of employment

The Hon'ble Members were agitated over the compliance given by MCL. The Hon'ble M.P. Deogarh suggested that MCL can not force one time cash grant in lieu of employment on the land oustees. A choice should be given to the land oustees whether to accept it or not. Hon'ble M.L.A, Talcher & Angul suggested that the NALCO model should be implemented by MCL, so that the land oustees will be attracted to it. The CMD, MCL suggested that as there is a provision in the new R & R policy for cash compensation, that might be acceptable to all. Finally it was decided that a sub-committee will analyse the cash compensation package of NALCO, Coal India and R & R policy of 2006, find a better way and come back to RPDAC for a decision.

1.6 & 7(ii): Anomaly in Award of Compensation in Kaniha OCP

It was informed to the house that as the matter is sub-judice, no concrete decision can be taken by the committee. It was decided to wait till the decision of Hon'ble court.

1.7: Left out patches of village Birabarpur

The matter has already been complied. 4(i) notification has been published in the village for acquisition of 19.43 acres of land. But Collector, Angul requested the CMD, MCL to submit the administrative approval at the earliest.

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1.8: Left out patches of village Kalamachhuin

This decision has already been complied. 4(i) notification for acquisition of 636.72 acres of land has already published in the village. Collector, Angul informed the house that the survey work is almost complete. The structure measurement is going on. M.L.A. Talcher requested for more technical hands to expedite the process. Collector, Angul also requested to the CMD, MCL to submit the administrative approval at the earliest.

1.9 & 4(iv) (b): Village Talabeda

An area of 144.06 acres of land was acquired from 1990 to 1993 in 03 L.A. Cases out of the total area of 233.52 acres of land of village Talabeda. A sum of Rs.55, 26,239.00 was deposited by MCL towards compensation of the said land, out of which Rs.35, 00,614.00 has already been paid to the land oustees leaving a balance of Rs.20, 25,625.00 which is 37% of the total amount. On request of the villagers and decision taken in the review meeting held on 28.01.2006 in presence of the higher MCL official and District Administration., the General Manager, Lingaraj Area has filed a proposal for withdrawal, which has been sent to Government. The CMD, MCL informed the house that they do not want this patch of land anymore. Hon'ble M.P. Deogarh pointed out that the villagers request was an emotional out burst, and suggested that this should be kept pending for the time being.

1.10: Depreciation in the structure valuation

This is being followed by MCL.

1.11: Job to 'C' category land oustees

As decided in the last RAC, a list of 294 'C' category land oustees has been prepared. The Hon'ble public representatives wanted to know whether this is an up to date list or some others have been left behind. It was clarified that this list has been prepared taking in to consideration the sponsored list till 2005. It was further clarified that the 65 oustees of village Kalamachhuin would be converted to 'A' category, if the present acquisition is included. Hon'ble M.P., Dhenkanal wanted that these oustees be given employment or an attractive package by one time settlement. The CMD, MCL expressed his inability to provide job to 'C' category land oustees as there is no vacancy for them. Hon'ble M.P. Deogarh gave a comparative picture of SECL, BCCL & stated that per employee Coal production in MCL is highest; hence there is scope for further employment. He further expressed his displeasure over stagnation in employment since 2004. The CMD; MCL gave an option of employing the land oustees of Talcher Area in Northern Coal Field or Ib- Vally projects. He further intimated that they are prepared to give a subsistence allowance of Rs.2500/- per month till the job is given. The Hon'ble public representatives wanted to know whether this offer is for 'C' category oustees or not. When the CMD clarified that this offer is meant for 'A' & 'B' category, the members became agitated. The Collector, Angul expressed his opinion that one principle should be followed for one acquisition in one village. If some 'C' category oustees have been provided job in a village earlier, the left out ones should not be

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debarred. The Chairman requested the CMD, MCL to settle this issue. CMD, MCL informed that Coal Secretary, Government of India is coming for a discussion with state Government authorities in the month of November, 2006 on certain issues related to MCL. He suggested to take up this issue in such high level meeting. The Chairman & RDC decided that issue of providing jobs to "C" category land oustees shall be raised in the high level meeting expected to be held during November, 2006.

1.13 & 4(iii) (b): Village Khuringa & Telipur

It was informed to the house that the award of structures has been sent to the Ministry for financial vetting. The members expressed their displeasure over inordinate delay in payment of compensation and it was decided that all out efforts shall be made by MCL for early payment latest by January, 2007. As regards allotment of Konark Block, the Ministry of Coal has already been moved and a decision is expected soon.

1.14 & 4(iv) (e): Village Langijoda

It was clarified that out of 69 left out cases of village Langijoda, Balugan, Ambamunda & Nakulabaspur, 24 cases have been approved by the Collector and sent to MCL. As regards the rest, the General Manager, Lingaraj Area pointed out that there are 22 clear cases. It was decided that these cases be cleared by the end of November, 2006 and other objected cases be returned with reasons to District Administration for further action.

1.15 & 4(iv) (d): Village Madanmohanpur

The CMD, MCL informed the house that the vetting has already been done. It was decided that these oustees will be provided jobs by end of November, 2006.

1.16 & 4(ii) (a): Village Danara

In Case of village Danara 1062 names of land oustees/nominees were sponsored in between 1989 to 1992 for job rehabilitation to MCL. Out of which 794 cases has already been considered for job leaving a balance of 268 cases. Most of the nominees are "D" category. Out of the rest 268 cases, 44 nominees has filed writ petition before the Hon'ble High court, Orissa to consider their cases. As per the direction of the Hon'ble High Court, the Tri-Committee recommended the names of 26 nominees to be eligible to get rehabilitation benefit. But MCL headquarters of the opinion that, only 03 cases are genuine for job. Again the rest 224 cases sponsored earlier and 25 new cases suggested by Hon'ble MP, Deogarh are to be examined and considered as per the decision of 13th RAC. It was decided in the 13th RAC that the numbers of eligible cases will be verified by the joint committee on the basis of the family from which no one was employed earlier and put up before the next RAC for a decision. The sub-committee meeting held on 07.07.2006 has recommended 77(53+24) eligible cases for job rehabilitation in case of village Danara. The matter was placed before the 1st RPDAC meeting and it was seen that some doubtful cases are still in the selected list. The General Manager, Hingula Area requested to verify the list again. As the matter is old one, it was decided in the RPDAC that let the joint committee to

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verify the eligible list jointly and complete the R & R process and close the matter as soon as possible.

1.17 & 4(i) (b) & (c): Village Chandapur

09 cases on which MCL had agreed earlier to provide job rehabilitation has not yet been complied. The CMD, MCL clarified that these are old cases and some member of the family has been given employment. Here, Collector, Angul intervened and there was a discussion on the concept of the family. The Chairman suggested that the genealogy of these 09 cases be examined, if they have lost agricultural land, home stead land and dwelling house in the 2nd phase acquisition i.e. village Hensamul, this be treated as fresh one and provided jobs as per merit.

(ii): Village Hensamul

It was clarified that the award under CBA has been sent to the Ministry of Coal and is pending there. It was decided that MCL will pursue the matter with the Ministry and payment be made by February, 2007. Hon'ble M.L.A. Hindol pointed out that some of the land oustees of village Hensamul have not yet been rehabilitated. C.G.M. Jagannath Area clarified that after payment of compensation under CBA, all the cases will be clubbed together and final R & R list will be prepared.

As regards Rugudisahi, C.G.M. Jagannath Area pointed out that though all out efforts have been made by MCL and District Administration, the encroachers are not accepting the value of their structures and 0.04 acres of land. It was decided that MCL will again try to convince the encroachers to leave the MCL land, other wise action as per law shall be taken.

1.18 & 8: Individual cases

The proceeding of the Sub-Committee on individual cases was approved.

1.19: Improvement of road from Talcher-Gopalprasad-Kaniha

No action has been taken by MCL. The members expressed their displeasure over the issue. It was decided that MCL will take up this road as it is being used by them along with the villagers.

1.24: PDC

This was reviewed separately.

4(i) a. a: Village Balanda

Though 54 nos. of nominees have been sponsored, MCL has not yet taken any action on it. It was decided to offer jobs to the eligible ones and close this issue within 02 months.

b. d: Jillinda

307 eligible nominees have been jointly sponsored and screening done. The Chairman wanted to know the difficulties offering job to these oustees. The CMD, MCL clarified that there are about 220 clear cases, but they can not provide jobs to them at one go unless the Bhubaneswar



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Mine is opened. This mine will be opened on the land of Jillinda village. The physical possession is still with the villagers. They are demanding jobs to all in one go. After discussion, it was decided that it will be sorted out with the villagers.

b. e.: Naraharipur

The award has not yet been passed. The CMD, MCL pointed out that this area will be required by them after 20 years. Still the structure measurement work is going on. It was decided to complete this and send to the Ministry for approval within two months.

ii. a. b: Majhika

The job rehabilitation of 28 cases and re-settlement has not yet been done. As regards purchase cases in between 4(i) & 7(i) of CBA, no clarification has yet been received from Government. It was decided to move for further clarification from Government on this issue.

c(d): Solada

The CMD informed the house that 'A' & 'B' category cases have already been cleared. As regards 'C' category, it will be dealt as in other villages. As regards compensation for crop loss due to acquisition of Satyabadi Sagar, the CMD, MCL pointed out that they have already deposited money with Government for alternative MIP. The problem of solada village is linked with the allotment of Konark Block to MCL, for which MCL has already moved the appropriate authority. The early settlement of this issue requires a decision by the Coal Ministry, Government of India. After discussion, it was decided that this issue will be taken up in the high level meeting scheduled to be held in November, 2006.

d. (e): Anantabereni

In case of village Anantabereni, 264 cases were sponsored earlier for job rehabilitation. Out of which 244 cases has already been considered by MCL. As per the demands of the villagers there are 46 left out cases for job rehabilitation and 85 cases for resettlement is still pending with MCL. The Sub-Committee held on 07.07.2006 had advised District Administration to check all the left out cases in detail and put up for a decision. But the General Manager, Bharatpur Area pointed out that some oustees have submitted false certificate for which their cases could not be considered. It was decided that the clear cases will be provided with job immediately and controversial ones will be jointly verified.

E(g & h) (i): Padmabatipur

The General Manager, Bharatpur Area intimated that 116 nos. of oustees have already been offered with job rehabilitation. The Spl. L.A.O. informed the house that still 70.nos. of land oustees are to be rehabilitated. The re-settlement site has been identified. It was decided that General Manager, Bharatpur Area will take all efforts to develop the re-settlement site and convince the villagers to shift there. The G.M. Bharatpur Area pointed out that the villagers are not allowing the cutting of the road for which the mining operation has been stopped. It was

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decided that a meeting of the villagers will be called. Hon'ble public representatives will be requested to attend the meeting, an alternative road will be provided and the villagers will be convinced to allow road cutting.

(ii): Rakas

The CMD, MCL informed the house that 41 nos. of land oustees of village Rakas who had lost land in village Padmabatipur will be provided with job shortly. As regards the payment of compensation, the award has already been passed on 30.03.2006 & payment is in progress. As regards 7(i) notification of 309.00 acres, it is still pending with Ministry of Coal. 107 nos. of land oustees have been identified taking into consideration all these acquisitions. The C.G.M. Jagannath Area pointed out that though all formalities have been done for acquisition of forest land, the villagers are not allowing enumeration of trees & cutting. It was decided that a meeting will be called involving Collector, Supdt. of Police & D.F.O to sort out this problem.

f. (i): Nathagan & Lakeipasi

There are 15 cases to be disposed off. The General Manager, Hingula Area pointed out that there are some controversial issues like, these people have land in other villages and dwelling house constructed over Taila Kissam. It was decided that these cases will be examined and cleared on merit at the earliest.

III a(a): Gopalprasad

The General Manager, Hingula Area pointed out that out of 158 approved cases 149 have already joined. 09 cases found medically unfit. The General Manager, Hingula Area further informed that house that there are some cases where the genealogy has been tampered and the rest cases are 'C' category. It was decided that the genuine cases will be cleared.

The review meeting of the action taken on 13th RAC could not be completed due to paucity of time. The Chairman wanted to discuss the important policy issues.

4(a) Jobs to 'B' category land oustees as per previous practice

There was a practice that all the major separated families of the awardees would be given job employment in 'B' category. Now MCL restricts it to one job for every 03 acres. The Collector, Angul wanted that one formula be adhered to in one village. But the Chairman opined not to continue the old practice hence forward. Let the villagers be explained that it is not possible to give employment to all the major families in this category. After a detailed discussion it was decided that information will be found out as to how many old cases are there- MCL would try to accommodate them.

4: b) Job rehabilitation of illiterate women nominees, families in which no one has been rehabilitated.

MCL is not providing jobs to non-metric illiterate women oustees/nominees. The house was informed that there are only 32 such cases. It was decided that these cases will be scrutinized on case to case basis. MCL was requested to find out source of permanent livelihood for such



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destitute women. It was suggested that suitable candidates can be engaged with outsourcing agencies of MCL.

4: (c) Job rehabilitation to minor self awardees.

The CMD, MCL pointed out that minors can not be recorded as tenants, so should not be made awardees, hence can not be rehabilitated. The Chairman pointed out that though it is legally wrong to award, compensation in the name of the minors, these cases should be sympathetically considered as they have got none to look after them. It was pointed out that only 06 such cases are there. It was decided to give them job employment if they come under 'A' or 'B' category.

4: (d) Job rehabilitation to the nominees, who were within 18-35 years on cut off date, But over age now.

The oustees who were between age limit of 18-35 years on cut off date, but became over aged at the time of joining, MCL should not object to these cases as it is not the fault of oustees. It was decided that MCL will give five years relaxation in such cases.

4: (e) Family already availed R & R benefit in one village but now loosing land in some other village, whether R & R will be extended to them or not.

It was pointed out to the house that some oustees are loosing land in more than one village. Some of the family members were rehabilitated by virtue of 1st acquisition. The MCL is not considering employment on subsequent acquisitions. The Collector, Angul informed the house, how the oustees are deprived of their higher category if all the acquisition is not included. After discussion it was decided that such cases be referred to the Government for a clarification.

4: (f) Persons constructed house over Government land and also loosing Agricultural and Gharabari land in the same village.

(h) Persons residing in the village permanently by constructing house over other's land

It was decided that Collector, Angul shall move Revenue Department to seek clarification on such issues.

4: (g) Persons constructed house over Taila Kissam of land i.e. other than Gharabari Kisam of land.

It was decided that in case of land oustees those who have constructed their houses over Taila kizam land and have no Gharabari kizam of land, will be considered as 'A' category land oustees. The portion of land of Taila kizam on which they have constructed the house will be treated as their Gharabari with reference to the provision of O.L.R Act. C.M.D, MCL agreed to it.

4: (i) Payment of compensation on land purchased in between 4(i) & 7(i) of CBA Act.

Some villagers have purchased land in between 4(i) & 7(i) of CBA acquisitions. They are not being paid solatium and interest on the compensation. They are also deprived of the rehabilitation benefit. A clarification was sought for from the Government as per the decision of the 13th RAC, but the clear cut clarification has not yet been received. It was decided that another clarification regarding purchase of land after 4(i) of CBA would be sought from the Government.

4: (j) Anomaly in measurement of structure under CBA

This has already been clarified by the Government. Thus the committee wanted the MCL to follow this instruction.

4: (k) Age condo nation of the nominees.

It was informed to the house that some land oustees who were between the age limit of 18-35 on 7(i) but become over age on the cut off date. Unless such cases are condoned, they will be deprived of the benefit of job rehabilitation. It was decided by the committee that these will be dealt by case to case sympathetically and age will be condoned if none from the family is getting any employment.

4: (l) Employment to 'A', 'B', 'C', category of land oustees.

The matter has been discussed in the review of action taken on 13th RAC.

4: m) Allotment of Konark Block & 7(i) Notification of the area.

(n) Acquisition of left out patches where 50% of total land already been acquired.

The villagers of Solada, Telipur-Khuringa are agitating for acquisition of their left out land. These lands are coming under Konark Coal Block which has not yet been allotted to MCL. The problem of solada village is linked with the allotment of Konark Block to MCL, for which MCL has already moved the appropriate authority. The early settlement of this issue requires a decision by the Coal Ministry, Government of India. After discussion, it was decided that this issue will be taken up in the high level meeting scheduled to be held in November, 2006.

In case of other villages where 50% land has already been acquired, it was decided that steps should be taken by MCL to acquire the rest part of the land.

9. 

8: Fixation of Cut Off date

It was decided that those families from which no one has yet been given job rehabilitation on the ground of under age; the cut off date for them is extended as on the date of 1st RPDAC, i.e. 07.11.2006. Those who will be of 18 years of age and none of their family member have got employment till 07.11.2006 will be considered.

10: Case of Hrudananda Pradhan of Brahmanabahal

In case of Sri Hrudananda Pradhan of village Bramhanabahal, his son Satyananda Pradhan was given employment under R & R policy of MCL in the year 1996. But unfortunately Satyananda Pradhan expired in the year 2001. He was unmarried at that time for which reason none of his dependent's was available for employment as per company norms. Then Sri Hrudananda Pradhan demanded a job for his unmarried daughter Kumari Pravati Pradhan after death of his son and resorted to hunger strike in two phases, one from 12.01.2006 to 01.02.2006 and again from 11.05.2006 to 29.09.2006.

The matter was discussed in the Tri-Committee/Sub-Committee meeting held on 26.02.2005, 14.01.2006 and 07.07.2006. Since this is not a case of R & R matter, it was decided that the case of Sri Hrudananda Pradhan may be treated as a special case and one of his daughter may be provided with job rehabilitation on humanitarian ground. Further CMD, MCL during his visit to Angul on 14.10.2006 also assured to provide one job employment to his family on humanitarian ground. It was decided in the RPDAC meeting that one of his daughter will be provided with job rehabilitation on humanitarian ground and this will be treated as a special case, not applicable to other such instances.

11: Any other matter with the permission of the chair

(i) Shantinagar Issue

The encroachers who were identified for giving the cost of their structure have not yet been paid. The house was informed that their cases are pending at MCL headquarters. MCL was requested to expedite the matter.

(ii) Badajorada Issue

It was decided that all the sponsored cases during 1991 that i.e. 94 & 44 cases and all the left out cases be identified and verified by the joint committee thoroughly. All 'A' & 'B' category cases be processed for job rehabilitation. In case of 'C' category the matter will be considered as for the decision of other cases as per Para 1. 11. job rehabilitation will be provided to 'D' category land oustees further.

[Handwritten scribble]

-10- *[Signature]*

Periphery Development Works (Part -II)

As regards periphery development works Collector, Angul intimated that during the year 2004-2005 a sum of Rs.4.5 crores was sanctioned towards P.D works. Out of which one crore has been released by MCL till date. In the review meeting held on 11.10.2006 the MCL authorities intimated that further an amount of 2.43 crores has been released by MCL towards PD fund for then year 2004-2005 .But no official intimated has been made to this office till today .The Chairman expressed his concern over this issue and advised to MCVL to release the balance fund immediately .After a threadbare discussion over the net profit of MCL during the year 2005-2006 & 2006-2007 it was unanimously decided that a sum of Rs.4.5 crores will be released towards periphery development works for the year 2005-2006 and a sum of Rs. 3.5 crores will be released towards periphery development works for the year 2006-2007.

2: Development of Rani Park, Talcher.


Collector, Angul intimated to the house that D.F.O (T) Angul has submitted an estimate of Rs.262.36 lakhs for the development of Rani Park, Talcher and mentioned that a sum of Rs.20.00 lakhs has already been approved out of P.D. fund of MCL during the year 2004-02005 .It was decided that for the construction of boundary wall in around Rani Park a sum of Rs.1.80 crore will be required approximately.


After a detail discussion over the issue the following projects along with funds were approved from the periphery development funds of MCL for the year 2005-2006 and 2006-2007.

Sl. No	Name of the Project	Funds allotted (Rs.in lakh)	Year of sanction
1	Construction of Boundary wall of Rani Park, Talcher	50.00	2005-2006
2	Construction of Orissa Table Tennis Academy -cum-Indoor Hall, Angul	10.00	-do-
3	Construction of Boundary wall of Rani Park, Talcher	50.00	2006-2007

The Chairman assured the members that there will be a separated meeting for PDC to finalize the projects for both the year 2005-2006 very shortly. He also requested all the Hon'ble public representatives and members to submit the project proposal to Collector, Angul to facilitate the process.

The meeting ended with vote of thanks to the Chair and participants.


Collector, Angul & Convener,
RPDAC of MCL, Angul


R.D.C (N.D) Orissa, Sambalpur & Chairman,
RPDAC of MCL, Angul District

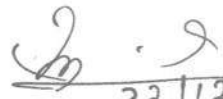
List of Members & Invitees present in the 1st RPDAC Meeting held on 07.11.2006
--

- ✓1: Collector, Angul and Convener
 - 2: Sri Tathagat Satapathy, Hon'ble M.P. Dhenkanal
 - 3: Sri Dharmendra Pradhan, Hon'ble M.P. Deogarh
 - 4: Sri Rudra Narayana Pani, Hon'ble M.P. Rajya Sabha
 - 5: Sri Nagendra Kumar Pradhan, Hon'ble M.L.A. Athamallik
 - 6: Sri Mahesh Sahoo, Hon'ble M.L.A. Talcher.
 - 7: Sri Rajanikanta Singh, Hon'ble M.L.A. Angul
 - 8: Dr. Nrusingha Ch Sahoo, Hon'ble M.L.A. Pallahara
 - 9: Smt. Anjali Behera, Hon'ble M.L.A. Hindol
- ✓10: Sri Baruna Ku Sahoo, President, Zilla Parishad, Angul
- ✓11: Superintendent of Police, Angul
- ✓12: A.D.M.-cum-Rehabilitation Officer, MCL/NTPC, Angul.
- ✓13: Project Director, DRDA, Angul
- ✓14: Sub-Collector, Angul
 - 15: Sub-Collector, Talcher
 - 16: Chairman, Panchayat Samiti, Talcher
 - 17: Chairman, Panchayat Samiti, Chhendipada
 - 18: Chairman-cum-Managing Director, MCL Headquarters, Burla, Sambalpur
- ✓19: Spl. Land Acquisition Officer, MCL, Angul.
- ✓20: Spl. Land Acquisition Officer, MCL-II, Angul.
 - 21: Sri Pranabandhu Pradhan, Village: Padmabatipur
 - 22: Smt. Kalabati Naik, Maa Santoshi Women SHG, Kansamunda
 - 23: Chief General Manager, Jagannath Area, MCL, Talcher
 - 24: General Manager, Hingula Area, MCL, Talcher
 - 25: General Manager, Lingaraj Area, MCL, Talcher
 - 26: General Manager, Bharatpur Area, MCL, Talcher
 - 27: General Manager, Talcher Area, MCL, Talcher

DISTRICT OFFICE, ANGUL

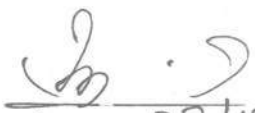
Memo No. 1798 / MCL Dt. 23.12.06

Copy forwarded to all the members of Rehabilitation and Periphery Development Advisory Committee of MCL for information and necessary action.


22/12/06
✓ Collector & Member Convener,
RPDAC of MCL, Angul


Memo No. 1799 / Dt. 23.12.06

Copy submitted to the Principal- Secretary to Govt. Revenue & Disaster Management Department, Orissa, Bhubaneswar for favour of information and kind necessary action.


22/12/06
✓ Collector & Member Convener,
RPDAC of MCL, Angul


Memo No. 1800 / Dt. 23.12.06

Copy submitted to the Principal- Secretary to Govt. Steel & Mines Department, Orissa, Bhubaneswar for favour of information and kind necessary action.


22/12/06
✓ Collector & Member Convener,
RPDAC of MCL, Angul

Memo No. 1801 / Dt. 23.12.06

Copy to the Private Secretary to Revenue Divisional Commission (ND) Orissa, Sambalpur for information and necessary action.


22/12/06
✓ Collector & Member Convener,
RPDAC of MCL, Angul

-13-



UNITED STATES DISTRICT COURT

IN RE: [Illegible]

[The body of the document contains several paragraphs of text that are extremely faint and illegible. The text appears to be a legal document, possibly a motion or a court order, but the specific words and phrases cannot be discerned.]

(60)

**Proceeding of the 2nd RPDAC, MCL Meeting held on
22.06.2007 in the Conference Hall of AUCCB, Angul**

The RPDAC came into existence vide Government of Orissa Notification No 25092/R.Dt.06.07.2006. The 2nd RPDAC meeting of MCL was held on 22.06.2007 under the Chairmanship of R.D.C (N.D) Sambalpur.

The R.D.C (N.D) Sambalpur was on the chair.

The members and invitees mentioned at **Annexure "A"** attended the meeting.

At the outset the Collector, Angul welcomed all the members and invitees present in the meeting and requested to Hon'ble Chairman, RPDAC, MCL to conduct the meeting.

I. Confirmation of proceeding of last RPDAC meeting held on 7.11.2006

Since most of the decisions of 1st RPDAC meeting have not been implemented by MCL, the proceeding of the meeting is confirmed with observation on each of the item of the agenda note.

The R.D.C (N.D) & Chairman of R.P.D.A.C first of all wanted to know about the procedure of acquisition of land under Coal Bearing Areas (A & D) Act. He expressed his concern about the procedural delay in land acquisition under CBA Act.

S.P. Singh, MCL headquarters, explained about the procedure of CBA (A & D) Act. Chairman, RPDAC directed the MCL authorities to prepare a detail list of land acquired for the mining purpose, the land oustees of the said land, nos. of land oustees provided with job and left out cases with the reason thereof. It was decided that the MCL should develop a software for this and to host the details on the web site within 02 months.

II. Formation of Sub-Committee

One sub-committee of RPDAC was formed to discuss and solve all the individual cases and other problems relating to R & R matter from time to time, in the absence of RPDAC. This committee is to meet at least once a month to follow up on RPDAC decision.



1. Collector, Angul, Chairman
2. Hon'ble M.P. Deogarh
3. Hon'ble M.L.A. Talcher
4. Superintendent of Police, Angul
5. President, Zilla Parishad, Angul
6. Director, Personnel, MCL Hqrs. Burla
7. General Manager, MCL (Nodal) of the Area

There was a detailed discussion on different issues & problems and the following decisions were taken unanimously.

substituted/modified as per order of RDC (ND) Sambalpur vide d. No 96 Dt. 16.11.08 of PPA-um-41. (Circular given file)

III. Fixation of Cut Off date

There was a discussion on which date would be taken as cut off date so far as the R & R benefit is concerned under CBA (A & D) Act. After detail discussion, it was unanimously decided that, the date ~~on which the payment of compensation will be made~~ U/S 12(2) of L.A. Act and section 17 of CBA (A & D) Act, 1957 will be treated as the "Cut off date" ^{of passing award} ~~of the project~~ ^{for a particular village} so far as R & R is concerned.

Further it was decided that those families from which no one has yet been given job rehabilitation on the ground of under age; the cut off date for them is extended as on the date of 2nd RPDAC i.e. 22.06.2007. Those who will be of 18 years of age and none of their family member have got employment till 22.06.2007 will be considered.

IV. Payment of cash compensation in lieu of employment

It was suggested that a lucrative package offer may be given to the land oustees as cash compensation in lieu of employment like other PSUs like NALCO etc. It will be extended only after providing an option for the land oustee to receive cash compensation in lieu of job.

V. Anomaly of rate of compensation in Kanlha OCP

It was suggested to explore an out of court settlement of the case under the provision of consent Award available in the Act U/S 14(1) of CBA Act & if the court orders for higher compensation, that will be paid as ex-gratia later on.

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VI. Acquisition of left out patches in village Birabarpur

The Chairman expressed his concern apprehending the lapse of 4(i) notification of village Birabarpur as the administrative approval has not yet been submitted by MCL. The General Manager, Hingula assured the house to send some MCL official to Ministry of Coal for the purpose & timely submission of the administrative approval.

VII. Acquisition of left out patches in village Kalamachhuin

The 6(i) notification under L.A. Act has been made for the acquisition of 632.860 acres of tenancy land in village Kalamachhuin and the total demand of compensation has already been intimated to General Manager, Hingula Area, MCL to deposit the same as early as possible.

It was unanimously decided that the possession of the acquired land be taken in a phased manner and initially, a line to be drawn minimum to one hundred meter from the edge of Balaram OCP including a part of Budhabudhisahi forest area and the land oustees of category "C" & "D" coming under this area are to be upgraded to "A" considering their land lost and process for job rehabilitation to these land oustees will be made as per the R & R policy of Government. Any further demand for extension of this line and other similar demand if any shall be examined in the subsequent RPDAC meeting.

VIII. Job to "C" Category land oustees/nominees

A thorough discussion was initiated by the chairman on the issue of providing job to "C" category land oustees/nominees and asked MCL authorities to make a commitment to provide job to the balance left out "C" category claimants to avert the deteriorating law and order situation . The view of the Chairman was strongly endorsed by both Collector & S.P. Angul. The Director, Personnel, MCL headquarters participating in the discussion submitted that providing job to "C" category depends on the availability of posts. As there is scarcity of posts, MCL is not in a position to provide job to "C" category for the time being. The Collector opined that, the availability clause may be made applicable to future "C" category oustees, but the left out "C" category oustees should be provided job since it has generated a sense of inequity and

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discrimination among the "C" category oustees who have been left out due to delay on the part of MCL in providing employment. A major part of the jobs available is being outsourced and if some jobs among them is provided to left out "C" category oustees, then the frequent agitations could be avoided. Hence, it is a question of handling the available jobs & not a question of creation of new jobs. Jobs that are being outsourced should be made available to land oustees. The number of left out "C" category oustees is small enough for MCL to provide jobs, but is big enough to create law and order disturbances. Hence it would be wise on the part of MCL to provide jobs to left out "C" category oustees in the interest of smooth operation. The Director (Personnel) of MCL made a suggestion of examining the idea of giving additional cash compensation to the "C" category claimants as per the provisions of R & R policy, 2006. The Chairman however emphasized on providing job to left out "C" category claimants as similarly placed persons have been provided with jobs earlier and finally it was resolved that MCL will provide jobs to the left out "C" category oustees/nominees in a phased manner within six months. Besides it was also decided to give appointment to previously approved "A" and "B" category left out nominees who are waiting for job since long within 02 months.

IX. Payment of compensation for acquisition of land in village Telipur-Khuringa

A detailed discussion was made on village Telipur-Khuringa and it was informed by MCL that 70% of the agricultural land of the village have been acquired under CBA(A & D)Act and it was decided in the 4th RAC meeting that the rest 30% of the land including Basti area to be acquired. Hon'ble M.P. Deogarh opined that taking Konark Block in to account MCL should provide R & R to these two villages within 02 to 03 months. Further Hon'ble M.P. Deogarh wanted to know about the present status of village Telipur-Khuringa. The General Manager, Hingula Area, MCL intimated the house that structure payment is going on in the village and it is not possible to complete the R & R matter within a such short period .

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After a threadbare discussion, it was decided that the process of preparation of genealogy shall be completed within 20days and after payment of compensation to the land oustees, the employment to "A" category land oustees be completed as per R & R policy within three months.

X. Left out cases for employment in the village Langijoda, Balugan, Ambamunda & Nakulabaspur.

In the 1st RPDAC it was decided to provide employment to 69 left out cases of village Langijoda, Balugan, Ambamunda and Nakulabaspur before November, 2006, but as per action taken report submitted by MCL, the present position is as under:-

- (i) Employment approved 22+2=24,
- (ii) Cash compensation=06,
- (iii) Under scrutiny stage= 17,
- (iv) Category "C"=18,
- (v) Category "D"=01
- (vi) Not eligible=03.

After a threadbare discussion on this issue, it was decided that the left out cases of these villages should be processed within one and half month without fail.

XI. Employment to the land oustees of village Madanmohanpur

It was decided that 22 cases which were duly vetted by the MCL headquarters are to be offered employment within one and half month without fail.

XII. Employment of village Hensamul

During the discussion of the issue of village Hensamul, it was decided that all the process of R & R will be completed within six months and legal action to be taken against the encroachers of Rugudisahi.

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XIII. Eligible land oustees/nominees of village Danara for job employment

After a thread bare discussion over the left out cases of village Danara, it was decided that all these cases are to be placed before the Sub-committee for review. The Sub-Committee will examine the eligibility of the cases as per R & R policy.

XIV. Interpretation of R & R Policy

Some of the members of RPDAC raised the question on the authority of MCL to interpret the R & R policy of Government of Orissa in its own way. The Chairman on this issue took exception to this fact and opined that MCL has no authority or jurisprudence to unilaterally interpret the R & R policy of state Government. He categorically clarified that the District Administration is competent to interpret the R & R policy and if MCL is not satisfied with the interpretation, necessary clarification may be sought from the Government, Revenue and Disaster Management Department. This was agreed upon by all.

XV. Fixation of rate under CBA(A & D)Act,1957

While discussing about the rate of compensation under CBA (A & D) Act, the Chairman expressed his concern on the fixation of compensation for land and structure and payment of the same have been made after many years to the land oustees. Finally it was decided that the authorized officer of MCL of the concerned area will make an agreement under section 14(i) of CBA (A & D) Act, 1957, i.e. consent Award so that the land oustees will get proper compensation for their land and structure. The rate to be offered in consent Award may be decided by the District Compensation Advisory Committee (DCAC) as per provision of R & R policy, 2006.

XVI. Posting of land oustees near the area of their displacement

A discussion was initiated by the Hon'ble M.P. Deogarh on the subject that MCL is making initial posting of land oustees at far off places like Jharsuguda which should be stopped forthwith. The Chairman of the meeting intervening on the issue opined that posting of employees is an internal matter of MCL and RPDAC can only make a suggestion to the effect that MCL should consider the

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proposal of making initial posting of land oustees in the local area at least for the first five years to over come the shock of displacement.

Hence, it was suggested by the committee that the MCL authorities may consider to post the land oustees/nominees in the local area for five years initially to overcome the shock of displacement. After five years of service the MCL can transfer their employee to any other area. However, this was a request of the RPDAC for consideration of MCL authorities.

The Meeting ended with vote of thanks to the chair and participants.

Sd/-dt.11.07.2007.

ds
7.7.07
Collector
Angul

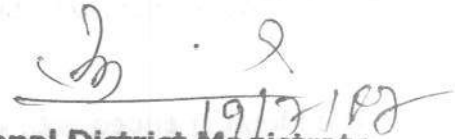
R.D.C (N.D)-cum- Chairman,
RPDAC, MCL, Angul

By Spl. Messenger

DISTRICT OFFICE, ANGUL

Memo No 920 /LA. MCL. Dt 19/7/07

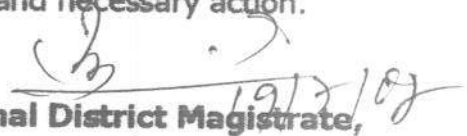
Copy submitted to all the members of Rehabilitation and Periphery Development Advisory Committee of MCL, Angul for kind information and necessary action.


19/7/07

**Additional District Magistrate,
Angul.**

Memo No 921 /LA. MCL. Dt 19/7/07

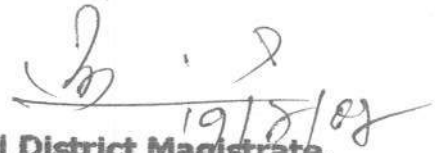
Copy submitted to the Joint Secretary to Government, Revenue and Disaster Management Department/Joint Secretary to Government, Steel & Mines Department, Orissa, Bhubaneswar for kind information and necessary action.


19/7/07

**Additional District Magistrate,
Angul.**

Memo No 922 /LA. MCL. Dt 19/7/07

Copy forwarded to the Chief General Manager, Jagannath Area, MCL/Chief General Manager, Lingaraj Area, MCL/General Manager, Hingua Area, MCL/General Manager, Bharatpur Area, MCL/General Manager, Talcher Area, MCL, Talcher for information and necessary action.


19/7/07

**Additional District Magistrate,
Angul.**

Memo No 923 /LA. MCL. Dt 19/7/07

Copy submitted to the Additional Secretary to R.D.C (N.D) Sambalpur for kind information and necessary action.


19/7/07

**Additional District Magistrate,
Angul.**

List of Members Present in the 2nd RPDAC meeting of MCL

1. Shri Dharmendra Pradhan, Hon'ble M.P. Deogarh
2. Shri Rudranarayana Pani, Hon'ble M.P. Rajya Sabha
3. Shri Mahesh Sahoo, Hon'ble M.L.A. Talcher
4. Er. Sasmita Behera, President , Zilla Parishad, Angul
5. Collector, Angul
6. Superintendent of Police, Angul
7. Divisional Forest Officer, Angul
8. Additional District Magistrate, Angul
9. Project Director, DRDA, Angul
10. Chairman-cum-Managing Director, MCL, Buria, Jagruti Vihar, Sambalpur
11. Director, Personnel, MCL, Jagruti Vihar, Buria, Sambalpur
12. Chairman, Panchayat Samiti, Talcher
13. Chairman, Panchayat Samiti, Kaniha
14. Chairman, Panchayat Samiti, Chhendipada
15. Sub-Collector, Talcher
16. Sub-Collector, Angul
17. Rehabilitation Officer, MCL/NTPC, Talcher
18. Spl. Land Acquisition Officer, MCL-I, Angul
19. Spl. Land Acquisition Officer, MCL-II, Angul
20. Chief General Manager, Jagannath Area, MCL, Talcher
21. Chief General Manager, Lingaraj Area, MCL, Talcher
22. General Manager, Hingula Area, MCL, Talcher
23. General Manager, Bharatpur Area, MCL, Talcher
24. General Manager, Talcher Area, MCL, Talcher
25. Sri Pranabandhu Pradhan, Land oustee, Padmabatipur
26. Smt. Jharani Sahoo, SHG, Telisingha
27. Smt. Kalabati Naik, SHG, Kansamunda

STATE OF CALIFORNIA - DEPARTMENT OF PUBLIC SAFETY

REPORT OF THE CALIFORNIA STATE POLICE
ON THE PROGRESS OF THE INVESTIGATION
OF THE MATTER OF THE
MURDER OF DR. MARTIN LUTHER KING, JR.

INVESTIGATION OF THE
MURDER OF DR. MARTIN LUTHER KING, JR.
AT MEMPHIS, TENNESSEE, APRIL 4, 1968

REPORT OF THE CALIFORNIA STATE POLICE
ON THE PROGRESS OF THE INVESTIGATION
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REPORT OF THE CALIFORNIA STATE POLICE
ON THE PROGRESS OF THE INVESTIGATION
OF THE MATTER OF THE
MURDER OF DR. MARTIN LUTHER KING, JR.

Proceeding of the 3rd RPDAC Meeting of MCL held on 27.05.2008 in the Conference Hall of A.U.C.C.B, Angul

The Revenue Divisional Commissioner, Northern Division, Sambalpur was on the Chair.

The members and invitees mentioned at Annexure "A" attended the meeting.

At the outset the Collector, Angul welcomed all the members and invitees present in the meeting and requested Hon'ble Chairman, RPDAC, MCL to preside over the meeting.

1. Confirmation of the proceeding of last RPDAC meeting held on 22.06.2007.

Since many of the decisions of 2nd RPDAC meeting have not been implemented by MCL, the meeting is confirmed with observation on each item of the agenda.

2. Confirmation of proceeding of 2nd Sub-Committee meeting of MCL held on 12.11.2007.

Since most of the decisions of 2nd Sub-Committee Meeting have been complied by MCL, the proceeding of the meeting is confirmed.

Chairman wanted to know about the development of software data for entry of Land Acquisition & Rehabilitation of MCL Project. Hon'ble M.P. Deogarh suggested that a decision be taken in this regard that the project to develop Software has to be completed in a specific time frame.

General Manager, L&R, MCL headquarters, stated that they have contacted one agency for the purpose. It was unanimously decided that the agencies contacted by the MCL should give their presentation within 15 days in the Office of the R.D.C (N.D) Sambalpur, then out of them, one to be selected for the work.

After a threadbare discussion on the agenda, the following decisions were taken.

3(i) Grievance cell at Talcher

It was decided that on each Friday the grievance cell should function at R.O's office at Talcher for redressal of the grievance of the land owners. The concerned C.G.M/G.M and one representative of MCL headquarters (Estate Manager) should be present in the grievance cell.

Hon'ble M.P. Deogarh suggested for regular sitting of Sub-Committee meeting of MCL more than 06 times in a year. Hon'ble M.P. Dhenkanal suggested that for RPDAC meeting a date may be fixed well in advance, so that all members can participate in the meeting.

As per the suggestion of the Hon'ble M.P., Dhenkanal all the members i.e. representing the land oustees, S.H.Gs, Chairman of Panchayat Samiti Talcher, Kaniha & Chhendipada were asked to speak. They expressed their concern on non-implementation of decisions taken in the RPDAC, non-transparent system of MCL, insufficient supply of water to the affected villages, non-supply of drinking water to the affected villages during summer season, delay in implementation of Periphery Development Projects by MCL, delay in completion of mega water supply project by RWSS etc. The respective authorities i.e. MCL & RWSS were directed to speed up implementation of periphery development and water supply projects & report monthly progress to Collector, Angul on regular basis.

(ii) Illiterate/Non matriculate women

It was unanimously decided that where there is no one eligible for job rehabilitation in the family, illiterate/non matriculate female self-awardee should be provided with job rehabilitation on case to case basis. C.M.D, MCL agreed to it.

(iii) Female Recorded Tenant/Awardee

It was unanimously decided that job rehabilitation to the married daughter who are RT of the land may be considered after adding the property of her husband. This is because the married person is losing the land on her own right and not because of the displacement of her parent. However, mutations and partitions with an intention to get job should not be entertained for consideration to job. All the mutations should have been done before 4(1) of L.A. or 7(1) of CBA Acts.

(iv) Job rehabilitation to Physical Handicapped/Unmarried daughter more than 30 years/Widow/Divorcee by treating them as separate family

It was decided in the 13th RAC meeting held on 10.11.2005 that cases of physically handicapped, widow/divorcee and unmarried daughter of more than 30 years of age will be treated as separate family for the purpose of R & R benefit.

Director, Personnel, MCL headquarters intimated that in Talcher Coal field, 1989 R & R policy is in force. Therefore the provision of providing job to Physical Handicapped/Unmarried daughter of more than 30 years/widow/divorcee by treating them separate family which is a part of 1998 R & R policy will not be applicable. Hon'ble M.P. Deogarh Intervened in the matter and stated that in the 13th RAC, the authorities of MCL had agreed to provide this benefit. Again there is provision in 2006 R & R policy for providing job to Physical Handicapped/Unmarried daughter of more than 30 years/widow/divorcee by treating them separate family.

After a threadbare discussion on the issue, it was unanimously decided that cases coming under this category are very less in Talcher coal field. So these cases should be considered for job rehabilitation sympathetically.

(1) Pramodini Bariha, D/o Pathani Bariha (P.H) Gopalprasad.

(2) Sujit Kumar Naik, (P.H) Langijoda.

(3) Tuani Bhukta (widow) Rakas.

C.M.D, MCL sought one month time to take a final decision & each case could be decided on its merit.

(v) Age condonation

It was decided that the land oustees/nominees whose age is more than 35 years on the cut off date and if there is no eligible members in the family for providing job rehabilitation and to look after the family, their age may be condoned on case to case to case basis. They are to be considered for job rehabilitation as a special case on sympathetic ground. Therefore, the proposal submitted by G.M. Bharatpur Area regarding age condonation of Sri Balunkeswar Bhukta and Amita Naik of village Rakas has been approved for consideration for employment.

(vi) Fixation of Cut off date.

It was unanimously decided that in case of nominee/land oustee who is minor to the cut off date and no one from the family is provided with job rehabilitation, in such case he will be eligible for job rehabilitation as and when he becomes major. (Previously it was as on date of RAC/RPDAC)

It was further resolved that the date of passing of award will be the cut off date of the village and approval of R.P.D.A.C will not be required henceforth.

(vii) Reclamation and re-allocation of colliery waste land

It was decided that the matter will be put up before the next Sub-Committee for a detail discussion.

(viii) Acquisition of left out patches

(a) Village Birabarapur

In case of village Birabarapur, it was decided that the left out patches i.e Ac.21.31 should be acquired immediately under L.A. Act as the adjacent and neighbouring villages have already been acquired.

(b) Village Madanmohanpur

Acquisition of left out patches of village Madanmohanpur was elaborately discussed and CMD, MCL, Burla participating in the discussion stated that MCL would examine the feasibility for acquisition of the left out patches of the village.

(ix) Job to "C" Category land oustee/nominees

354 left out "C" category cases have been listed out after joint verification. The same has also been approved by CIL Board/Ministry as one time settlement. MCL has started the process to provide job rehabilitation. The CMD, MCL directed the Area heads to send all the "C" category cases to the headquarters for vetting. It was decided that entire process will be completed within two months. Any genuine left out case will also be considered within this time frame.

(x) Consideration of DOB as per Correspondence course

It was decided that, if the age mentioned in the certificate produced at the time of screening by the nominees; matches the date of birth in the correspondence course certificate issued by the Board of Secondary Education, Orissa later on, then it is acceptable, otherwise not.

(xi) Implementation of R & R package of MCL

It was decided that this matter will be placed before the next Sub-Committee meeting of MCL for a detail discussion.

(xii) One time Cash Compensation in lieu of employment

The C.M.D, MCL stated that the MCL is processing to give cash compensation in lieu of job as per the new CIL Policy. Hon'ble M.P. Deogarh insisted that NALCO package should be adopted. The Chairman reiterated that the people may accept the cash compensation only if it is at par with that of NALCO, otherwise they demand job rehabilitation. CMD, MCL assured the house that he will put up the matter before the CIL Board.

(xiii) Finalization of Resettlement Site

Approximately Ac. 1000.00 of land is required for resettlement site of the acquired villages of MCL. The Sub-Collector, Talcher and Sub-Collector, Angul have been directed to identify the Government land for the purpose. Hon'ble M.P. Deogarh suggested that the plan of a model resettlement colony should be developed and adopted for implementation.

It was decided that, this matter will be put up in the next Sub-Committee meeting.

(xiv) Special Case

(a) Musa Sahoo of village Padmabatipur

Musa Sahoo is a Category "A" land oustee of village Padmabatipur so far as the R & R benefit is concerned. He has nominated his grand son-in-law Pyarimohan Pradhan for providing job rehabilitation as there is no one to look after the family. Sri Pyarimohan Pradhan is the nearest legal heir of Sri Musa Sahoo. After a threadbare discussion, it was decided that Sri Pyarimohan Pradhan will be provided job rehabilitation against Policy "One job against one family".

(b) Debasis Pradhan S/O Goura Chandra Pradhan of Nathagan

It was decided to sponsor the case for providing job rehabilitation taking into account the whole landed property and basing on the joint enquiry report.

(c) Aruna Bhukta of village Anantaberani

It was decided to provide job to Aruna Bhukta as per brother to brother case.

For the above cases, C.M.D, MCL agreed to provide job rehabilitation.

(xv) Adoption

It was decided that a committee is to be formed to scrutinize and examine the legality of all the adoption cases on case to case basis. Only genuine cases are to be considered.

4. Cases to be put up before the next Sub-Committee Meeting for a detail discussion on case to case basis

(a) Pranabandhu Pradhan of Padmabatipur

(b) All the cases of Anantabereni forwarded by Hon'ble M.P. Deogarh to be put up in the Sub-Committee meeting of MCL for discussion and they should be placed for ratification in the next RPDAC meeting.

(c) Other cases

Hon'ble M.P. Deogarh suggested to consider the following Cases:

(i) Sri Anil Kumar Sahoo S/O Kalyana Sahoo of Badajorada ✓

(ii) Pramod Ku Mohapatra of village Majhika (taking into account of ✓
landed property of Solada)

(iii) Saswati Mohapatra of village Birabarpur

These cases may be discussed in the Sub-Committee and should be placed before RPDAC for ratification.

5. Nomination of representatives of two N.G.O.

After detail discussion, it has been decided that Collector, Angul was asked to select two leading N.G.O. working in the land affected areas of MCL & was authorized to submit proposal to appropriate authority for approval.

6. Problems of Villages

(a) Jillinda

Hon'ble M.P. Deogarh wanted to know, why there are 20 cases pending for cash compensation. The G.M., L & R, MCL headquarters intimated that, since some of these 20 cases are illiterate/non matriculate female awardees/nominees, so the cash compensation is offered. Hon'ble M.P. Deogarh wanted to know whether they have opted for cash compensation or MCL compelled them to take cash compensation.

After a detail discussion, it was decided that cash compensation will be made in case they are agreed to that, otherwise job rehabilitation to be given to them after due scrutiny by the joint committee on case to case basis.

Further it was decided that the left out 25 cases of village Jillinda are to be sponsored after due scrutiny by the joint committee.

(b) Solada

It was decided in the 13th RAC [Proceeding Para 4© (d)] that the left out 05 houses are to be purchased directly by the MCL, but the decision has not yet been complied by the MCL. It was decided to purchase the said land/ house at the earliest.

(c) Majhika

In case of Harihar Behera & others who have purchased land in village Majhika in between 4(1) & 7(1) of CBA (A & D) Act and not eligible for job benefit as per Government in Revenue and Disaster Management Department Letter No.14284 dt 10.04.2007, but they are demanding to consider their cases taking into account of their land acquired in village Solada, Telipur and Khuringa.

It was decided that these cases are to be discussed in detail in the next Sub-Committee meeting & decision taken be put up before next RPDAC for ratification.

(d) Kalamachhuin

It was decided that the cut off date for the entire village will be the date of passing of award under L.A. Act.

In case of Aparna Nayak of village Kalamachhuin, it was decided that a fresh medical check up for assessment of age is to be done by MCL and accordingly her case to be considered.

(e) Danara

In case of village Danara, it was decided that 26 cases, in which screening has been completed, are to be processed.

(f) Gopalprasad

It was decided that the genuine cases will be cleared in the next Sub-Committee meeting of MCL. Further 06 cases of land oustees/nominees of village Gopalprasad are pending with the MCL headquarters due to confusion of over writing in the family genealogy. This issue will be put up before the next Sub-Committee meeting of MCL for discussion.

(g) Balanda

As per the decision taken in the 1st RPDAC meeting held on 07.11.2006, all the 54 nos. of cases has been scrutinized by the joint

committee and submitted the list of 29 eligible cases to MCL headquarters for further action. It was decided to process all the eligible cases expeditiously.

(h) Telisinga

Hon'ble M.P, Deogarh suggested for payment of compensation to the villagers of Kansamunda as per the decision of the Hon'ble Tribunal, but compensation to the villagers of Telisinga be made U/s 14(1) of CBA (A & D) Act, as the notification of the said village is made after that of Jarada & Kansamunda and the villagers had approached the MCL as per the Act well ahead.

(i) Mallibandha & Bhalugadia

It was decided that the progress of land acquisition process in the above two villages will be put up in the next Sub-Committee meeting of MCL for discussion.

Periphery Development Works

While discussing the release and utilization of Periphery Development fund of MCL, all Hon'ble Members expressed their concern for non execution of projects by the MCL since 2004-2005. Hon'ble M.P. Dhenkanal while commenting this issue stated that MCL is a vast organization. There is no constraint of fund as well as staff for execution of the P.D Projects. In order to uphold the image of the organization and to serve the people of the affected area, the MCL authority should execute the P.D. projects expeditiously.

Further Sub-Collector, Talcher stated that the quality of roads of Talcher Area is not being maintained and improved even though the quantum of transportation of coal has increased considerably for the last three years. Again he stated that from First gate to Handidhua Mangala Mandir Chhak via Sub-Collector's Office, due to increase in coal transportation daily more than 3000 trucks are plying for transportation of coal from different OCPs starting from Hingula Mines at Gopalprasad to Lingaraj Mines. The existing road starting from Gopalprasad to N.H. 200, is not able to accommodate movement of 3000 heavy vehicles resulting in transport congestion from Handidhua Chhak to Dera Chhak particularly in

the afternoon hours. This creates heavy dust pollution in the area resulting in great deal of resentment by the public. Besides accidents have occurred on the road regularly leading to law and order situation of serious nature.

Transportation of coal from the Open cast Mines to the railway siding and transportation of Road Cell coal requires engagement of more than 5000 heavy vehicles.

In view of the above, it is suggested that a separate transport road may be constructed from Gopalprasad to N.H 200 (Pabitrarnohan Chhak via Dera, Handidhua Chhak, Baghuaboli) and the existing road may be widened and strengthened for the convenience of the general public.

This view of the Sub-Collector was also corroborated by Hon'ble M.P. Deogarh and S.P. Angul. Hence a comprehensive road Network plan shall be prepared and executed by MCL.

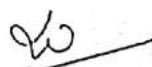
Adding to this S.P. Angul pointed out that fund for construction of one Traffic signal at Handidua Chhaka has been proposed since long, but this has not been executed till date as a result it is difficult to control the traffic problem in Talcher.

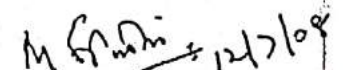
Intervening in the matter, the C.M.D present in the meeting assured the house that he will take up a review on execution of P.D. works by MCL and take all possible steps to expedite the execution of work.

As regards release of P.D. fund relating to the year 2007-2008, the General Manager, Civil, Headquarters intimated the house that an amount of Rs. 1-10.00 lakhs has been proposed to be released for execution of P.D. project. Hon'ble Chairperson pointed out that, the pro rata fund to be released for Periphery Development Projects is very less and not in conformity to the suggestion given by him.

Further the Chairperson suggested to submit Project Proposals relating to the year 2007-2008 before the Collector, Angul at the earliest.

The meeting ended with vote of thanks to the Chair and participants.


Collector,
Angul

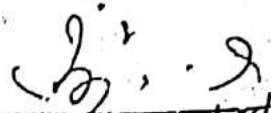

Chairman-cum- R.D.C.,
RPDAC of MCL, Angul.

Through Spl. Messenger

DISTRICT OFFICE, ANGUL


Memo No. 1172/LA.MCL.DT. 18.7.08

Copy submitted to all the members of Rehabilitation and Periphery Development Advisory Committee of MCL, Angul for favour of kind information and necessary action.


Addl. District Magistrate,
Angul. 18/7/08


Memo No. 1173/LA.MCL.DT. 18.7.08

Copy submitted to the Joint Secretary to Government, Revenue and Disaster Management Department/Joint Secretary to Government, Steel & Mines Department, Orissa, Bhubaneswar for favour of kind information and necessary action.


Addl. District Magistrate,
Angul. 18/7/08


Memo No. 1174/LA.MCL.DT. 18.7.08

Copy forwarded to the Chief General Manager, Jagannatha Area, MCL/ Chief General Manager, Hingula Area, MCL / General Manager, Lingaraj Area, MCL / General Manager, Bharatpur Area, MCL / General Manager, Talcher Area, MCL, Talcher for kind information and necessary action.


Addl. District Magistrate,
Angul. 18/7/08

Memo No. 1175/LA.MCL.DT. 18.7.08

Copy submitted to the Additional Secretary to R.D.C (N.D) Sambalpur for kind information and necessary action.


Addl. District Magistrate,
Angul. 18/7/08

The Revenue Divisional Commissioner, Northern Division, Sambalpur was In the Chair.

The names of the Members and invitees present in the meeting are at **Annexure "A"**.

At the outset the Chairman extended his warm welcome to all the members and invitees present in the meeting and conveyed his appreciation that achievement of target in coal production made by the MCL is a major land mark. He exhorted the officers of the MCL in particular and all members in general to be proactive in dealing with the causes of the land oustees and mitigate their grievances expeditiously.

The Collector, Angul asked the A.D.M., Angul to read over the proceedings of 3rd RPDAC meeting and of the Sub-Committee meeting held on 8.8.2008 and action taken reports there of.

1. Confirmation of the proceeding of last RPDAC meting held on 27.5.2008:

The Additional District Magistrate, Angul read over the proceeding of last RPDAC held on 27.05.2008 and the same was confirmed by the House.

2. Review of Action taken on the proceeding of 3rd RPDAC meeting of MCL held on 27.05.2008.

On review of the action taken of the proceeding, the house observed that most of the decisions have already been implemented by MCL.

(a) Regular sitting of Sub-Committee meeting of MCL

On the suggestion of Hon'ble M.P., Deogarh for regular sitting of Sub-Committee of MCL, the Chairman suggested that it should be flexible and should sit 4 times in a year.

(b) Reclamation and Reallocation of Colliery waste land

In course of discussion the MCL authorities stated that they have raised forest growth over the waste land of colliery after due reclamation. In response to this, the Hon'ble M.P. Deogarh suggested that it would be better if MCL would take up cash crop/ aromatic plant cultivation in the Colliery waste land in private public partnership mode which would be beneficial both to the local people and to the environment. It was decided in the meeting that Collector would take appropriate action in consultation with the MCL authorities on cash crop or aromatic plant cultivation in the Colliery waste land.

(c) Left out patch of village Madanmohanpur

So far as the acquisition of left out patches of village Madanmohanpur is concerned, the Director Personnel, MCL opined that the balance land would be acquired after 20-25 years for Bhubaneswari OCP as reported by the CMPDI, Bhubaneswar. Further the D.P. stated in the house that MCL is acquiring balance land of a village where acquisition of 75% or more land of the village has been made. The Hon'ble M.P., Deogarh demanded that acquisition of left out patches be made under L.A. Act as the acquisition of land under CBA (A&D) Act is time consuming and has no specific time frame. In corroborating the above suggestion, the Hon'ble M.L.A., Talcher also stated that the acquisition process under CBA (A&D) Act had not only caused delay but also the compensation paid is lower in comparison to Land acquired under L.A. Act. The Collector, Angul suggested that he would move the issue to the Government of Orissa in Revenue and Disaster Management Department for a decision regarding acquisition of left out patches where 50% or more land had already been acquired.

3. Confirmation of the proceeding of Sub-Committee meeting of MCL held on 08.08.2008.

The Additional District Magistrate, Angul read over the proceeding of last Sub-Committee meeting of MCL held on 08.08.2008 and the decisions taken in the meeting were ratified by the house.

The Chairperson noted that substantial action has been taken on the decisions taken in the Sub-Committee meeting. Further, he suggested that all individual cases be dealt with in the Sub-Committee meeting instead of RPDAC meeting where broader issues would be discussed.

4. Important Issues of MCL

(a) Job to "C" category land oustees/nominees

The position with regard to job rehabilitation to 354 left out "C" category nominees/land oustees of different areas of MCL, Talcher was reviewed. It was observed by the House that a number of "C" category cases were still pending for consideration in different areas. Most of the members expressed their concern over the luke warm attitude of MCL authorities in clearing the 'C' category cases in a time bound manner. The Hon'ble M.L.A., Talcher expressed his concern over the left out 'C' category cases who had not been getting any response from any side. Adding to this the S.P. Angul also stated that "C" category cases should be disposed of as quickly as possible.

After a threadbare discussion, it was decided that all, the left out category cases would be disposed off within two months unfailingly and the vacancy occurred due to up-gradation/ineligibility/duplicity out of 354 list would be filled up from the left out eligible cases.

(b) Job rehabilitation to non-matriculate female nominees

The position was discussed in detail. The shortcomings in the earlier decisions was re-considered and **it was unanimously decided that the non-matriculate female nominees would be provided with job where there is no earning member in the family for the very survival of such families.**

(c) Adoption case

It was decided that the Collector would submit a report on the legality of all the adoption cases in consultation with Govt. Pleader which would be placed in the next RPDAC meeting for consideration.

(d) One Time cash Compensation in Lieu of employment

The MCL authorities expressed their inability that no decision has been taken by the CIL board to implement a lucrative package of cash compensation in lieu of job employment as decided in the 3rd RPDAC meeting. The House expressed their concern over this matter. The Hon'ble M.P. Deogarh intervened in the matter and cited the decision taken in the Sub-Committee of RPDAC for different mining and industrial Projects of Angul district held on 13.10.2008. It was urged by him that the decision taken in the meeting and present pattern of cash compensation adopted by NALCO in lieu of job being lucrative, would favour the land oustees of mining area of MCL. The matter was discussed elaborately. The Director Personnel, MCL present in the meeting assured the House that the decision taken in the Sub-Committee held on 13.10.2008 regarding the cash package would be placed in the CIL Board for consideration.

(e) Resettlement site for land oustees

The reports of the Tahasildar, Kaniha and Sub-Collector, Angul regarding availability of Ac.130.45 of non-forest land in village Hanumanpur & Baulabeda and Ac.262.49 of unobjectionable Government land in village Kuio Jungle, Kuio & Jamunali were placed in the meeting. Further A.D.M. Angul pointed out that about Ac.700.00 of revenue forest Kisam of land is available adjacent to village Kuio, Kuio Jungle & Jamunali. The Hon'ble M.P. Deogarh reiterated his stand for preparation of an ideal model resettlement colony having all basic amenities like burial ground, water supply, drainage system, school, temple, community centre etc. In corroborating this, the Chairperson stated that the rehabilitation colony of **Jindal, Angul & Vedanta** at Jharsuguda would be a exemplary one so far as the resettlement of land oustees is concerned. He advised the MCL authorities to visit the rehabilitation colonies and prepare model plan for the proposed

resettlement colony of MCL at Angul district. It was further decided that the proposed resettlement land as furnished by the Tahasildar, Kaniha and the Sub-Collector, Angul would be inspected prior to alienation. In case, the site after inspection found suitable for resettlement, proposal would be moved to Government for approval of the alienation/forest clearance.

(f) Deshkot Property.

With regard to payment of compensation of DESHKOT PROPERTY in respect of acquired villages, the Special L.A.O.(MCL),Angul submitted in the House that a uniform procedural guideline be framed for implementation in all villages of MCL Areas in future to avoid re-occurrence of dispute seen in Anantabereni.

After a threadbare discussion, it was decided that:-

- No disbursement of compensation against the Deshkot Property would be made before physical shifting of original village.
- The compensation amount of Deshkot property would be disbursed either fully or proportionately considering the number of displaced families rehabilitated in the new resettlement colony as selection of convenient resettlement site is optional.
- The disbursement of compensation would be made to the new village committee where the affected villagers/displaced families settle and would be utilized for common purposes only.
- The modus of operandi of disbursement would be decided by the Collector as and when the disbursement would be effected.
- Till such time, such amount would be deposited in **Joint Savings Account** in the name of **Special Land Acquisition Officer (MCL), Angul and Rehabilitation Officer(MCL/NTPC),**

(g) Up-gradation of category for job rehabilitation

It was decided in the meeting that when a land oustee loses his land subsequently either in the same village or in different village and has not got any employment, then his category for employment would be up-graded/ revised taking into account the land lost subsequently. But the process of category up-gradation/revision would take into effect only after the order U/S 7 of L.A. Act or 9(1) notification under CBA (A & D) Act of subsequent acquisition.

(h) Disputed balance individual/group cases

Due to paucity of time it was decided in the house that a committee comprising the R.O (MCL/NTPC), Sub-Collector, Talcher would hold meeting with

the villagers and MCL authorities to sort out the general problems of different villages and would examine any disputed balance individual cases for their eligibility for job rehabilitation.

The village wise meetings of the committee would be held very soon and should be submitted before the next sub-committee. It was also decided that the unresolved cases/issues would be brought up for discussion in the next sub-committee.

(i) Deduction of Income Tax

The issue of deduction of income Tax on payment of compensation amount upon acquisition of immovable property was elaborately discussed. Most of the Hon'ble members expressed their concern over the issue and viewed that such compensation should not be treated as income in real sense. They suggested that the burden of the Tax should either be totally waived or be re-compensated by the MCL in the form of Ex-gratia.

MCL was of the opinion that since it is tax payable by individual as per provision of Income Tax Act, the company is not in position to recompensate such amount.

After a thorough discussion it was concluded that the matter would be taken up by both MCL and District Administration to move the Government for waiver of this provision.

(j) Development of Rani Park

The Development of and Avenue plantation in and around Rani Park, Talcher was discussed in detail keeping in view of the action taken by Tahasildar, Talcher, D.F.O.(T), Angul and MCL authority in this regard. The Chairman suggested to expedite the present pace of development work to restore the loss of historical significance of Rani Park, Talcher. Steps taken on Rani Park is as follows.

1. In the first step, a committee for development of Rani Park has been constituted in pursuance of the decision taken in the 1st Governing Body meeting of PDS held on 05.04.2007 comprising public representatives & Government officials headed by the Collector as its Chairman.
2. As a second initiative an amount of Rs.1.50 crore has been sanctioned out of Periphery Development Fund of MCL for execution of boundary wall and development of other allied work in Rani Park of Talcher.
3. As against the above sanctioned amount, the MCL in Jagannath Area has prepared estimate for an amount of Rs.1,13,35,582.90 and the tender paper of the work has been sent to MCL headquarters (Finance Department), Burla, Sambalpur for necessary approval. The execution of

work will be monitored time to time by the Rani Park Development Committee.

4. In the mean time, Tahasildar, Talcher has issued eviction notice to the encroachers to vacate Ac.7.56 dec. of land and has demarcated Ac.506.844 land of Rani Park area in presence the General Manager, MCL, Talcher Area, Talcher facilitating to go ahead with the construction work of boundary / barbed fencing.
5. Besides above, an amount of Rs.20.00 lakhs has been sanctioned in favour of the Divisional Forest Officer(T), Angul by the Director, Environment-cum-Special Secretary to Govt. for development of green cover in Rani Park, Talcher. Plantation has been made in 20 hectares covering 32,000 seedlings. Similarly 1100 Mts. barbed wire fencing has been completed.

(k) Implementation of R & R Package

The proceeding of the meeting of the Sub-Committee of the RPDAC held on 13.10.2008 regarding R & R for different mining and an industrial projects of the district was placed in the House for discussion. All the members expressed that the R & R package as decided in the said meeting shall be implemented by the MCL in toto. But the Director, (Personnel) MCL expressed his inability to take any concrete decision at his level instantly and assured the House to take the matter to the appropriate authority consideration and implementation.

(5) Decisions taken with regard to different villages

Jagannath Area

(a) Balanda

It was decided that balance 25 cases out of total 54 cases jointly scrutinized would be verified immediately by the committee comprising of Rehabilitation Officer (MCL/NTPC) and Sub-Collector, Talcher.

(b) Naraharipur

The issue of non-payment of compensation amount to the villagers due to the deduction of Income Tax was discussed elaborately in the House.

The MCL authorities submitted in the House that payment of compensation amount would be effected shortly. It was also decided that the R & R benefit to the villagers would be processed immediately.

(c) Jillinda

It was decided that the balance sponsored cases or any other left out cases would be examined by the committee comprising Rehabilitation Officer (MCL/NTPC) and Sub-Collector, Talcher for eligibility of job rehabilitation. As regards to eviction of encroachers on Government land, the same will be dealt with like Rugudisahi.

(d) Hensamul

In village Hensamul job rehabilitation had been provided between the years 2000 to 2005 on the basis of tentative categorization. However the major sons (about 27 such cases) of the families are claiming job rehabilitation.

It was decided that such cases would be examined by a committee comprising R.O. (MCL/NTPC) and Sub-Collector, Talcher regarding their eligibility for job rehabilitation. The balance case as per mother list will be examined by the said committee also.

Lingaraj Area

(e) Balugan-Khamar

It was decided that the Rehabilitation Officer (MCL/NTPC) would take immediate step for reassessment of R & R of the balance cases on the basis of ROR holders as on cut off date.

(f) Telisingha

The matter of payment of compensation with the consent of villagers as provided in the section 14 of the CBA (A & D) Act was discussed elaborately. The Director, Personnel, MCL intervening in the matter stated that there is no specific procedural guidelines for payment of compensation with the consent of villagers and submitted in the House that MCL is offering the compensation amount taking into consideration the prevailing sale transaction statistics. Hon'ble M.P. Deogarh and Hon'ble M.L.A, Talcher pressed the MCL authorities that they should go for consent award as per the provision of CBA (A & D) Act. The Director, Personnel, MCL submitted in the House that he would take the matter to his higher authority to reach at a decision and come back to the next RPDAC.

(g) Deulabeda

The General Manager, Lingaraj Area submitted in the house that due to expansion of Deulabeda siding the MCL had started activities in the acquired area of Ac.6.14 Dec. But they are facing resistance from the concerned R.T s who were claiming job rehabilitation. Due to urgent requirement of land by MCL he requested for an early decision in the house.

The Chairman referred the matter to the Collector, Angul for taking proper decision quickly.

(h) Langijoda

The balance pending cases of village Langijoda would be re-examined/reviewed by the Sub-Collector, Talcher, Rehabilitation Officer, MCL/NTPC, Angul and General manager, L & R, MCL headquarters, Burla, Sambalpur jointly.

Hingula Area**(i) Bhalugadia**

The General Manager, Hingula Area submitted that the Yadast work would be completed very shortly. He was instructed to expedite the process and report the completion of the Yadast work to Rehabilitation Officer (MCL/NTPC) immediately.

(j) Mallibandha

The General Manager, Hingula Area had intimated that balance land of the village would be acquired for Hingula extension. He was requested to personally look into the matter for 4(1) notification at the earliest.

(k) Solada

Earlier Ac.190.00 of land was acquired under CBA (A & D) Act. Now the rest patch of the village is under process of acquisition for which the 9(1) notification under CBA (A & D) Act has been made.

For the group of Sri Sarojkanta Pradhan and 28 others, it was decided in the light of decision taken in item No 4-(g) that they may be provided job rehabilitation on priority basis taking into account the land, now under 9(1) notification of CBA (A & D) Act for Konark Block, as these cases were jointly sponsored earlier.

(l) Danara

It was decided that Hingula Area, MCL, would take step immediately for screening of the 23 left out nominees who had been sponsored by the Spl. L.A.O(MCL), vide letter No 996 dated 07.07.2006 after joint verification.

(m) Birabarpur

It was decided that the Spl. L.A.O.MCL would take step for 7(1) notification after acquisition of balance land of the village after receiving such proposal for acquisition from MCL authorities.

The case of Saswati Mohapatra, D/O Jagadananda Mohapatra would be processed for job rehabilitation immediately as per the decision taken in the sub-committee meeting held on 08.08.2008.

(n) **Gopalprasad**

The case of Smt. Tulei Naik and similar such cases be dealt with as per decision recorded at para No.4(b).

(o) **Majhika**

It was decided that the case of Pramod Ku Mohapatra would be processed for job rehabilitation immediately taking into account the land property which are now under acquisition for Konark Block as per the decision taken in item No 4-(g).

Bharatpur Area

(p) **Anantabereni**

It was decided that joint scrutiny of the balance disputed cases would be effected immediately by the Rehabilitation (MCL/NTPC) and Estate Manager, Talcher Coal fields.

(q) **Padmabatipur**

It was decided that joint scrutiny of the balance disputed cases would be effected immediately by the Rehabilitation (MCL/NTPC) and Sub-Collector, Talcher.

(r) **Rakas**

It was decided that joint scrutiny of the balance disputed cases would be effected immediately by the Rehabilitation (MCL/NTPC) and Sub-Collector, Talcher.

Periphery Development works

A statement showing physical and financial achievement of periphery development works of MCL was put up in the house for review by the Hon'ble members. While reviewing the progress of the works, the Hon'ble Chairman and members expressed their concern for non execution of projects relating to the year 2004-05 by the concerned executing agencies. In expressing critical remarks over the tardy progress of work, the Chairperson stated that the work should be expedited by the executing agencies.

Further the house observed that due to increase in coal transportation daily, more than 3000 trucks are plying for transportation of coal from different OCP s starting from Hingula Mines at Gopalprasad to Lingaraj Mines. The existing transport road starting from Gopalprasad to N.H-200 is not able to accommodate movement of 3000 heavy vehicles resulting in traffic congestion from Handidhua Chhaka to Dera Chhaka particularly in the afternoon hours. This creates heavy dust pollution in the area resulting in great deal of resentment by the public. Besides this, the rate of accidents has increased in comparison to the preceding years due to plying of more number of heavy vehicles on the road regularly leading to law and order situation of serious nature. The Superintendent of Police also emphasized that these issues are to be sorted out for ever by constructing either another road or over bridge from "0" point of Balaram OCP to N.H-23 and 200.

After a threadbare discussion on the matter following decisions were taken for the permanent solution of the problems:

1. Widening and illumination of road from Dera to Handidhua via Railway station up to 1st gate, Talcher be done out of C.C.D.A fund,
2. Over Bridge at Lingaraj OCP out of C.C.D.A fund to be constructed,
3. Construction of truck terminal near Lingaraj Open caste Project office & at Baghuabol or any convenient place near to the coal handling plant of respective areas.

The MCL authority assured that they would move the higher quarter for allocation of fund out of CCDA for execution of two mega projects as suggested by the House which are in the interest of people and MCL.

After due deliberation on execution of P.D. Projects, the Chairpersons suggested as follows:-

1. MCL should deposit the fund with P.D. society for execution of those projects which can't be executed by them.
2. There would not be any delay in submission of utilization certificate by the executing agencies.
3. Progress of P.D. works would be reviewed by the Collector, Angul at regular intervals.
4. Early release of P.D. fund for the year 2005-2006 by the MCL headquarters to execute the sanctioned project of that year expeditiously.

5. Collector, Angul is to finalize the projects relating to the year 2007-08 taking into account the sanctioned amount.

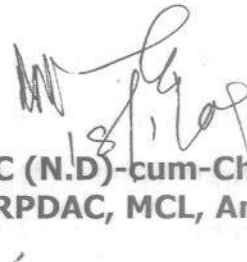
Assuring the house, the D.P. (Personnel) MCL affirmed the commitment of MCL towards the betterment of the area & of the affected people as a part of their corporate social responsibility, which they have been doing. MCL authority drew the attention of the house to heavy target in production of coal from the Ministry of Coal for which the co-operation of people at large and Hon'ble members is necessary in particular to convince the people not to agitate and go on strike on issues which can be sorted out through conciliation and discussions.

In concluding the meeting, the Chairperson urged upon all the members to furnish the list of projects to be taken up out of P.D.fund for the year 2007-08 for finalization by the Collector. The Chairperson expressed his gratitude to all the members present for their valuable suggestion and co-operation.

The meeting ended with thanks to the Chair and participants.



Collector, Angul



**R.D.C (N.D)-cum-Chairman,
RPDAC, MCL, Angul**

Annexure "A"**Members present in the 4th R.P.D.A.C meeting of MCL held on 22.11.2008**

1. Sri Dharmendra Pradhan, Hon'ble M.P. Deogarh
2. Sri Rudranarayana Pani, Hon'ble M.P. Rajya Sabha
3. Sri Mahesh Sahoo, Hon'ble M.L.A. Talcher
4. Dr. Nrusingha Sahoo, Hon'ble M.L., Pallahara
5. Sri Santosh Kumar Nayak, President, Zilla Parishad, Angul
6. Superintendent of Police, Angul
7. Chairman, Panchayat Samiti, Talcher
8. Chairman, Panchayat Samiti, Chhendipada
9. Director, Personnel, MCL Headquarters, Jagruti Vihar, Burla, Sambalpur
10. Sub-Collector, Talcher
11. Pranabandhu Pradhan, Land Loser, Padmabatipur
12. Smt. Kalabati Naik, MAA Santoshi Women SHG, Kansamunda
13. Smt. Jharani Sahoo, Maa Laxmi Women SHG, Telisingha
14. Representative of Hon'ble Minister of State, School & Mass Education
15. Representative of Hon'ble M.P. Dhenkanal

Special Invitees

16. Additional District Magistrate, Angul
17. Rehabilitation Officer, MCL, Angul
18. Spl. Land Acquisition Officer, MCL-I, Angul
19. Spl. Land Acquisition Officer, MCL-II, Angul
20. General Manager, L & R, MCL Headquarters, Burla, Sambalpur
21. C.G.M. Jagannath Area, MCL, Talcher
22. C.G.M. Bharatpur Area, MCL, Talcher
23. G.M. Lingaraj Area, MCL, Talcher
24. G.M. Hingula Area, MCL, Talcher
25. G.M. Talcher Area, MCL, Talcher

Through Spl. Messenger

DISTRICT OFFICE, ANGUL

Memo No 249 /LA.MCL. Dt. 24.01.2009

Copy submitted to all the members of Rehabilitation and Periphery Development Advisory Committee of MCL, Angul for favour of kind information and necessary action.


**Addl. District Magistrate,
Angul**

Memo No 250 /LA.MCL. Dt. 24.01.2009.

Copy submitted to the Deputy Secretary to Government, Revenue and Disaster Management Department, Orissa, Bhubaneswar/Deputy Secretary to Government, Steel & Mines Department, Orissa, Bhubaneswar for favour of kind information and necessary action.


**Addl. District Magistrate,
Angul**

Memo No 251/LA.MCL. Dt. 24.01.2009.

Copy forwarded to the General Manager L & R, MCL Headquarters, Jagruti Vihar, Burla, Sambalpur/ Chief General Manager, Bharatpur Area/General Manager, Hingula Area/ General Manager, Jagannath Area/ General Manager, Lingaraj Area/ General Manager, Talcher Area , MCL, Talcher for information and necessary action.


**Addl. District Magistrate,
Angul**

Memo No 252 /LA.MCL. Dt. 24.01.2009

Copy submitted to the Secretary to R.D.C (N.D) Sambalpur for kind information and necessary action.


**Addl. District Magistrate,
Angul**

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Proceeding of the 5th Rehabilitation & Periphery Development Advisory Committee (RPDAC) of MCL held on 11.01.2010 in the Conference hall of D.R.D.A, Angul.

The Revenue Divisional Commissioner, Northern Division, Sambalpur was in the Chair.

The names of the members and invitees present in the meeting at **Annexure "A"**.

At the outset the Chairman extended his warm welcome to all the members and invitees present in the meeting.

The Chairman instructed the Rehabilitation officer, MCL to read over the proceeding of 4th RPDAC meeting held on 22.11.2008 and action taken reports thereof.

1. Confirmation of the proceeding of last RPDAC held on 22.11.2008: Confirmed.

2. Review of Action Taken on the proceeding of 4th RPDAC meeting of MCL held on 22.11.2008.

(a) **Regular sitting of Sub-Committee meeting of MCL**

The Chairman submitted to the house that Government has delegated the R.D.C to constitute the R.P.D.A.C/Sub-Committee. Hence this shall be formed.

(b) **Reclamation and Reallocation of Colliery Waste land.**

The MCL, Jagannath Area stated that they have planted some trees over the reclamation land which the Hon'ble Chief Whip and Hon'ble M.L.A., Talcher reacted. The MCL could not give a complete picture of the same to the house.

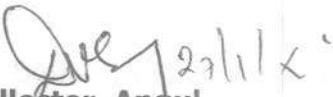
Hon'ble M.P. Rajya Sabha reacting to the unsatisfactory answer on reclamation of Colliery waste land asked whether the C.M.D, MCL is present in the meeting or not. He asked the Chairman why the C.M.D has not come to the meeting.

The Hon'ble Chief Whip expressed his dissatisfaction over non attendance of C.M.D, MCL who is the decision making authority of the Projects of MCL where a lots of matter pertaining to pollution, underground mining activities, panic in the Talcher Area and so many rehabilitation problems are there to be addressed. Joining with Hon'ble Chief Whip, the Hon'ble M.P. Dhenkanal, Hon'ble M.P. Sambalpur, Hon'ble M.L.A, Talcher, Hon'ble M.L.A, Chhendipada & Hon'ble M.L.A, Angul all unanimously debating over the absence of C.M.D, MCL in such an important meeting of RPDAC which is being held after lapse of one year and two months stated that the C.M.D, MCL should be present in the next meeting.

The Chairman intimated the house that two of the Directors of MCL are present in the meeting who can well deliberate in the meeting. Reacting to this all the Hon'ble members expressed their dissatisfaction and demanded that no RPDAC shall be held in absence of the CMD, MCL.

Concluding the meeting the Chairman intimated the house that the RPDAC shall sit at least once in three months and C.M.D of MCL shall be present in the meeting. The 5th RPDAC meeting ended without any further discussion and suggested to hold the next RPDAC meeting of MCL on 1st February, 2010.

The meeting ended with thanks to the Chair and participants.


Collector, Angul


R.D.C (N.D)-cum-Chairman
RPDAC, MCL, Angul.

Members present in the 5th R.P.D.A.C meeting of MCL held on 11.01.2010

1. Sj. Rabinarayana Pani, Hon'ble Chief Whip,
2. Sj. Amarnath Pradhan, Hon'ble M.P. Sambalpur,
3. Sj. Tathagat Satapathy, Hon'ble M.P. Dhenkanal ,
4. Sj. Rudranarayana Pani, Hon'ble M.P.Rajya Sabha,
5. Sj. Khageswar Behera, Hon'ble M.L.A, Chhendipada,
6. Sj. Rajanikanta Singh, Hon'ble M.L.A, Angul,
7. Sj. Brajakishore Pradhan, Hon'ble M.L.A., Talcher,
8. Sj. Santosh Kumar Naik, President, Zilla Parishad, Angul,
9. Sj. Asit Ranjan Deo, Nominee of Hon'ble Minister of state (Commerce & Transport),
10. D.I.G. of Police, Talcher,
11. Addl. Superintendent of Police, Angul ,
12. Director, Personnel, MCL headquarters, Burla, Sambalpur,
13. Chairman & Director (Finance) MJSJ Coal Ltd.,
14. Chairman, Panchayat Samiti, Talcher,
15. Chairman, Panchayat Samiti, Kaniha,
16. Chairman, Panchayat Samiti, Chhendipada ,
17. Sub-Collector, Talcher,
18. Sub-Collector, Angul,
19. Addl. P.D., D.R.D.A, Angul,
20. Pranabandhu Pradhan, Land loser,
21. Jharani Sahoo, Women S.H.G,
22. Kalabati Naik, Women S.H.G.

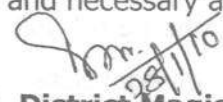
Special Invitees

23. Addl. District Magistrate, Angul
24. Rehabilitation Officer, MCL, Angul
25. Spl. Land Acquisition Officer, MCL, Angul
26. General Manager, LR & R, MCL headquarters, Burla ,Sambalpur
27. Chief General Manager, Hingula Area, MCL, Talcher
28. Chief General Manager, Bharatpur Area, MCL, Talcher
29. General Manager, Lingaraj Area, MCL, Talcher
30. General Manager, Jagannath Area, MCL, Talcher
31. General Manager, Talcher Area, MCL, Talcher
32. General Manager, Kaniha OCP,
33. C.E.O. M.J.S.J. Coal Ltd.

DISTRICT OFFICE, ANGUL

Memo No 255 /LA.MCL. Dt. 28.1.2010

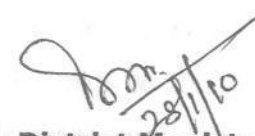
Copy submitted to all the members of Rehabilitation and Periphery Development Advisory Committee of MCL, Angul for favour of kind information and necessary action.



**Addl. District Magistrate,
Angul.**

Memo No 256 /LA.MCL. Dt. 28.1.2010

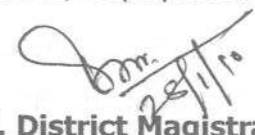
Copy submitted to the Deputy Secretary to Government, Revenue and Disaster Management Department, Orissa, Bhubaneswar/ Deputy Secretary to Government, Steel & Mines Department, Orissa, Bhubaneswar for favour of kind information and necessary action.



**Addl. District Magistrate,
Angul.**

Memo No 257 /LA.MCL. Dt. 28.1.2010

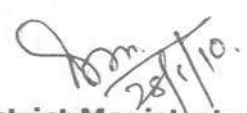
Copy forwarded to the General Manager LR & R ,MCL headquarters, Jagruti Vihar, Burla, Sambalpur/ Chief General Manager, Hingula Area, MCL, Talcher/ Chief General Manager, Bharatpur Area, MCL, Talcher/ General Manager, Jagannath Area, MCL, Talcher/ General Manager, Lingaraj Area, MCL, Talcher/ General Manager, Talcher Area, MCL, Talcher/General Manager, Kaniha O.C.P. / C.E.O., M.J.S.J, Gopalprasad OCP for information and necessary action.



**Addl. District Magistrate,
Angul.**

Memo No 258 /LA.MCL. Dt. 28.1.2010

Copy submitted to the Secretary to R.D.C (N.D)Sambalpur for kind information and necessary action.



**Addl. District Magistrate,
Angul.**

Proceedings of the 6th Rehabilitation and Periphery Development Advisory Committee (RPDAC) Meeting of MCL held on 01.02.2010 in the Conference Hall of D.R.D.A, Angul.

The Revenue Divisional Commissioner, Northern Division, Sambalpur was in the Chair.

The names of the members and invitees present in the meeting are at Annexure "A".

At the outset the Collector, Angul extended warm welcome to all the members and invitees present in the meeting.

1. **Confirmation of proceeding of last RPDAC meeting held on 11.01.2010:- Confirmed.**
2. **Review of Action Taken on the proceeding of the 4th RPDAC meeting of MCL held on 22.11.2008.**

(a) Regular sitting of Sub-Committee meeting of MCL:

The Sub-Committee of MCL is formed today comprising the following members:

(i)	Collector, Angul :	Chairman
(ii)	Sj. R.N. Pani, Hon'ble Govt. Chief Whip, OLA :	Member
(iii)	Hon'ble M.P. Dhenkanal :	Member
(iv)	Hon'ble M.P. Sambalpur :	Member
(v)	Hon'ble M.L.A., Talcher :	Member
(vi)	Hon'ble M.L.A, Chhendipada :	Member
(vii)	Superintendent of Police, Angul :	Member
(viii)	Director, Personnel, MCL hqrs. Burla :	Member
(ix)	General Manager(Nodal) Jagannath Area, MCL :	Member

It was decided that the Sub-Committee should sit at least once in three months.

(b) Reclamation & Reallocation of Colliery waste land:

The Hon'ble M.L.A, Talcher reacting on the Reclamation & Reallocation of Colliery waste land wanted to know whether MCL can submit the details of land reclaimed and plantation done before the house. The Hon'ble M.P. Dhenkanal, Hon'ble Chief Whip to Govt. O.L.A, Orissa asked the C.M.D, MCL & other Directors that whether MCL is implementing the decisions taken by the RPDAC. The condition of the land oustees and their livelihood since the day of S.E.C.L. to the present day MCL has been deteriorating time to time and MCL is making the life of land losers miserable. The people of Talcher are giving land to MCL for the interest of the Nation. In turn MCL should be sympathetic to the land losers.

Responding to the house, the C.M.D, MCL assured to the house that whatever decision is taken in this house shall be implemented and respected.

It was decided that, MCL shall furnish the detail information on reclamation of Colliery waste land and plantation done within two weeks. **The Sub-Committee shall inspect and verify the reclaimed land and plantation sites.**



(c) Job to "C" category land oustees/nominees

It is informed that there are 137 left out "C" category cases still pending which may increase after joint verification. The area wise position as detailed below was placed in the house.

(i) Lingaraj Area:	85
(ii) Jagannath Area:	18
(iii) Bharatpur Area:	27
(iv) Hingula Area:	07
Total	137

Sri R.N.Pany, Hon'ble M.P., Rajya Sabha wanted to know whether job rehabilitation to all "C" category land oustees will continue or be limited to that one time settlement of 354 left out 'C' category cases. The Director, Personnel clarified that since job rehabilitation to left out "C" category cases of 588 nos. in both IB Valley & Talcher Coal field were taken up with the decision of the Chief Secretary, Government of Orissa & Secretary, Ministry of Coal, Government of India as one time settlement, it is not possible to extend the job rehabilitation provision beyond the approved list which was restricted to April, 2005.

All the Hon'ble members expressed that job rehabilitation to all "C" category land oustees should continue as because majority of land loser in Talcher Coal fields are of "C" category.

The Chairman instructed the MCL authority to take up the issue with the Government of India, Ministry of Coal and District Administration shall also move this matter to Government of Orissa.

(c) Grievance Reddressal Mechanism

Hon'ble M.P., Dhenkanal suggested that as there is no grievance redressal Mechanism in MCL, District Administration as well as public representatives are facing lots of problem due to various grievances of the land oustees relating to rehabilitation and resettlement of MCL. There should be a proper grievance redressal Mechanism which can sort out problems, so that the RPDAC can address & decide only genuine issues. There should be a committee comprising of MCL officers/ Officers of the State Government & public representatives to sort out various issues of land oustees. In response to this, the Director, Personnel assured the house that they shall form a grievance cell, which shall sit twice in a month in Talcher Coal Fields.

(d) Job rehabilitation to non-matriculate female nominees

The Hon'ble Chief Whip to Government, OLA and the Hon'ble M.L.A, Talcher expressed that there should be uniformity of rehabilitation to all affected persons, whether male, female, matriculate, non-matriculate, educated & un-educated. Since job rehabilitation is given on the ground of rehabilitation to land oustees, the educational qualification and gender should not be a bar to avail the benefit. The Director, Personnel agreed that the case of Tulei Naik of village Gopalprasad & other similar cases shall be considered for employment subject to eligible under R&R Policy.

(f) Adoption Case

Regarding adoption case, it was decided that the view of Government pleader should be verified by the Company as per the provisions of Adoption Act and Land Acquisition Act. Chairman opined that adoption made after the notification for acquisition should not be taken into consideration.

3. Important Issues Relating to R & R Matter:

(a) Resettlement Site to the PAF s of MCL

It was resolved that following schedule of land should be given to the MCL for settlement of PAF:

Name of the village	Area (In acre)	Name of the Tahasil to whom applied lease by MCL
Jamunali	188.59	Banarpal
Paranga	114.20	Banarpal
Kuio Jungle	46.93	Banarpal
Baulabeda	113.95	Kaniha
Hanumanpur	42.00	Kaniha
Baulapur	87.74	Talcher

The C.M.D, MCL requested the Chairman to allot Jamunali resettlement site which was earlier decided as resettlement site of MCL. It is given to understand that the same site is also allocated further to some other private industry. The Collector informed the house that since there is scarcity of Government land in Angul District due to establishment of a lot of industries, MCL should think of acquiring/purchasing private lands at market price for resettlement site in non coal bearing area. The Director, Personnel expressed that MCL is ready for purchase of private land for resettlement site, but MCL can not render any demand of job rehabilitation to those vendor who have sold land for resettlement site. The Chairman suggested that this shall be referred to Govt. of Orissa in Revenue & Disaster Management Deptt. for a clarification.

The Director, Personnel opined that there is a provision of resettlement site to be approved in the RPDAC. The Chairman suggested that MCL shall prioritize resettlement sites on the basis of following principles other than the Government land:

- * If there is any major chunk of non coal bearing land already acquired by MCL is available such land shall be developed as resettlement sites.
- * Reclaimed land be filled up and allotted for resettlement site.
- * R & R site shall be acquired by MCL in the manner of acquisition for mining purpose either by direct purchase or acquisition.
- * The sub-Committee would examine these sites and finalize them which shall be ratified in the subsequent RPDAC.

(b) Opening of Kaniha O.C.P.

The Collector clarified that the villagers of Jarada are not allowing structure measurement and surveys. All the jobs may only be extended after formal opening of the Project. The Hon'ble Chief Whip to Govt. O.L.A. impressed that MCL is making rehabilitation in a piecemeal manner. MCL should release the job list of the entire project area of Kaniha O.C.P. in a single phase.

The Collector, Angul explained the issue of opening of Kaniha O.C.P. which is a vital one since it is feeder mines to NTPC, Kaniha. For acquisition of Ac.463.15 acres of tenancy land, 298 nos. of Project affected nominees/land oustees out of 482 nominees/land oustees have been approved for employment. 41 nominees/land oustees having land at village Sundarkhaman who are coming under category "C", out of which 34 cases will be upgraded to category "A" on change of the cut off date after 2nd phase acquisition of village Jarada.

It was decided that the rest 07 "C" category cases shall be given job rehabilitation on special ground making no precedence for other individuals/PAP s/Land oustees/other areas.

(c) Shifting of village very nearer to the Railway siding at Deulabeda:

It was proposed by the District Administration that people residing within 50 meters area of the Railway siding who are exposed to dust and noise pollution during loading of coal operation are to be extended job rehabilitation by purchasing/acquiring their houses & other land. The Director, Personnel, MCL did not agree to this proposition and viewed that the land oustees whose land have been acquired in the Ac.6.14 of L.A. Acquisition can only be considered with the recommendation of District Administration.

(d) M.J.S.J. Coal Ltd., Gopalprasad O.C.P.

The Chairman M.J.S.J. Coal-cum-Director, Finance of MCL explained in detail that:

M.J.S.J coal is a joint venture with equity share of MCL having 60%, JSW steel Ltd. having 11%, JSW Energy Ltd. having 11%, Jindal Stainless Ltd. having 09% and Shyam DRI Power Ltd. having 09% and a subsidiary company of MCL. The combined Coal Block in Gopalprasad west which is a MCL acquired land under CBA(A & D)Act and Utkal "A" which is a private Block allocated to M.J.S.J by Ministry of Coal, Government of India.

Intervening the discussion the Hon'ble M.P., Sambalpur & the Hon'ble M.L.A., Chhendipada expressed that Utkal "A" Coal Block should be acquired under L.A. Act. The Chairman-cum- Director, Finance, M.J.S.J stated the house that since 11(1) under CBA (A & D) Act has already been made by the Ministry of Coal, Government of India and the land has already been vested to the company, it is not possible to go back for acquiring the same land under L.A. Act.

Regarding job rehabilitation, it was discussed that whether the Project affected Families would be extended job rehabilitation by M.J.S.J. Coal Ltd or MCL and under which policy the benefit shall be extended.

The Director, Personnel, MCL hqrs. explained that it is a subsidiary company of MCL and has its own Board of Directors, hence job rehabilitation and resettlement shall be extended by M.J.S.J. Coal Ltd.


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With regard to implementation of R & R policy to the land oustees and resettlement site of M.J.S.J. Coal Ltd. it was decided to put the matter in the Sub-Committee meeting of MCL for final decision.

(e) Land lost in village Telipur, Khuringa, Nathagan, Solada old acquisition (190.00 Acres) & C.T Road by the inhabitant of village Solada

Earlier job rehabilitation was extended to the villagers of Telipur & Khuringa by adding their dwelling house proposed to be acquired in Konark Block.

It was decided that the case of Niranjana Sahoo, Satyanarayana Nanda & other land oustees who have lost land in village Telipur, Khuringa, belonging to village Solada shall be extended job rehabilitation by adding their dwelling house proposed to be acquired in Konark Block. It was also decided that land oustees who have lost land in village Nathagan, Solada old acquisition (190 Acres), and C.T road belonging to village Solada shall be extended job rehabilitation by adding their dwelling house proposed to be acquired in Konark Block.

Further the case of Harihar Behera & others of village Majhika shall also be dealt at par with the case of Pramod Mohapatra of village Majhika in similar ways.

(f) Opening of Medical College at Talcher

The Hon'ble M.P., Dhenkanal asked the C.M.D, MCL to clarify whether the proposal of establishing a Medical College by MCL in Talcher is only in proposal or any progress has been done. The C.M.D, MCL explained that MCL is committed to set up a Medical College in Talcher and land has been identified near Talcher Nursery and a committee has been set up with the State Government, Department of Health under the kind guidance of the Hon'ble Chief Minister, Orissa. Further very shortly a developer is going to be engaged to take up the development construction and other activities concerning the Medical College in the model of Sanjaya Gandhi Memorial Medical College of Lucknow.

4: Periphery Development Fund of MCL

It is clarified that the Periphery Development fund of MCL shall be spent as per the direction of Hon'ble High Court in W.P. (C) No 8119/2008 i.e. 95% of the sanctioned amount shall be spent within 08 K.M s radius of the Projects and 5% of the amount shall be spent in other area of the district. The Director, Personnel, MCL submitted to the house that the proposal to increase Periphery Development fund @ Rs.2/-.

The Collector, Angul apprised the house that the State High way No 63 i.e. Angul to Chhendipada road is used by the Coal loaded truck of Chhendipada O.C.P., MCL. Funds should be allocated by the MCL for its improvement.

Further it was decided that N.H 200 to Dera road should also be developed by MCL beyond Periphery development fund. MCL should develop separate Coal transportation road and passenger road in and around the Projects.

The Hon'ble M.P. Dhenkanal asked the progress of fund sanctioned relating to the year 2004-05 amounting to Rs.25.00 lakh for Improvement of road from P.T.C, Angul to F.C.I, Talcher Via Kukudanga. During discussion, it was ascertained that the above

amount has been deposited with the Executive Engineer, R & B, Angul vide District Office Letter No 310 dated 04.02.2009 and it was decided to review the progress of the work by the District Administration.


It was decided that MCL would release the Periphery development fund for the year 2008-2009 and 2009-2010 immediately, so as to finalize the Periphery development Project list.

The Chairman advised all the Hon'ble members as well as the MCL authorities to submit the Project list before the Collector, Angul for early finalization of Periphery development Projects/works.

Concluding the meeting, it was decided that the matter which could not be discussed in this meeting are to be referred to the Sub-Committee.

The meeting ended with vote of thanks to the Chair and participants.


Collector, Angul 20/2/10


R.D.C (N.D)-cum-Chairman,
RPDAC, MCL, Angul.

Members present in the 6th R.P.D.A.C meeting of MCL held on 01.02.2010

1. Sj. Rabinarayana Pani, Hon'ble Chief Whip to Govt. O.L.A,
2. Sj. Amarnath Pradhan, Hon'ble M.P. Sambalpur,
3. Sj. Tathagat Satapathy, Hon'ble M.P. Dhenkanal ,
4. Sj. Rudranarayana Pani, Hon'ble M.P. Rajya Sabha,
5. Sj. Khageswar Behera, Hon'ble M.L.A, Chhendipada,
6. Sj. Rajanikanta Singh, Hon'ble M.L.A, Angul,
7. Sj. Brajakishore Pradhan, Hon'ble M.L.A., Talcher,
8. Sj. Santosh Kumar Naik, President, Zilla Parishad, Angul,
9. Sj. Asit Ranjan Deo, Nominee of Hon'ble Minister of state (Commerce & Transport),
10. D.I.G. of Police, Talcher,
11. I/C Superintendent of Police, Angul,
12. Chairman-cum-Managing Director, MCL Hqrs. Burla, Sambalpur
13. Director, Personnel, MCL headquarters, Burla, Sambalpur,
14. Chairman MJSJ Coal Ltd. & Director (Finance), MCL,
15. P.D., D.R.D.A, Angul,
16. Chairman, Panchayat Samiti, Talcher,
17. Chairman, Panchayat Samiti, Kaniha,
18. Chairman, Panchayat Samiti, Chhendipada ,
19. Sub-Collector, Talcher,
20. Sub-Collector, Angul,
21. Spl. Land Acquisition Officer, MCL, Angul
22. Pranabandhu Pradhan, Land loser,
23. Dibakar Padhi, Land Loser
24. Jharani Sahoo, Women S.H.G,
25. Kalabati Naik, Women S.H.G.

Special Invitees

26. Addl. District Magistrate, Angul
27. Rehabilitation Officer, MCL, Angul
28. General Manager, LR & R, MCL headquarters, Burla , Sambalpur
29. Chief General Manager, Hingula Area, MCL, Talcher
30. Chief General Manager, Bharatpur Area, MCL, Talcher
31. General Manager, Lingaraj Area, MCL, Talcher
32. General Manager, Jagannath Area, MCL, Talcher
33. General Manager, Talcher Area, MCL, Talcher
34. General Manager, Kaniha OCP,
35. C.E.O. M.J.S.J. Coal Ltd.

DISTRICT OFFICE, ANGUL

Memo No 541 /LA.MCL. Dt. 9.3.2010

Copy submitted to all the members of Rehabilitation and Periphery Development Advisory Committee of MCL, Angul for favour of kind information and necessary action.


Addl. District Magistrate,
Angul.

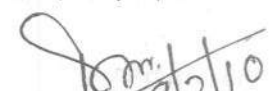
Memo No 542 /LA.MCL. Dt. 9.3.2010

Copy submitted to the Deputy Secretary to Government, Revenue and Disaster Management Department, Orissa, Bhubaneswar/ Deputy Secretary to Government, Steel & Mines Department, Orissa, Bhubaneswar for favour of kind information and necessary action.


Addl. District Magistrate,
Angul.

Memo No 543 /LA.MCL. Dt. 9.3.2010

Copy forwarded to the General Manager LR & R ,MCL headquarters, Jagruti Vihar, Burla, Sambalpur/ Chief General Manager, Hingula Area, MCL, Talcher/ Chief General Manager, Bharatpur Area, MCL, Talcher/ General Manager, Jagannath Area, MCL, Talcher/ General Manager, Lingaraj Area, MCL, Talcher/ General Manager, Talcher Area, MCL, Talcher/General Manager, Kaniha O.C.P. / C.E.O., M.J.S.J, Gopalprasad OCP for information and necessary action.


Addl. District Magistrate,
Angul.

Memo No 544 /LA.MCL. Dt. 9.3.2010

Copy submitted to the Secretary to R.D.C (N.D)Sambalpur for kind information and necessary action.


Addl. District Magistrate,
Angul.

Proceeding of the 7th Rehabilitation & Periphery Development Advisory Committee (RPDAC) meeting of MCL held on 09.11.2012 at DRDA Conference Hall, Angul.

The Revenue Divisional Commissioner, Northern Division, Sambalpur was in the Chair.

The names of the members & invitees present in the meeting are at **Annexure "A"**.

At the outset, Collector, Angul extended warm welcome to all the members and invitees present in the meeting. Discussion & decision was made as per agenda.

1. Confirmation of the proceeding of the last RPDAC meeting held on 01.02.2010: **Confirmed.**
2. Review of Action taken on the proceeding of the 6th RPDAC meeting of MCL held on 01.02.2010.

(a) Regular Sitting of Sub-Committee:

The old Sub-Committee constituted in RPDAC meeting dt.01.02.2010 will continue and it was decided to hold Sub-Committee meeting on 1st Friday in the month of January, April, July & October of each year. General Manger, Jagannath Area (Nodal) MCL would convene the meeting. The Sub-committee is re-constituted and the composition of Sub-Committee is revised as under;

(i) Collector, Angul	Chairman
(ii) Hon'ble M.P., Dhenkanal	Member
(iii) Hon'ble M.P., Sambalpur	Member
(iv) Hon'ble M.L.A, Talcher	Member
(v) Hon'ble M.L.A, Chhendipada	Member
(vi) Superintendent of Police, Angul	Member
(vii) Director, Personnel, MCL Hqrs.	Member
(viii) Sub-Collector, Talcher	Member
(ix) General Manager, (Nodal)Jagannath Area	Convener

The committee will sit on 1st Friday or next day (in case of holiday) of above months regularly in each quarter.

(b) Reclamation & re-allocation of Colliery Waste Land

It was deliberated that Reclamation & re-allocation of Colliery Waste Land is a burning issue of Talcher Coalfields. After 20 to 30 years, no Government land may be available for resettlement of the displaced peoples in this district. Prospective plan need to be made in this regard immediately. Hon'ble M.L.A, Talcher expressed his displeasure and informed that MCL is

filling ash on the excavated area of MCL and after filling of ash no step is being taken for filling of soil over the ash for which more pollution is caused. The C.M.D, MCL informed that from this year reclamation work would be made up to ground level and grass will be put on the ground.

The Director, Personnel informed the progress of the plantation work made in & around the worked out Mines & also intimated that due to non availability of land, the target of the plantation could not be achieved. All the members expressed that statistics given by MCL on plantation work & reclamation of Colliery waste land is not at all correct & factual.

It was decided that the details of plantation taken up will be furnished again by MCL to the Sub-Committee & the members of Sub-Committee will visit the plantation work of MCL accompanied by one forest officer .MCL was instructed to submit the information regarding reclamation of colliery waste land village wise, mines wise to the Sub-Committee for enquiry. The report of the Sub-committee would be placed in the next meeting.MCL is also directed to bring the O.B dump hips to normal ground level.

(c) **Grievance redressal Mechanism**

It was decided that hearing & redressal of Grievances of the land losers, affected persons of Talcher Coalfields(MCL) shall be made by Sub-Collector, Talcher, General Manager, (IR) , G.M. (LR & R) MCL headquarters, General Manager of the Areas once in a month in the office of the Sub-Collector, Talcher.

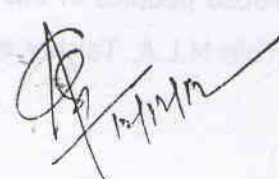
(d) **Adoption/Divorcee case**

Detail deliberation over the pending adoption cases was made. It was decided that the observation of Government pleader, merit of the cases shall be taken into account for employment of adoption cases/divorcee cases as per law & rehabilitation policy.

(e) **Resettlement site for Displaced persons/Families**

An area of Ac. 109.690 of village Takua in Kaniha Tahasil is proposed for resettlement site for the displaced families of village Jarada of Kaniha O.C.P. The villagers of Takua are objecting the proposed resettlement site .The Chairman observed that the objection raised by the villagers is not genuine.

MCL has applied an area of Ac.84.43 of village Baulapur .This is proposed for resettlement site of the displaced families of village Hiloi, Ekdal & Solada. The Chairman directed to expedite the lease process & the Tahasildar, Talcher be instructed accordingly.



(f) **Shifting of village very nearer to Railway siding at Deulabeda**

Deulabeda Basti is just adjacent to the railway siding of MCL & the inhabitants residing within 50 meters area of the siding are exposed to dust & noise pollution due to loading operation of coal.

The Director, Personnel, MCL stated that earlier an area of Ac.6.14 was acquired under L.A. Act in village Deulabeda to the opposite side of the Basti & railway siding and no one is entitled to get rehabilitation benefit as per R & R policy of Government. Hon'ble M.P. Dhenkanal wanted to know whether the decision of 6th RPDAC has been complied or not, whether MCL has taken any step to shift the affected inhabitants of Deulabeda near railway side or shift the siding itself. Hon'ble M.P. Dhenkanal stated that, if MCL is unable to shift the inhabitants, then the railway siding may be stopped immediately without causing more pollution & inconvenience to any one.

After a threadbare discussion, it was decided that MCL shall acquire the land within 50 meters of the railway siding and shift the inhabitants residing there. These displaced families would be extended Resettlement & Rehabilitation benefits under R & R policy of Government as per their eligibility.

(g) **MJSJ Coal Ltd. Gopalprasad OCP**

The C.M.D, MCL explained about the formation & allotment of Coal Block to MJSJ Coal Ltd. He stated that land losers of Gopalprasad OCP would be extended R & R benefits & all other benefits similar to MCL, as MJSJ is a subsidiary company of MCL. The Hon'ble M.P. Sambalpur & Hon'ble M.L.A, Chhendipada informed that the land losers of MJSJ Coal Ltd. do not agree to give land to MJSJ, but interested to give their land to MCL. After a threadbare discussion, it was decided that;

(i) Registered office of MJSJ Coal Ltd. Gopalprasad OCP shall function at Angul.

(ii) Socio-Economic Survey conducted by IRDMS for ¹⁰ ~~08~~ villages is approved for MCL.

(iii) Land measuring an area of Ac.83.48 & Ac.6.00 in village Kankarei & Balichandrapur respectively for resettlement site is approved for the Project Displaced families of Gopalprasad O.C.P.

(iii) Separate RPDAC shall be formed for MJSJ Coal Ltd.(Gopalprasad OCP) and Socio-Economic Survey & resettlement site as approved in principle in this RPDAC has to be ratified in the RPDAC of MJSJ.

(h) **Land Lost in village Telipur, Khuringa, Nathagan, Solada old acquisition**

The case of Niranjana Sahoo, Satyanarayana Nanda & others who have lost land in village Telipur, Khuringa, Nathagan, Solada was discussed & the Chairman wanted to know how many days will take for vetting of their case. The D.P., MCL headquarters informed that, their cases would be vetted at his level within 15 days. Hon'ble M.L.A, Talcher reacted & expressed his displeasure and wanted to know about the time limit for joining in job. It was decided to expedite the process & complete within 02 months by MCL.

(i) **Opening of Medical College at Talcher .**

The Director, Personnel explained the detail progress of the opening of Medical College at Talcher. Hon'ble M.L.A, Talcher demanded for starting of admission of students in the medical college from 2013 Academic year. Chairman wanted to know about the progress of infrastructure like posting of Lecture, Class Room, and Hostel etc. The C.M.D, MCL informed that the Medical Council of India, New Delhi has not given any permission for starting of Academic session of Medical College at Talcher & it need to be expedited. Collector, Angul requested the Hon'ble M.P. Dhenkanal & Hon'ble M.P. Sambalpur for persuasion of the matter for early issue of permission from Medical Council of India, New Delhi. It was decided that C.M.D, MCL will pursue the matter & expedite the permission from Medical Council of India, New Delhi.

(j) **Periphery Development Fund of MCL**

Hon'ble M.P. Dhenkanal, Hon'ble Sambalpur, Hon'ble M.L.A, Talcher & Hon'ble M.L.A Chhendipada wanted to know about the sanction & expenditure of Periphery Development fund of MCL relating to the year 2007-08 to 2010-2011 and expressed their displeasure for non submission of the progress of the projects. The Spl. L.A.O., MCL clarified that in the review meeting held on 30.10.2010, project list for 03 sectors i.e. 138 nos. of Additional Class Room, 134 nos. of AWC & 100 bedded Hospital at District Hqrs. Hospital (Health sector) has been approved and works are under progress. Out of sanctioned amount of 2820.00 lakhs, MCL has released Rs.1537.90 lakhs leaving a balance of Rs.1282.10 lakhs. The Director, Personnel has clarified the CSR policy of MCL.

Hon'ble M.P. Dhenkanal , Hon'ble M.L.A, Talcher & Sub-Collector, Talcher suggested that drinking water in Talcher Coalfields is a serious issue and the inhabitants of the Talcher Coalfields areas have been raising this issue time & again. The detail progress of piped water supply to 19 periphery villages in & around Talcher Coalfields was clarified by the Sub-Collector, Talcher. Hon'ble M.P. Dhenkanal suggested C.M.D, MCL to co-operate & expedite the water

supply scheme in Talcher . The C.M.D, MCL informed that funds has been released in favour of Executive Engineer, RWS & S for completion water supply and funds is not a problem. The C.M.D, MCL assured that funds would be released after receipt of Utilization certificate from the RWS & S department against the funds released earlier. Hon'ble M.L.A, Talcher wanted to know about the maintenance of the water supply project. The Chairman intimated that RWS & S department is not able to do the maintenance work of piped water supply.

After a threadbare discussion, it was decided that;

(i) Concerned Grampanchayt would take the maintenance work of piped water supply & the funds likely to be spent would be borne by the MCL hence forth.

(ii) MCL shall create and develop the water source and ensure supply of clean & quality of the drinking water for the affected periphery villages.

(iii) As per CSR policy of MCL, fund utilization for periphery development would be extended up to 15 KMs of the Periphery Area of the Project & the funds provided under this scheme would be utilized on asset generated scheme.

(iv) MCL shall develop a flower garden at Deulajhari, Athamallik Projects proposed/approved by the district administration shall be sanctioned and funded by MCL. After receipt of projects list from district administration, funds would be released by MCL.

(v) It was decided that all the member would submit project proposals which shall be routed through Panchayat Samiti /NAC/Municipality. Collector, Angul shall finalize the proposed projects. A committee of RPDAC consisting of P.D, DRDA, LAO, MPs & MLAs of Area would examine the expenditure incurred & new projects to be taken up by November which will be finalized in next RPDAC.

(vi) Clarification from Government in Panchayat Raj Department/Revenue Department shall be sought regarding execution of projects in acquired villages of MCL. Whether development activities would be continued after Issue of notification U/S 4(i) of Land Acquisition Act 1894/C.B.A (A & D) Act, 1957 out of Government fund or periphery development fund.

3. Approval of the proceeding of the last Sub-Committee meeting held on 09.07.2010:
Approved.

4. Review of Action taken on the proceeding of the last Sub-Committee meeting of MCL held on 09.07.2010.

(a) **Fixation of Cut off date of village Hensamul**

Village Hensamul has been acquired by MCL in six phases. Clarification would be sought from Government whether extending rehabilitation benefit to the families of village Hensamul would be given basing on the latest phase acquisition where the families have lost land & dwelling house & residing in that house & whether service benefit will be extended. It shall not be extended to the families who have not lost land & dwelling house in that particular phase of acquisition.

(c) **R & R issue of village Badajorada**

After a threadbare discussion, it was decided that MCL would submit a detail history/observation & earlier decisions on the rehabilitation issues of village Badajorada within one month to be placed before the Sub-Committee meeting of MCL for taking necessary decision.

Case of Digambar Garnaik , land loser of village Badajorada was discussed. Earlier Sri Garnaik was given offer of appointment and subsequently Sri Garnaik applied for change of nominee. The Hon'ble M.L.A. stated for early consideration of the case as one job is due to the family. The C.M.D, MCL stated that, the family is not coming within any category to get rehabilitation benefit. After a threadbare discussion, it was decided that, this case would be examined by MCL & offer rehabilitation benefit without any further delay.

The 02 cases of village Mahendrapur are pending since long i.e. case of Nilam Sanjeeb Sahoo S/O Biranchi Sahoo & Sri Ugresen Sahoo S/O Purandar Sahoo. It was decided to consider these two cases within a month.

(d) **R & R issue of village Danara**

The details rehabilitation issue of village Danara was discussed & after a threadbare discussion, it was decided that as per recommendation of Joint committee , 59 nominees/land trustees of village Danara would be processed for extending job rehabilitation & 04 cases to be placed before the next Sub-Committee meeting for a decision. However the list of 59 recommended cases would be sent by A.D.M to the MCL for employment.

(e) **R & R issue of village Balanda**

The details rehabilitation issue of village Balanda was discussed. Hon'ble M.L.A, Talcher pointed out that the families from which none has received any R & R benefit should be considered. The joint committee has found 22 cases out of 25 not eligible and only 02 cases eligible & one not verified.

(f) **Problem of village Natada**

The Hon'ble M.P., Sambalpur & Hon'ble M.L.A, Chhendipada suggested for acquisition of balance land of village Natada. C.M.D, MCL stated that it is not possible to acquire the balance land as it is non coal bearing area. Hon'ble M.P., Sambalpur & Hon'ble M.L.A, Chhendipada pointed out about the blasting operation adjacent to the human habitation of village Natada is a cause of concern. General Manager, Hingula Area opined that mining operation is going on beyond 300 meters of the village and new constructions are being made by the villagers within 50 to 100 meters of the mining operation.

After a threadbare discussion, it was decided that Sub-Collector, Angul & one Sr. Officer of MCL, Hingula Area would enquire & report on the construction made by the villagers and blasting operation of MCL on the basis of distance & cost.

5. **Payment of compensation amount of Deshkoth Property**

It was decided that option/resolution received from Grama Committee for payment of Deshkoth Property would be examined, whether all the villagers have unanimously decided for drawal of money along with photograph of the meeting & placed in the next Sub-Committee meeting for a decision.

6. **Any other matter with the permission of the Chair**

(i) Hon'ble M.P. Dhenkanal & Hon'ble M.L.A, Talcher demanded to raise compensation amounting to of Rs.50.00 lakhs per acre against the acquired land of MCL.

(ii) It was decided that MCL shall submit factual position on rehabilitation & resettlement extended to the land losers of Talcher Coalfields. & total nos. of job extended to the local people & outsiders. The D.P. (MCL) assured to submit the factual information within 15 days.

(iii) Hon'ble M.P. Dhenkanal requested the C.M.D, MCL, Talcher for consideration of open sale of coal for domestic use to the local people due to scarcity of Gas. The C.M.D, MCL opined that he would recommend for consideration of open sale of coal for domestic use to the local people to the Ministry of Coal, Government of India.

(iv) MCL shall make a power point presentation on the format communicated earlier by the R.D.C(N.D), Sambalpur in the next meeting.


(v) Collector shall move proposal to Government for early posting of Rehabilitation Officer in the District.

(vi) As suggested by Hon'ble M.P. Dhenkanal & Hon'ble M.L.A, Talcher, it was decided that at the time of discussion of the issue of concerned village, two members of the village would be allowed to participate in the discussion.

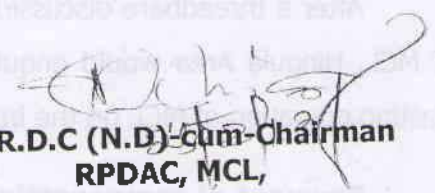
(vii) Chairman desired that D.F.O(T) would be inducted as Spl. Invitee to the committee.

The issues in the agenda which could not be discussed in this meeting is referred to the Sub-Committee.

The meeting ended with vote of thanks to the Chair & participants.


Collector, -cum- Convener,
RPDAC, MCL, Angul

(Agreed in 10.16.12)


R.D.C (N.D) cum-Chairman
RPDAC, MCL,

Annexure "A"

Members present in the 7th R.P.D.A.C meeting of MCL held on 09.11.2012

1. Sri Tathagata Satapathy, Hon'ble M.P. Dhenkanal
2. Sri Amarnath Pradhan, Hon'ble M.P., Sambalpur
3. Sri Prapinshu Pradhan, Hon'ble M.L.A, Talcher
4. Sri Khageswar Behera, Hon'ble M.L.A, Chhendipada
5. Girija Nandini Sahoo, President, Zilla Parishad
6. Sri P.S. Ranpise, D.I.G, NCR, Talcher
7. Sri Aravind Agarwal, Collector, Angul
8. Sri Narasingha Bhol, Superintendent of Police, Angul
9. Sri A.N. Sahay, C.M.D, MCL. Burla, Sambalpur
10. Sri U. Kar, Project Director, DRDA, Angul
11. Sri S. K.Rout, Sub-Collector, Talcher
12. Sri Sudarsan Parida, Sub-Collector, Angul
13. Sri S.C. Acharya, Spl. L.A.O., MCL, Angul
14. Urmila Mohapatra, Chairman, Talcher Panchayat Samiti
15. Sri Raghunath Sahoo, Chairman, Chhendipada Panchayat Samiti
16. Ushabati Gadanayak, Chairman, Kaniha Panchayat Samiti
17. Sri Pranabandhu Pradhan, Land oustee of village Padmabatipur
18. Sri Dibakar Pachi, Land oustee of village Jillinda
19. Sri Chitaranjan Pradhan, Member, N.G.O.
20. Sri Bibhuti Bhusan Pattanaik, Member, N.G.O.
21. Jharani Sahoo, Member, S.H.G
22. Kalabati Naik, Member, S.H.G

Spl. Invitees

23. Sri S. K. Barik, A.D.M., Angul
24. Sri S.C. Padhy, Director, Personnel, MCL, Burla, Sambalpur
25. Sri A.K. Tiwari, Director, Technical, MCL, Burla, Sambalpur
26. Sri A. K. Das, G.M. (L & R), MCL Headquarters, Burla, Sambalpur
27. Sri A. Kumar, General Manager, Jagannath Area
28. Sri A.K. Sinha, General Manager, Kaniha Area
29. Sri G. Dehury, General Manager, Talcher Area
30. Sri M. Brahmapurkar, General Manager, Bharatpur Area
31. Sri R.K. Shrivastava, General Manager, Lingaraj Area.
32. C.E.O., M.J.S.J. Coal Ltd. Gopalprasad OCP

DISTRICT OFFICE, ANGUL

Memo No 340 /LA.MCL. Dt. 6.3.2013

Copy submitted to all the members of Rehabilitation & Periphery Development Advisory Committee of MCL, Angul for favour of kind information and necessary action.

6.3.2013
Addl. District Magistrate,
Angul.

Memo No 341 /LA.MCL. Dt. 6.3.2013

Copy submitted to Deputy Secretary to Government, Revenue & Disaster Management Department, Odisha, Bhubaneswar/Deputy Secretary to Government, Steel & Mines Department, Odisha, Bhubaneswar for favour of kind information and necessary action.

6.3.2013
Addl. District Magistrate,
Angul.

Memo No 342 /LA.MCL. Dt. 6.3.2013

Copy forwarded to the General Manager, L & R, MCL headquarters, Jagruti Vihar, Burla, Sambalpur/ General Manager, Hingula Area, MCL, Talcher/ General Manager, Bharatpur Area, MCL, Talcher/ General Manager, Jagannath Area, MCL, Talcher/ General Manager, Lingaraj Area, MCL, Talcher/ General Manager, Kaniha Area, MCL, Talcher/ General Manager, Talcher Area, MCL, Talcher/ C.E.O., MJSJ Coal Ltd. Gopalprasad OCP, Angul for information and necessary action.

6.3.2013
Addl. District Magistrate,
Angul.

Memo No 343 /LA.MCL. Dt. 6.3.2013

Copy submitted to Secretary to R.D.C (N.D), Sambalpur for kind information and necessary action.

6.3.2013
Addl. District Magistrate,
Angul.

Memo No 344 /LA.MCL. Dt. 6.3.2013

Copy submitted to Director, Personnel, MCL headquarters, Burla, Sambalpur /Director, Technical, MCL headquarters, Burla, Sambalpur for information and necessary action.

6.3.2013
Addl. District Magistrate,
Angul.

**Proceeding of the 8th Rehabilitation & Periphery Development
Advisory Committee (RPDAC) meeting of MCL held on
04.03.2014 at DRDA Conference Hall, Angul**

The Revenue Divisional Commissioner, Northern Division, Sambalpur was in the Chair.

The names of the members & invitees present in the meeting are at **Annexure "A"**.

At the outset, Collector, Angul extended warm welcome to all the members and invitees present in the meeting. Discussion & decisions were made as per agenda.

1. Confirmation of the proceeding of the last RPDAC meeting held on 09.11.2012: **Confirmed.**
2. Review of Action taken on the proceeding of the 7th RPDAC meeting of MCL held on 09.11.2012.

(a) Regular Sitting of Sub-Committee:

It was decided that MCL Authorities will adhere to the decision and prepare advance programme to convene the meeting.

(b) Reclamation & re-allocation of Colliery Waste Land

MCL has not given the detailed report yet. Hon'ble M.P, Dhenkanal and the Hon'ble MLA, Talcher expressed their displeasure as no action appears to have been taken by MCL on plantation. It was decided that MCL would give monthly report with MAP of the reclaimed land and after receipt of the report the Sub-Collector will physically verify and certify that plantation work has been done after OB dump comes to normal ground level and there after the CMD to review the action taken by MCL. CMD also agreed to submit report regularly.

(b) Grievance redressal Mechanism

The decision of Sub-Committee Dt. 12.07.2013 is being followed. The Sub-Collector, Talcher is hearing the grievances on each Monday afternoon in his office chamber. Collector is also hearing the grievances on each Monday at District HQ & one Monday in Sub Divisional HQ. The Collector presented that there were total 250 grievance petitions out of which 108 cases have been disposed of. Most of the actions relate to MCL. Taking into account the shortage of staff and pressing work load including grievance redressal relating to MCL. Collector suggested that, MCL

Authorities need to provide additional support mechanism to expedite the process. Three data entry operators-cum-computer programmers could be engaged from outsourcing Agencies and they would get their remuneration at the rate of Rs. 12,000/- (Twelve thousand) per month directly from MCL or Collector and District Magistrate, Angul subject to subsequent reimbursement by MCL. The engagement process could begin immediately. After discussion, this arrangement was unanimously agreed upon. Disposal and clearance of the grievance petition in time should be ensured. RDC deliberated that individual cases should not be discussed in RPDAC. Only interpretation of Policy matter is to be discussed. Sub-Collector reported that no representative of MCL is attending the grievance hearing. RDC suggested that MCL staff should attend 2nd Monday of every month. Hon'ble MLA & Hon'ble M.P suggested that one General Manager should be posted to deal with all these grievance cases. The CMD agreed to provide funds for extra man power required.

(d) **Adoption/Divorcee case**

The decision of the Sub-Committee and RPDAC is being followed. The case of Upasi Barik has been referred to Govt. pleader for opinion, which is awaited. The RDC opined that individual cases should not be discussed in the RPDAC. It should be disposed of as per Policy applicable.

(e) **Resettlement site for Displaced persons/Families**

The proposed resettlement site of Ac. 109.690 at village Takua for the displaced families of village Jarada was objected by the villagers of Takua and one WP (C) No 3043/2013 has been filed. Counter affidavit on behalf of Govt. has been filed. The G.M, Kaniha asked for help of District Administration/Govt. for early disposal of the case. The RDC suggested to expedite the case in consultation with the Advocate General Odisha. Sub-Collector opined that the villagers of Jarada should immediately be displaced for advancement of mining activities of Kaniha O.C.P.

(f) **Shifting of village very nearer to Railway siding at Deulabeda**

Decision has been taken in the last Sub-Committee meeting Dt. 12.07.2013. The Director (Personal) MCL has sought clarification from Govt. which is awaited. After receipt of clarification from Govt. decision will be taken in the coming RPDAC.

(g) **MJSJ Coal Ltd. Gopalprasad OCP**

Hon'ble M.P. Dhenkanal discussed in detail regarding problem of Kankarei & Balichandrapur and it was decided that after 02 months a meeting of villagers will be taken. Separate RPDAC for M.J.S.J should be formed within one month. The Socio economic Survey conducted by I.R.D.M.S for 10 villages was approved.



The resettlement site in village Kankarei measuring Ac. 83.48 and Ac. 06.00 for village Balichandrapur for project displaced families of Gopalprasad approved in the last RPDAC was confirmed by Chairman RPDAC.

(h) **Land Lost in village Telipur, Khuringa, Nathagan, Solada old acquisition**

It was decided to expedite the disposal of job rehabilitation cases by MCL within 02 months.

(i) **Opening of Medical College at Talcher**

The matter was discussed with the Hon'ble Chief Minister and Hon'ble Health Minister. Stage-I Forest clearance has been obtained by previous Collector. Stage-II clearance has not yet been received. Approval of MCL Board has been obtained in its 155 meeting held on 05.02.2014 to engage M/S National Building Construction Company from concept to commissioning, Mahanadi Institute of Medical Science will have intake capacity of 100 per year including conversion of 115 beded existing Nehru Satabdi Central Hospital to 500 beded Multi specialty Hospital at Talcher. Execution of M.O.U between Governor of Odisha and Mahanadi Coal Fields Ltd. is in process. The Hon'ble M.P & Hon'ble MLA, Talcher deliberated for early opening of Medical College and classrooms. The CMD clarified that class will be started after completion of infrastructure and after getting Stage-II clearance. Hon'ble MLA, Talcher and Collector agreed that there should be a date line for starting and completion of the project. After thread bare discussion it was decided that a dedicated wing be opened to follow the action to be taken. CMD agreed to the proposal.

(j) **Periphery Development Fund of MCL**

- (i) It was discussed and decided in the last RPDAC that concerned G.P would take the mentainance work out of MCL fund.
- (ii) MCL shall create and develop the water source and ensure supply of clean & quality drinking water for the affected periphery villages.
- (iii) As per CSR policy of MCL, it is to extend fund utilization for periphery villages up to 15 KMs and utilise on asset generated scheme.
- (iv) MCL shall develop a flower garden at Deulajhari, Athamallik. Funds would be released by MCL after receipt of the project list from District Administration.
- (v) All the member would submit project proposals to be routed through Panchayat Samiti /NAC/Municipality. A committee consisting of P.D, DRDA, LAO, Hon'ble MPs & Hon'ble MLAs of Area would examine the expenditure incurred & new projects to be taken up by November and finalize in next RPDAC.



- (vi) Clarification from Government in Panchayat Raj Department/Revenue Department shall be sought regarding execution of projects in acquired villages of MCL, whether development activities would be continued after issue of notification U/S 4(i) of Land Acquisition Act 1894/C.B.A (A & D) Act, 1957 out of Government fund or periphery development fund.

Compliance

The detail status of the projects is given in **Annexure-B**. The expenditure position is very poor and unsatisfactory. Projects are found incomplete since long. The existing engineering Department is not able to complete the work in time.

The Hon'ble MLA, Talcher suggested that one separate wing of Engineering Section may be provided by MCL by out sourcing to improve the quality of work of construction. The CMD opined that it may not be possible.

Hon'ble M.P, Dhenkanal suggested that the P.D funds should be utilized properly.

The Collector intervened and suggested that if P.D funds will be utilized by the same existing Engineering Agency of Govt. execution of Civil work will be hampered. So, 6 nos. of dedicated Engineers are to be provided by MCL, who will execute the PD work MCL will provide Rs. 1.5 lakhs per month to a separate dedicated wing to execute the work and Hon'ble MP, Dhenkanal suggested to implement the work from 1st April i.e. Utkal Divas. RDC suggested that the modality will be decided in the Sub-Committee.

4. (a) **Fixation of Cut off date of village Hensamul**

The CMD clarified that regarding fixation of Cut-Off-Date, the Policy is very clear. So as per policy, Cut-Off-Date should be fixed.

The Hon'ble MLA, Talcher suggested to fix-up Cut-Off-Date, as the Cut-Off-Date of last phase of acquisition in Hensmul. It was decided that no action should be taken by MCL and status quo be maintained.

(c) **R & R issue of village Badajorada**

On the rehabilitation issue of village Badajorada and the case of Digamber Garnaik it was discussed earlier. The Hon'ble M.P., Dhenkanal expressed displeasure

since the matter is pending since last decade, in spite of decision in RPDAC and Sub-Committee so many times. The MCL authorities did not respond and did not take any action on it. The MCL has taken the plea that the land oustee is coming under category "E" and not eligible for employment. The Hon'ble MLA, Talcher clarified that there was no categorization when land of Sri Garnaik was acquired. RDC opined that decision of RPDAC can not go beyond the Govt. rule and Policy. It will only recommend to Govt. for decision and clarification. In similar nature of cases, precedents have to be examined by Collector.

(d) R & R issue of village Danara

Deliberation was made for rehabilitation issue of village Danara. CMD of MCL opined that the person born after cut-off-date should not be entitled for job. Hon'ble MLA, Talcher said that at least one person from displaced family should get job because he has lost everything like land, house, lively hood etc.

Chairman stated that if it is not within the perview of R & R Policy such type of cases can not be decided in RPDAC, The proposal may be recommended to Govt. for taking decision. Further Chairman directed that the matter may be placed before PLRRC before recommendation to Govt.

(e) R & R issue of village Balanda & Natada

As the matter is same in case of village Balanda & Natada, these cases are to be decided in PLRRC and if necessary, matter may be referred to Govt. for clarification as suggested by Chairman.

5. Payment of Compensation amount of Deshkoth property

It was decided in the last Sub-Committee Dt. 02.08.2013, that Deshkoth property shall be utilized in the settlement colony in development works where minimum of 10 nos or more are settled. Funds would be provided proportionate to the habitants of settlement site. The Hon'ble MLA intervened in the matter and did not agree with the decision of the Sub-Committee.

The Chairman opined that the matter may be discussed with the villagers and resolution of the discussion may be placed in the PLRRC and appropriate decision may be taken as decided in RPDAC.

(5) Approval of Socio Economic Survey of Project Affected 10 Nos. villages of Ananta OCP (Extn.), 15 MTY under Jagannath Area, MCL conducted by IRDMS, Bhubaneswar.

- (I) The matter relates to fixation of compensation.
- (II) MCL has given the details of R & R information in **Annexure-I**

- (III) It was directed by the Chairman that the matter may be referred to Govt. of Odisha.
- (IV) A hard copy of the power presentation may be given to Collector for reference as suggested in the RPDAC.
- (V) It was decided that a reminder may be issued to Govt. for posting of R.O.
- (VI) Who want to participate in the discussion relevant to their village may be allowed to participate with the permission of the house.
- (VII) Complied.

3:- Approval of the Proceeding of the last Sub- Committee meetings of MCL held on 12.07.2013, 27.07.2013 & 02.08.2013.

The proceeding of the Sub-Committee was approved subject to observation of RPDAC today.

4:- Review of action taken on decision of the Sub-Committee meetings of MCL held on 12.07.2013, 27.07.2013 & 02.08.2013 :

Action taken report at Annexure.

5:- Different R & R issues of MCL

(a) Providing job rehabilitation under R & R Policy, 2006 (Category wise)

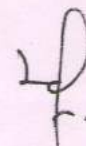
This matter has been discussed earlier and action may be taken as per provision of R&R Policy.

(b) Extending rehabilitation benefits twice to a particulars family who have lost land & dwelling house in 2nd phase acquisition (Nominee minor to the cut-off-date in 2nd phase acquisition)

As above.

(c) Extending rehabilitation benefits to Grand son/Grand daughters.

The CMD, MCL stated that they are not in favour of providing Rehabilitation Benefit beyond the purview R & R Policy. However the Chairman decided that proposal may be moved to Govt. to make a general Policy fixing criteria for job rehabilitation to grandsons as per 1989 Policy.



(6) Approval of Socio-Economic Survey of project affected 10nos villages

Approved subject to due process for finalization, inviting and disposing of objections from villagers.

(7) Providing separate resettlement benefit to RT/Awardee in addition to all major sons irrespective of marital status.

R & R Policy should be followed if there is any deviation in one case the similar nature of subsequent cases are to be provided job.

(8) Providing resettlement site over Coal Bearing Area i.e. Balandapasi to land oustees of village Hensmul (Talasahi)

It is a legal matter. RPDAC can not intervene and take a decision since the matter is subjudice in the Hon'ble High Court in WP(C) No17257/2013.

District Administration will examine the case and take decision. The Sub-Collector, Talcher may find out alternate site.

(9)-Proposal submitted by MCL Management:-

(I) Providing employment benefit to female nominees of land oustees:-

The proposal of MCL providing lucrative cash grant in lieu of employment to female nominees was not accepted by the Chairman of RPDAC. It is the internal matter of MCL and is to be sorted out by MCL.

(II) Alienation of Government land for resettlement of project displaced families of MCL:-

The proposal should be confirmed by the Hon'ble MLA's and land oustees. This should be done in PLRRC, who will look after R & R site. Hon'ble MLA, Talcher stated that amount given under "SWARN YOJANA" is not sufficient. The amount should be raised. The Collector will discuss with CMD. The family who have not received money and not moved out will be covered under "SWARN YOJANA".

The Collector will take a separate meeting of the villagers to take consent of the displaced families. If the displaced families are willing to receive, then it should be expedited.



HINGULA AREA

(III) Resettlement of Gopal Prasad

After discussion it was decided that each project displaced family is entitled for separate resettlement benefit. Separate family status shall be treated as per family definition of 1989 R & R Policy of Govt. of Odisha. A major unmarried son shall only be treated as separate family for resettlement benefits if he has been separated from original family on or before the date of notification of land acquisition.

Further MCL authorities informed that the displaced families except 16 families of village Gopalprasad were proposed to be paid cash compensation in lieu of plots. MCL agreed to offer ;

- 1) Rs.5,32,000/- per family as resettlement benefits to those who have already demolished their houses before cut-off date i.e. 15.05.2010 stipulated in SWARNA YOJANA of MCL and have not received Rs.60,000/- as cash in lieu of homestead plot. This is necessary to help the people tide over the appreciation in the cost of land as most of these families continue staying in the village by way of temporary accommodation.
- 2) For those families who have demolished their structures/houses after 15.05.2010 and who are going to demolish their structures/houses at the time of joining in MCL may be paid cash compensation of Rs.5,32,000/- + incentive of Rs.1,00,000/- /Rs.75,000/- / Rs.50,000/- for demolishing houses within 01 month/02 months/03 months respectively as per the terms and conditions of the SWARNA YOJANA of MCL. This category includes the families who have consented to move out by taking cash compensation/given affidavit by agreement but have not moved out yet.
- 3) The villagers have been requested to demolish their structures/houses and vacate their place immediately so as to get all rehabilitation benefits as per R & R Policy and total village should be vacated without any hindrance.

(IV) Consideration of date of recommendation of award by G.M. Hingula Area in respect of Konark Block as cut-off date for processing R&R benefits.



In the 9th RAC dt.18.06.2001, it was decided that when ever MCL is not able to pass award within 4 years time limit from date of 7(1) notification under CBA(A&D) Act, the matter of fixing up of the cut-off date for job rehabilitation would invariably be put up before the RAC for decision.

Regarding cut-off date for the purpose of rehabilitation benefit, it was decided in the 1st RPDAC meeting that the date of release of the award from the Ministry of Coal will be the cut-off date.

Since there has been considerable delay of award after 7(1) notification on 10.10.2007, it is decided in the light of decision taken in 9th RAC dt.16.08.2001 that the R&R issues of village Solada, Telipur, Khuringa, Prasan Nagar and Banabaspur coming under Konark Block, shall be taken considering the date of recommendation of award by G.M. Hingula area as cut-off date to initiate R&R process e.g. sponsoring, screening etc. for employment of eligible members of land oustee families. However, date of release of the award from the Ministry of Coal shall be taken as cut-off date to consider left out R&R cases, if any, coming under Konark Block.

(v) Review of the issue of village Natada in regard to compensation as discussed in the Sub-Committee meeting and consideration of land rate for award of compensation:

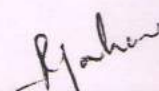
The case of Natada is discussed earlier. In regard to compensation, Govt. guideline is to be followed.


(10) Any other matter permission of the Chair

Proposal:-The rehabilitation Officer, MCL, Angul may be Co-opted as a member of the RPDAC.

Proposal was accepted by the Chairman.

The meeting ended with vote of thanks to the Chair & participants.


Collector, -cum- Convener
RPDAC, MCL, Angul


R.D.C (N.D)-cum-Chairman
RPDAC, MCL, Angul

DISTRICT OFFICE, ANGUL

Memo No. 577 / L.A. MCL Dt. 30.05.2014.

Copy submitted to all the members of rehabilitation & Periphery Development Advisory Committee of MCL, Angul for favour of kind information and necessary action.

[Signature]
30.5.2014
Addl. District Magistrate,
Angul

Memo No-578 dt. 30.05.2014.

Copy submitted to Deputy Secretary to Government, Revenue & Disaster Management Department, Odisha, Bhubaneswar/Deputy Secretary to Government, Steel & Mines Department, Odisha, Bhubaneswar for favour of kind information and necessary action.

[Signature]
30.5.2014
Addl. District Magistrate,
Angul

Memo No. 579 dt. 30.5.2014

Copy forwarded to the General Manager, L & R, MCL headquarters, Jagruti Vihar, Burla, Sambalpur/ General Manager, Hingula Area, MCL, Talcher/ General Manager, Bharatpur Area, MCL, Talcher/ / General Manager, Jagannath Area, MCL/ General Manager, Lingaraj Area, MCL/ General Manager, Kaniha Area, MCL/ General Manager, Talcher Area, MCL, Talcher/ for information and necessary action.

[Signature]
30.5.2014
Addl. District Magistrate,
Angul

Memo No 580 dt. 30.5.2014.

Copy submitted to Secretary to R.D.C (N.D), Sambalpur for kind information and necessary action.

[Signature]
30.5.2014
Addl. District Magistrate,
Angul

Memo No 581 dt. 30.5.2014.

Copy submitted to Director Personal, MCL headquarters, Burla, Sambalpur/ Director Technical, MCL, headquarters, Burla, Sambalpur for information and necessary action.

[Signature]
30.5.2014
Addl. District Magistrate,
Angul

**PROCEEDINGS OF THE 9TH REHABILITATION & PERIPHERY DEVELOPMENT ADVISORY COMMITTEE (RPDAC)
MEETING OF MCL HELD ON 02.06.2015 AT CONFERENCE HALL, COLLECTORATE, ANGUL**

The Revenue Divisional Commissioner, Northern Division, Sambalpur was in the Chair.

The names of the members and invitees present in the meeting are at Annexure – A.

At the outset, Collector, Angul extended warm welcome to all the members and invitees present in the meeting. Discussion and decisions were made as per agenda.

Sl. No.	Subject	Agenda for Discussion	Decision taken in the RPDAC meeting
1.	Confirmation of proceeding of last RPDAC meeting of MCL held on 04.03.2014		Confirmed.
2	Review of Action Taken on the proceeding of the 8 th RPDAC meeting of MCL held on 04.03.2014.		Review the action taken on the proceeding of the 8 th RPDAC meeting held on 04.03.2014.
2 (a) Page 1 of 9	Regular sitting of Sub-Committee meeting of MCL	During the year 2014 no Sub Committee meeting has been convened. Director, Technical, MCL has written to RDC, N.D., Sambalpur that it would not convenient for MCL to convene the Sub Committee vide his letter No. 04 Dt. 04.03.2013. It has already been decided in the 8 th RPDAC held on 04.03.2014 that MCL authorities will adhere to the decision. Hence, MCL to take action for convening the Sub Committee as per stipulated date.	After threadbare discussion it was decided that the Nodal G.M. of MCL will convene the Sub Committee meeting on 1 st Friday in the month of January, April, July and October of each year with approval of Collector.

13	Acquisition of village Raghunathpur & Joragadia.	<p>4. Falling of land due to underground mining activities without proper sand stowing.</p> <p>5. Falling of oil water over-standing crops.</p> <p>6. Construction of SILO at the end of the village. Copy of the request letter of the villagers at Annexure – XII.</p> <p>This may be discussed.</p>	<p>It was decided that MCL to take suitable action to file requisition towards acquisition of the entire village Raghunathpur and Joragadia. This may be discussed and Sub Committee may take suitable decision.</p>
14	<p>(RAGHUNATHPUR – ANANTA OCP)</p> <p>JORAGADIA – BHARATPUR OCP)</p>	<p>Similarly, vill- Joragadia has been surrounded by mining area and part of their village is under acquisition process. They demand full acquisition of the village due to pollution and safety.</p>	<p>It was decided that, MCL to take prompt action for development of Rani Park.</p>
15	<p>Development of Rani Park</p> <p>Acquisition of rest part of Basti Area of village Kaniha and Patharamunda.</p>	<p>The development work has been postponed due to filing of case in the Civil Court by the Contractor challenging the cancellation of work order due to non execution of work in time. MCL to take action for early disposal of the issue. This may be discussed.</p>	<p>It was decided in the Sub Committee meeting held on 02.08.2013 at Sl. No. 1 of page 20 to place this issue in the RPPDAC for suitable decision.</p> <p>As regards village Patharamunda the total area of the</p>

	<p>4. Felling of land due to underground mining activities without proper sand stowing. 5. Felling of oil water over standing crops. 6. Construction of SILO at the end of the village. Copy of the request letter of the villagers at Annexure - XIII. This may be discussed.</p>	
<p>13 Acquisition of village Raghunathpur & Joragadia. (RAGHUNATHPUR - ANANTA OCP) JORAGADIA - BHARATPUR OCP)</p>	<p>As decided in Sub Committee meeting Dt. 02.08.2013 that MCL shall examine for acquisition of entire village Raghunathpur due to mining operation area as closed as 100 mtrs. away from their village. CMD, MCL has been requested vide Dist. office letter No. 1277 dt. 29.11.2014 to file requisition to acquire land in village Raghunathpur since the claim of the villages is genuine. Copy of letter at Annexure - XIII. Similarly, vill- Joragadia has been surrounded by mining area and part of their village is under acquisition process. They demand full acquisition of the village due to pollution and safety.</p>	<p>It was decided that MCL to take suitable action to file requisition towards acquisition of the entire village Raghunathpur and Joragadia. This may be discussed and Sub Committee may take suitable decision.</p>
<p>14 Development of Rani Park</p>	<p>The development work has been postponed due to filing of case in the Civil Court by the Contractor challenging the cancellation of work order due to non execution of work in time. MCL to take action for early disposal of the issue. This may be discussed.</p>	<p>It was decided that, MCL to take prompt action for development of Rani Park.</p>
<p>15 Acquisition of rest part of Basti Area of village Kanha and Patharamunda.</p>	<p>It was decided in the Sub Committee meeting held on 02.08.2013 at Sl. No. 1 of page 20 to place this issue in the RPDAC for suitable decision. As regards village Patharamunda the total area of the</p>	<p>CMD, MCL informed the House that, acquisition case of village Patharamunda has already been initiated. It was decided that MCL to examine the issue and take action on acquisition of the rest part of Basti area of village -</p>

	<p>modernization of stadium near palace Talcher</p>	<ol style="list-style-type: none"> 1. Filling of good earths. 2. Construction of gallery and drain. 3. Iron barricade around the play ground. 4. Maintenance of Stadium i.e. electrification washing of club house. 5. Construction of the main gate. <p>The request letter and letter of Addl. Secretary to RDC (ND), Sambalpur at Annexure - XIV.</p> <p>This may be discussed.</p>	<p>It was decided to examine the Policy matter in the Sub Committee and to place in the next RPDAC for decision.</p>
<p>17</p>	<p>Proposal submitted by Hon'ble M.L.A., Talcher</p>	<ol style="list-style-type: none"> 1. Policy matter at Annexure - XV. 2. Consideration of Individual Cases for R&R benefit at Annexure- XVI. 	<p>It was decided that, individual cases as per the list should be jointly examined by Joint Committee consisting MCL authorities, Spl. LAO, MCL, Angul and Sub- Collector, Talcher as Chairperson.</p>

[Signature]
 Collector-cum-Convenor
 RPDAC, MCL, Angul

[Signature]
 R.D.C. (ND)-cum-Chairman
 RPDAC, MCL, Angul

PROCEEDINGS OF THE 10TH RPDAC MEETING IN RESPECT OF MCL PROJECTS OF ANGUL DISTRICT HELD ON 15.05.2018 AT 10.00 A.M. IN THE CONFERENCE HALL OF COLLECTORATE, ANGUL

The 10th RPDAC meeting of MCL Projects of Angul District was held on dt. 15.05.2018 at 10.00 A.M in the Conference Hall of Collectorate, Angul under the Chairmanship of the Revenue Divisional Commissioner (N.D), Sambalpur.

The members present in the meeting are at **Annexure – A.**

At the outset Collector & District Magistrate, Angul-cum-Convener of the RPDAC Meeting welcomed all the members and invitees present in the meeting. Collector said that this 10th RPDAC Meeting is held after lapses of more than 2years from the last RPDAC Meeting. Due to non finalization of many important issues which are enlisted in this Agenda problems like stoppage of coal production, transportation of Coal and Law & Order situation in the Talcher Coalfield Area have been encountered. Therefore he hoped the co- operation of all the members of the Committee for detailed discussion and decision for smooth running mining activities in Talcher Coalfield Areas. Thereafter, the Chairman of RPDAC meeting also welcomed the members as well as invitees present in the meeting. The Chairman requested the Collector cum-Convener to present Agenda wise issues for discussion and decision.

The agenda wise discussion held and decisions taken in the meeting are recorded as follows:-

Sl. No	Agenda	Decision taken
1	Confirmation of the proceeding of the RPDAC meeting of MCL held on 02.06.2015. The proceeding of the last RPDAC meeting may be confirmed at Annexure- 1.	Proceedings of the 9 th RPDAC Meeting are confirmed.
2	Review on action taken of the proceeding of the 9th RPDAC meeting held on 02.06.2015. Action taken on the proceeding may be reviewed at Annexure- 2.	Action has already been taken on the decisions of the previous meeting.
3	Approval of the proceeding of the last sub Committee Meeting held on 17.06.2015. The proceeding of the last Sub-Committee meeting held on 17.06.2015 may be confirmed at Annexure- 3.	The Proceedings of the Sub-Committee Meeting is confirmed.
4	Providing employment to the member of nucleus family – Child born on or before cut-off date and subsequently major under Odisha R & R Policy, 2006. In the meeting held on 21.03.2017 under the Chairmanship of Collector, Angul with the villagers	MCL authorities stated that employment has been provided to the major son, major grandson. major unmarried daughter, major unmarried granddaughter & major

	<p>of Solada, in presence of Hon'ble MLA, Talcher, CMD, MCL and other Dist. Level Officers, and MCL Officials, the Director (Personnel) MCL stated that MCL is not considering employment to the minors on the cutoff date and became subsequently major, as a member of nucleus family in case of the land oustee unwilling to take employment. In that case MCL is agreed to provide cash compensation in lieu of employment. Para- 8- II Type B-Mining Projects of Odisha R&R policy 2006 provides that, displacement and other affected family shall be eligible for employment by the project causing displacement. For the purpose of employment each family will nominate one member of the family at Annexure- 4. This may be discussed.</p>	<p>unmarried sister to the Project Displaced families in village Solada as per the amendment of Odisha R&R Policy 2006 vide resolution No. 29828-R&REH-1/2013/R&DM. dtd. 05.08.2013. The authorities of MCL stated that since all major son, major grandson, major unmarried daughter, major unmarried granddaughter & major unmarried sister of the family as on cutoff date i.e. 30.10.2014 are eligible for employment, the cases of those families for providing further employment to the minor children on the cutoff date may not be considered.</p> <p>The decision of agenda No.10 regarding eligibility is to be applicable to this case.</p>
5	<p>Providing employment to the wife due to subsequent acquisition of agricultural homestead land and dwelling house in case no eligible son and daughter is available in the family on the cutoff date.</p> <p>This issue was discussed in the meeting held on 30.11.2016 under the Chairmanship of Collector, Angul with the villagers of Gopal Prasad & MCL officials. The Director (Personnel), MCL stated that family means the person & his or her spouse, minor sons, unmarried daughters, minor brothers or unmarried sisters, father, mother & other members residing with him or her and dependent on him or her for his/ her livelihoods as per Paragraph 2(f) of Odisha R & R Policy, 2006. Since the wife is the part of family, she is not eligible to get separate employment for further acquisition of agriculture land, dwelling house in subsequent stages as her husband has already been employed earlier.</p> <p>It was decided to place this issue for detailed deliberation & decision in the RPDAC.</p>	<p>After threadbare discussion it was decided that the wife is eligible to get employment on subsequent acquisition of agriculture, homestead & dwelling house, if it is not his second home in case the family has no major son and major unmarried daughter on the cutoff date. Clarification of Govt. in Rev. & D.M Deptt. has been issued in this regard vide letter No. 14284 dt. 10.04.2007.</p>
6	<p>Providing employment to women divorcee where Court has observed that she was separated from husband prior to cutoff date, but marriage dissolved after cutoff date.</p>	<p>The Chairman opined that the orders of Court is the date for dissolution of marriage for consideration of employment. Hence the divorcee who has got decree after cutoff</p>

	<p>MCL is not agreed to provide the employment to the women divorcee whose marriage has been dissolved after Cut-off-date. MCL is taking the final date of disposal by Court as the date of separation.</p>	<p>are not considered for employment. The members of the committee suggested to consider the cases who had filed case prior to cutoff date but obtained decree after cutoff date. Therefore, it was decided the Spl. LAO, MCL, Angul and General Manager of the concerned Area to examine pending cases on above consideration within one month and submit a report to the Collector for approval. CMD, MCL agreed to the decision.</p>
7	<p>Providing employment to the valid adoption deed in case the name of adoptive father & mother has not been mentioned in the certificate issued by Board of Secondary Education, Odisha or from other higher institution.</p> <p>MCL is not agreed to provide employment to adopted son & daughters as member of nucleus family in case the adoptee father & mothers name has not been mentioned in the Certificate issued by Board of Secondary Education, Odisha or from other higher institution even if the adoption deed is found valid as per the opinion of Govt. Pleader.</p>	<p>After threadbare discussion the Chairman opined that MCL to consider the valid adoption deed in respect of pending cases for employment even if the adopted son/ daughter is not able to produce certificate from the Board of Secondary Education, Odisha changing his/ her adoptee father/ mother's name.</p> <p>The Spl. LAO, MCL, Angul & General Manager concerned Area are directed to examine these pending proposals on case to case basis regarding validity of adoption deed within one month and submit a report to Collector for approval. CMD, MCL agreed to the decision.</p>
8	<p>Providing employment to the land oustee Category I & II and cash compensation other categories under Odisha R&R Policy 2006, if the tenancy land will be acquired in respect of non Coal bearing Area for the purpose of resettlement site for accommodation of Project Displaced Families of MCL.</p> <p>As per Para-3 of Letter No. 671/ R & D.M Dt. 05.01.2012 of Revenue Disaster Management Department, Govt. of Odisha, that R & R Colony is an integral part of the mining project and the displaced family shall be entitled for the same R & R package as in the case of mining project. Only</p>	<p>The MCL authorities informed the House that MCL is considering employment to displaced families coming under coal bearing areas. There is no instruction from the Ministry of Coal to provide employment for acquisition of non coal bearing area for the purpose resettlement site. It was decided that MCL should move the Ministry of Coal, Govt. of India for consideration of above issue.</p>

	<p>in the cases where land is to be acquired for roads beyond the mining area, the R & R benefits may be regulated by the R & R package applicable for linear projects at Annexure- 5. But MCL is not agreed to provide employment in case acquisition of tenancy land in non coal bearing area for this purpose. The opinion of MCL is that employment can be provided on acquisition of land in Coal bearing areas only.</p>	
9	<p>Providing cash compensation in lieu of plot in case of non-availability of Govt. land or tenancy land for accommodation of project displaced families.</p> <p>At present 5208 Project displaced Families have not been provided with resettlement plot due to non availability of non-forest Govt. and non coal bearing area or tenancy land. In the meantime, MCL has enhanced the rate of cash compensation in lieu of plot from ₹ 3.00 lakh to ₹ 6.00 lakh with effect from 01.11.2016 at Annexure- 6.</p> <p>But the P.D.Fs. are not agreed to receive cash compensation although they have already been provided employment. The market rate of the land in and around Talcher and Kaniha area is more than the amount of compensation for resettlement plot. Very often time, this issue is causing stoppage of mining activities. Due to scarcity of Govt. land as well as tenancy land, the resettlement plot with an area @ Ac. 0.10 to each PDF may not be possible. Hence, a decision may be taken in case of the PDF opts a plot he may be provided a plot of an area of Ac. 0.05 and cash compensation for the rest area of A. 0.05. Hence M.C.L. may be advised to enhance the amount of compensation amount more so as to encourage the P.D.Fs. to accept the cash compensation for Plot instead of demanding resettlement plot.</p>	<p>The members of the Committee suggested that the present amount of Rs. 6.00 lakh for resettle plot is to be enhanced to Rs. 16.00 lakh so that the displaced families who have not yet shifted dismantling their dwelling houses etc. will accept the amount and shift voluntarily to their self relocation. The members of the Committee also suggested for enhancement of cash compensation in lieu of employment from Rs. 16.00 lakh to Rs. 32.00 lakh.</p> <p>After threadbare discussion it was decided that MCL authorities should take necessary steps for obtaining approval from their competent authorities for payment of cash compensation in lieu of plot @ Rs. 16.00 lakh and cash compensation in lieu of employment @ Rs. 32.00 lakh.</p> <p>The CMD, MCL agreed to the proposal and requested for shifting of all PDFs on receipt of compensation in higher rate.</p>
10	<p>Fixation of cutoff date for providing R&R benefits to the eligible PAFs in accordance with the amendment made by Govt. in Revenue & D.M. Deptt.</p> <p>The R&R benefits are being provided to the eligible land oustee/ nominees considering their age as on cutoff date as per the decision taken in the 2nd RPDAC meeting held on 22.06.2007 and</p>	<p>The members of the Committee informed the House that MCL is not implementing the Odisha R&R policy 2006 in toto. As per amendment of Odisha R&R policy vide resolution No. R&REH-31/2017- 43265/R&DM Dt. 15.12.2017 for the purpose of</p>

subsequent clarification of RDC, ND, Sambalpur – cum- Chairman, RPDAC, MCL vide letter No. 96/LA. Dt.16.01.2008 at **Annexure- 7**. Para -2 (c) – Note of Odisha R&R Policy 2006 has been amended vide Resolution No. 43265/R&DM. Dt. 15.12.2017 as follows at **Annexure- 8**.

“for the purpose of declaring eligibility for R&R benefits,, only the 1st date of January of the year in which physical displacement is scheduled to take place i.e. when the collector issues certificate of completion of resettlement. Government would give one date and once for all for declaring the eligibility of the deserving persons/ families to the R&R benefits. The families deciding to opt for self –relocation would also be bound by the said cutoff- date.

In case the entire village opt for self relocation the 1st January of the year in which the 1st installment of R&R assistance is paid or ordered to be paid to the displaced families of the village shall be the cutoff date for determining eligibility for R&R assistance”.

Besides, as per amendment in the 1st proviso to Para 7 of Odisha R&R Policy, the 1st option of displaced families for resettlement and rehabilitation can be changed within a period of six months from the date of exercise of 1st option.

This issue may be discussed regarding continuance of present system of cutoff date i.e. date of passing award for providing R&R benefit or to implement the decision of Govt. as amended as on 15.12.2017 because MCL is not agreed to provide R&R benefits twice to a particular family losing same land and structure considering the date of passing of award as cutoff date and 1st January of the year in which the Physical displaced is scheduled to take place

declaring eligibility for R&R benefits, only the 1st date of January of the year in which physical displacement is scheduled to take place is to be taken as cutoff date to provide R&R benefits. MCL has provided employment in 9 villages as per the Odisha R&R policy 2006 basing on the cutoff date i.e. passing of award by Ministry of Coal Govt. of India but the PDFs have not shifted due to non availability of resettlement plot. Therefore, the Committee suggested that the minor son, grandson, daughter, granddaughter and sister who have attained major or to be major on the 1st date of January of the year in which the physical displacement to take place they may be provided employment.

The MCL authorities, stated that MCL has provided employment to the PDFs abiding decision taken in the 2nd RPDAC meeting held 22.06.2007 and subsequent instruction of RDC (ND) Sambalpur vide letter No. 96 XLII-56/07 / 96 dt. 16.01.2008 of A.F.A - cum- Under Secretary, to RDC (ND) Sambalpur. The latest resolution, Govt. of Odisha that 1st January in which physical; displacement is scheduled to take place will be the cutoff date and when the Collector issues certificate of completion of resettlement, can be implemented for the villages in which no employment benefit has been processed till date but not in villages where employment has already been processed/given.

After threadbare discussion the following decisions were taken.

	<ol style="list-style-type: none"> 1. The Odisha R&R policy- 2006 as amended on 15.12.2017 shall be implemented prospectively in respect villages under process for payment of compensation and R&R benefits and the villages to be processed in future. 2. The minor on the cutoff date but now major and to be major on the 1st January of the year in which physical displacement scheduled to take place for providing employment contravenes the provisions of Odisha R&R Policy, 2006. Therefore the cases of minor shall be referred to Govt. for clarification / decision. 3. The existing practice for providing employment as per the decision of 2nd RPDAC meeting of MCL held on 22.06.2007 to be continued till receipt of clarification of Govt.
<p>11 Providing cash compensation/ Annuity in lieu of employment in case of original family/ separate family who are not interested to take job instead of nominating female nominees for employment.</p> <p>MCL is not agreed to provide employment to female nominees as females are prohibited to work in the mining areas as per provision of Mining Act. Therefore MCL is suggested for providing cash/ annuity in lieu of employment in case the land owner is unwilling to take employment. Keeping in view, MCL has enhanced the cash compensation in lieu of employment from Rs. 10.00 lakh to Rs. 16.00 lakh with effect from 01.11.2016.</p>	<p>The committee decided that MCL will provide employment/ cash in lieu of employment/ annuity as per option given by the PDF.</p>
<p>12 Providing R&R benefits to the PDFs/ PAFs of village Patharamunda considering the balance land deemed to have been acquired under Odisha R&R Policy 2006.</p>	<p>The members of the Committee suggested that finalization of rehabilitation benefits to the land losers of village Patharmunada will</p>

An area of Ac. 109.69 non forest Govt. land was identified in village – Takua for resettlement of 684 PDFs of village – Jarada. But due to stiff resistance of the villagers of Takua MCL has been requested to provide land from their acquired land under C.B.A. in village – Patharmunda for the purpose. Since the land of village- Patharmunda is non coal bearing area and acquired for the purpose of O.B. dump etc., the Ministry of Coal has approved an area of Ac. 200.06 out of their acquired land Ac. 556.13 including Ac. 284.77 tenancy land at **Annexure- 9**.

The villagers of Patharmunda are obstructing for infrastructure development work at approved resettlement site for the PDFs of village – Jarada demanding rehabilitation and resettlement plot in their own village.

Out of total land of Ac. 668.64 of village – Patharmunda, an area of Ac. 556.13 has been acquired by MCL. The percentage of acquisition is 84.13 of total land and 79.12 of tenancy land. The balance tenancy land is mainly Basti area and houses. Due to non acquisition of homestead land and dwelling house the majority land losers family are not coming under category I and II for R&R benefits. The C.M.D., MCL has been requested vide Dist. Office letter No. 1469/LAMCL. DT. 20.07.2017 to provide R&R benefit considering the balance land to be deemed acquired at **Annexure- 10**.

Shifting of PDFs of village – Jarada is long standing issue and the villagers are frequently obstructing the mining activities and not allowing the area already acquired by MCL for coal extraction. They have also not co-operating for passing of Gram Sabha resolution for issue of NoC under FRA in respect of 45.72 ha. forest land. If the issue of village- Patharmunda will be finalized, then MCL will be able to get vast land in village – Jarada and Forest land of 45.72 ha for mining activities. Besides, the PDFs of other villages can also be accommodated on the area already been approved by the Ministry of Coal for resettlement site. This may be discussed and decision taken.

solve the resettlement issue of PDFs in respect of village Jarada, Kansamunda, Jamania & Adwaitaprasad. Since more than 84.13% of land has been acquired in village Patharmunda, the balance tenancy land mainly Basti area should considered as deemed to be acquired for the purpose of providing rehabilitation benefit to the land loser of village Patharmunda.

After threadbare discussion the House recommended that the balance area measuring of Ac. 66.434 tenancy land may be treated as deemed to be acquired for consideration of rehabilitation benefit to the land losers of village Patharmunda. MCL shall move the proposal to Ministry of Coal, Govt. of India for approval as a special case. This will solve the major problems of resettlement sites and help MCL for higher coal production. CMD, MCL agreed to the above decision.

13	MCL is not considering providing employment to the handicapped of more	It was decided that all the pending
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than 40% in case of handicapped certificate issued by the competent authority issued after Cut-off-Date.

As per Paragrah - 2 (f) (iii) Odisha R & R Policy 2006-

(iii) Physically and mentally challenged person irrespective of age and sex; (duly certified by the authorized Medical Board). For this purpose, the blind/ the deaf/ the orthopedically handicapped/ mentally challenged person suffering from more than 40% permanent disability will only be considered as separate family. But the certificates issued after the cut-off date is not being considered by MCL to provide employment

handicapped cases are to be examined by Spl. LAO, MCL and General Manager of concerned Area and submit a report to the Collector for approval. CMD, MCL agreed to the decision.

14 **Approval of 1088 PDFs of village Kalamachhuin for providing resettlement benefit.**

A list of 1512 Project Displaced Families of village – Kalamchhuin has been jointly identified for providing resettlement plot. But the G.M Hingula Area has resubmitted a list of 1088 PDFs for providing plot by excluding 431 PDFs of following categories for approval by RPDAC.

1	Father + unmarried major son	214
2	Widow mother including major married son / major unmarried son	116
3	Grand son	93
4	Unmarried daughter more than 30 years	05
5	Disability	01
6	Married daughter	02

The major unmarried son & father, the married son & major unmarried son with widow mother have been considered for one plot jointly instead of two plots for the family. The Govt. of Odisha in Revenue & DM Deptt. vide their letter No. 671 Dtd. 05.01.2012 at Para- 4 **Annexure- 5** advised MCL to provide house site etc. separately to the

After threadbare discussion it was decided that Collector will form a Sub- Committee for detail examination of the proposal submitted by General Manager, Hingula area and submit the list of eligible PDFs to Collector for approval of resettlement benefit in respect of village Kalamachhuin.

<p>original family as well as to each of the separate family as per the Odisha R&R policy 2006.</p> <p>Original family means the family, which at the time of notification under provisions of relevant Act.(s) is leaving together in a single house hold with a common kitchen. (As per Paragraph- 2(J) of Odisha R&R policy 2006).</p> <p>Separate family means a major son irrespective of his marital status, un married daughter/ sister more than 30 years, physically and mentally challenged persons suffering from more than 40% permanently disability, minor orphan who has lost both his/ her parents and a widow or a women divorcee (as per Para-2 (F) i, ii, iii, iv, v respectively of Odisha R&R policy 2006) MCL is not agreed to provide separate plot/ cash to the above category of separate families.</p> <p>This may be discussed for finalization and approval of PDFs in village Kalamchhuin for resettlement benefit.</p>	
<p>15 Providing employment to 27 nominees of village Jambubahali alike other 127 persons already provided employment even if their homestead land has been de-notified.</p> <p>An area of Ac. 246.58 tenancy land including Basti area of village Jambubahali was notified under L.A Act. vide 4(1) notification No. 69849 dtd. 03.11.1982 for Bharatpur Open Cast Project. Subsequently, the Basti area measuring Ac. 22.95 has been de-notified vide notification No. 62113 dtd. 21.12.1999 under section 48 (1) of the LA Act. 1894 at Annexure- 11 as the villagers were not agreed to shift Kuio jungle resettlement site.</p> <p>Prior to de-notification of the Basti area, MCL has provided employment to 127 land losers/ nominees as package deal to facilitate shifting of entire village to the new resettlement site at Kuio Jungle.</p> <p>MCL is not considering to provide employment to 27 nominees identified later on due to de notification of the Basti area of their family. In the Sub-Committee meeting held on 02.08.2013 this</p>	<p>Members including Hon'ble M.L.A, Talcher and M.P, Dhenkanal requested MCL to consider the rest of 27 cases as de-notified of Basti area as per as practicable.</p> <p>The Chairman opined that the decision of Sub-Committee Meeting held on 02.08.2013 is final. Hence the hearing on WP(C) cases pending in the Court of Collector should be disposed off accordingly.</p>

issue was discussed at Para- 9 and decided that these 27 nominees were not considered for job benefit as their landed property against which the nominee cases were sponsored has been de-notified and returned back to the tenants at **Annexure- 12.**

The Sub-Collector, Talcher, vide his letter No. 9364 Dt. 06.10.2015 has forwarded the petition of Jambubahali Gramya Committee to place the matter in the next RPDAC meeting for decision. In the meantime 22 W.P. (C) cases filed by the villagers for providing employment have been remanded to the Collector, Angul to consider the representation filed by the petitioners vide Annexure-8. In the petition dated 22.08.2016 (copy enclosed) at **Annexure- 13** the petitioners have requested to consider their cases for employment by convening the RPDAC meeting.

16 **Consideration of left out eligible cases of village Balanda for providing Rehabilitation benefit.**

In the last Sub-Committee meeting held on 17.06.2015 it was recommended to consider the eligible cases after field enquiry and MCL to take more care that no eligible land oustees are deprived of R&R benefit. The General Manager Jagannath Area has been requested vide Dist office letter No. 1355 dt.31.08.2015 to cause an enquiry to such left out cases and furnish the list with detailed status for taking further action at District level.

In the meeting held on 17.11.2017 under the Chairmanship of Dy. Collector, Talcher, and it was decided that the Jagannath area to cause an enquiry in respect of 27 grievance petition and to submit a report the Sub-Collector, Talcher, Spl. LAO, MCL for taking further action at their end. The Spl. LAO, MCL has forwarded a detailed land particulars family genealogy along with grievance petition of Madan Mohan Sahoo and other 16 to G.M. Jagannath area vide his letter no.1372 dt. 20.06.2016 for taking further action at his end.

A meeting was taken by the Staff Officer L&R Jagannath area with the villagers of Balanda on 14.11.2017 for consideration of R&R benefits to eligible cases as per the decision of the Sub-Committee. In the said meeting the villagers were intimated that MCL Hqrs. clarified that a decision taken by RPDAC cannot be reopened by Sub-

The Chairman opined that since the employment claims of 54 cases of village Balanda has already been decided in the RPDAC Meeting held on 09.11.2012 and freezed, the other 27 cases, beyond these 54 cases will not be reopened. The members of the Committee suggested that beyond 54 cases some of the families have not provided with any R&R benefits. Hence, these cases may be re-examined. It was therefore decided that the Spl. LAO, MCL & General Manager Jagannath Area should examine the pending 27 cases and submit a report to the Collector, within a month for decision. CMD, MCL agreed to the decision.

	<p>Committee. In the RPDAC meeting held 09.11.2012 that cases beyond 54 cases of village Balanda will not be considered as they are very old and before implementation of R&R policy Govt. of Odisha (Minutes of meeting on 14.11.2017 at Annexure- 14).</p> <p>However it was decided that the claim of the Grievance petitioner will be placed before the coming RPDAC for decision.</p> <p>This may be discussed</p>	
17	<p>Grievance of the villagers Langijoda for R&R issues.</p> <p>The villagers have requested to consider disparity on payment of resettlement benefit. They stated that 392 PDFs have received cash in lieu of resettlement benefit @ Rs. 60,000.00 each at a time. But subsequently 84 PDFs out of 392 PDFs have been paid more resettlement amount. This has created discontentment among the balance 308 PDFs who have not been paid the same. MCL to apprise.</p>	<p>After threadbare discussion it was decided that MCL is to provide resettlement benefit to the PDFs of village Langijoda who have not yet been shifted from the village alike 84 PDFs out of 392 PDFs of village Langijoda.</p>
18	<p>Providing employment to 93 Grandsons under Uniform Guidelines 1989.</p> <p>A list of 93 Grandsons who were major on the cutoff date but debarred from employment as 2nd, 3rd, 4th and 5th grandsons of the land losers. After examination of the list MCL is agreed to provide employment 25 Grandsons under Odisha R&R Policy 2006 and in accordance with letter No. 35231/R&DM. Dt. 22.11.2014 of Revenue & D.M. Deptt at Annexure- 15. M.C.L. is not agreed to provide employment to the balance 68 grandsons who were major and coming under Uniform Guidelines 1989 at Annexure- 16.</p>	<p>The Chairman opined that since MCL has considered to provide employment 25 grandsons out of 93 grandsons in accordance with the letter No. 35231/R&DM. Dt. 22.01.2014. No further consideration is required in respect balance 68 grandson cases.</p> <p>The members of the Committee informed that the balance 68 grandsons were major on cutoff date in respect of their village. The families of these grandsons have not yet shifted from the village due to non allotment of resettlement site. So their cases may be considered.</p> <p>Hence, MCL is requested to consider those cases for employment.</p>
19	<p>Payment of differential cash compensation at enhanced rate in lieu of resettlement plot in case the land oustee neither received the sanctioned amount nor shifted by demolishing his dwelling house.</p> <p>Cash compensation in lieu of resettlement plot</p>	<p>The members of the Committee stated that MCL may be advised to pay cash compensation in lieu of plot to the PDFs of village Gopal Prasad as decided by the MCL in presence of villagers. They further stated</p>

	<p>has been enhanced by MCL from ₹ 3.00 lakh to ₹ 6.00 lakh with effect from 01.11.2017. But MCL is not agreed to pay the differential amount at enhanced rate in case the cash compensation has already been sanctioned but not received by the concerned land loser.</p>	<p>that some of the PDFs whose land acquired in subsequent phases have not been enlisted for resettlement benefits.</p> <p>After threadbare discussion the Chairman directed the Spl, LAO, MCL to invite the petition from the concerned land loser who have eligibility to get resettlement benefit within one month and after examination submit eligible list to Collector for approval. CMD, MCL agreed to the decision.</p>
20	<p>Acquisition of balance land of Ac. 610.03 including Ac. 442.09 tenancy land in village Kandhal for provision of R&R benefits to the land losers.</p> <p>The total area of village Kandhal is Ac. 688.32. Out of which Ac. 78.02 has been acquired for Block No. A&B of Lingaraj OCP and Bhubaneswari OCP vide separate notification under CBA (A&D) Act. Out of Ac. 78.02, the tenancy land is Ac. 55.97. Out of total Compensation Rs. 1918905.70 for an area of Ac. 08.85 acquired for Lingaraj OCP Block A an amount of Rs. 1815170.32 has been paid leaving a balance of Rs. 103735.32. The land losers of said acquisition are category D/E under Uniform Guideline 1989 and not eligible for employment. The villagers are not allowing for survey of notified balance tenancy land of Ac. 47.12 demanding for acquisition of entire balance land of Ac. 610.03 including Ac. 442.09 tenancy land.</p> <p>The balance land of Ac. 610.03 is coming under Arakhapal- B coal Block which has not yet been allotted to MCL for coal mines purpose. But the villagers are frequently obstructed the mining activities of both Lingaraj & Bhubaneswari OCP as well as coal corridor Road demanding acquisition of balance land for provision R&R benefits.</p> <p>This may be discussed. Details of at Annexure- 17</p>	<p>The MCL authorities stated that the balance land of village Kandhal is coming under Bhubaneswari extension Open Cast Project. Soon after allocation of Coal Block to MCL, further course of action will be taken by MCL. The committee agreed to the proposal.</p>
21	<p>Providing employment to the land losers of village Kaniha under Uniform Guide line 1989.</p> <p>The total area of village Kaniha is Ac. 544.10 (Tenancy Land Ac. 179.99 + Govt. Land Ac. 222.73 + Forest Land Ac. 141.38). Out of total</p>	<p>The land of village Kaniha and Kansamunda has been notified in 3 different phases for Kaniha Open Cast Projects and Gopalji Open Cast projects. The PDFs of Kansamunda have been considered for</p>

<p>land an area of Ac. 305.71 (Tenancy Ac. 101.97 + Govt. Land Ac. 127.86 + Forest land Ac. 75.88) has been notified in three phases for Kaniha OCO & Gopalji OCP. The notified area of Ac. 45.50 including Tenancy land Ac. 13.21 and Ac. 167.07 in 2nd phase including Ac. 51.54 tenancy land for Kaniha OCP, compensation awarded on 06.02.2001 and 09.01.2018 respectively. Taking into account the land acquired of 1st and 2nd phase for Kaniha OCP the Joint Committee recommended 25 land oustees/ nominees considering their eligibility as on 1st phase cutoff date i.e. 06.02.2001 for vetting by MCL Hqrs. under Uniform Guideline 1989. The villagers are claiming for provision of R&R benefits in respect of notified area Ac. 93.13 including Ac. 37.22 tenancy land in 3rd phase for Gopalji OCP Under Uniform Guideline 1989 as this policy is more beneficial than the R&R policy 2006. This may be discussed. Details at Annexure- 18.</p>	<p>employment under Uniform Guidelines 1989. Therefore it was decided that the same principle should be adopted in village Kaniha as per decision taken in the 1st PLRRC meeting of Kaniha OCP, MCL held on 16.10.2015 under the Chairmanship of Collector .</p>
<p>22 Providing employment to the son in Law as nominee of land oustee who have no son.</p> <p>As per the decision taken in the 12th Rehabilitation Advisory Committee (RAC) and Periphery Development Committee (PDC) of Mahanadi Coalfields Ltd. Angul on dtd. 16.02.2005 at Agenda No. 2 (iii) the family in which there is no eligible nominee irrespective marital status as on cutoff date, change of nominee will be allowed in favour of wife and son in law considering the date of 12th RAC i.e. on 16.02.2005 at Annexure-19. Accordingly MCL is being considered for providing employment to the son- in Law as a nominee of land loser who have no son under Uniform Guide line 1989. But now MCL is not agreed to give employment to the son in law, the nominee of eligible land oustees as it is not coming under purview of Odisha R&R policy 2006. This may be discussed.</p>	<p>In the 12th RAC/ PDC of MCL, it was decided that the PDFs can nominate their Son- in- Law for employment on principle of one job against one job under Uniform Guideline 1989. But MCL is not agreed to provide employment to Son in Law as there is no such provision under Odisha R&R policy 2006. Committee decided to adhere to the provision of Odisha RR policy 2006.</p>
<p>23 Declaration medically unfit by the NSCH Talcher on flimsy ground depriving the eligible land oustees/ nominees for employment.</p> <p>Number of complaints has been received from the land losers that NSCH Talcher has declared medically unfit on flimsy grounds for which the eligible land oustees/ nominees are debarred from employment. MCL may be advised their doctors to be liberal on flimsy grounds.</p>	<p>Committee requested MCL that in case of land oustees/nominees there should not be rejection on flimsy medical ground.</p>

27	<p>(A) MCL to take steps to provide fund for CSR activities of the projects which are qualified by MCL Board and where NOC was issued by the Collector and also set up monitoring unit to complete the work in time line.</p> <p>The Detailed Project Reports in respect of 42 qualifying projects amounting to Rs. 32514.766 lakhs have been submitted to MCL Hqrs. Out of 42 projects, only 23 projects amounting to 7542.8 lakh have been approved by the competent authority of MCL to take up the work under CSR activities of MCL. But so far 1861.427 lakh has been placed to the dist. Administration (at Annexure- 20).</p> <p>A review meeting was held on 03.11.2016 under the Chairmanship of Collector, Angul on CSR activities of MCL in presence all General Managers of Talcher coal fields area and Officials of CSR wings of MCL Hqrs. Since the CSR work of MCL was not satisfactory, the C.M.D, MCL has been requested vide Dist. Office letter No. 2210-dtd. 17.09.2016 at Annexure- 21 to set up a monitoring unit by engaging experienced Engineers for faster execution of various CSR work of MCL to avoid discontentment among Project Affected People and frequent strike and disruption of mining activities.</p> <p>MCL to appraise the up to date position</p>	<p>After threadbare discussion the MCL authorities assured the House to approve the balance project proposals and place fund to District Administration. MCL also agreed to set up Monitoring Unit for completion of the CSR projects in time bound manner. MCL should discuss with Collector in regular intervals on CSR works for smooth implementation.</p>
	<p>(B) Construction of Boundary wall of Rani Park at Talcher.</p> <p>The CMD MCL has been requested vide Dist. Office letter No. 1900 Dt. 07.10.2017 to take initiative for disposal of Civil suit No. 74/ 2011 or make alternative arrangement for construction of boundary wall of Rani Park at Talcher at the earliest at Annexure- 22. But no intimation has been received from MCL.</p> <p>This may be discussed</p>	<p>MCL is agreed to take up construction of boundary wall at Rani Park, Talcher.</p>
	<p>(C) Construction of Main Gate and play Ground Gallery at Sub- Divisional Stadium Talcher.</p> <p>Sri Bibhudhendupratap Das, Brahmani Anchal Surakhya Parishad, Talcher has filed a representation on dtd. 05.12.2017 that in the year</p>	<p>MCL is agreed to take up construction of Main Gate and Play Ground Gallery at Sub-Divisional Stadium, Talcher.</p>

<p>1998 construction of Sub- Divisional stadium was taken by the MCL. Till now (14 years passed) usable play ground (Field) gallery and main gate have not been done. Therefore he requested to instructed MCL authority to take up the above social welfare schemes as per CSR rule of Company Act at Annexure- 23. This may be discussed.</p>	
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Besides the above, the following agendas are placed herewith after kind permission of the chair.

Sl. No	Agenda	Decision taken
1	<p>Acquisition of left out balance land in village Natada.</p>	<p>The members of the Committee informed that there was a proposal for acquisition of Ac. 1419.00 land in village Natada. But, MCL has acquired a part of the land of the village. The Spl. LAO, MCL stated that an area of Ac. 164.21 including Ac. 149.62 tenancy land has been notified u/s 4(1) and U/s 11(1) on dtd. 24.01.1985 and 13.02.1990 respectively under CBA (A&D) Act. 1957. The compensation of the tenancy land and structure has been approved by MCL Hqrs., Burla on 14.03.2018. Compensation amounting to ₹ 57.48 Crores for an area of 153.52 tenancy land has been awarded for payment to 256 nos of awards. In the mean time process for payment of compensation in respect of 17 nos of awards completed. Some members of the Committee suggested to stop the payment of compensation till acquisition of left out balance tenancy land is village Natada. The MCL authorities stated that the land in question is non coal bearing area. Therefore, this land cannot be acquired. After threadbare discussion, it was decided that the Sub- Collector, Angul, Tahasildar Chhendipada and G.M. Hingula, Area are to</p>

		discuss with the villagers and apprise above facts to villagers
2	Payment of compensation of land and structure and process rehabilitation benefits to the land losers of villagers of Kankarei.	Some members of the Committee suggested for early payment of compensation of land and structure and process rehabilitation benefits to the land losers of village Kankarei. The MCL authorities stated that the Coal block was allotted to MJSJ which was de-allocated by the orders of Hon'ble Supreme Court of India. After re allocation of the said Coal Block to MCL, further follow up action will be taken by MCL for acquisition of land under CBA (A&D Act 1957.
3	Establishment of Eco Tourism Park at Rani Park and adequate plantation.	The Chairman of the House instructed the D.F.O (Territorial) Angul/ MCL for preparation of Detailed Project Report in consultation with Tourism Department, Govt. of Odisha, for making Rani Park as an Eco Tourism Park and also make adequate plantation there in. The fund required for the above purposes will be provided by MCL. Chairman advised MCL to complete the boundary wall early. MCL authorities agreed to the decision.
4	Construction of over Bridge in front of Talcher College by MCL and other industries.	The members of the House informed that road accident occurred frequently in Talcher town due to movement of large numbers of coal & iron ore loaded heavy vehicles. Therefore the Committee suggested for construction of over bridge in front of Talcher College by joint funding of MCL, Bhusan, GMR & JSPL etc. It was decided the Executive Engineer, N.H. Division Pallahara, to prepare Detailed Project Report and submit the same before the Collector.
5	Construction of truck Terminal at Talcher.	In the meeting held on 07.03.2018 under the Chairmanship of Collector, it was decided that MCL is to construct Truck

		Terminus over the Govt. land pertaining to plot No. Ac. 5.00 (p) Ac. 2.12 and plot No. 20 ac. 4.70(p) Ac. 2.40 under khata No. 1255 of Nizigarh Town Talcher identified by the Tahasildar, Talcher nearer to Rani Park. MCL authorities were advised to start the work immediately.
6	Construction of 220 X 33 K.V. Substation over Ac. 15.00 of land.	The Committee suggested for construction of 220 X 33 K.V. Sub-Station over Ac. 15.00 of land near Godibandha, Talcher. The Chairman advised MCL to take necessary steps for the proposal out of CSR funds.
7	Opening of skill development center at Talcher	The Committee suggested MCL to construct a skill development centre at Talcher for training to the un- employed youth out of CSR funds.

The Meeting ended with vote of thanks to the Chair and all participants.


COLLECTOR & CONVENER
RPDAC OF MCL, ANGUL


 Revenue Divisional Commissioner
RDC (ND) SAMBALPUR, &
CHAIRMAN, RPDAC, MCL, ANGUL

**MEMBERS PRESENT IN THE 10TH RPDAC MEETING IN RESPECT OF MCL PROJECTS OF
ANGUL DISTRICT HELD ON 15.05.2018 UNDER THE CHAIRMANSHIP OF REVENUE
DIVISIONAL COMMISSIONER (N.D.), SAMBALPUR IN THE CONFERENCE HALL OF
COLLECTORATE, ANGUL**

Sl. No.	Name & Designation	Signature
1	Revenue Divisional Commissioner (N.D), Sambalpur	
2	Sj. Tathagata Satpathy, Hon'ble M.P. (Lok Sabha) Dhenkanal	<i>Tathagata Satpathy</i>
3	Sj. Nagendra Kumar Pradhan, Hon'ble M.P. (Lok Sabha), Sambalpur	<i>Nagendra Kumar Pradhan</i>
4	Sj. Braja Kishore Pradhan, Hon'ble M.L.A., Talcher	<i>Braja Kishore Pradhan</i>
5	Sj. Sushant Kumar Behera, Hon'ble M.L.A., Chhendipada.	<i>Sushant Kumar Behera</i>
6	President, Zilla Parishad, Angul	<i>B. K. An.</i>
7	D.I.G., NCR, Talcher	<i>[Signature]</i>
8	Shri Anil Kumar Samal, IAS, Collector & D.M, Angul	<i>[Signature]</i>
9	Superintendent of Police, Angul	<i>[Signature]</i> 15/5/18
10	Divisional Forest Officer (Territorial), Angul	<i>[Signature]</i> for DFO 15/5/18
11	Additional District Magistrate, Angul	<i>[Signature]</i>
12	Project Director, DRDA, Angul	<i>[Signature]</i> 15/5/18
13	Project Director, R&R, Angul.	<i>[Signature]</i>
14	Sub- Collector, Angul	<i>[Signature]</i> 15/5/18

15	Sub- Collector, Talcher	<i>15/5/2018</i>
16	Chairman- cum- Managing Director, MCL, Burla.	<i>15-5-18</i>
17	Chairman, Kaniha Panchayat Samiti	<i>15.5.18</i>
18	Chairman, Talcher Panchayat Samiti	<i>15/5/2018</i>
19	Chairman, Chhendipada Panchayat Samiti	<i>15/5/18</i>
20	Chittaranjan Pradhan, Director, Land Oustee Labour Development & Marketing Multipurpose Co-operative Society, Danara, Talcher	<i>15/5</i>
21	Bibhuti Bhusan Pattnaik, Secretary, Society for Expediting Voluntary Action (SEVA)	<i>15/5/18</i>
22	Smt. Gila Pradhan, Secretary, Maa Bhagabati SHG, Kansamunda	
23	Smt. Ketaki Behera, Secretary, Maa Santosi SHG, Solada	<i>- Ketaki Behera</i>
24	Sri Tulu Parida, Village - Jilinda	<i>Tulu Parida</i>
25	Sri Rajendra Singh, Vill- Gopalprasad	<i>Rajendra Singh</i>
26	<i>Magiram Pradhan, Spt. LHO. MCL Angul</i>	<i>15/5/2018</i>
27		
28		
29		
30		
31		

Summary minutes of the proceeding of the R.A.C. meeting of Talcher/Ib-Valley, MCL area held on dt.21.9.97 at 11 A.M. at Jagruti Vihar, Burla under the Chairmanship of the Revenue Divisional Commissioner, N.D., Sambalpur.

1. The Revenue Divisional Commissioner presided over the meeting. The list of members attended the meeting is at annexure "A". C.M.D., MCL, Burla welcomed all the members and assured full co-operation from the MCL and after that the proceeding of the last RAC was confirmed.
2. Inaugurating the discussion the Commissioner flagged the following issues. (I) the confusion faced by the land losers as to the acquisition of the land through L.A. Act and C.B.Act (ii) lack of uniform policy with regard to payment of compensation and requisite rehabilitation properly in various projects of MCL (iii) use of fallow land for afforestation.
3. The M.L.A., Talcher stated that (I) there is no uniformity in respect of payment of compensation & rehabilitation by Water Resource Department/NTPC/NALCO/MCL etc. in his area. (ii) The MCL authorities have committed for several facilities before acquisition of land but after taking possession of the land they forget to comply. (iii) The committee should decide once for all which projects will be taken up and what compensation and benefit will be paid.
4. The M.P., Deogarh narrated the story of a blind land loser as to how his wife employed by MCL deserted him and he is left with no means of livelihood. There should be some provision in shape of pension to such handicapped land loser and MCL authorities should take care of this as a means of livelihood.
5. Providing employment is only partial rehabilitation. There is provision of cash grant upto Rs.50,000/- and the son-in-law of a land oustee can be given employment on the condition that he must look after the old parents and his wife.
6. Employment should be available for oustees of both L.A.Act and C.B.Act.
7. Before starting mining operation detailed survey should be conducted to ascertain the total land needed to be acquired under the L.A.Act/C.B.Act and the land oustees rehabilitated according to finalised package.
8. There are problems of encroachment in respect of land acquired under C.B.Act, which is complicating rehabilitation. In respect of all Hirakud land oustees encroaching these lands the presumption should be that they are DC Patta holders and accordingly, they are entitled for rehabilitation.

9. The Hon'ble M.P. suggested to form rehabilitation committee at different level i.e., Tahasil level/G.P. level.
10. The engagement of large number of workers from outside the State and the Project areas by the MCL received criticism, because it leads to immediate discontentment, crime, unrest, law and order and their very resettlement in the State after completion of mining operation will create unbearable burden in the long run. They must have constructed temporary dwelling houses either in the land acquired by the MCL or in Govt. land which should be removed immediately after the Project is over. To the extent possible, the contractor should be encouraged to hire local people to reduce the above problems.
11. The engagement of workers on daily wages is not included in the rehabilitation package. They are casual labourers and all the rehabilitated land losers are eligible and entitled to work as labourers in the MCL and its contractors if they so wish.
12. To give a sense of belongingness to the workers, campus recruitment from local technical institutions and training of children of land oustees should be sponsored by MCL as done by other organisation.
13. The uneducated and illiterate land loser should not be harassed by insisting to file affidavit in the proforma prescribed by MCL but the information can be collected from door to door by the MCL authorities and submit in the proforma prescribed by them.
14. Collector, Angul submitted that while acquiring private land under L.A. Act and C.B. Act, small patches of land like of Ac.65.00 in Danara, Ac.44.00 in Langijoda, Ac.24.00 in Gopal Prasad, Ac.13.86 in Kusumpala have been left out for non-availability of coal or some other reasons and the left out land can not be put to use by the land owners as the entire village has shifted to other place of resettlement. The Commissioner clarified that when a patch of private land can not be used by the Khatadar due to the operation of coal mines the entire village can be declared as fully affected and the land loser are eligible and entitled for full rehabilitation assistance by the project. Steps should also be taken to declare the leftout land like temples as abandoned and taken to Govt. Khata. The Revenue and mining authorities are to keep watch to prevent possible misutilisation of land either by the lessee or encroachers.
15. The C.M.D., MCL submitted that they are consulting the concerned Collectors in all the issues and stated that the Government land is first

transferred from State Government to Central Govt. and then the Central Govt. grant lease to the MCL for mining operation. He presented that the land loser are interested only for the job in MCL which is not possible as the MCL is already overstuffed. They are thinking of rehabilitation through other viable means of self-employment by providing loan in the light of anti-poverty programme of Govt. of Orissa. But no other policy has been received by them from their authorities.

16. Commissioner clarified that land taken under C.B. Act can only be put to use as prescribed under Sec.4(1) of Act. These do not include open cast mining, large buildings for houses, quarters, guest houses, hospitals etc.
17. The M.P., Deogarh stated that there are well defined policy on rehabilitation being implemented in the coal mining area of Bihar, West Bengal, Dhanbad etc. and the people are far better socially as well as economically.
18. The M.L.A., Talcher complained that blasting operation is being carried on near human habitats and the people are scared. However they can not leave without getting compensation and rehabilitation. They keep constantly running to us for relief. It is decided that the blasting should not be carried out near human habitations and should be confined to safety zone.
19. The Collector, Angul submitted that the MCL is utilising the small parcels of Govt. land which are surrounded by acquired tenancy land in the mining work without getting these land transferred in their favour.
20. To sortout the problem R.D.C. desired that the Tahasildar should send the notice under appropriate provisions of law for necessary action. The mining authorities should not allow the mining operation in Govt. land unless and until necessary clearance is obtained from the Tahasildars as MCL authorities will face action under OPLE Act. The Officials of MCL will also be responsible for the loss of Govt. of Orissa. Often the procedure is not being followed in C.B. Act with regard to handing over the land by Revenue authorities to the MCL officials as the consent of State Govt. is necessary in C.B. Act in respect of Govt. land.
21. Similarly in Case of 2 reserved forests the Govt. of Orissa has lost revenue on surface right as the forest Department directly handed over the land to MCL by passing the Revenue authorities. He observed that the Forest Department after receiving the revenue of forest growth handed over the land to MCL for mining operation for realising the mining revenue by the Mining Department. The Forest Department and the Mining Department are equally responsible for the loss of surface revenue as the land were transferred straight way without rotating through Revenue Department. The

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Reserved Forests should have been dereserved by the State Govt. in Revenue and Excise Department and after ensuring compensatory afforestation and realising the revenue on surface right the land could be transferred to MCL for mining operation. This is illegal. The Tahasildar should start cases combining the provisions of OPLE Act, OGLS Act and OSS Act, after issuing notices to the departments concerned.

22. The Collector, Jharsuguda brought to the notice of the house that the list of beneficiaries selected and recommended by the Rehabilitation Committee to MCL for employment has not been taken into consideration on various pleas. It is decided that the C.M.D., MCL will depute his representative to participate in the selection process in Rehabilitation Committee.
23. The CGM, MCL, Brajarajnagar submitted that the MCL has already paid the dues against the Govt. land measuring Ac.497.95 which was taken advance possession but further demand notice are being sent by the Tahasildar, Lakhanpur. Collector, Jharsuguda informed that the A.G., Orissa, Bhubaneswar has pointed out the loss and included the interest from the date of possession. The M.D., MCL, Burla contended that all the facts had not been presented before the Audit. The case of MCL should be considered on merits in the case record. There is always a forum for appeal and these formal forums should be exhausted first.
24. There are large amounts lying unpaid towards compensation as well as rehabilitation for the land acquired under C.B. Act in the Ib-Valley Area. There is no proper survey as to the number of families affected and also monitoring agency to ensure the proper and timely rehabilitation of land losers. This position is unsatisfactory. The Collector should make a survey. The MCL should also consider it their responsibility of identifying these cases. There are 1051 families yet to be rehabilitated in MCL area of Talcher although the names have been sponsored to MCL.
25. The Commissioner instructed that the figure on allotment of reclaimed Govt. land for homestead purposes to the displaced families and financial assistance for construction of temporary shed should be separately discussed in detail by the Collector and the CGM of the area.
26. A committee consisting of representatives of the CGM of the area and the Collector of the district shall conduct joint enquiry to determine the number of affected persons on the basis of eligibility criteria and decide the quantum/mode of rehabilitation.
27. There should be transparency in the list of eligible persons for job. The names should be published in notice boards and not sent in piecemeal.

28. There should be uniformity in rehabilitation packages of different areas.
29. The principles of the Orissa Resettlement and Rehabilitation of Project affected persons policy 1994 should be kept as a norm while framing individual rehabilitation packages.

-Sd-

**Revenue divisional Commissioner,
Northern Division & Chairman, R.A.C., MCL,**

Memo No. 992 / DT. 20/11/92
Copy to all members for information and necessary action.

[Signature]
**Rehabilitation Officer,
MCL/NTPC, Angul.**

Memo No. _____ / DT. _____ /
Copy to Private Secretary to R.D.C. (N.D), Sambalpur for
information.
Copy to Deputy Secretary, Steel & Mines, Orissa, Bhubaneswar
for necessary action.

[Signature]
**Rehabilitation Officer,
MCL/NTPC, Angul.**

Memo No. _____ / DT. _____ /
Copy to Spl. L.A.O., MCL, Angul/Tahasildar, Talcher for
necessary action.

[Signature]
**Rehabilitation Officer,
MCL/NTPC, Angul.**

**LIST OF MEMBERS PRESENT IN THE R.A.C. MEETING ON M.C.L. AT
JAGRUTI VIHAR, BURLA, SAMBALPUR HELD ON 21.09.97.**

1. **Shri Sriballava Panigrahi,
Hon'ble M.P., Deogarh.**
2. **Shri K. M. Rout, OAS (S),
Collector & D. M., Angul.**
3. **Shri C. J. Venugopal, IAS,
Collector & D.M., Jharsuguda.**
4. **Shri K. C. Das, IAS,
Collector & D.M., Sundargarh.**
5. **Shri Mahesh Sahoo,
M.L.A., Talcher.**
6. **Shri A. R. Sharma,
C.M.D., M.C.L., Burla, Sambalpur.**
7. **Shri M. P. Mishra, OAS (S),
R.O., M.C.L./NTPC, Angul.**
8. **Shri S. N. Sharma,
Director(Tech), M.C.L.**
9. **Shri M. B. Mathur,
C.G.M., Kalinga Area, M.C.L.**
10. **Shri B. P. Singh,
C.G.M., Jagannath Area, M.C.L.**
11. **Shri B. N. Mishra,
C.G.M., IB Valley, M.C.L.**
12. **Shri H. Prasad,
C.G.M., Basundhara Area, M.C.L.**
13. **Shri G. Rai,
C.G.M., Orient Area, M.C.L.**
14. **Shri R. Soneja,
C.G.M., Hingula Area, M.C.L.**
15. **Shri N. Mohanty,
C.G.M., Sambalpur, M.C.L.**
16. **Shri D. Pallei, OAS (I) Jr.,
Sub-Collector, Talcher.**
17. **Shri N. C. Mishra, OAS,
Spl. L.A.O., M.C.L., Angul.**
18. **Shri Kailash Sahu, OAS,
Spl. L.A.O., M.C.L., Angul.**

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PROCEEDINGS OF THE REHABILITATION ADVISORY COMMITTEE AND
PERIPHERAL DEVELOPMENT COMMITTEE OF MAHANADI COALFIELDS
LIMITED FOR SUNDERGARH & JHARSUGUDA DISTRICTS

HELD ON 11 -- 08 -- 2001 IN THE COURTROOM OF REVENUE DIVISIONAL
COMMISSIONER (N. D.) SAMBALPUR

The meeting was presided over by Shri T. Ramachandru, IAS, RDC(ND), Sambalpur. The list of participants is given in the Annexure--I.

At the outset, the Chairman welcomed all the members and explained the significance of the Rehabilitation Advisory Committee. He appealed to the district authorities and the MCL authorities to be sensitive to the genuine demands of the land oustees and to pay special attention to their rehabilitation. He asked the officials concerned to ensure that no project affected person is deprived of the benefits of the rehabilitation package.

In his introductory remarks, Dr Debendra Pradhan, Hon'ble Minister Of State, Agriculture, Govt Of India & M.P., Deogarh stated that it is the duty of the Committee and the MCL to ensure that the land oustees do not suffer due to acquisition of the land by the company. He exhorted the management of the company to see that the rehabilitation package for the land oustees is implemented in right earnest. Shri Anup Kumar Sai, M.L.A., Brajarajnaragar stated that the MCL has not fulfilled its promises and assurances in the past fully. He also stated that while even ineligible persons have been provided jobs by the company in the past, the deserving cases recommended in the recent years have not been provided jobs by the company. He also emphasised that the proposals approved by the Committee should be implemented within a reasonable time schedule. Shri R. K. Chechani, CMD, MCL stated that the company is sincere about implementation of the rehabilitation policy and the decisions of the Committee. He informed the house that most of the employment cases discussed in the meeting of the Rehabilitation Advisory Committee for Angul district have already been cleared. However, he suggested that the Rehabilitation Sub Committee should scrutinise the cases carefully before making recommendation since lack of thorough examination of the proposals by the Sub Committee is causing avoidable delays during scrutiny of the cases at the company headquarters.

Thereafter, item wise discussion on the agenda notes was taken up and the following decisions were taken in the meeting:

1 -- Rehabilitation Policy:

1.1 -- **Applicability of 1998 Policy** -- The uniform guidelines for rehabilitation of project affected families in coal mine areas prescribed by the government vide letter No GE(S.B.P)96/88/71/R dated 2/1/1989 are presently being followed in Jharsuguda district. In the 1998 Rehabilitation Policy, certain additional benefits have been conferred on the project affected families like counting of unmarried daughters about the age of 30 years, handicapped persons, divorcees and widows as separate families for the purpose of rehabilitation assistance, cash compensation in lieu of employment etc. A point was raised regarding applicability of the 1998 Rehabilitation Policy to the pending cases of projects already implemented by the MCL.

The RDC informed that this issue has already been discussed in the RAC for Angul district and the decision taken therein may be made applicable for Jharsuguda & Sundergarh districts.

1.2 -- Extension of Cut-off Date for CB Act Cases -- There is no provision in the CB Act prescribing time limit for passing of award after issue of notification under section 9 (1). As a result, the land oustees are rendered ineligible for employment assistance by the time of taking over of land and joint verification. This is creating undue hardships for the land oustees. It was suggested in the meeting that the cut off date should be extended if employment assistance is not given within a reasonable period from the date of CB Act notification.

A -- The Committee recommended that the cut off date for calculating eligibility for rehabilitation assistance should be extended by period equal to the period of delay beyond five years from the date of CB Act notification. In other words, the cut off date will be extended if rehabilitation assistance is not provided within five years from the date of CB Act notification.

B -- It was also decided that the extension of cut off date will be applicable to all the new projects. Regarding the existing projects, the MCL shall examine all the projects on case-to-case basis and make appropriate recommendations before 31st August which will be placed before the next RAC in the month of September/October.

C -- The Committee was also in favour of amendment of the relevant provisions of the CB Act to make provisions for denotification in case of inordinate delays in acquisition of land after issue of notification under CB Act.

2. -- Employment to Land Ousteers --

2.1-- Delay in disposal of cases -- According to the existing practise, the Rehabilitation Sub Committee forwards category wise list of names of the eligible PAP's to the MCL authorities for providing employment. These cases are scrutinized again at the Company headquarters and employment is offered only after clearance of the Company headquarters on case - to - case basis. The representatives of the MCL pointed out that that the Rehabilitation Sub Committees often do not scrutinise the cases strictly and there are instances of ineligible cases including age-barred cases, 'E' category cases etc having been recommended to the Company for employment. Besides, the sub-committee does not examine the documents of the applicants, thereby necessitating detailed scrutiny afresh by the Company. After detailed discussions, following decisions were taken:

A -- Henceforth, the recommendations of the Rehabilitation Sub Committee shall be forwarded by the Collectors concerned. The Collector, Jharsuguda shall conduct a review of the cases sponsored by the Sub Committee so far to weed out the ineligible cases and to satisfy/verify the correctness of the categorisation. This exercise shall be completed before end of September, 2001.

B -- The Sub Committees shall conduct detailed scrutiny of the cases and verification of relevant documents before recommending cases to the Company so that the delays due to fresh scrutiny of cases at the Company level are avoided. The Company shall be bound to accept the recommendations of the Sub Committee.

2.2 -- In response to a query of Hon'ble MP, Deogarh regarding denial of employment benefits to son-in-law of the land oustee of family having no adult member suitable for employment, in violation of the instructions of the government in letter no. 62285 dated 6.10.1989, the CMD, MCL clarified that employment will be provided subject to suitability if the case is covered under the relevant provisions.

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3. Cash Compensation For Land Oustees:

3.1 -- Cash compensation in lieu of employment -- The CMD, MCL informed the house that there is ban in Coal India Ltd on recruitment except for the cases of land oustees. Due to limited employment opportunities, cash compensation will be offered even in the old cases of land oustees. The representatives of the MCL explained the scheme of the Coal India Limited regarding the quantum of cash compensation to be offered in lieu of employment. The

3.2 -- Employment of outsiders by the contractors of MCL -- Several members of the Committee raised the issue of employment of outsiders by the contractors of the MCL overlooking the local candidates. The CMD, MCL, informed the house that the total number of persons employed by the MCL is 22,500 against 5000 labourers employed by the contractors of the MCL. The representatives of the company contended that they have no control over engagement of workers by the contractors and, that, the contractors are free to engage workers from anywhere. This was opposed by the members of the Committee who were of view that the contractors should be prevailed upon to engage workers from among the land oustees of the projects. After detailed discussion, following decisions were taken by the Committee.

Proposition has been accepted

A -- The RDC directed the MCL authorities to prevail upon their contractors to engage members of the Project Affected Families on the first priority and to engage other persons only if no persons from Project Affected Families are available for engagement.

B -- The MCL authorities shall obtain list along with the residential address of workers engaged by the contractors and provide the same to the Collectors, Jharsuguda and Sundergarh before 31st August, 2001. The Collectors shall cause a verification of the list to be made to ascertain whether contractors are actually engaging the land oustees and other local persons or not.

3.3 -- Provision of Agricultural Land Instead of Cash Compensation in Lieu of Employment -- The Collector, Sundargarh suggested that the land oustees who are not provided with employment should be given agricultural land by the MCL instead of cash compensation in lieu of employment since there is possibility of utilisation of cash compensation for consumption purposes instead of taking up income generation activity. This proposal was also supported by a few other members. However, the CMD, MCL expressed the inability to agree to the proposal on the ground that the officers of the Company would not be able to devote time for this work since it would hamper their official performance.

The Committee decided that the Rehabilitation Sub Committees should try to motivate the PAF's to purchase agricultural land at the time of distribution of cash compensation in lieu of employment. However, if the PAF's still prefer cash compensation, cash may be distributed to them.

4. -- Training Facilities for PAF's --

4.1 -- ITI/ Engineering School Training For PAP's -- The Collector, Sundargarh stated that the PAP's do not possess vocational/technical training qualifications and therefore they are eligible only for lowest rung posts in the MCL. He suggested that the MCL should send the eligible family members of the PAF's for training in ITI's and Engineering Schools at the cost of the Company so that they can obtain qualification to be appointed to skilled category posts. Such persons can also take up employment elsewhere as well as viable self employment ventures. The CMD, MCL stated that the land oustees appointed by the Company are being sent for training after induction. The Members felt that this is not sufficient and technical/vocational training should be given to the eligible PAP's in the trades/subjects in which vacancies are expected to arise in near future in the projects of the Company. The GM, Ib Valley Area informed the house that the Company is providing training to the local

persons in activities like goaterly etc. The MLA, Brajaraj Nagar questioned the competence of the agencies engaged by the MCL for organising such training programmes and also stated that transparency is not being maintained about the programmes.

A -- The MCL authorities agreed that the CGM's/GM's of the areas concerned shall provide full details about training programmes being organised for the PAP's to the concerned Collectors before 31 August, 2001. It was also decided that the district administration and the people's representatives shall be closely associated with such programmes in future.

B -- An exercise shall be undertaken by the MCL to identify the trades/areas with potential for employment/self employment so that PAP's may be provided training in such areas. The result of the exercise shall be communicated to the Collectors concerned.

5. Project-wise Review Of Employment To PAF's & Resettlement of DF's:

5.1 -- Basundhara Area -

5.1.1 Basundhara (East) Project - Out of 15 villages notified under the CB Act, mining activities have been taken up in one village. 178 persons from 258 PAF's/ 132 DF's have been provided employment. Though the CB Act notification was issued in 1987, the cut-off date for reckoning eligibility and age limit was taken as 1996. The holding wise details have been provided by the MCL to the Collector, Sundargarh on the date of meeting.

A -- The Collector, Sundargarh raised the issue of non consideration of case of 40 homesteadless families ousted from the government land allotted to them. GM, Basundhara area stated that these persons are not eligible for employment assistance since they do not possess pattas for the land. It was clarified in the meeting that these persons have been included in the list of land oustees certified by the Rehabilitation Sub Committee, compensation has been given to them and they have been relocated in the resettlement colonies. As such, these persons are eligible for employment as 'C' category cases. The Chairman directed the MCL to process their cases for employment accordingly before end of August, 2001.

B -- 178 out of 258 PAF's have been provided employment leaving a balance of 80 cases. The Committee directed the MCL authorities to examine the remaining 80 cases and take final decision before 31/8/2001.

C -- All the 132 DF's of the project have been shifted to the resettlement site. *This has been approved by the Committee.*

5.2 -- Ib Valley Area -- The number of PAF's is 944. 777 land oustees were provided employment prior to 1994 and 19 thereafter bringing the total to 796. Category-wise break up of PAF's eligible for employment and those provided jobs is not available. The status regarding balance 148 cases is to be reported by the MCL authorities to the Collector.

5.2.1 - Lajkura OCP - Against 167 PAF's, 216 persons have been provided employment which indicates that more than one persons from some PAF's might have been given jobs. 215 persons were provided employment before 1994 for which category wise break up has not been made available by the MCL authorities. The Rehabilitation Sub Committee has recommended 14 cases after 1994 out of which one person has been provided employment. Collector, Jharsuguda shall analyse the list of PAF's to ascertain the number of left out families if any and recommend the balance cases for employment.

Out of 90 DF's from Lajkura OCP, 81 have shifted to the rehabilitation site. 9 families are demanding patta before shifting. Pattas have not been given to any of the families reportedly due to non-finalisation of Master Plan for Brajaraj Nagar town. However, it was felt that pattas can be given without waiting for finalisation of master plan. The Collector, Jharsuguda shall examine this aspect and sort out the issue within a month.

5.2.2 - Samaleswari OCP - The total number of PAF's is 714 (530 under L. A. Act and 184 under CB Act). 518 persons have been provided employment. The cases of left out families

eligible for employment assistance will be examined and final decision taken by the Rehabilitation Sub Committee before end of September, 2001.

There are 184 DF's, all in Chingriguda village. It was reported that none of these families have shifted to the resettlement site at Khadam. The MCL is yet to pay full premium for the land of resettlement site. This issue is to be sorted out so that resettlement exercise can be completed at an early date.

5.2.3 -- Lilari OCP - Against 51 PAF's, employment has been provided in 50 cases. The Chairman directed the Collector, Jharsuguda to examine the list of the PAF's to ascertain whether any eligible family has been left out.

39 families have been displaced by the project and the rehabilitation site is at Belpahar. Pattas have not been issued due to non payment of full premium. This issue will be sorted out by the district administration and the MCL authorities.

5.3 -- Lakhanpur Area -- The number of PAF's is 1987 against which employment has been given to 1163 persons leaving a balance of 824 persons. The Chairman directed the Collector and the MCL authorities to analyse all the cases and ascertain the reason for this large gap.

5.3.1 -- Lakhanpur OCP -- Against 658 PAF's, jobs have been provided to 191 persons. The MCL authorities stated that the notification has been made in different phases and all the persons have not actually been displaced. Hence the figure shown as balance for employment assistance needs verification. The MCL authorities shall provide full details to the Collector for analysis of the cases.

Out of 270 DF's, 154 have been shifted to rehabilitation sites. Pattas have been issued to 106 families. Remaining cases are pending mainly due to non payment of premium by the MCL. The MCL authorities were advised to deposit the premium at the earliest and, in case of any dispute regarding the rate of premium, to approach the Collector for settling the issue. 12 families from Banjipali have received cash compensation instead of plots in rehabilitation site.

5.3.2 -- Belpahar OCP -- Against 1329 PAF's, jobs have been provided to 972 persons. Detailed verification and analysis is to be carried out to ascertain the position regarding balance cases.

Out of 414 DF's, 138 families have been provided pattas. The position regarding shifting and provision of pattas in respect of remaining DF's is to be worked out immediately and detailed analysis should be placed before the next meeting of the Committee.

5.4 -- Orient Area -- Against 299 PAF's, 19 have been provided jobs. It was reported that the remaining families are not eligible for employment assistance since the quantum of land acquired is very small. However, 17 cases recommended by the Rehabilitation Sub Committee are reported to be pending with the MCL. This requires verification. No family has been displaced by the project.

5.5 -- Discussion on Specific Individual Cases --

A -- Regarding the employment assistance case of one Sunil Chhabra raised by Hon'ble MP, Deogarh, the MCL authorities stated that he is ineligible for employment assistance as per rules. The land in question belongs to a gurudwara. Besides he was a minor on the date of notification. The Chairman directed the Collector to examine how recommendation was made for an ineligible person and to fix responsibility.

B -- The MLA, Jharsuguda stated that whereas ineligible persons who have lost only 3 dec land have been provided employment, displaced persons of 'A' category have not been provided employment. The MLA, Brajarajnagar was of view that since the MCL has given jobs liberally in the past, it should not be restrictive towards balance cases and all the cases recommended by the Sub Committee should be given jobs by the Company.

5.6 -- Comprehensive Review -- The Chairman stated that each and every eligible family from the PAF's must be provided the employment assistance and other benefits of the

Rehabilitation Policy without fail. The persons who have been left out should be identified and eligible assistance should be granted to them.

A -- A comprehensive list of PAF's should be provided by the MCL authorities on project wise basis to the Collectors concerned indicating category of the PAF, assistance to which they are entitled and the assistance already provided. The Collectors concerned shall analyse the list and ensure that due benefits are given to all the eligible families. This exercise shall be completed before end of September 2001.

B -- It should be ensured that the displaced families are given pattas for their plots in the rehabilitation colonies and that the colonies are provided requisite infrastructural facilities. The outstanding issues relating to payment of premium for the land value and issue of pattas should be sorted out before the end of September 2001.

6. Facilities in Resettlement Colonies:

6.1-- General situation - As per the uniform guidelines, facilities of road, streetlights, school buildings, health center, provision of drinking water, recreation centers, ponds, tanks, play - ground, veterinary centers, tree plantation, shopping center shall be provided according to necessity. There was a difference of opinion as to actual provision of facilities vis-à-vis the norms.

It was decided that a comparative study shall be carried out to bring out a clear picture of the package drawn up on the basis of felt needs of the DF's and the facilities actually provided. The results of the study shall be placed before the next meeting of the RAC.

6.2 -- Provision of teachers in schools - The Committee was informed that there is no teacher in the school at rehabilitation site constructed by the MCL in Basundhara project. Similar problems are being faced in the other resettlement colonies also. The CMD, MCL informed the house that the R. & R. policy of the Coal India Ltd does not permit appointment of teachers by the Company in resettlement colonies. GM, Basundhara area stated that there is a DAV School within a distance of 400 m from the colony. Besides, often the schools are shifted from the original village to the rehabilitation colonies in which case the question of appointment of teachers does not arise. Some members of the Committee pointed out that the MCL is funding English medium schools in the project areas and there is no reason why assistance should not be provided by the Company for Oriya medium schools. The Chairman of the Committee was also of view that the Company should evolve some method to provide support for engagement of teachers *for Oriya medium schools*.

The Committee advised the MCL authorities to examine this issue and to suggest an appropriate scheme for providing financial support for engagement of teachers in the schools constructed in resettlement colonies.

7. Other Items --

7.1 -- Setting up of Tribunal under CB Act at Jharsuguda -- The tribunal under the provisions of CB Act is functioning at Dhenkanal. Members of the Committee suggested that a tribunal should be set up at Jharsuguda to avoid the hardships caused to the land oustees in pursuing their cases at Dhenkanal.

It was decided that the Director (Personnel), MCL shall examine this issue and apprise the Chairman about the procedure for establishment of Tribunals under CB Act so that a proposal may be moved to the appropriate authorities for the purpose.

7.2 -- Damages caused due to blastings in mines -- In response to the issue of damages caused to residential/other buildings due to blasting in underground mines, the representatives of the MCL stated that a study has been conducted by the CMRI and it has been found that the impact of the blasts is well below the prescribed standards and there is no question of any damage caused to the buildings due to these operations. The members of the Committee were

advised to bring specific cases of damages to buildings caused by blasts, if any, to the notice of the CMD, MCL for verification.

One of the members stated that underground coal mines are being worked under the open cast coal mines in Samaleswari/ Lilari projects and that the blasts are taking place in the underground coal mines while workers are working in open cast projects immediately above that area. The MCL authorities denied this and stated that they are taking due precautions and, that, the standards prescribed by the DGMS are being followed meticulously.


7.3 -- Non- filling of sand in underground coal mines -- The MCL authorities clarified that all the underground coal mines are not required to be filled with sand after working the mines. Normally, filling of the used up underground coal mine is required only if some habitation/railway line/road etc exists over the coal mine. In other cases, coal mine is permitted to gradually resettle by slow caving in of the earth above the mine. However, this is being done only where there are no buildings above the coal mine. One of the members stated that it is necessary to take up a fresh survey of the areas above such coal mines since it is possible that new buildings by way of encroachment or otherwise might have come up over these mines after the initial survey.

The MCL authorities agreed to conduct a fresh survey to ascertain whether any new buildings have come up over the used up underground coal mines to ensure safety of people living in such buildings/ areas.


7.4 -- Afforestation/ plantation -- The Committee was of unanimous opinion that afforestation and plantation of trees should be taken up on large-scale to prevent environmental degradation. The Chairman advised the MCL authorities to examine feasibility of taking up afforestation in the worked out mines. The CMD, MCL stated that about 53 lakh trees have been planted by the company so far but there is no definite institutional mechanism to ensure protection and survival of the trees so planted. The MCL authorities are planning to encourage their employees to take up planting of trees individually so that survival of the trees can be ensured. It was also decided that the present status of afforestation/plantation projects implemented by the Company shall be placed before the next meeting of the Committee.

In his concluding remarks, the Chairman thanked the participants for fruitful discussions in the meeting. He directed the district authorities of Sundargarh and Jharsuguda districts and the MCL authorities to work in close coordination with each other and to ensure that the benefits envisaged in the rehabilitation policy reach each and every affected family.

The meeting concluded with vote of thanks to the Chair.



(T. Ramachandru, IAS)
Revenue Divisional Commissioner (ND)
Sambalpur &
Chairman
Rehabilitation Advisory Committee



Collector, Jharsuguda



**PROCEEDINGS OF MEETING OF REHABILITATION ADVISORY
COMMITTEE OF MAHANADI COALFIELDS LIMITED FOR JHARSUGUDA
AND SUNDARGARH DISTRICT HELD ON 31.5.2002 AT CGM OFFICE,
CONFERENCE HALL, BANDABAHAL**

The meeting was presided by Sri G.K.Dhal, I.A.S. RDC(Northern Division) Sambalpur-cum-Chairman, R.A.C. List of participants is given in the Annexure-I.

The CGM, Lakhanpur Area welcomed the participants to the meeting. The Chairman stated in his introductory remarks that all out efforts should be made by all concerned to ensure that the project affected families get full benefits for rehabilitation and resettlement. Sri Anup Sai, M.L.A, Brajrajnagar stated that meetings of RAC should be held more frequently. Thereafter item-wise discussion on the agenda notes was taken up as follows:-

1. **Minutes of the last RAC Meeting Noted:-**
2. **Action taken on the minutes of the last RAC Meeting.**
 - a) Compliance reports received from officers concerned were noted.
 - b) Regarding applicability of uniform guidelines 1998 (para 1.1), it was indicated that the same would be applicable in respect of new projects.
 - c) Regarding extension of cut-off date for C.B.A.Act cases (Para 1.2A &B), the C.M.D., MCL, pointed out that the proposal will have serious repercussions and it would not be advisable to extend the cut-off date. The representatives of the State Government and the M.L.As were in favour of extension of cut-off date to remove hardships for project affected families. After detailed discussion, the C.M.D. MCL, expressed his willingness to consider relaxation of lower/upper age limit on case-to-case basis on merits. The recommendations of the earlier meeting was reviewed and the suggestion of C.M.D., MCL, was acceded to.
 - d) The house was informed by the MCL, representatives that amendment of relevant provisions of C.B.A Act for de-notification in case of inordinate delays in land acquisition has been recommended (para 1.2C). The same needs to be follow up at State and Central Govt. level.
 - e) The Committee expressed concerned over continued huge pendency of cases recommended to the MCL for employment.
 - f) List of persons employed by the contractors of M.C.L.was perused. The committee was of view that project affected persons should be engaged by the Contractors on priority basis.

ASD(L)

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CGM
19/8/02

3. Review of present status of Employment Assistance to Project Affected families.

3.1 Present status:-

The committee noted the status reported in the meeting. It was decided that a comprehensive review needs be carried out to ascertain the exact number of Project affected families not provided with employment assistance. It was pointed out to the committee that the District Administration is yet to be provided full details on employment assistance to the families losing land under C.B.A. Act acquisition. It was decided that employment assistance cases of C.B.A. Act notified land should also be reviewed by the committee under the chairmanship of the Collector concerned.

3.2 Relaxation of age limit:-

The committee expressed concern over the fact that a large number of project affected families are deprived of employment rehabilitation due to long time gap between issue of 7 (1) Notification under CB.A. Act & actual displacement. This gap results in a situation where the persons eligible for employment on cut-off date become over aged at the time of application for employment and the persons available for employment at the time of displacement were under age on the cut-off date. After elaborate discussion, it was decided that such persons will be provided employment under rehabilitation assistance scheme by relaxing the upper age limit or, as the case may be, the lower age limit on cut-off date, on specific recommendations of the committee headed by District Collector concerned on case to case basis.

4. Cash compensation in lieu of employment:-

The committee discussed the scheme of Coal India Limited for cash compensation in lieu of employment in detail. It was felt by the members that this scheme is not attractive enough for the land oustees and there is need to increase the quantum of assistance in order to encourage the land oustees to opt for cash compensation. However, in view of falling interest rates, this amount may not be sufficient for generation of sustained income.

After detailed discussion, the Committee recommended to the M.C.L. that the amount of cash compensation in lieu of employment should be enhanced to Rs.5,00,000/- (Rupees five lakh). This would greatly ease the pressure of employment on M.C.L. This enhanced cash compensation would attract the eligible job holders to opt for cash compensation in a time when there is no scope of adequate job opportunities in the M.C.L. in view of mechanisation and privatisation. Once this cash compensation is kept in fixed deposit in the name of the concerned person, he or she will cash approximately Rs.4000/- P.M. at the present rate of bank interest. The scheme would be attractive.

5. **Employment of Project Affected persons by contractors:-**

- 5.1 The Committee recommended that the contractors engaged by the M.C.L. should be asked to engage suitable and willing persons from project affected persons on priority basis.
- 5.2 The Committee under the Chairmanship of Collector concerned were authorised to review the matter to ensure that the Contractors engage the project affected persons on priority basis, where possible.

6. **Facilities in Re-settlement colonies:-**

- 6.1 The Committee advised the M.C.L. authorities to furnish details of facilities provided in the re-settlement colonies to Collectors concerned so that missing gaps, if any may be identified and provided for.
- 6.2 The M.C.L. authorities agreed to consider provision of financial grants to the schools in resettlement colonies, where needed.

7. **Afforestation/Plantation:**

- 7.1 Several members of the Committee expressed deep concern over taking up of compensatory afforestation in districts other than the project area. They strongly demanded that compensatory afforestation should be taken up in areas proximal to the projects to offset the environmental degradation caused by the project. M.C.L. authorities were also asked to place full details of compensatory afforestation and plantation work in the next meeting.
- 7.2 The Committee also advised the M.C.L. authorities to take up plantation of trees and environmental restoration activities in the de-coaled area and the project area. Greening the area through afforestation should occupy the top priority of the M.C.L. M.C.L. also should take up the plantation on its own in some areas.

8. **Complaints relating to blasting in Mines:-**

- 8.1 The M.C.L. authorities denied the allegation that blasting in mines are causing any damages to buildings. They reiterated that the safety norms are being strictly followed by the M.C.L.
- 8.2 The Chairman of the committee advised the members to bring specific complaints to the notice of the committee so that the same may be referred to D.G.Mines Safety.
- 8.3 M.C.L. authorities have agreed in the last meeting to conduct a survey on safety of buildings over the used up under ground coal mines, but it is yet to be complied. They were asked to comply before the next meeting.

9. **Periphery development Works:-**

The committee advised the Collectors concerned to finalize lists of projects for current year in consultation with the M.L.As/MPs concerned. The R.D.C-cum-Chairman was authorised to approve the list. The C.M.D. indicated that the tentative allocation for Jharsuguda and Sundargarh district would be Rs.115 lakhs and Rs.65 lakhs, respectively.

10. **Other items:-**

- 10.1 The M.L.A. Brajrajnagar raised the issue of job rehabilitation to villagers of Khairkuni and Tingismal. It was decided that this issue may be discussed in detail in the committee in light of lower/upper age limit.
- 10.2 The MLA, Jharsuguda asked for provision of sufficient funds for repair of Main Road, Jharsuguda and construction of check-dam on River Ib to ensure adequate drinking water for Brajrajnagar and Jharsuguda towns during summer months. It was decided to prepare plan and estimate and pose for funding as a special project by MCL/CCDA.as may be considered appropriate.
- 10.3 Several members expressed concern over long time gaps between consecutive meetings and recommended that the next RAC meeting should be convened without much delay, preferably during August, 2002.

The meeting concluded with vote of thanks to the Chair and the participants by the Convener.

Sd/-
(Sri G.K. Dhal, IAS)
Revenue Divisional Commissioner
(ND), Sambalpur-cum-
Chairman Rehabilitation Advisory
Committee.

Memo No.

150

Date.

16. 8. 2002

Copy forwarded to all the members of Rehabilitation Advisory Committee for information and necessary action.



Collector & Member Secretary
RAC, Jharsuguda

Memo No.

Date.

Copy forwarded to the Principal Secretary to Government in Revenue Deptt. Orissa, Bhubaneswar for favour of kind information and necessary action.



Collector & Member Secretary
RAC, Jharsuguda

Memo No.

Date.

Copy forwarded to the Commissioner-cum-Secretary to Government in Steel & Mines Deptt. Orissa, Bhubaneswar for favour of kind information and necessary action.




Collector & Member Secretary
RAC, Jharsuguda.

Memo No.

Date.

Copy submitted to the Chief Secretary, Orissa, Bhubaneswar for favour of his kind information. ^{OSD to} of chief Secretary, Orissa.



Collector & Member Secretary
RAC, Jharsuguda

Annexure-1LIST OF PARTICIPANTS PRESENT IN THE MEETING

1. Sri Raj K.Sharma, IAS, Collector & D.M., Jharsuguda .
2. Dr.(Mrs) Mona Sharma, IAS, Collector & D.M. Sundargarh.
3. Sri Kishore Ku. Mohanty, Hon'ble M.L.A. Jharsuguda.
4. Sri Anup Sai, Hon'ble M.L.A. Brajrajnagar.
5. Sri Sankarshan Naik, Hon'ble M.L.A. Sundargarh
6. Sri Suresh Pujari, Nominee of Hon'ble M.P. Deogarh Constituency.
7. Sri Girish Ch. Sahoo, Nominee of Hon'ble M.P. Sundargarh Constituency.
8. Sri R.K.Chechani, C.M.D. MCL, Burla H.Q.
9. Sri L.Jha, G.M., Ib valley Area, MCL, Brajrajnagar.
10. Sri H.S. Sahani, CGM, MCL, Lakhanpur.
11. Sri L.N. Maheswari, G.M. Orient Area, MCL, Brajrajnagar.
12. Sri Ramji Singh, G.M, M.C.L.Bansundhara Area, Sundargarh.

PROCEEDINGS OF THE REHABILITATION ADVISORY COMMITTEE
(RAC) MEETING OF MAHANADI COALFIELDS LIMITED FOR
JHARSUGUDA AND SUNDARGARH DISTRICT HELD ON 10.06.2003 AT
DRDA, CONFERENCE HALL, JHARSUGUDA

The meeting was presided over by Sri G.K. Dhal, IAS, Revenue Divisional Commissioner, Northern Division, Sambalpur. Collector, Jharsuguda welcomed all the participants to the meeting.

The list of members present and special invitees who attended the meeting is at Annexure-1.

1. The meeting was called to order by R.D.C. (ND) Sambalpur.
- 1.1 Initiating the discussion, the Collector, Jharsuguda welcomed the participants and stated that, M.C.L. is one of the most important industrial undertakings of this region and the local people have legitimate expectation from the company. He emphasized on a mutually beneficial partnership between the MCL and the local community especially the project-affected families.

The discussion proceeded agenda wise:

After elaborate discussion, the minutes of the last R.A.C. meeting held on 31.5.2002 was confirmed.

Collector, Jharsuguda explained the latest rehabilitation status of MCL and informed the house that A&B category family are being provided employment by MCL at present by relaxing the age limit under CBA (A&D) Act, but no employment relaxation to C&D category is available. It was complained that MCL is not giving full status of employment to the District Administration. C.M.D., MCL was asked to submit the same regularly.

- 3.1 Sri A.K. Sai, Hon'ble M.L.A., Brajrajnagar expressed concern over non-implementation of decisions taken in last meeting. Participating in the discussion, CMD, MCL emphasized on self employment scheme for rehabilitation of 'E' category land outstees and cash compensation in

lieu of employment for C&D category land outstees, who cannot be provided job rehabilitation in MCL, due to limited employment avenue. He opined that proposal for payment of Rs.5.00 lakhs, in lieu of employment, discussed in the last RAC meeting, if adopted, will create complication. MCL, being a subsidiary of Coal India Limited, cannot take such decision in isolation at subsidiary level, since this would have repercussions on other subsidiaries of Coal India Ltd. CMD, MCL also stated that working group has been setup under the Chairmanship of Collector, Angul and General Manager (Personnel), MCL, HQ and the representative of the Collectors of Sundargarh and Jharsuguda in consultation with Naba Krushna Choudhury Centre for Development Studies, Bhubaneswar to deliberate on rehabilitation related issue and to submit a report on rehabilitation for further consideration.

- 3.2 Participating in the discussion, Hon'ble MLA, Jharsuguda Shri Kishore Mohanty stated that contractors of MCL should employ only the local people. He expressed his concern regarding the transporting agencies, who are reluctant to engage local land oustees, but on the other hand they are engaging persons of other State. CMD, MCL to look into the matter personally and to engage land oustees in contracting and transporting agencies as a matter of principle.
- 3.3 Hon'ble M.P. Deogarh desired to know as to how many land oustee families have not been provided employment. Collector, Jharsuguda clarified that a comprehensive review needs be carried out to ascertain the exact nos. of families not provided with employment assistance. He pointed out that MCL is yet to provide full details of employment assistance to families losing land under C.B.A. (A&D) Act, acquisition, to the District Administration though it was discussed in the RAC meeting, 2001. C.M.D., MCL instructed the concerned CGM/GM to provide the detailed family wise list to the Collector within three months. Several members expressed concern over long time gaps between consecutive meetings and recommended that the next RAC meeting

should be convened without much delay, preferably within three to four months. The members felt that the detailed employment status be submitted to the District Administration at the earliest.

3.4 **Relaxation of age limit:**

The Committee expressed concern that large number of ousted families are deprived of job because of the long time gap between 7(1) Notification under C.B. Act and actual displacement. This results in eligible youths for job in the cut off dates over aged. The ousted persons should not suffer due to no fault of theirs. The committee decided to undertake case to case job rehabilitation where there is over age with due recommendation of District Collector.

4.0 **Status of Land Acquisition:**

Hon'ble M.L.A., Jharsuguda expressed concern regarding delay in acquisition of land in village: Bundia, under Orient Area and employment assistance to the affected families, thereof. Collector, Jharsuguda clarified that the land acquisition is under process and after the award, categorization will be made and case of rehabilitation in terms of employment will be taken up.

4.1 The CMD, MCL informed the House about the old projects and new projects and further informed the house that amendment of relevant provision of CBA(A&D), Act for de-notification in case of inordinate delay in land acquisition has been recommended. The same needs to be followed up at State and Central Government level. As regards the rehabilitation of orphans was discussed and the committee unanimously agreed to consider employment in case of orphans.

5. Adoption cases and categorisation of family.

5.1 As regards the rehabilitation of adoption cases was concerned and it was decided to consider the legally valid adoption cases for employment.

- 5.2 The Collector, Sundargarh raised the issue of categorization of family in Basundhara Area and suggested that Categorization of family should be done not only on the basis of land in one village but also taking into consideration the acquisition of land in other village already notified under CBA (A&D) Act. This suggestion was endorsed by Hon'ble M.L.A., Sundargarh. The proposal was accepted by the Committee and the MCL Official were asked to rectify the Categorization within a period of 2 months and to submit a report to the District Administration for consideration.
6. Hon'ble MLA, Brajranagar, Sri Anup Kumar Sai raised the issue of patta to the land less persons of village Chharla under .E.R.R.P. Scheme. Participating in the discussion, the Collector, Jharsuguda clarified that it is a complicated process. A detailed enquiry is going on this and other similar cases will be discussed after expeditious completion of enquiries. R.D.C. (ND) opined that the poor ERRP beneficiaries should not be deprived of their rightful dues.

Forest Land:

- The CMD, MCL raised the issue of forest land of Samaleswari OCP of Ib Valley Area and Lakhanpur OCP of Lakhanpur Area. It was decided to sort out the matter by Collector, Jharsuguda. The Committee expressed its grave concern over poor afforestation by MCL.
8. The Committee also heard the grievances raised by the two delegations of land losers from Jharsuguda and Sundargarh District regarding employment assistance to 'C' category families and cash compensation.
9. Impact of Blasting on nearby villages and non filling the mined areas. The Committee expressed its concern over the impact of blasting in the nearby villages. The Committee expressed its concern and directed M.C.L. to pay compensation after enquiry. The Committee also observed that there are many areas where M.C.L. is not doing right plantation and not following up plantation work. Also the mined areas be filled up.

10. The CMD, MCL also directed the MCL Officials to prepare lists of land losers engaged by the Contractors and to submit the same to the District Administration after counter signature by Hon'ble MLA.
11. Initiating discussion on periphery development members expressed displeasure over slow progress in execution of projects sanctioned by the PDC last year. A large numbers of works are yet to be started.
- 11.1 Hon'ble MLA, Brajrajnagar questioned the formation of separate periphery development committee for Sambalpur and suggested that all periphery development works should be taken up only within a radius of 8 Kms. from the Coal Mines. He also demanded substantial enhancement in the allocation for periphery development works.
- 11.2 Regarding demand for construction of a Barrage on Ib River, it was suggested that the proposal could be moved under CCDA.
- 11.3 The CMD, MCL indicated that allocation for 2003-04 for periphery development work would be Rs. 150.00 lakhs and Rs.75.00 lakhs for Jharsuguda and Sundargarh District respectively.
12. After detailed discussion, it was decided that list of projects for fund under periphery development works would be prepared by the Collectors concerned in consultation with the Hon'ble M.Ps/ M.L.As and other members as in last years and submitted to the R.D.C. for consideration. The Committee authorised the R.D.C(ND), Sambalpur and Chairman of the R.A.C. to approve the project list.

The meeting concluded with vote of thanks to the Chair and the participants.

Sd/-
(G.K.DHAL, IAS)
Revenue Divisional Commissioner(ND)
Sambalpur & Chairman, RAC, MCL.

Memo No. 291 /Dated 16.12.2003
 Copy forwarded to all the members of Rehabilitation Advisory Committee for information and necessary action.

[Signature]

Collector & Member Secretary
 R.A.C., Jharsuguda

Memo No. _____ /Dated _____

Copy forwarded to the Principal Secretary to Government in Revenue Deptt., Orissa, Bhubaneswar for favour of kind information and necessary action.

sd/-

Collector & Member Secretary
 R.A.C., Jharsuguda

Memo No. _____ /Dated _____

Copy forwarded to the Commissioner-cum Secretary to Government in Steel & Mines, Orissa, Bhubaneswar for favour of kind information and necessary action.

sd/-

Collector & Member Secretary
 R.A.C., Jharsuguda

Memo No. _____ /Dated _____

Copy submitted to the OSD to Chief Secretary, Orissa, Bhubaneswar for favour of kind information.

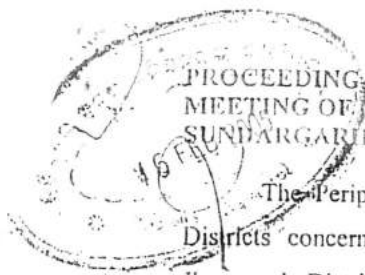
sd/-

Collector & Member Secretary
 R.A.C., Jharsuguda

ANNEXURE - I

LIST OF MEMBERS ATTENDED IN THE MEETING

<u>SL.NO.</u>	<u>DESIGNATION</u>
1.	Collector, Jharsuguda
2.	Collector, sundargarh
3.	M.P., Deogarh
4.	Nominee of M.P. Sundargarh
5.	M.L.A., Brajrajnagar
6.	M.L.A., Jharsuguda
7.	M.L.A. Sundargarh
8.	D.I.G. (NR) Sambalpur
9.	S.P. Sundargarh
10.	S.P. Jharsuguda
11.	C.M.D., MCL, Burla, Sambalpur
12.	C.G.M., Lakhanpur Area.
13.	C.G.M. , Ib Valley Area.
14.	G.M., Orient Area
15.	G.M. Basundhara Area.
16.	ADM, Sundargarh
17.	ADM, Jharsuguda
18.	Sub-Collector, Jharsuguda
19.	Tahasildar, Jharsuguda
20.	Tahasildar, Lakhanpur
21.	Land Acquisition Officer, Sudnargarh
22.	Zone Officer, MCL Works, Brajrajnagar.



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26/2/05

PROCEEDING OF THE PERIPHERY DEVELOPMENT COMMITTEE
MEETING OF MCL AND OTHER INDUSTRIES OF JHARSUGUDA AND
SUNDARGARH DISTRICT HELD ON Dt. 14.2.05

The Periphery Development Committee meeting of Jharsuguda & Sundargarh Districts concerning Mahanadi Coal fields Ltd and other upcoming Industries of Jharsuguda District was held on Dt 14.2.05 (Monday) in the Conference Hall of DRDA, Jharsuguda at 3 PM under the Chairmanship of Sri J N Panda, IAS, Revenue Divisional Commissioner (Northern Division), Sambalpur. The list of members attended the meeting is at Annexure - 1.

2-3-2005

At the outset, the Collector, Jharsuguda welcomed all the members.

The following items were taken up for discussion in the meeting.

1. Confirmation of the proceedings of the last PDC meeting.

R.

File-Bohery

(a) The Collector, Jharsuguda enlightened the House the allocation and utilization under periphery Development Fund of MCL of last 3 (three) years of Jharsuguda District as below :

di-
LA-26/2/05

Year	Allocation (Rs in lakh)	Utilisation (Rs in lakh)
2001-02	54.97	46.71
2002-03	51.90	38.43
2003-04	148.83	19.13 (out of Rs 84.33 lakhs placed by MCL with Collector, Jharsuguda)

25/2/05

Taking part in the discussion, Sri Dharmendra Pradhan, Hon'ble MP remarked that there has been inordinate delays in execution of projects taken up under Periphery Development of MCL. Hence, he suggested that the progress should be regularly monitored..

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26/2/2005

Sri Kishore Kumar Mohanty, Hon'ble MLA suggested that for speedy and expeditious execution of projects, MCL should deposit the entire allocation under Periphery Development with the Collector, Jharsuguda. There was consensus in the matter and the House resolved that the entire allocation of Jharsuguda District under MCL Periphery Development Fund is to be deposited by MCL with the Collector, Jharsuguda. and then later on the executing agencies will be finalized.

The RDC (ND) suggested that one periphery development society should be formed with Collector as the Chairman and the entire funds for the periphery development should be deposited in this society's account. The entire House agreed on the same.

The Collector, Jharsuguda suggested that allocation under MCL periphery development fund should be released in one go and not in piecemeal basis. The House expressed unanimity in the matter.

Hon'ble MP Sri Pradhan and Hon'ble MP N. Jharsuguda expressed that since the MCL periphery development guidelines stipulate that the amount should be spent within the mining area / District (s), the same is not effectively followed. This can be inferred from the figures below :-

Year	Expenditure incurred at the MCL Head quarters (Rs in crores)	Allocation for Jharsuguda District (Rs in crores)
2001-02	1.91	1.00
2002-03	1.72	1.15
2003-04	1.35	1.48
2004-05	1.37	2.00 (likely allocation)

Hon'ble MP Pramila Bohidar suggested that since the seat of MCL head quarters is in Sambalpur District, there should not be any cut in expenditure for Sambalpur District.

The final decision in the matter was left to the Chairman.

The Superintendent of Police, Sundargarh expressed that there has been massive expansion of coal mining activities in Sundargarh District resulting in frequent law and order situations in the District. This justifies more allocation for the District under MCL Periphery Development.

Hon'ble MPs Surendra Lath & Pramila Bohidar, Hon'ble MLA Anup Kumar Sai suggested that the MCL should make provision of at least 5% of its total profit under Periphery Development every year. The RDC (ND) viewed to seek a clarification from the Govt of Orissa in the matter. Hon'ble MLA Brajrajnagar suggested for greater attention to Brajrajnagar areas under periphery development.

Hon'ble MP Sri Dharmendra Pradhan suggested that the allocation under MCL periphery development should be utilized in the mining area Districts as below :

- (i) In project areas - 70%
- (ii) In Urban areas - 20%
- (iii) In District Hd. qrs - 10%

After a thorough and detailed discussion in the matter, it was unanimously resolved that the allocations under MCL periphery Development for Jharsuguda and Sundargarh Districts shall be as below :-

Name of the District	Allocation under periphery Development for 2004-05 (Rs in crores)
1. Jharsuguda	2.00
2. Sundargarh	1.00

The entire allocation should be deposited by MCL with concerned Collectors for speedy and expeditious execution of projects.

(b) Other items :

(1) Hon'ble MLA Sri Sai suggested for inclusion of L & T (Ultra Tech Cement) and TRL in PDC meetings and OPGC in the RAC meeting. The RDC (ND) opined to move Govt for the purpose.

(2) Hon'ble MP Sri Pradhan requested the MCL authorities to submit a status report of projects executed under MCL periphery Development Fund during last 5 (five) years besides formulating a perspective plan for coming 20 (twenty) years.

2. OPGC (Orissa Power Generation Corporation):

The allocations under periphery development of OPGC in Jharsuguda District during last 3 (three) years are as below :

Year	Allocation (Rs in lakhs)	Utilisation (Rs in lakhs)
2001-02	4.75	4.49
2002-03	4.67	3.92
2003-04	15.00	0.43

The Hon'ble MPs and MLAs observed that the allocations under periphery development of OPGC do not commensurate with their total profit.

Instances of OPGC authorities not allowing the project affected families access to basic facilities like health care, education, banking attracted the attention of the Hon'ble members. The RDC (ND) expressed that OPGC is to provide all facilities to persons displaced due to OPGC. The Collector, Jharsuguda and the Superintendent of Police, Jharsuguda are to monitor that these persons are not deprived/denied the aforesaid facilities.

The House resolved that since OPGC has earned a profit of about Rs 120 crores during 2003-04 and expects the same during the current year, it should make a provision of Rs 5 (five) crores for periphery development for the year 2004-05. The entire allocation should be deposited with the Collector, Jharsuguda.

3. Other Industries

The likely allocation under periphery development by other upcoming sponge iron units of Jharsuguda District was also discussed.

Initiating the discussion, the RDC (ND) highlighted that since periphery development is to go side by side with the projects, all the upcoming industries should come up with works of immediate urgency. As such, the amounts to be earmarked for the purpose in respect of periphery development by upcoming units like SMC, SPS, Pawansut Sponge Iron, Bhagwati Steels, I. N. Metallics etc are to be finalized by Collector, Jharsuguda in consultation with the units.

Hon'ble MLA, Jharsuguda Sri Mohanty indicated that since these units are potential sources of environment pollution, adequate pollution control measures like round the clock operation of ESP should be adhered to. He also expressed that an Officer from State Pollution Control Board should be posted at Jharsuguda. The RDC (ND) observed that since we have a social responsibility in the matter, there should be no compromise on pollution.

Also for greater transparency, all these units are to formulate a rationalized employment policy employing people those available from the District first. They are to submit the lists of those employed (Post-wise) in these units to the Collector, Jharsuguda within a week's time. The Chairman directed the Collector to formulate the shelf of projects to be taken up out of periphery development grant and sought the cooperation of all concerned to execute works under periphery development in the right earnest.

The meeting ended with vote of thanks to the Chair and all members.

[Handwritten Signature]
2.3

REVENUE DIVISIONAL COMMISSIONER
(NORTHERN DIVISION)
SAMBALPUR

DISTRICT OFFICE JHARSUGUDA
(DEVELOPMENT SECTION)

Memo No 3182 PL. 6.4.2005

Copy to all members of Periphery Development Committee
of MCL for information and necessary action.

[Handwritten Signature]
6.4.2005
Addl. Dist. Magistrate
Jharsuguda

Annexure - I

Members present in the Periphery Development Committee of MCL and other Industries of Jharsuguda and Sundargarh Districts held on Dt. 14.2.05 at DRDA Conference Hall, Jharsuguda.

Sl No	Members present
1.	Sri Dharmendra Pradhan, Hon'ble MP, Deogarh P/C
2.	Sri Surendra Kumar Lath, Hon'ble MP (Rajyasabha)
3.	Pramila Bohidar, Hon'ble MP (Rajyasabha)
4.	Sri Kishore Kumar Mohanty, Hon'ble MLA, Jharsuguda
5.	Sri Anup Kumar Sai, Hon'ble MLA, Brajrajnagar A/C
6.	Representative of Hon'ble MP, Sundargarh P/C
7.	Collector, Jharsuguda
8.	Superintendent of Police, Jharsuguda
9.	Superintendent of Police, Sundargarh
10.	Additional District Magistrate, Jharsuguda
11.	Additional District Magistrate, Sundargarh
12.	DFO, North Forest Division, Sambalpur
13.	Director (Finance) MCL, Burla
14.	✓ CGM, IB Valley Area, MCL, Brajrajnagar
15.	GM, Lakhanpur Area, MCL, Bandhbahal
16.	GM, Basundhara Area, MCL
17.	GM, Orient Area
18.	Director, OPGC, Banharpali
19.	Manager, ITPS, Banharpali
20.	Land Acquisition Officer, Sundargarh
21.	Sri R K Agrawal, LN Metallics
22.	Sri Anil Kedia, Pawansut Sponge
23.	Sri Prem Agarwal, Bhagwati Steel Ltd.
24.	Sri S Sanyal, SPS Steel and power Ltd.,
25.	Sri RMS Tomar, SMC Power Generation
26.	Project Director, DRDA, Jharsuguda
27.	Addl Project Director (ADMN), DRDA, Jharsuguda

A-50 (2)

PROCEEDINGS OF THE REHABILITATION ADVISORY COMMITTEE (RAC) MEETING OF MAHANADI COALFIELDS LIMITED (MCL) RELATING TO JHARSUGUDA AND SUNDARGARH DISTRICTS.



Date & Time - 02.06.2006 at 10 A.M.
Venue - DRDA Conference Hall, Jharsuguda.
In Chair - Sri Ashok Dalwai, IAS, RDC(ND), Sambalpur
Present - As at Annexure - 'A'

The discussion made and decisions taken in the RAC meeting is as follows:.

1. JHARSUGUDA DISTRICT:-

Initiating the discussion and welcoming all the members, the RDC (ND) expressed concern over the matter that there has been a negative impact among the land losers due to the fact that land is being acquired for MCL for coalmining purposes in piecemeal manner and there has been time lag between date of notification and date of actual acquisition. This gap needs to be narrowed in greater public interest.

It was explained

Hon'ble MP, Deogarh Parliamentary Constituency suggested for redressal of following issues.

- I) Cases of pre-'94 families eligible for employment be sorted out,
II) Cases of post-'94 families eligible for employment be clearly worked out,
III) Employment against pattas like DC Pattas, Lease Pattas issued under various poverty amelioration programmes during 1974 be resolved,
IV) The gap between date of notification and date of actual acquisition under CBA

Out of 73 left out cases, 10 (Ten) eligible cases given appointments. Rest 62 cases are not eligible for employment. One case is demand for cash compensation in lieu of employment.

Act need be curtailed to the minimum extent possible.

Handwritten notes and signatures: APM, Area Survey Office, P.O. 50 CP / 10 CP, RDC Cell members, RDC Cell, 11/7/06

Any proposal for

Hon'ble MLA , Brajarajnagar Assembly Constituency suggested that the land acquisition under CBA Act and rehabilitation, resettlement relating to the following villages need be settled at the earliest.

- I) Villages namely Khairkuni & Tingismal, where assessment is nearing completion;
- II) Village Khuntmahul , where assessment work and award have been done in 2003 under CBA Act but R & R benefits are yet to be provided with to the land oustees.

He apprehended that unless these issues are sorted out , this may have an adverse bearing on mining activities since MCL authorities appear to be indifferent to land acquisition and rehabilitation covered under CBA Act..

Hon'ble MLA , Jharsuguda Assembly Constituency informed that the land oustees of Bundia mines which is in operation since 27 years have been paid only cash compensation and no rehabilitation benefits have yet been extended to them. There has been encroachment by MCL over land in respect of which lease pattas have been issued by the competent revenue authority.

The RDC (ND) expressed concern that the MCL Authorities seem to be deliberately leaving out basti areas from actual mining activities thereby depriving the villagers of various rehabilitation benefits and advised that this should be avoided. If as a result of land acquisition of major portions, the balance land & basti make the living of people socially / economically unviable, then even such land and basti should be acquired, the RDC advised. This was accepted.

Hon'ble MP Deogarh P/C indicated that MCL is supposed to provide employment to the land oustees belonging to A , B , C categories since C categories have been provided with employment in Talcher area till 2004. Moreover , there is scope for providing employment to 'C' category in the new R&R policy enunciated by the State Govt.

Hon'ble MLA Brajarajnar A/C enlightened the Committee that the selection of land oustees for employment in respect of land acquired under CBA (A&D) Act, 1957 is done by MCL without taking the District Administration into confidence. The MCL authorities donot even communicate the reasons of disqualification / ineligibility to the land oustees.

The RDC(ND) ruled that in all cases of ineligibility , be it medical fitness or for any other cause , the reason(s) thereof should be intimated to the land oustees.

Hon'ble MLA Brajarajnar A/C indicated that about 70% of the land oustees given employment in MCL have been dismissed on some ground or other. Also there are instances where land oustees of Talcher area have been employed in Jharsuguda District.

Hon'ble MP (Rajya Sabha) pointed out that the decisions of last RAC meeting have not yet been complied with by MCL Authorities and unless effectively pursued , the present proceedings may have similar consequence.

After threadbare discussions, the following decisions were arrived at keeping in view the larger interest of the land losers in MCL :

- i) The R&R policy of 1998 shall be largely followed for providing employment to the displaced families. However, provisions of R&R policy of 1989 regarding member of each family having sustained loss of 3(three) acres of non-irrigated land or 2 (two) acres of irrigated land shall be provided with employment too. To (this extent) 1989 policy shall also hold good. A major son irrespective of his marital status, unmarried daughter/sister of more than 30 years of age, a divorcee/deserted woman or widow having no source of livelihood coming within the record of rights (ROR) shall constitute a separate family and will have a claim for employment.
- ii) Families staying on Govt. land for a continuous period of three years either being displaced due to Hirakud Project or with lease patta and ROR not corrected in their favour be eligible for employment benefits in MCL:
- iii) A joint verification by MCL and District Administration of 117 families covered under post-94 recommendations but not yet provided with employment be made taking into consideration the above stipulations and if found eligible be given jobs. This exercise is to be completed within 15th of July' 2006.
- iv) MCL is to keep indicating the vacancy position to concerned Collectors, who in turn shall recommend the list of D Category land losers for engagement in contractual jobs. 24 persons (not land losers) appointed in contractual security services in Orient (Rampur) Area during last two months be removed forthwith and the vacancies arising thereby be filled

up from the list of 'D' Category land losers to be recommended by the Collector.

v) 'D' Category land losers be engaged in MCL engaged Security Agencies.
They are however, duty bound to adhere to the rules and regulations of MCL.

vi) In village Chharla, the Land Acquisition proceedings were completed in 1983 and 1991. 225 families have been provided with employment. But since resettlement site was not ready by MCL, the displaced families could not be shifted there. With the advancement of time, the minor sons of the families have become major in the meantime. Since the entire village is to be shifted, it is decided that the major sons irrespective of their marital status, unmarried daughter / sister of more than 30 years of age, divorcee / deserted woman or widow having no source of livelihood should be provided with employment by MCL.

Similarly, in village Darlipali, land acquisition proceedings have been completed since 1991 excepting the hamlet Sahapada where the villagers did not allow assessment of structures. So it was decided that the assessment of structures be made involving PWD Officials and compensation and rehabilitation assistance be provided following the pattern adopted in village Chharla. Since the displaced families of Darlipali have not been taken to the resettlement site, MCL is to provide job to the major son irrespective of marital status, unmarried daughter /

sister of more than 30 years of age, divorcees / deserted woman or widows
as followed in village Chharla.

It was also decided that the assessment of villages like Khairkuni and
Tingismal covered under CBA Act be completed within a period of
3(three) months and the assessment of structures may be made involving
the PWD authorities.

- vii) The District Administration to be involved in all cases where employment
is being extended to the displaced families / land losers.
- viii) In all 28 cases of village- Darlipali where employment offer was provided
to the land oustees during 1990 but alleged to be found not eligible by
MCL be examined afresh ;
- ix) Oriya should form a part of the curriculum in all MCL-run / funded
Schools. Also MCL should provide free education to the children of land
losers in MCL-run DAV Schools ;
- x) Likewise, MCL should provide medical treatment to the kith and kin of
the land losers in MCL-run Hospitals.

2. SUNDARGARH DISTRICT :

The decisions arrived above shall apply mutatis mutandis for Sundargarh District too.

Further for Sundargarh District, the RAC decided as below :

1. Since Sri Giridhari Goud has become major in the meantime, he be provided employment.
2. The cases of Sri Hemanta Kalo does not merit consideration since his sister has already been employed in MCL as the nominee of land oustee.
3. Since in the meantime Sri Jhasketan Kalo has become major, he be provided with employment in MCL as the nominee of land oustee.

Sd/-

(ASHOK DALWAI)
REVENUE DIVISIONAL COMMISSIONER (ND) AND
CHAIRMAN, REHABILITATION ADVISORY COMMITTEE
MAHANADI COALFIELDS LIMITED.

Memo No. 4355 Dated. 14-6-06

Copy forwarded to all the members of Rehabilitation Advisory Committee for kind information and necessary action.

906
14.6.2006
Collector & Member Secretary,
RAC, Jharsuguda.

Memo No. 4356 Dated. 14-6-06

Copy forwarded to Principal Secretary to Government in Revenue Department, Orissa, Bhubaneswar for favour of kind information and necessary action.

906
14.6.2006
Collector & Member Secretary,
RAC, Jharsuguda.

Memo No. 4357 Dated. 14-6-06

Copy forwarded to Commissioner-Cum-Secretary to Government in Steel & Mines, Orissa, Bhubaneswar for favour of kind information and necessary action.

906
14.6.2006
Collector & Member Secretary,
RAC, Jharsuguda.

Memo No. 4358 Dated. 14-6-06

Copy forwarded to OSD to Chief Secretary & Chief Development Commissioner, Govt. of Orissa, Bhubaneswar for favour of kind information of Chief Secretary & Chief Development Commissioner, Orissa, Bhubaneswar.

906
14.6.2006
Collector & Member Secretary,
RAC, Jharsuguda.

Memo No. 4359 Dated. 14-6-06

Copy forwarded to Secretary to RDC(ND), Sambalpur for favour of kind information and necessary action.

906
14.6.2006
Collector & Member Secretary,
RAC, Jharsuguda.

ANNEXURE – 'A'

MEMBERS PRESENT IN THE RAC MEETING.

1. Sri Kishore Kumar Mohanty, Hon'ble MLA, Jharsuguda A/C & Govt. Chief Whip
2. Sri Dharmendra Pradhan , Hon'ble MP, Deogarh P/C
3. Sri Surendra Lath , Hon'ble MP, Rajya Sabha.
4. Sri Anup Kumar Sai, Hon'ble MLA, Brajarajnagar A/C.
5. Smt. Sushama Patel , Hon'ble MLA, Sundargarh A/C.
6. Representative of Hon'ble MP, Sundargarh P/C.
7. Collector, Jharsuguda
8. Collector, Sundargarh
9. S.P, Jharsuguda
10. S.P, Sundargarh
11. C.M.D, MCL, Burla.
12. Director (Personnel), MCL, Burla.
13. Director (Technical), MCL, Burla.
14. C.G.M, MCL, IB Valley Area.
15. C.G.M, MCL, Lakhanpur Area.
16. G.M, MCL, Orient Area.
17. G.M, MCL, Basundhara Area.
18. Zone Officer, MCL Works, Brajarajnagar.
19. LAO, Sundargarh.
20. Dy. GM. (L&R) MCL. Burla

Proceeding of the Rehabilitation Advisory Committee Meeting of Mahanadi Coalfields Limited Dated 17.05.2005 of Jharsuguda and Sundargarh District.



The Rehabilitation Advisory Committee Meeting of Mahanadi Coalfields Limited of Jharsuguda and Sundargarh District was held on 17.05.2005 under the Chairmanship of Sri J. N. Panda, IAS, Revenue Divisional Commissioner, (Northern Division), Sambalpur in the DRDA Conference Hall at Jharsuguda. The list of members attending the meeting is at Annexure-'A'.

At the outset, the Chairman welcomed all the members and sought for the co-operation of all concerned in resolving the long standing problems of the Land oustees.

1. SUNDARGARH DISTRICT.

a) Consideration of cases of overage :

In the following three cases, the project affected persons were found to be overage as on the cut off date fixed at 31.12.2002 for the purpose.

Name	Cut off date	Overage as on 31.12.2002
1. Parasuram Kalo	31.12.2002	1 month 26 days
2. Harsha Pradhan	31.12.2002	1 month 21 days
3. Bhagbatia Pradhan	31.12.2002	1 month 21 days

Since these are the last 3 (Three) cases, the committee unanimously resolved that they may be provided employment by MCL by relaxing the overage criteria as per their category.

b) Nomination by PAF for employment :

Regarding nomination for employment by PAF, the committee resolved that the Govt in Revenue and Excise Department Notification No. 62285 / Dt. 06.10.89 and the clarifications issued from time to time shall be the guiding principle. MCL authorities agreed to the decision.

AGM
APO
APM
ASO

Xerox copy given to all.

with details sent to RAC

c) **Consideration of minors :**

The cases of following 3 (Three) persons being minors on the cut off date under Basundhara East Project were discussed in the committee.

1. Giridhari Goud - Tikilipara
2. Hemanta Kalo - Tikilipara
3. Jhasketan Kalo - Balinga

Previously it was resolved that minors are entitled only to cash compensation and not employment. In the present case, the MCL authorities indicated that the above persons are deliberately not receiving compensation.

The S.P, Sundargarh requested the committee to sympathetically consider these cases since such cases very often lead to law and order situation in the District.

The committee resolved that employment should be given to the above 3 (three) persons as per their category with a condition that there shall be consideration of no further such left out cases and these are the last cases of their kind.

d) **Fixation of Cut-off date for Kulda Project :**

The committee discussed and approved the cut-off date at 31.12.2003 for Kulda Project as proposed by the Sub-Committee in its meeting dt. 15.01.2005.

e) **Cash compensation in lieu of employment :**

Hon'ble MP Sri Dhamendra Pradhan proposed for constitution of a committee comprising of 3 (three) Collectors for fixing the amount of cash compensation to be paid to the Land oustees who do not want employment considering the prevailing cost of living index. The proposal should be sent to Coal India for necessary approval.

The RDC,(N.D), Sambalpur however suggested that the practice of Angul District be followed in Sundargarh and Jharsuguda Districts.

f) Provision of health & education facilities to the PAF's.

The committee expressed concern over the fact that MCL is not providing health and education facilities to PAF's and their dependants in the hospitals and schools run by MCL.

The committee resolved that MCL is to extend medical facilities-both indoor and outdoor to the PAF's and their dependants.

g) Facilities for the lease patta holders :

Instances of some villagers issued with leasehold lands prior to 1975 with kisam of such land being shown as 'Jungle' in the hal ROR attracted the attention of the committee. There are 17 such families in village- Balinga and 6 families in village- Balgibahal.

Since such families have been residing over the leasehold land, the committee felt that they are entitled to all benefits Vis-à-Vis Sabik ROR.

The RDC, (ND) observed that -

- i) Somebody whose ownership over land is outright ;
- ii) Somebody who is a rightful claimant ;
- iii) Somebody who is not a rightful claimant (but) has a structure on the land shall be entitled to compensation under R & R policy, if displaced as per Govt. guidelines.

2. JHARSUGUDA DISTRICT:

Initiating the discussion on Jharsuguda District, the RDC, (ND) indicated that all the decisions taken for Sundargarh District shall apply mutatis mutandis for Jharsuguda District.

Hon'ble MLA, Jharsuguda Sri Kishor Kumar Mohanty raised that all the recommendations of the Rehabilitation Sub-Committee beyond 1994 havenot yet been covered. Hon'ble MP Sri Dharmendra Pradhan also indicated that MCL authorities havenot been paying any heed to the recommendations of the Rehabilitation Committees. All sponsored candidates havenot yet been provided with employment.

Collector Harsuguda suggested that the MCL authorities should come up with the details of employment status of the land custees categorywise villagewise provided by MCL for better appreciation under CBA(A&D) Act, 1957 and LA Act, 1894 separately. RDC (ND) accepted the proposal.

Hon'ble MP Sri Dharmendra Pradhan proposed for a core committee comprising of representatives from District Administration, Director (Personnel), MCL and public representatives to recommend names. Only disputed cases shall be placed in the RAC for consideration.

The RDC.(ND) suggested as below:

- i) All recommendations after 1994 be taken care of first. Details of Such recommendations made and employment given by MCL be worked out within 15 days.
- ii) In case of recommendations prior to 1994, MCL is to work out the details of displacement-categorywise, no. of persons provided with employment, no. of persons not yet accommodated at the earliest and sit with the concerned Collector for further necessary action.
- iii) MCL is to take up all recommended cases first. All post 1994 recommended cases be notified in the Notice Board of Collectorate/ MCL office. The Zone officer, MCL works, Brajrajnagar is to coordinate the entire exercise with MCL.
- iv) The MCL representatives suggested only cash compensation for PAFs belonging to D- Category. The committee unanimously resolved that D- category people can be provided with indirect employment under Contractors engaged in MCL. MCL is to provide the list of D-category PAFs to the contractors within fifteen days for the purpose with a copy to the Collector.

v) The committee felt the necessity of making the compensation package more remunerative since there is a time lag between the date of sec-7(i) Notification under CBA (A&D) Act 1957 and the actual acquisition. For the purpose of award/ compensation, the price prevailing at the time of award should be the guiding price and the cut-off date for employment. MCL authorities to consider this proposal.

sent under 2/1/75

vi) MCL is to provide copies of the Notifications under CBA (A&D) Act, 1957 to Collector/ concerned Tahasildars & DSR.

vii) The committee unanimously resolved that MCL shall provide employment to PAFs as per the Government guidelines and the practice followed in Angul district.

viii) The Collector, Jharsuguda impressed the House that during the year 1986 in village Chharla lease pattas were granted to 30 (thirty) homesteadless families. Out of these 30 (thirty) families, PAFs belonging to 12 (twelve) families (approx) have been provided with employment by MCL (Lakhanpur area) and in balance 18 (eighteen) cases (approx) none has yet been provided with employment. Similarly in village Kudopali in Ib Valley Area 22 persons have been issued lease pattas in landless scheme during the year (1974) from Jharsuguda Tahasil and their land are presently under the possession of MCL in Samaleswari OCP. Their cases should be taken care for providing employment. CGM, Ib Valley Area is requested to give the list of land oustees (lease patta holders) whose land are involved in the acquired area of Samaleswari O.C.P.

Answer

certification of list

The committee resolved that at least one person from each of the 18 (eighteen) PAFs of village Chharla (Lakhanpur area) be provided with employment with the condition that Revenue Authorities shall certify that they were actually issued home stead lease pattas as per law and same procedure will be adopted for vill (Kudopali) under Ib Valley Area.

ix) Hon'ble MP Sri Dharmendra Pradhan suggested that MCL is to bring up the details of land oustees whose land has been acquired but none has yet been provided with employment at the earliest.

Answer

The RDC, (ND) reacted that all the left out cases of villages Chharla, Darlipali Khairkuni (Lakhanpur area) and Kudopali (Ib Valley area) be considered on priority.

others districts list

x) Hon'ble MLA Sri Kishore Kumar Mohanty cited cases of persons of other Districts being rehabilitated against vacancies of Jharsuguda District thereby depriving PAFs of Jharsuguda District from employment opportunities / RDC, (ND) ruled for immediate discontinuance of this trend.

xi) *List & already done* Reacting to the observations of Collector, Jharsuguda that strangers are being nominated as nominees of the land oustees through affidavits, the RDC, (ND) suggested that such unfair practices should be rejected outright.

xii) *Amended* The committee resolved that in all cases of employment in MCL, the Collector of the District should be involved. Notification of all kinds of employment in MCL copy should also be displayed in the office of the RDC, (ND) & Collector as a mandatory requirement.

xiii) Hon'ble MLA Sri Kishore Kumar Mohanty brought to the notice of all concerned that Oriya is not taught in the MCL schools. He suggested that all MCL-run schools should have Oriya upto Class-VII. The committee resolved in the affirmative. RDC, (ND) requested the MCL authorities to furnish the details of schools run under MCL funding.

The committee meeting ended with vote of thanks to the chair and all members.

Sd/-
(J. PANDA, IAS)
CHAIRMAN, RAC, MCL,
(AND) REVENUE DIVISIONAL
COMMISSIONER, (N.D), SAMBALPUR

7

ANNEXURE- A

LIST OF MEMBERS ATTENDED IN THE MEETING.

1. Hon'ble M.L.A , Jharsuguda and
Government Chief whip.
2. Hon'ble Member of Parliament,
Sundargarh.
3. Hon'ble Member of Parliament,
Deogarh.
4. Sri Surendra Lath,
Hon'ble M.P. Rajya Sabha,
Sambalpur.
5. Sushree Pramila Bohidar,
Hon'ble M.P. Rajya Sabha,
Sambalpur.
6. Hon'ble M.L.A , Brajrajnagar.
7. Hon'ble M.L.A , Sundargarh.
8. Collector, Jharsuguda (Member Secretary).
9. Collector , Sundargarh.
10. D.I.G. of Police (W.R), Rourkela &
(N.R), Sambalpur.
11. Superintendent of Police,
Sundargarh.
12. Superintendent of Police,
Jharsuguda.
13. C.M.D, MCL, Burla,
Sambalpur.

8

- 2 -

- 14 ✓ C.G.M. MCL, Ib Valley Area,
Brajrajnagar.
15. C.G.M, MCL, Garjanbahal Area &
Basundhara Area.
16. G.M, MCL, Orient Area ,
Brajrajnagar.
17. G.M, MCL, Lakhanpur Area,
Bandhbahal.
18. Zone Officer, MCL, (Works),
Brajrajnagar.
19. Land Acquisition Officer,
Sundargarh.

9

Memo No. 83 (17) Dated. 23-07-2005
Copy forwarded to all the members of Rehabilitation Advisory
Committee for information and necessary action.


Collector & Member Secretary,
R.A.C. Jharsuguda.

Memo No. _____ Dated. _____
Copy forwarded to Principal Secretary to Government in Revenue
Department, Orissa, Bhubaneswar for favour of kind information and necessary
action.

sd/-
Collector & Member Secretary,
R.A.C. Jharsuguda.

Memo No. _____ Dated. _____
Copy forwarded to Commissioner-Cum -- Secretary to Government in
Steel & Mines, Orissa, Bhubaneswar for favour of kind information and
necessary action.

sd/-
Collector & Member Secretary,
R.A.C. Jharsuguda.

Memo No. _____ Dated. _____
Copy forwarded to O.S.D. to Chief Secretary, Orissa, Bhubaneswar for
favour of kind information .

sd/-
Collector & Member Secretary,
R.A.C. Jharsuguda.

**PROCEEDINGS OF THE REHABILITATION & PERIPHERY
DEVELOPMENT ADVISORY COMMITTEE (RPDAC) FOR
MCL IN JHARSUGUDA DISTRICT**

Date & Time - 21.07.2007 at 9.30 A.M.
Venue - DRDA Conference Hall, Jharsuguda
In Chair - Sri Madhusudan Padhee, I.A.S., RDC (ND),
Sambalpur
Members Present - As at Annexure - 'A'

The discussion made and decisions taken in the RPDAC meeting is as follows:-

At the outset the Collector welcomed the Chairman and all the members of the Committee present in the meeting.

Initiating the discussion and welcoming all the members, the R.D.C.(ND), Sambalpur and all members expressed deep concern over inaction of M.C.L. on decisions taken in last R.A.C. held on 02.06.2006 even after a lapse of more than one year. This has given rise to discontentment among the land losers. Increasingly, the affected persons are of the opinion that M.C.L. authorities are deliberately not implementing the decision of R.A.C.. While going through the ATR(Action Taken Report) on 2006 RAC proceedings of District Administration and M.C.L., all the members found discrepancies between the two and expressed anguish over it. The Chairperson, RPDAC, impressed upon all members to pay attention to decisions taken

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01/9/07

in RPDAC. Moreover, Collector-cum- Convener was asked to take a regular review of actions taken on decisions of the RPDAC.

1. During the discussion Director Personnel, M.C.L. has expressed his inability to club the Government policy of year 1989 alongwith the policy of year 1998 for ascertaining the term 'family', for provision of employment. Hon'ble M.P. Deogarh P/C suggested that there is no harm to adopt 1998 Government policy in order, to include a major son irrespective of his marital status, unmarried daughter more than 30 years of age, a divorcee/ deserted women or widow having no source of livelihood, within the definition of a "separate family" who can claim for employment. R.D.C. (ND) has also added on this point, and said that it would give socio-economic security to the land oustees, affected over the years due to coal mining operation in the area. This was agreed by all members. Director (Personnel) of M.C.L. requested to not to combine the definition of 1989 & 1998 policies as it would increase the burden on M.C.L..

2. M.C.L. authorities raised the issue of fixation of "cut off date" for employment, especially for the villages covered under CBA Act which is to be fixed in RPDAC meeting as and when necessary. Hon'ble M.P. Deogarh P/C reacted on it and stated that this problem has already been sorted out during the RAC held on 17.05.2005, that the date of award of compensation in the village shall be the cut off date for

employment under CBA Act. It was emphasized further that the time lag between date of notification and actual acquisition, needs to be narrowed to avoid discontentment among people. The R.D.C.,(ND) advised M.C.L. authorities to implement the decisions already taken.

3. Hon'ble M.L.A., Jharsuguda A/C pointed out that the land oustees of Talcher Coal Fields have been posted in the district of Jharsuguda , allegedly exhausting the vacancy of the district. Moreover, he added that M.C.L. authorities are reluctant to provide employment to 'C' category families of Jharsuguda district on the pretext that there is no vacancy in the same. This practice has led to spread of discontentment among the land oustees. Therefore, he emphasized that only land oustees (A, B or C Categories) as per 1989 policy of Jharsuguda should be accommodated here and all persons from Talcher should be sent back. The land oustees should be allowed to continue in their parent district for five years, to adjust to the changed circumstances. The R.D.C.(ND) advised MCL authority to look into the matter as per suggestion of Hon'ble M.P., Deogarh and M.L.A., Jharsuguda. The same request had also been made at Angul RPDAC meeting. Director (Personnel) promised to look into the matter and do the needful.

4. Hon'ble M.P. Deogarh P/C suggested that a sub-committee may be constituted at the district level, involving concerned people's representatives and M.C.L. authorities and Superintendent of Police to take decisions with respect of Rehabilitation and Re-Settlement of land oustees, which can sit once a month. The decisions taken in this Sub-Committee would be ratified in the coming RPDAC. This suggestion was accepted by R.D.C.(ND)-cum-Chairperson, RPDAC. The Committee shall be as under

Collector & District Magistrate,	Chairperson
Superintendent of Police	Member
Concerned Hon'ble M.P.	-do-
Concerned Hon'ble M.L.A.	-do-
President, Zilla Parishad	-do-
2 Members for M.C.L.	-do-
Land Acquisition Officer/ Special Land Acquisition Officer	Convener

The Sub-Committee may meet every month to discuss the issues and problems and take decision on behalf of RPDAC.

5. Hon'ble M.L.A., Jharsuguda pointed out that as per decision of the last RAC, 24 persons (no land oustees) appointed as contractual security guards in Orient (Rampur) Area, Brajrajnagar during the year, 2006 were to be removed forth with, and the vacancies arising thereby be filled up from the list of 'D' category land losers to be recommended

by the Collector. But this has still not been implemented by M.C.L., though Collector had recommended names of 'D' category persons to M.C.L. by August, 2006. R.D.C.(ND) ruled that the decision be carried out immediately without further delay.

6. Hon'ble M.P. Deogarh suggested that there should be digitalization of village maps project wise, so as to identify the villages where 50% of land have already been acquired by M.C.L., earlier in Jharsuguda district, this step will help to identify left out patches to be acquired by MCL in such villages, at once in a phased manner, so that all persons of the affected village shall come under the same category, and there shall be less controversy on determining "Categories" for employment. He also suggested for computerization of Data of all land oustees. This exercise was proposed to be completed by the next 3 months with funding from the company. (Action Best Administration & MCL).

7. In village Darlipali 28 persons were given employment during the year 1990 and subsequently removed from service as they were found in-eligible. M.C.L. to examine the cases and provide R & R benefits to the genuine persons. This exercise should be completed within the period of one month.

8. As regards to the R & R benefits to 'C' Category families, R.D.C.(ND) expressed that, already matter has been discussed at a High level meetings held with Chairman, Coal India, on 07.07.2007 where

the commitment was given on the matter of freezing the numbers coming under 'C' Category within the stipulated period of six months. Hence, further discussion on 'C' category was closed for the time being.

9. Hon'ble M.L.A., Jharsuguda suggested that a strategy may be devised to identify the Hirkud displaced families presently residing in the villages covered under acquisition area of M.C.L.. This exercise may be done through joint committee consisting of members of M.C.L. alongwith concerned Tahasildars. So that the Hirkud displaced families will be compensated with extra compensation as per provision of R.R.Policy' 2006.

10. As regards village :- Chharla, the package agreed upon by M.C.L. may be provided to them as per their agreement dated.02.05.2007 at the earliest. Simultaneously, M.C.L. should concentrate on developing the re-settlement site for their early shifting and settlement. Collector, Jharsuguda expressed concern about Khadam re-settlement site reserved for displaced families of Chharla village. Presently the site is not conducive for habitation as it is highly undulated. Collector, Jharsuguda was given responsibility to finalise the infrastructural facility and civic amenities in consultation with villagers, so that M.C.L. can develop the site accordingly. The amount for shifting the families should be enhanced. The amount for building assistance for PDFs should be enhanced keeping in mind the current prices and building cost.

After the above threadbare discussions the following decisions were arrived at keeping in view the larger interest of the land losers in M.C.L.

Point- 1 : Persons having pre-settlement lease pattas issued after Hamid Settlement and before Major Settlement period as per Tahasil record and not corrected at the time of Major Settlement, recorded in Government Khata be treated as genuine pattadars. They may be given opportunity for employment and M.C.L. should honour it.

Point- 2 : As regards pre-settlement 'Basti' plots, which is a feature of Western Orissa, similar to 'Gramakantha Parampanka' of Ganjam area especially , those which have not been broken down into individual plots may be treated as property of the individuals living over it, (i.e. private property). These individuals have occupation rights over Basti land. Hence, through local enquiry by Revenue Officials and M.C.L., a list may be prepared of persons occupying the Basti area, as per actual physical occupation and thereafter publish it, to weed out 'bogus' persons. So that genuine inhabitants of pre-settlement Basti are given R & R benefits. In this connection the instructions of Revenue Department in 1993 for Gramakantha Parampanka may be referred.

Point- 3 : The families having dwelling house over others' land, with a possession note in their R.O.R as "Be-ain Kharid Sutre Dakhal or Badal Sutre Dakhal or Un-registered Sale Documents", etc and who also do not have any other homestead land, remaining in the village are to be

treated as displaced families. This too needs joint enquiry by concerned Tahasildar alongwith M.C.L. in order to identify such families village wise for necessary certification. These cases pertain to pre-Major Settlement period.

Point- 4 : In case a joint family earlier having house over homestead land, subsequently, due to expansion of family members builds houses over his own agriculture land due to shortage of homestead land, then such type of displaced families shall be treated as homesteadless families (post acquisition) by M.C.L. and thereby extend requisite R & R benefits to them.(With respect to providing them homestead land/houses).

Point- 5 : The families who have been issued with pattas after CBA - Act Notification U/S 7(I) due to lack of information of the same with the concerned Tahasildars, are deprived from R & R benefits due to no fault of theirs. This kind of lapse has occurred due to non-sharing of information between M.C.L. and Revenue Officials. For the above omission the individuals should not suffer. Hence R & R benefits (with respect to compensation and employment) due to them should be extended.

Above all, the Government in Revenue and Disaster Management Department may be moved for necessary concurrence on the point stated from Sl. 1 to 5.

6. To overcome the day-to-day recurring problems, it was unanimously decided to constitute a Sub-Committee to take decision on behalf of RPDAC, which will sit once in a month and decide on all issues. RPDAC shall decide only the broad frame, guidelines and critical matters, if any. The members of the proposed Sub-Committee were as follows:

Collector & District Magistrate,	Chairperson
Superintendent of Police	Member
Concerned Hon'ble M.P.	-do-
Concerned Hon'ble M.L.A.	-do-
President, Zilla Parisad	-do-
2 Members for M.C.L.	-do-
Land Acquisition Officer/ Special Land Acquisition Officer	Convener

PERIPHERY DEVELOPMENT

Discussion was held as per agenda points.

1. Action taken report of the PDC meeting on M.C.L. held on 02.06.2006 was reviewed. The committee reviewed the funds placed by the M.C.L. from 2001-02 to 2006-07. The M.C.L. authority did not release the amount due, so far. The R.D.C.(ND) was displeased over the issue. The allotment dues outstanding year wise are given below:

Sl.No.	Year of allotment	Allotment Due (In Lakh)	Amount Received (In Lakh)	Balance to be received (In Lakh)
1	2	3	4	5
1	2000-01	25.00	25.00	0.00
2	2001-02	100.00	35.00	65.00
3	2002-03	115.00	34.00	81.00
4	2003-04	148.00	107.52	40.48
5	2004-05	200.00	70.00	130.00
6	2005-06	200.00	0.00	200.00
7	2006-07	140.00	47.225	92.775
	Total :	928.00	318.745	609.255

2. The R.D.C.(N.D)-cum-Chairperson, RPDAC advised M.C.L. authorities to compare the figures of amount released to district administration under Periphery Development fund with district authorities over next 15 days i.e. by 06.08.2007. The amount due to the district of Jharsuguda may be released immediately, in consultation with district administration.

3. The R.D.C. emphasized on creation and registration of Periphery Develop Society on the lines of District of Sundargarh and Keonjhar, which would oversee the periphery development works in the district. It will consist of M.C.L. authorities as well.

Hon'ble M.P. and Hon'ble M.L.A, Jharsuguda said that all the projects/proposals submitted by elected representatives, Government agencies etc will be scrutinized by this committee and priority-list will be prepared basing on priority sectors for the district, decided in the last R.A.C. (i.e. drinking water, health, education, connectivity etc), special emphasis may be given for construction of 100 bedded ST girl's hostel. The guidelines of Revenue Department in this regard would be followed. Chairperson, RPDAC, endorsed the decision, and advised Collector to register the society, i.e. District Periphery Development Society at the earliest.

4. Hon'ble M.P. Deogarh suggested that the undisbursed amount under periphery development due to the district, may be placed with M.C.L. itself and they may execute the projects, to be finalized by District Administration after due deliberation. The Collector was asked to take a monthly review with civil department of M.C.L. . R.D.C.(N.D) -cum- Chairperson, R.P.D.A.C. has asked the Collector to explore the option.

The M.C.L. authorities were directed by R.D.C.(N.D) to get in touch with the Collector-cum-convener on this issue. The allocation will be spend in a manner decided in the last RAC held in 2006.

Project Director, D.R.D.A., Jharsuguda delivered the vote of thanks to the Chair and all members of the Committee.

Sd/-
Collector,
Jharsuguda


Sd/-
(Sri Madhusudan Padhee, I.A.S)
Revenue Divisional Commissioner
(N.D) -cum-Chairman, RPDAC
for Mahanadi Coalfields Limited.

MEMBERS PRESENT AT THE MEETING OF THE COMMITTEE

1. Hon'ble M.L.A., Jharsuguda and Government Chief Engineer
2. Hon'ble M.P.A. Deogarh
3. President, Zilla Parishad, Jharsuguda
4. Hon'ble M.L.A., Laikera
5. Collector, Jharsuguda
6. Chairman, Lakhanpur Panchayat Samiti
7. Chairman, Jharsuguda Panchayat Samiti
8. Zone Officer, M.C.L. Works, Brajrajnagar
9. Smt. B. Lakra, Deputy Collector (Dev.), Collectorate, Jharsuguda
10. Miss. Rajalaxmi Nayak, District Employment Officer, Jharsuguda
11. Sri G.D. Gulab, Director(Personnel) MCL
12. A.K. Bandhopadhaya, C.G.M., Lakhanpur
13. Y. Uapdhyay, C.G.M, Ib Valley Area
14. S.S. Agrawal, G.M., Orient Area
15. D.Khura, Principal In-charge, J.E.S., Jharsuguda
16. Narayan Mohapatra, President, Coal Sagram Samiti
17. Promod Kumar Nayak, Khairkuni Village
18. Pradeep Karali, Darlipali Village
19. Sandhya Gaud & Haripriya Seth, Maa Manasi, W. S.H.G., Lajkura
20. Baijayanti Padhan & Subasini Singh. MAA Tarani W.S.H.G.Tingismal

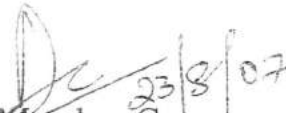
Memo No. 102(20)/Dt. 23. 08. 2007

Copy forwarded to all the members of Rehabilitation and Periphery Development Advisory Committee for kind information and necessary action.


Collector & Member Convener
RPDAC ,Jharsuguda.

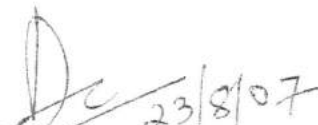
Memo No. 103(20)/Dt. 23. 08. 2007

Copy forwarded to Commissioner- Cum-Secretary to Government , Revenue & Disaster Management Deptt.,Orissa, Bhubaneswar for kind information and necessary action.


Collector & Member Convener
RPDAC ,Jharsuguda.


Memo No. 104(20) /Dt. 23. 08. 2007

Copy forwarded to Commissioner-Cum-Secretary to Government, Steel & Mines Deptt., Orissa, Bhubaneswar for kind information & necessary action.


Collector & Member Convener
RPDAC ,Jharsuguda.

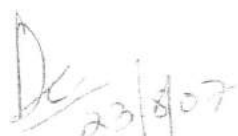
Memo No. 105 (20)/Dt. 23. 08. 2007

Copy forwarded to OSD to Chief Secretary & Chief Development Commissioner, Govt. of Orissa, Bhubaneswar for kind information of Chief Secretary & Chief Development Commissioner, Orissa, Bhubaneswar.


Collector & Member Convener
RPDAC ,Jharsuguda

Memo No. 106 (20)/Dt. 23. 08. 2007

Copy forwarded to Secretary to RDC(ND),Sambalpur for kind information and necessary action.


Collector & Member Convener
RPDAC ,Jharsuguda.



PROCEEDINGS OF THE REHABILITATION & PERIPHERY DEVELOPMENT ADVISORY COMMITTEE (RPDAC) FOR MCL IN JHARSUGUDA DISTRICT.

Date & Time - 25.06.2008 at 2.30 P.M.
Venue - DRDA Conference Hall, Jharsuguda
In Chair - Sri Madhu Sudan Padhee, I.A.S., RDC (N.D.), Sambalpur.
Members Present - As at Annexure - 'A'

The discussion made and decisions taken in the RPDAC meeting is as follows:-

At the out set the Collector welcomed the Chairman and all the members of the Committee present in the meeting and requested the Hon'ble Chairman, RPDAC to preside over the meeting.

Initiating the discussion and welcoming all the members of the committee, the RDC, (N.D.), Sambalpur -Cum- Chairman RPDAC has requested all the participants to introduce them selves. The Chairman along with other members discussed on the Action Taken Report (ATR) submitted by MCL with respect to RPDAC meeting held on 21.07.2007. Action taken by MCL are as follows:-

1. The MCL authorities agree to take into consideration the definition of "family" as per 1998 R & R Policy, even for those areas, where notification

u/s 4(1) & 7 (1) with respect to L.A. Act and CBA Act has been done much before the implementation of R & R Policy of 1998. Hence this definition of a "separate family" would include, a major son irrespective of his marital status, unmarried daughter above 30 years of age, divorcee/ deserted women, widow having no source of livelihood on the cut off date.

2. The Chairperson, RPDAC reiterated that the "cut off date" for employment would be the date of award of compensation in the village under CBA (A&D) Act, 1957. Hon'ble M.P., Deogarh highlighted that this is being followed regularly in Angul district.

3. On the issue of allegedly filling up of vacancies in the district by deputing land oustees of Talcher Coal Field Area, the Hon'ble M.P. Deogarh clearly stated the question of vacancies do not arise for land oustees. All the displaced and affected persons, in the mining shall be given employment, after due scrutiny and recommendation of Rehabilitation Sub-Committee and there shall be no compromise on this issue by MCL. However, Chairman said that RPDAC will only interfere for employment but not in deployment once LDPs got employed in MCL.

4. Regarding constitution of Sub-Committee involving concerned people's representatives and MCL authorities to take decision in respect to

R & R benefits to the land oustees, the Collector, Jharsuguda told that the District Administration along with MCL authorities of Lakhanpur Area have already done the detail screening with respect to the village " Khairkuni ". The detailed matter will be put up before the Sub-Committee soon.

5. Hon'ble MLA, Jharsuguda again pointed out on the issue of engagement of 24 persons outsider as contractual Security Guard in Orient Area since 2006 without providing opportunities to the land oustees . It was earlier, decided in the RPDAC meetings -(2006 & 2007) that 'D' Category land oustees shall be accommodated by engaging them in security service of MCL, after being duly recommended by District administration. However, MCL authorities are yet to comply on this issue.

6. The Hon'ble M.P. had earlier asked for digitalization of village maps, under acquisition by MCL and also put all details with respect to land oustees (affected /displaced) on a website. This would bring transparency and clarity both in terms of left out patches to be acquired by MCL for mining and R & R benefits which are to be extended to both AP and DP. The CMD informed that, they are already on the job and will get the exercise completed through out-sourcing by employing experts.

7. In village Darlipali, 28 persons were given employment during the year 1990 and subsequently removed from service, as they were found ineligible. During last RPDAC, it was decided to examine the cases by MCL and to provide R & R benefits to the genuine persons within a period of one month. Sri Pradip Kumar Karali, (Displaced family of Darlipali), one of the members of RPDAC requested to the Chairperson to expedite the matter. It was decided that each case shall be examined again by the Sub-Committee and then sent to MCL. It should be completed by 30.9.08.

8. Regarding provision of R & R benefits to the pending 'C' Category families as per discussion at High Level Meeting held with Chairman, Coal India. In this connection a detailed verification has been done by District administration along with MCL and 312 cases have been sent to MCL through office of the RDC, ND, Sambalpur during the month of September-2007 for one time dispensation. No further communication on this issue has been received from MCL authorities. CMD informed that the matter has been considered and shortly, they are going to engage the 'C' category land losers.

9. Hon'ble MLA, Jharsuguda suggested that a strategy may be devised to identify the Hirakud displaced families presently residing in the villages

covered under acquisition area of MCL. This exercise is to be done through a joint committee consisting the local Tahasildar and MCL authorities. The Hon'ble M.P/MLAs further emphasized that adequate publicity may be made so that displaced families of Hirakud Dam Project can avail special compensation, after getting displaced for the second time by MCL.

10. A special package deal was entered into by MCL with villagers of Chharla on 2.5.2007 promising them, 20 jobs(regular), 15 jobs with security agencies, and re-instatement of 16 dismissed personnel and further 67 resettlement plots to be allotted at R & R site at Khadam. This package was opposed by Hon'ble MLA, Brajrajnagar as this would open a Pandora's box of problems and other villages to be displaced, would demand such packages. The RDC, ND, Sambalpur-Cum- Chairman RPDAC reiterated that MCL authorities should abstain from entering into package deals, when there is a clear cut R & R policy of the Govt. to follow. A careful exercise needs to be done in the village, to identify lease patta holders. Moreover, there have been several complaints about certain families, who have continued to live in Chharla, despite getting jobs in MCL. In this context, it was decided that MCL will identify such families and take needful action at their level.


Some photographs depicting the current status of resettlement site Khadam was shown to the house. Collector, Jharsuguda had visited the site on 23rd June 2008 and reiterated that the proposed site is yet to be developed with Blacktop roads, connection of piped water to every individual plots and leveling of undulated area etc. RDC, ND instructed the MCL authorities to take immediate action so that the displaced families may find it easier to resettle at Rehabilitation site. CMD, MCL has assured to complete the entire process within the period of three months. As regards to the issue of value of structures to be paid to displaced persons, a proposal has been moved to MCL authorities from District Administration in March, 2008 for enhancement of value of structures of village Chharla which was enumerated during the year 1991.

Besides this, there were five critical issues which had emerged in the last RPDAC meeting held on dt.21.7.2007, the proceeding of the same has been forwarded to Revenue Deptt. for necessary clarification and concurrence of Govt. The clarification from Govt. in Revenue & D.M. Deptt. is still awaited. Collector, Jharsuguda was to follow up in this matter with Govt.

After threadbare discussions the following decisions have been taken unanimously.

Employment

- 1) All the major sons i.e above 18 years as on cut off date shall be treated as **separate family** for the purpose of extending employment as well as resettlement benefit.
- 2) In case any family sustains a loss of more than Ac.3.00 of non-irrigated land or Ac.2.00 of irrigated land an employment benefit shall accrue to the major sons as on cut off date. In other words quantum of land would be taken in to consideration.
- 3) A married daughter who is declared as an awardee and is residing in the acquired village will be entitled for R & R benefits.
- 4) In case of married daughter being declared as an awardee and residing in other village, the share of land of her husband will be taken into account for determination of category as per policy.
- 5) In the village where land have been acquired in two phases e.g. only agriculture land at the first phase and employment has been provided thereof and subsequently, if the balance agriculture land along with the homestead land and dwelling house have been assessed in second phase after elapse of many years. The benefit will be extended to the affected/displaced families of the said village on **the date of award** in the second phase acquisition as **cut off date** for employment.

- 
- 6) Job rehabilitation to be provided, to the physically handicapped persons by treating them as separate family. A detailed case by case study of the disabled shall be made, looking into the extent of disability.
 - 7) Some lease pattas were issued to landless persons in the year 1974/75, which did not get recorded in the name of the patta holders during major settlement and subsequently, the same land was notified for acquisition under CBA Act in Jharsuguda district and these case lands were acquired as Govt. land. This issue has been persisting over a very long period of time. The Chairperson, RPDAC and Hon'ble MP/MLAs were of the unanimous opinion that, these persons have genuine rights of title and interest over the land and R & R benefits must be extended to them. MCL is bound to honour the same. Mere non issue of patta (ROR) can not deprive a rightful title holder of land, his/her right over the case land.
 - 8) In some cases, it was observed that MCL had acquired almost 75% of tenancy land of villages under LA & CBA Act for mining purposes, leaving behind the habitation and small parcels of land. This has given

rise to lot of discontentment, as people have lost their means of livelihood. Hence, MCL was directed to file requisition for the remaining land in each such village, and extend R & R benefits to all.

Special Cases

- 1) The chairperson along with all the members of the committee unanimously agreed to provide employment to Sri Khirod Baiga, the only dependent son-in-law of Purna Chandra Naik and Hemabati Dhrua of village Chingiriguda who have lost their entire land measuring an area of Ac.8.91 dec. under Ib Valley area, Brajrajnagar.

- 2) The issue of providing employment to six married daughters of Sri Drubalal Senapati of village Khairkuni who has lost Ac.11.01 dec. of land along with homestead was discussed. In this case, Sri Drubalal Senapati is alive and an awardee himself. As per the existing norms of Govt. only one son-in-law can be provided with employment. This has given rise to lot of discontentment within the family. Sri Ashok Budhia, one of the displaced person of village Khairkuni further added that during the year 1994-1996, MCL had provided jobs to 3 son-in-laws of

Sri Debananda Pradhan of village Chingiriguda under category-"B" and 3 son-in-laws of Sri Girish Kalo of village Banjipali under category "A", which are cases of the same nature. The R.D.C.(ND) opined that as this is a rare case, MCL authorities may decide on it, as per availability of employment opportunities.

Discussions on Land Acquisition

Lakhanpur Area

Village-Khairkuni

This village is fully acquired under CBA & LA Act, hence necessary R & R benefits naturally accrue to each affected /displaced families. However, since the habitation is over a basti plot, necessary clarification on it is awaited from Govt. In the meantime screening committee have completed the entire process of categorisations as per R & R policy applicable to this village. A suitable rehabilitation site has to be identified for this village, so that they can be resettled.

Village Tingismal

This is also a fully acquired village under CBA & LA Act. Assessment of CBA area is under process in the village, however, some lease patta holders are not allowing MCL authorities to measure the structures. One Sri Minaketan Seth (lease patta holder) of this village has alleged that MCL had filed OJC in the Hon'ble High Court, Orissa against the issuance of final patta (ROR) duly confirmed by the competent authorities i.e. Commissioner, Consolidation & Settlement, Bhubaneswar under section 15(b) of Orissa Survey & Settlement Act, 1958. This contention of MCL would deprive them of R & R benefits. The entire RPDAC committee felt that MCL authorities should withdraw the case on humanitarian grounds, as the villagers have lost their entire land and homestead for mining purpose. The R.D.C. (ND) further clarified that the issuance of lease pattas during the year 1974 was prior to Settlement operation where the land was wrongly recorded in Govt. khata. It was also earlier to the notification of CBA Act in the district. Due to wrong settlement entry, the private land was acquired under CBA

Act as Govt. land. A wrong entry can not extinguish the right, title and interest of the lease holders over the said land as has been held by several courts. In the instant case, the land loser had filed revision petition before Commissioner, Consolidation & Settlement under section 15(b) of Orissa Survey & Settlement Act, 1958, against the wrong entry of the settlement. The above court, after hearing both sides has ordered the case land to be recorded in favour of the land loser. Once that order has come, MCL has gone in appeal against that order which means the land loser has to wait another few years to get relief. In order to create healthy atmosphere, RPDAC desired that all such writs filed by MCL be withdrawn and genuine land losers be given R & R benefits. The same benefits may be extended in all villages covered under CBA Notification for mining purpose. He also directed the concerned Tahasildars to file revision case before the competent authority for such pending lease patta cases, where the land has not yet been mutated in the name the of lease patta holders(covered under CBA area) by collecting petitions from them. Hon,ble M.P. suggested to prepare a detailed employment status as per geneology and land schedule in advance so that necessary R & R benefits can be extended to the land oustee families in due time.

Village- Ubuda

It is also a fully acquired village under CBA & LA Act. Process of assessment under CBA has already been started by MCL. In this village the outstanding issues are same as village Tingismal and Khairkuni. Hon'ble M.P. said that delay in process of assessment and recording of Yadast in the village will create further litigations and will increase problems accordingly. He suggested the MCL authorities to take quick action in it.

Village- Khuntamahul

It is also a fully acquired village under CBA & LA Act. Nine (9) cases under category "A" land oustee families are pending at MCL headquarters for necessary scrutiny. After getting approval of MCL Hqr, 9(nine) cases will be put up before Sub-Committee for recommendation . This village also needs immediate shifting as the Lakhanpur Open Cast Mines is very close to it. MCL to take immediate steps for their shifting to rehabilitation site on providing R & R benefits to the land oustees families.

Village- Darlipali.

This village is also fully acquired under C.B.Act for mining purpose. This village needs immediate shifting as it is surrounded by Belpahar Open Cast Mines. Around 88 houses are left for measurement since 1991. The villagers did not allow for assessment of their structure during the year 1991 (u/s- 4(1) notification) especially 'Sahapada'. However, after constant persuasion 48 houses could be measured.

Hon'ble M.P. suggested the early completion of measurement of structures and further provide employment gradually to those who are cooperating and willing to shift and re-settle. Hence, early arrangements are to be made for their shifting to the rehabilitation site.

Ib Valley Area.

Village- **Chingriguda** including Bijapada more than 95% of tenancy land have been acquired in this village under CBA & L.A.Act for mining purpose in Samaleswari Open Cast Project leaving only Ac. 13.34 dec. of land which includes the Basti area. All members of the committee unanimously decided that MCL should acquire the rest of tenancy land

and provide R & R benefit. CMD, MCL agreed to file requisitions for the remaining areas.

Village- Lajkura (Brajrainagar Town Unit No. 1)

In this village more than 97% of tenancy land have been acquired under CBA & LA Act for mining purpose in Samaleswari Open Cast Project and Lajkura Open Cast Project leaving only Ac. 17.734 dec. of land including Basti area. The CMD, MCL was requested by all members to file requisition for the remaining area of the village and thereby displace all families and extent R & R benefits to all.

Village- Kudopali.

In this village more then 97% of tenancy land have been acquired under CBA & L.A.Act for mining purpose in Samaleswari Open Cast Project leaving on Ac. 8.41 dec.of land including village Basti area. All members requested CMD, MCL to acquire the remaining land in village Basti and providing R & R benefits to which he agreed.

Other Issues

1. Building assistance to the displaced families at rehabilitation site.

R.D.C.(ND) along with all members of the committee requested the MCL authorities for constructing of house or building assistance of Rs.1.5 Lakhs to each displaced family as per provision of R & R policy, 2006. The CMD, MCL agreed to refer this proposal to CIL Board for consideration.

2. Hon'ble M.P. suggested MCL to start a livelihood project in consultation with District administration in the coal mines affected area to build capacity of all the men and women for self employment.

3. (a) Hon'ble M.P. suggested MCL authorities to take up piped water supply for all villages of 11 (eleven) Panchayats and 2 (two) ULBs. (Brajrajnagar and Belpahar) which are directly affected by coal mines under Brajrajnagar Assembly Constituency like they have done in Talcher.

(b) He also suggested that MCL should take up maintenance of internal roads of Brajrajnagar, Belpahar and Bandhabahal area, as they are in pathetic shape due to its heavy use by coal bearing trucks. In future, to avoid

traffic congestion and accidents, it was suggested that a by pass may be built to divert heavy traffic away from Township area.

© To take up construction of Transport Nagar (Truck Terminal) which would host around 2000 trucks at once for which District administration has already identified Govt. land in Belpahar NAC area. MCL may help in preparing detailed project report under the aegis of District Periphery Development Society.

Hon'ble M.P. said that these 3 projects should be taken up by MCL, from other than Periphery Development funds earmarked for Jharsuguda district. CMD, MCL said that this matter will be put up in CIL Board meeting to be held on 27th July 2008. He also agreed for 100% execution of the above schemes.

4. Hon'ble M.P. Deogarh asked the MCL authorities to prepare a master plan of all the acquired villages within the next two months and by October, 08, to decide all the pending employment cases irrespective of all categories, including development of rehabilitation site so that this process will be closed once for all. CMD, MCL also agreed to this proposition.

5. DFO, (ND), Sambalpur outlined that the plantation work done by MCL was not proper and they have not followed the procedures like restitution of top soil etc. Hon'ble MP, Deogarh requested the MCL authorities to plant atleast 50,000 saplings this year with the help of District administration who will identify suitable patches for the purpose. CMD, MCL agreed to the proposal.

6. Hon'ble MLA, Jharsuguda raised the issue of employment of Bundia land oustees pertaining to Ac.14.90 acquired for Orient area, MCL, Brajrajnagar (u/s-4(1) notification of LA Act dt. 23.03.2003). In this regard, 43 "C" category cases have been identified and sent to MCL headquarters during the month of September, 2007 through Office of the R.D.C. (ND) Sambalpur. The R.D.C. (ND), Sambalpur instructed MCL authorities to take appropriate action in it as per Govt. policy.

7. Hon'ble MLA, Jharsuguda outlined on the issue of removal of 24 outsiders employed in Security Service in Orient area since last three years.

G.M. (L&R), MCL appraised that the enquiry is under process in this connection and appropriate steps will be initiated in the matter.

PERIPHERY DEVELOPMENT

MCL authorities have deposited Rs.625.725 Lakhs with the District administration so far pending funds from the year 2001-02 to 2007-08 leaving balance only Rs.5.05 Lakhs. For the purpose of developmental works under periphery development funds, the district is taken as unit as per latest Govt. policy. 96(ninety six) projects have been approved amounting for Rs.578.50 Lakhs during the year 2007-08. The execution of the works are in progress through various Government agencies.

R.D.C. (ND), Sambalpur requested CMD, MCL to raise the periphery funds to Rs.2/- per tonne instead of Rs.1/- per tonne from the current year. CMD, MCL said that this matter will be placed before CIL Board for decision.

One Sri Upendra Kumar Jena s/o late Tarini Charan Jena of Madhusudan Chowk Brajrajnagar, the President of Ib Parivesh, Brajrajnagar (NGO) has filed **Public Interest Litigation (PIL)** vide W.P.© No.8119/08 before the Hon'ble High Court, over utilisation of MCL Periphery Development funds in Jharsuguda district. The court has ordered on

dt.06.06.2008 that "any expenditure made out of the peripheral development fund during pendency of the writ application shall be subject to the result of the writ application". The Chairman and all the members felt that this issue was deliberately raked up, and would ultimately bring loss to the people, as atleast Rs.3 crores, had been earmarked for construction of ST Girl's Hostel (100 bedded @ 40 Lakhs each) at 7 locations in Lakhanpur block which is in Brajrajnagar constituency and close to mining area. This would have arrested drop out rate among poor tribal girls who would be able to pursue un-interrupted education, after boarding facilities were made available to them in the school itself. Apart from this around one crore was earmarked for Transport Nagar and Bus Stand which would have eased the common man's plight in the district, in terms of reduced congestion, traffic jams, fatal accidents.

It was decided to file proper counter affidavit in court of law through Advocate General Office for early vacation.

Lastly, Collector, Jharsuguda delivered vote of thanks to the Chair and all members of the committee.

Sd/-

(Sri Madhusudan Padhee, IAS)

Revenue Divisional Commissioner (ND)-
Cum-Chairman,RPDAC for Mahanadi
Coalfields Limited

MEMBERS PRESENT IN REHABILITATION & PERIPHERY DEVELOPMENT
ADVISORY COMMITTEE MEETING OF MCL HELD ON 25.06.2008 AT 2.30 P.M.
AT DRDA. CONFERENCE HALL JHARSUGUDA .

1. Hon,ble MLA, JSG. & Govt. Chif whip.
2. Hon,ble M. P., Deogarh.
3. Hon,ble M.L.A., Brajrajnagar.
4. Hon,ble M.L.A., Laikera.
5. President Zilla Parisad, Jharsuguda.
6. Collector, Jharsuguda (Convener)
7. D. I. G. (NR), Sambalpur.
8. S. P., Jharsuguda.
9. D. F. O., Territorial (North), Sambalpur
10. P. D., DRDA, Jharsuguda.
11. Addl. District Magistrate, Jharsuguda.
12. Sub-Collector, Jharsuguda.
13. Tahasildar, Lakhanpur.
14. District Employment officer, Jharsuguda.
15. Chairman-Cum-Managing Director, MCL, H.Q. Burla
16. Director, (Personnel), H.Q. Burla.
17. G. M. (Civil), H.Q, Burla.
18. G. M. (L. R.), H.Q, Burla.
19. C. G. M, MCL, Lakhanpur Area.
20. C. G. M, Orient Area.
21. G. M., Ib Valley Area.
22. Chairperson, Lakhanpur Panchayat Samiti
23. Pradip Karali, Darlipali.
24. Pramod Ku. Naik, Khairkuni.
25. Secretary, Maa Manasi, Lajkura.
26. Zone office, MCL. Brajrajnagar.

**PROCEEDING OF THE REHABILITATION AND PERIPHERY DEVELOPMENT
ADVISORY COMMITTEE MEETING OF MAHANADI COALFIELDS LTD,
JHARSUGUDA DISTRICT.**

Date & Time : 22.01.2013
Venue : DRDA Conference Hall, Jharsuguda
In the Chair : Dr. Alekha Chandra Padhiary, IAS,
Revenue Divisional Commissioner,
Northern Division, Sambalpur.
Member Present : Annexure 'A'

At the outset the Collector, Jharsuguda welcomed the Chairman-Cum-RDC(ND), Sambalpur as well as all members of the Committee present in the meeting. Chairman, RPDAC greeted the CMD, MCL, Burla. Hon'ble MLA, Brajrajnagar and other members of the Committee, present in the meeting and explained the purpose of meeting. Then the compliance^s to the decision taken in the last RPDAC meeting held on 8.11.2012 were discussed point-wise. ^{re-emphasized} After ~~this~~ the following decisions were taken in the meeting.

1. The Collector is to ensure the presence of Pollution Authority in all RPDAC meeting. The villagers of Khairkuni and Kudaloi raised the issue of pollution caused due to plying of Coal loaded Trucks specifically from Punjipathar to Belpahar. It is decided that the Pollution Authority must keep a close ^{vigil} ~~visit~~ on pollution control and make regular inspection to ensure this.
2. The RTO Officials as well as Police Officials are to ensure the fixing of signboard at different strategy locations to check the speed limit of loaded Trucks.
3. The MCL authority ^{ies} ~~are~~ are to ensure the proper covering of loaded coal Truck before departure from the loading point.
4. In order to reduce the traffic congestion the Chairman advised the Collector to make a joint visit with the Railway Authority to explore the possibility of bye-pass for Belpahar town.
5. As suggested by the Hon'ble MLA, Brajrajnagar the MCL authority is requested to see whether the existing ROB in between Lajkura and Chingiriguda can be used to reduce the traffic burden of Belpahar, Brajrajnagar as per the DGMS norms. The Chairman asked to take this matter with the DGMS authority if required.

6. The Chairman asked the Collector to form a District Level Committee headed by the Collector to probe into the serious allegations made by Hon'ble MLA, Brajrajnagar regarding collection of money from the Truck owners. The CMD, MCL also requested the members to furnish the name ~~of~~ of any MCL Officials who is involved in such cases to initiate legal action against him.
7. As regards the employment status the MCL authority to ensure 100% employment to the land oustees as well as under un-skilled and semi-skilled categories as per the R & R Policy. This must be ensured before the next RPDAC meeting.
8. As regards the employment claim of married daughter it is decided to have a fresh clarification from the Revenue & Disaster Management Deptt. since the present circular does not serve the purpose of specific cases of affected villages. The MCL authority is to expedite all the pending employment claim of the eligible land oustees of village Kudaloi, Khairkuni, Charla, Tingismal & Lajkura and give their due entitlement as suggested by the Sub-Committee by 15th February, 2013. All such proposals must be submitted to the Collector immediately.
9. Collector to take up the specific cases of Krishna Naik of Khairkuni, Smt. Sandhya Goud of Lajkura and Ramdas Panda of village Kudopali and settle their issues in consultation with the MCL authority.
10. As regards the R & R benefit to the affected people of Tingismal village, it is decided to have a joint Committee headed by the Zone Officer with Tahasildar, Lakhanpurand MCL authority to settle the issues of Tingismal village within 30 days.
11. As suggested by the Hon'ble MLA, Brajrajnagar the Chairman asked the Zone Officer to expedite the distribution of compensation under R & R benefit since the villagers of Lajkura ~~want to be evicted~~ ^{Propose to vacate only} after R & R benefit. This must be ensured before the next RPDAC meeting.

12. It is decided that Tahasildar, Lakhanpur to visit village Kudaloi to identify a suitable patch of Govt. land for construction of School building before 15th February and as suggested by Hon'ble MLA, Brajrajnagar the Chairman advised the MCL authority to obtain a model plan of School building from the District Education Officer, Jharsuguda and start the construction after the identification of land by the Tahasildar, Lakhanpur.
13. As regards employment of nominee of M/s.Khata No.29 Mouza-Khairkuni, it is decided that the MCL authority shall re-examine the case and if found eligible the same may be forwarded to the competent MCL authority for necessary action.
14. The house discussed about the house structures extended due to expansion of family members on tenancy land in village Chingriguda. Though the compensation against the original house structures has been made 18 years back but no resettlement benefit is extended to the families, the house opined to go for measurement of extended house structures and compensation against such extension of structure be made to the family.
15. Madhubannagar in Brajrajnagar Municipality was decided as the resettlement site for Chingriguda and Bijapada village who are to be displaced due to Samaleswari Open Caste Project.
16. The families residing on Basti/other Govt. land are to be treated as if they are residing on tenancy land as far as R & R benefit is concerned in line with Khairkuni village.
17. As regards the R & R benefit ^{to} of 18 IAY beneficiaries in different affected villages, it is decided that the Sub-Collector and Tahasildar, Lakhanpur ~~are to enquire~~ ^{will enquire into issues on} the different ~~matter~~ ^{issues on} regarding their entitlement under R & R ^{schemes} and submit their report in the next RPDAC meeting for final decision.
18. DPC, SSA to submit a priority list of boundary less School building to the MCL authority to take up those works.

19 Following proposals are received for approval.

Construction of Community Centre at Kudopali	BDO, Lakhanpur
Construction of boundary wall and Hostel building at L.N. College	Executive Officer, Jharsuguda Municipality
Construction of Examination Hall at Brajrajnagar College	Executive Officer, Brajrajnagar Municipality
Construction of Examination Hall at Belpahar College	Executive Officer, Belpahar Municipality
Construction of Science Block building/Boundary Wall at Women's College, Jharsuguda	Executive Officer, Jharsuguda Municipality
Welcome Gate at Jharsuguda-Chhatisgarh border	MCL.
Construction of Stadium at Bandhbahal	MCL .

These project were approved for execution.

20. Executive Officer, Jharsuguda Municipality has submitted proposals vide his letter no 63 dt 05.01.2013 of Rs.15.24 Crores for road drains, Solid Waste Management, Electrification, Beautification of Town, Water supply and Drinking facilities, Dead Body Career, Ambulance Van, Construction of Auditorium at Drama Pandal, Completion of Children Library near Drama Pandal & Electrical Machine for burning of dead body for Jharsuguda municipality. The said proposals were discussed & approved and ^{is} decided to move to MCL for release of above fund out of Periphery Development fund for 2013-14.

21. In the last RPDAC meeting an amount of Rs.91.97 lakhs given by MCL vide cheque No. 027236 / dt 30.06.12 for sinking of tube well in Urban/ Rural area and deepening of ponds. Out of which Rs.9.00 lakhs was placed with Executive Engineer, PH Division, Sambalpur for sinking of tube wells and Rs.11,99,998 . 00 was placed with BDO, Jharsuguda for deepening of ponds. The ^{remaining} rest amount of Rs.70,97,002.00 ^{is} available with district administration. It was decided in the last RPDAC meeting to place Rs.26,08,002.00 with BDO, Jharsuguda for deepening of ponds and Rs.44,89,000.00 with Executive Engineer, RWSS, Jharsuguda for sinking of tube wells in rural areas.

The above proposals were discussed in the meeting and approved for execution.

Lastly, it is decided to take up the following projects by the MCL authority and the work will be executed through different Executing Agencies as mentioned below :-

Construction of boundary wall of Schools located within 15 KMs of MCL	DPC, SSA, Jharsuguda
Construction of Stadium	MCL
Construction of Health Centre at Jharsuguda	MCL
Construction of ITI Centre at Jharsuguda	MCL
Development of tourist place at Koili Gughar with road connectivity	DFO(North Forest Division), Sambalpur
Avenue Plantation at Jharsuguda	DFO(North Forest Division), Sambalpur
Development of Block Plantation at Gandhi chowk, Brajrajnagar	DFO(North Forest Division), Sambalpur
Construction of Community centre, Jharsuguda	Executive Officer, Jharsuguda Municipality
Improvement of Circuit House, Jharsuguda	MCL
Construction of boundary wall of Reserve Police, Jharsuguda	PD, DRDA to submit Plan & Estimate
Completion of Kalyan Mandap-Cum-meeting Hall, Jharsuguda	Executive Engineer (R&B), Sambalpur
Construction of incomplete road from Grindola to Kaudarah	DFO(North Forest Division), Sambalpur/MCL, Lakhanpur
Completion of District Bar Library building	Executive Officer, Jharsuguda Municipality
AWC in Block Area	PD, DRDA, Jharsuguda
Tube wells in School premises	Executive Engineer, RWSS, Jharsuguda

It is decided that all the Executing Agencies ^{would} ~~are to~~ prepare the Plan & Estimate and submit the same to the MCL authority before 15th February, 2013 along with their Account numbers for transfer fund to the executing agencies.


COLLECTOR, JHARSUGUDA.


RDC (ND)-CUM-CHAIRMAN,
RPDAC, JHARSUGUDA DISTRICT.

Memo No 1757 /Dt 20.2.13

Copy forwarded to all the members of Rehabilitation & Periphery Development Advisory Committee for kind information and necessary action


Additional District Magistrate

Jharsuguda

Memo No 1758 /Dt 20.02.2013

Copy forwarded to Principal Secretary to Government , Industries / Energy Department , Bhubaneswar for kind information and necessary action .


Additional District Magistrate

Jharsuguda

Memo No 1759 /Dt 20.02.2013

Copy forwarded to Commissioner-cum-Secretary to Government , Revenue and Disaster Management Department , Odisha ,Bhubaneswar for kind information and necessary action .


Additional District Magistrate

Jharsuguda

Memo No 1760 /Dt 20.02.2013

Copy forwarded to OSD to Chief Secretary & Chief Development Commissioner ,Government of Odisha , Bhubaneswar for kind information of Chief Secretary & Chief Development Commissioner .


Additional District Magistrate

Jharsuguda

Memo No 1761 /Dt 20.02.2013

Copy forwarded to Director (R & R) , Revenue and Disaster Management Department , Odisha ,Bhubaneswar /Secretary to RDC (ND) , Sambalpur for kind information and necessary action .


Additional District Magistrate

Jharsuguda

PROCEEDINGS OF THE REHABILITATION AND PERIPHERY DEVELOPMENT
ADVISORY COMMITTEE MEETING OF MAHANADI COAL FIELDS LTD.,
JHARSUGUDA

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Date & Time : 8.11.2012 at 11.00 AM
Venue : DRDA Conference Hall, Jharsuguda
In the Chair : Dr. Alekha Chandra Padhiary, IAS,
Revenue Divisional Commissioner,
(Northern Division), Sambalpur.
Members Present : Annexure - A

It was decided to reconstitute the R.P.D.A.C. as per the guideline prescribed vide Govt. Order No.25092/ Dt.6.7.2006 and No.43370/ Dt.27.10.2010 of Revenue & Disaster Management Department, Odisha, Bhubaneswar.

The Deputy Director, Mines, Sambalpur, D.F.O., North Forest Division, Sambalpur and R.T.O., Jharsuguda attended the RPDAC meeting as special invitee.

POLLUTION CONTROL MEASURES

To control pollution, caused due to heavy coal transportation, the Chairman advised to take up meeting of MCL authorities, R.O., SPCB, Sambalpur, members of Truck Owners' Association, RTO, Jharsuguda, Dy. Director, Mines, Sambalpur at district level once in every three months to review the implementation of pollution control measures taken by the MCL authorities and the truck operators.

MCL to ensure that no coal loaded vehicles should be left mining gate without proper covering. The construction of work of by-pass road from Sanjob to Lajkura O.C.P. should be started as soon as possible. Entry of empty vehicles in to the Mines area would be controlled by the MCL by means of gate-pass as per the list supplied by the D.O. holders.

ON THE ISSUE OF AHIDA NULLAH DAM PROJECT

The construction of Ahida Nullah Dam project would be taken up after obtaining clearance from CMPDI as well as State Geological Survey authority.

ON THE ISSUE OF EMPLOYMENT

The Chairman advised that employment to the local people be provided strictly as per Order No.17364/ Dt.14.11.2009 of Government of Odisha, Industries Department.

EMPLOYMENT CLAIM OF MARRIED DAUGHTER

Regarding claim of married daughter for employment, it was decided to refer such cases to the Sub-Committee for examination and taking decision as per government instruction received vide letter No.4676/ dt.19.10.2012 and No.671/ dt.5.1.2012 of Revenue & Disaster Management Department, Odisha, Bhubaneswar.

EMPLOYMENT ON SPECIAL CASE

It was decided to refer the case of employment in respect of 14 displaced persons of Charla village along with the case of Smt. Sandhya Gouda, W/o. late Ramesh Gouda of village Lajkura, Ramdas Panda of village Kudopali, Krishna Naik of Khairkuni to the Sub-Committee for scrutiny.

It was further decided that meeting of the Sub-Committee shall be held regularly once in every month to review various rehabilitation issues and suggest remedial measures to the RPDAC for needful action.

REGARDING PROBLEMS OF VILLAGES OF CHHARLA, KHAIRKUNI, CHHUALI BERNA, DARPALI

The CGM, MCL, Lakhanpur Area informed in the meeting that about 18 IAY houses have been constructed over the Govt. land, which has been settled in favour of CGM, MCL, Lakhanpur Area. It was decided that a committee consisting of Sub-Collector, Tahasildar, BDO and CGM, Lakhanpur shall visit the spot and suggest their joint view for remedial measures.

ON THE ISSUE OF OTHER CASES

One Sri Liknath Budhia of village of Khairkuni has requested to construct a high school building in village Kudaloi, where 90% of the displaced families of Khairmuni have been settled up. The proposal was approved by the committee & the District Education Officer was directed to co-ordinate and participate .

PERIPHERY DEVELOPMENT WORKS

The Collector, Jharsuguda placed the list of tanks, tube wells taken up by the Blocks/EE, PH/EE, RWSS in Jharsuguda district before the Committee out of CSR Funds amounting to Rs.91.97 lakhs, sanctioned by the MCL. Since these works are taken up to meet the water scarcity during summer season, the Ex-R.D.C.-cum-Chairman, RPDAC had given his approval and instructed to get it ratified in the RPDAC meeting. The list of such tanks and tube wells submitted by the executive agencies are enclosed in Annexure-I.

Subsequently, the above proposals were discussed and the committee decided that the projects taken up will be examined by the sub-committee .

The District Bar Association building was revised and the estimate amounting to Rs.9.98 lakhs was approved by the Chairman, RPDAC.


Lastly, decision was taken to execute the following works out of Periphery Development Funds of MCL.

- a) Construction of boundary wall of all schools in the district.(List to be given by Project Director , DRDA)
- b) Construction of a Stadium at Jharsuguda
- c) Construction of a Health Centre at Jharsuguda
- d) Construction of I.T.I. Centre at Jharsuguda
- e) Development of Tourist place at Koili Ghugar with road connectivity.
- f) Avenue plantation at Jharsuguda by DFO North Forest Division, Sambalpur.
- g) Development of Block Plantation over Ac.30.00 of land with small pond near Gandhi Chowk by DFO North Forest Division, Sambalpur.
- h) Construction of Community Centre at Jharsuguda
- i) Improvement of Circuit House at Jharsuguda
- j) Construction of boundary wall of Reserve Police at Jharsuguda
- k) Completion of Kalyan Mandap cum Meeting Hall at Jharsuguda
- l) Construction of road from Grindola to Kaudarh village.
- m) Completion of District Bar Association building at Jharsuguda.
- n) Angan Wadi Center in block area .
- o) Tube well in school premises .

Addl. District Magistrate, Jharsuguda present in the meeting extended thanks to the members present for their cooperation in conducting the meeting.

The meeting ended with thanks to the Chair and participants.


Collector, Jharsuguda


Revenue Divisional Commissioner,
(N.D.), Sambalpur



PROCEEDINGS OF THE REHABILITATION & PERIPHERY
DEVELOPMENT ADVISORY COMMITTEE (RPDAC) MEETING OF MCL
IN JHARSUGUDA DISTRICT.

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397
29/6

Date & Time : 20.11.2011 at 10.30 AM.
Venue : DRDA Conference Hall, Jharsuguda.
In the Chair : Sri Kishore Chandra Barik, IAS, RDC (N/D),
Sambalpur.
Members Present : Annexure- A

At the outset the Collector, Jharsuguda welcomed the Chairman as well as all the members of the Committee present in the meeting. Initiating the discussion RDC(N/D) , Sambalpur-cum-Chairman, RPDAC greeted all the members and wanted to know about the action taken on the last RPDAC meeting held on 6.10.2010. The action taken report submitted by the MCL authority is not satisfactory and the D.P. MCL fails to submit information as desired by the Hon'ble Chairman as well as members present.

Hon'ble M.P. Rajya Sabha expressed his unhappiness on the objection made by the MCL for construction of an irrigation project over the Ahida Nalla in Lakhanpur Block. He added that Ahida Nalla is a perinal source of flowing water and it will be a very good irrigation project which would provide irrigation water to around 10,000 Hact. of Lakhanpur Block. Since MCL has not started the project and there is no scope to divert the nalla (Source) MCL should issue no objection for construction of the irrigation project. The Director Personal, MCL Head quarter , Sambalpur present in the meeting assured that he will look in to the matter at an early date and place the matter before their higher authorities for necessary clearance.

Besides the transportation of coal from MCL Brajrajnagar to different industries through Jharsuguda, Suppt. Of Police , Jharsuguda suggested that the transportation of coal should be made by proper covering the loaded coal vehicles before they come to the public road and MCL should ensure regulating the movement of the coal loaded trucks in such a manner that the traffic congestion, road accident could be

- GM(O)
- SO(O)
- SO (LBR)

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G.M.

for the party a complete report
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29/11/12

reduced to minimum . Hon'ble MLA, Brajrajnagar laid importance on the repair and maintenance of the road passing through Brajrajnagar and Belpahar township by MCL on priority by spending this amount out of their own source, since these roads are used exclusively by them.

Hon'ble Chairman agreed with the above suggestions and directed the MCL authorities to implement the works.

Rehabilitation and Resettlement:

Hon'ble MLA Brajrajnagar, wanted to know the list of project displaced families (PDF) and project affected person in the acquired villages of MCL. Further he wanted to know as to how many persons got the benefit as per the enhanced rate meant for building assistance.

Hon'ble M.P. Rājya Sabha as well as Hon'ble MLA, Brajrajnagar raised the issue of providing employment to category "C" as well as cases of married daughters . In this context, the D.P.MCL.Hqtr, Sambalpur explained that they have already approved 588 category "C" cases for one time dispensation under the instruction of Ministry of Coal. The members present in the meeting are not satisfied with the reply of D.P. MCL and demanded to provided the same benefit to all land oustees coming under category 'C' .

The Hon'ble Chairman instructed the MCL authorities to find out the left out category 'C' cases and submit to the district administration as early as possible for further necessary action to address the problem.

For providing employment to the married daughters, MCL authorities replied that they have already moved Govt. of Odisha in Revenue Department for necessary clarification and on receipt of the same necessary step would be initiated.

Further Hon'ble M.P. Rajya Sabha wanted to know as to why 14 cases have not been considered so far by the MCL out of the recommended list given by the Sub-Committee.

RDC(N/D) -cum-chairman RPDAC intervening in the discussion directed the CMD/DP and DT of MCL to at least meet, the Collector, Jharsuguda twice in a month to short out all the problems connected to employment, rehabilitation, pollution control measures and construction of coal by - pass road etc.

Periphery Development Works.

All the members present in the meeting wanted to know about the peripheral development of MCL during the last years.

The D.P. MCL present in the meeting stated that such fund up to the year 2008-09 has been deposited with the Collector, Jharsuguda for execution of works. The funds for the year 2009-10 and 2010-11 are yet to be released. Honorable M.P. Rajya Sabha wanted to know the exact amount to be deposited with the Collector, Jharsuguda. He also pointed out the MCL should spend 5% of their profit as peripheral fund. Collector, Jharsuguda asked the MCL people to submit details of fund position and expenditure made year wise. The D.P. MCL directed the Account Officer of MCL to hand over the same to the Collector at the earliest.

MLA, Brajrajnagar wanted to know the progress on the construction of Transport Nagar at Brajrajnagar and expenditure made on that want. Collector explained that due to non-finalization of the sites by the MCL, the amount has not yet been spent and directed the MCL to identify suitable sites in between Brajrajnagar- Belpahar (Road sides) of MCL area and intimate with in a week time.

It was decided in the meeting that MCL, individually or single handed can not decide any project for execution. It should have the approval of the sub-committee, which would ordinarily be presided over by the Collector, MCL was advised to intimate the availability of fund immediately, so that the approved projects would be executed quickly.

Problems of Village Khairkuni/Chharla/Darlipali

Hon'ble MLA, Brajrajnagar brought to the notice of the house that the villagers of Khairkuni/Chharla and Daripali are now residing in the middle of the project area of MCL under operation thus their shifting is urgently necessary. Hon'ble M.P. Rajya Sabha gave stress thus on the same and requested Hon'ble Chairman to solve the issue urgently. The MCL authorities were advised to move the Coal Ministry to give clearance to all category 'C' cases & to provide them employment.

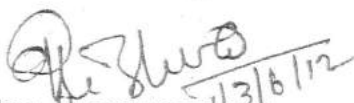
During discussion it was learnt that some inhabitants residing in the above villages are land less and living in their dwelling houses situated over Govt land. Due to such reason, they are not eligible for

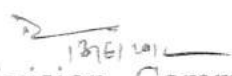
rehabilitation benefit provided by MCL .As such they are not willing to shift to the rehabilitation sites, identified by MCL . In this regard Hon'ble M.P. Rajya Sabha suggested that since there is Govt. instruction for settlement of Basti land, the persons eligible for the same should be settled immediately and MCL should furnished the list before the District Officer for further action.

Hon'ble Chairman instructed the concerned Tahasildar to take immediate step in this regards and after that MCL would ensure to provide all rehabilitation benefits to the affected persons. The Chairman informed the members that all pending cases relating to employment and rehabilitation shall be addressed with-in the coming month by the Sub-Committee headed by Collector. The other members of the said committee will be G.M. Lakhanpur area / G.M.Orient area /G.M. Ib Valley area, Brajrajnagar/ Director Personal & Director Technical from MCL Hqrt. Sambalpur. All M.P. and MLAs shall also be the members of the Committee. This Sub-Committee will meet once in a month to discuss the issues of employment and rehabilitation of the PAPs. The list of new projects to be undertaken out of periphery development fund would be submitted by different agencies like people's representatives , executing authorities i.e BDOs / Engineering departments / Agriculture/Horticulture departments etc. to the Sub-Committee. The Sub-Committee would examine the feasibility of such projects before their execution and would allow its execution on priority, which would ordinarily be undertaken by the Govt. agencies existing in the district. But no duplication of a particularly work would be tolerated. The executing agencies would give certificate to the above effect.

Hon'ble Chairman instructed MCL authorities as well as district administration to address the problems in connection with left out cases of land losers awaiting rehabilitation benefit.

The meeting ended with Vote of thanks to the Chair.


Collector, Jharsuguda
Member Convener
RPDAC.


Revenue Division Commission (N/D)
Sambalpur and Chairman, RPDAC

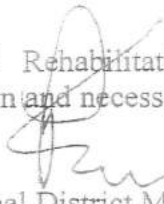
MEMBERS PRESENT IN REHABILITATION & PERIPHERY DEVELOPMENT
ADVISORY COMMITTEE OF MCL HELD ON 20.11.2011 at 10.30 AM AT DRDA
CONFERENCE HALL ,JHARSUGDA.

1. Sri Kishore kumar Mohanty, Hon,ble M.P. (Rajya Sabha)
2. Sri Anup Kumar Sai, Hon'ble MLA, Brajrajnagar.
3. Superintendent of Police, Jharsuguda.
4. Smt. Noor Bidya Tooti, President Zilla Parisad, Jharsuguda.
5. Chairman, Panchayat Samiti, Lakhanpur.
6. Additional District Magistrate, Jharsuguda
7. I/C Project Director ,R&R, Jharsuguda.
8. Director Personnel, MCL, Jagruti Vihar, Burla, Sambalpur
9. General Manager, MCL Lakhanpur Area.
10. General Manager, MCL ,Ib Valley Area, Brajrajnagar.
11. General Manager, Orient Area, Brajrajnagar.
12. Lokonath Budhi, Khairkuni.
13. Sri Kumaresh Patra, Secretary Panchpada Seva Sadan.
14. District Employment Office, Jharsuguda.

MCL
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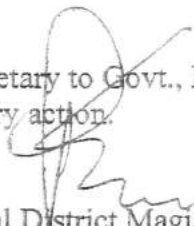
Memo No. 5203/Dt. 19.6.12

Copy forwarded to all the members of Rehabilitation and Periphery Development Advisory Committee for kind information and necessary action.


Additional District Magistrate,
Jharsuguda. 18/6/12

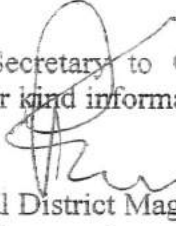
Memo No. 5204/Dt. 19.6.12

Copy forwarded to the Commissioner-cum-Secretary to Govt., Industries Deptt., Odisha, Bhubaneswar for kind information and necessary action.


Additional District Magistrate,
Jharsuguda. 18/6/12

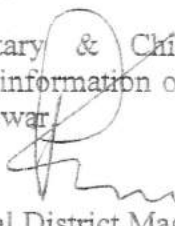
Memo No. 5205/Dt. 19.6.12

Copy forwarded to the Commissioner-cum-Secretary to Govt., Revenue & Disaster Management Deptt., Odisha, Bhubaneswar for kind information and necessary action.


Additional District Magistrate,
Jharsuguda. 18/6/12

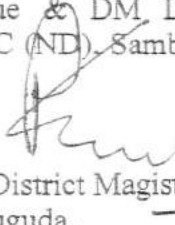
Memo No. 5206/Dt. 19.6.12

Copy forwarded to OSD to Chief Secretary & Chief Development Commissioner, Govt. of Odisha, Bhubaneswar for kind information of Chief Secretary & Chief Development Commissioner, Odisha, Bhubaneswar.


Additional District Magistrate,
Jharsuguda. 18/6/12

Memo No. 5207/Dt. 19.6.12

Copy forwarded to the Director, R&R, Revenue & DM Deptt, Odisha, Bhubaneswar/M.D., IDCO, Bhubaneswar/Secretary to RDC (ND), Sambalpur for kind information and necessary action.


Additional District Magistrate,
Jharsuguda. 18/6/12

PROCEEDINGS OF THE REHABILITATION & PERIPHERY DEVELOPMENT
ADVISORY COMMITTEE (RPDAC) FOR MCL IN JHARSUGUDA DISTRICT

Date & Time - 06.10.2010 at 12.30 PM
Venue - DRDA Conference Hall, Jharsuguda
In Chair - Sri P.K. Mohapatra, I.A.S., RDC (ND), Sambalpur
Members Present - Annexure- 'A'

At the outset the Collector welcomed the Chairman and all the members of the Committee present in the meeting.

Initiating the discussion RDC, (N.D.), Sambalpur – Cum – Chairman RPDAC welcomed all the members and requested all the participants to introduce themselves.

The Chairman along with other members discussed on the Action Taken Report (ATR) submitted by MCL with respect to RPDAC meeting held on 25.06.2008.

MCL representative explained that MCL has acquired land in Jharsuguda district much before 2006, so they are following the R & R policy of Govt. of Orissa, 1989. The whole village has to be provided with same R & R benefits. In this context he informed the house that building assistance @ 90,000/- has been approved in the meeting of Functional Directors for those families who have not been displaced earlier due to some reasons though some families from the same village have shifted. The R & R policy 2006 of Govt. of Orissa will be implemented for those villages where land has been acquired after 2006.

In this matter, RDC clarified that if the village has not shifted though land has been acquired prior to coming into operation of R & R policy 2006, in that case R & R policy 2006 of govt. of Orissa will be applicable.

Hon'ble MLA, Brajarajnar raised the following issues:

1. MCL is forcing the land oustees to demolish their houses for the sake of employment though other benefits have not been provided to them.
2. MCL has initiated disciplinary action for not vacating their houses in the village against the persons who were provided with jobs earlier.

Hon'ble MP Rajya Sabha raised the following issues:

1. The villagers are not consulted regarding their choice of site for shifting. They are forced to shift to a site, which they do not like. Moreover, the sites are not ready.

2. MCL should provide jobs to all category 'C' persons. In reply Director Personnel MCL clarified that 588 category 'C' cases are approved by name for one time dispensation under the instruction of Ministry of Coal. Unless further instructions are received from the Ministry, MCL cannot consider further category 'C' cases.
3. MCL has forcibly taken land of 20 ST people of village Bundia since last 20 years & has not provided them R & R benefits. In reply to which Director Personnel, MCL clarified that these twenty ST people are coming under category 'C' and their names are have not been approved in the list of 588 cases for one time dispensation.
4. A dam project over Ahida Nalla near Koilighughar has been stopped due to objection by MCL. It is a very good irrigation project & near about 20,000 persons will be benefited out of this project. MCL has not started any work there & it is also not known when the project will start. MCL should allow this project for the benefit of the people of the area.

SP, Jharsuguda informed the house that the accidents on the roads are taking place mainly by Coal loaded trucks. During a meeting earlier MCL had agreed to a proposal of diversion of road, but now they have informed that coal deposit is available below the proposed diversion, hence they rejected the proposal. Moreover, there are a large numbers of junctions on the main road where there are no traffic signal.

All the people's representatives of Jharsuguda asked for peripheral development of surrounding villages affected by the MCL.

After detailed deliberation the following decisions were taken.

- v MCL authorities will not take any disciplinary action against those employees who have not vacated their houses till finalization of the rehabilitation sites.
- v MCL authorities to submit the list of their re-settlement sites to the Collector, Jharsuguda within seven days. If any other site is available & acceptable to the villagers, then Tahasildar shall furnish the details. All the sites are to be approved in the RPDAC meeting.
- v A committee may be constituted headed by Sub-Collector, Jharsuguda, Tahasildar, Lakhanpur, General Manager, MCL of the concerned area and two representatives of concerned village. The committee will conduct field visit of the rehabilitation site and verify its infrastructure regarding suitability for the

rehabilitation of the PDFs and take necessary steps for shifting of the PDFs to the rehabilitation site after detailed discussion with them. A report on this shall be submitted before 20th November 2010.

- v Collector, Jharsuguda to form a committee consisting of Sub-Collector, Tahasildar, Lakhanpur /Jharsuguda, concerned Zilla Parishada Member, concerned Chairman Panchayat Samiti to finalize the list of projects for peripheral development. They shall prepare a shelf of project for 5 years, which shall cover Water Supply, Road, Health, Education related works.
- v Regarding alternate road for smooth traffic to prevent accidents, MCL authorities will examine the proposal afresh and they will also provide electronic signal lights for traffic management.

RDC told that there are a lot of individual grievances & time is not sufficient to discuss this in details. He advised the Collector to examine all the cases and submit a detailed report within two months.

The meeting ended with vote of thanks to the Chair.

Sd/-
Collector, Jharsuguda
Member Convenor

Sd/-
(P.K. Mohaptara, I.A.S.)
Revenue Divisional Commissioner,
&
Chairman, RPDAC

PROCEEDING OF THE RPDAC MEETING OF MCL, JHARSUGUDA HELD ON 06.10.2013
AT DRDA CONFERENCE HALL, JHARSUGUDA

The RPDAC meeting of MCL, Jharsuguda was held on 06.10.2013
in the presence of Dr. Pramod Meherda, IAS, RDC (ND), Sambalpur.

The attendance sheet of the meeting is appended at "Annexure-A".

After a long discussion, the following decisions were taken in the meeting:



Subject	Decision taken	Action to be taken by	Remarks/ deadline
Order of the village	The land acquisition of Chharla village has been completed by NCL. The Shifting and rehabilitation work should be finished before end of December. Employment matters of the people of this area should be sorted out immediately by CGM, MCL, Lakhanpur Area.	CGM, MCL, Lakhanpur Area	End of December, 2013
Construction of Boundary Wall	Construction of Boundary Wall at Kudoloi and Tingismal should be taken up immediately.	CGM, MCL, Lakhanpur Area	End of October, 2013
Truck Owners Association	The memorandum bye-law of all Truck Owners Association of Jharsuguda District should be examined and if any violation of Rule and regulation has been committed by the association, their Registration will be cancelled.	ADM-cum-Addl. Registrar of Societies, Jharsuguda	End of October, 2013
Bypass Road	The existing road via Gumadera/Belpahar should be reexamined.	Collector, Jharsuguda	End of October, 2013
Road Belpahar	Requisition of land for Railway Over Bridge under N.H Act.		
Employment	16 pending cases on employment of Kudopali and Lajkura have to be disposed off and the issue should be closed thereafter.	CMD, Burla	End of November, 2013
Compensation	The compensation to the people of Tingismal should be given immediately.	CMD, MCL, Burla	
Panchay Development	<ol style="list-style-type: none"> 1) Extra funds to DHH, Jharsuguda are to be provided by MCL immediately for completion of on-going development works. 2) Truck Terminal- 2 Nos. at Gate No.9 & Shani Mandir are to be constructed 3) Kalyan Mandap at Brajrajnagar. 4) Community Hall at Shanti Nagar. 5) Construction of Conference Hall & Toilet at Belpahar College. 	Collector, Jharsuguda	will ensure preparation of rough estimates and submit to MCL authorities for release of funds

50 (UR) / 50 (Civil)

The meeting ended with vote of thanks to the chair and participants.

[Signature]
District Magistrate & Collector,
Jharsuguda

[Signature]
Chairman (RPDAC) & RDC (ND),
Sambalpur

[Handwritten notes]
In Process regarding
employment case

[Handwritten notes]
27/11/13
RPDAC
Jharsuguda
12/3
11-3-2014
MCL

Office of the G.M. (Civil)
Jharsuguda
Receipt No. 8133
11/03/14

PROCEEDING OF THE RPDAC MEETING OF MCL, JHARSUGUDA HELD ON 24.02.2014
AT DRDA CONFERENCE HALL, JHARSUGUDA

The RPDAC meeting of MCL, Jharsuguda was held on 24.02.2014 under the Chairmanship of Dr. Pramod Kumar Mahanta, IAS, RDC (HD), Sambalpur.
The attendance sheet of the meeting is annexed at "Annexure A"
After a long debate the following decisions were taken in the meeting:-

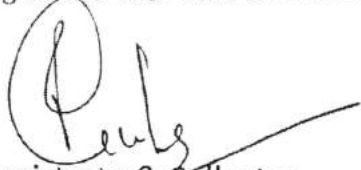
Subject	Decision Taken	Action to be taken by	Remarks/ deadline
1 Shifting of Chharla village	The land acquisition of Chharla village has been completed by MCL. The Shifting and rehabilitation work should be finished within one month. Collector, Jharsuguda advised to call for a meeting with MCL, Authority to solve the employment problem of the village.	CGM, MCL, Lakhanpur Area	31.03.2014
2 Construction of Boundary Wall	Construction of boundary wall of U.G. M.E. School at Kudaloi should be taken up immediately.	CGM, MCL, Lakhanpur Area	
3 Bye-pass Road	MLA, Brajrajnagar suggested to ply the coal trucks in night time due to pollution problem, in this regard the committee decided to constitute a committee under the Chairmanship of ADM with other Officers like R.O., SPCB, Jharsuguda, RTO, Jharsuguda, SDPO, Brajrajnagar, Tahasildar, Jharsuguda, Tahasildar, Lakhanpur along with MCL Authorities.	ADM, Jharsuguda	31.05.2014
4 Employment	18 employment cases of Khairakuni Village to be completed soon.	CMD, MCL, Burla	31.05.2014
5 Periphery Development	1) Construction of Conference Hall and Toilets at Brajrajnagar & Belpahar College. 2) Development and beautification of tourist spot at Koilighugar. 3) One Narrow Bridge be constructed at Koilighugar. 4) An amount of Rs.5.00 crores in 1 st Phase to be provided to Lakhanpur Block for various developmental work and the balance amount will be placed in phase manner to Lakhanpur Block.	CMD, MCL, Burla DFO, Jharsuguda/ EE, RD, Jharsuguda BDO, Lakhanpur/	
6 CSR Activities	The Project Authority to submit the list of project taken up under CSR activities to District Administration for any duplicacy in work	CMD, MCL, Burla	30.04.2014

13.6.08
13.5.14

Handwritten notes and signatures at the bottom of the page, including "All FDRs", "GM (CSR)", "Conceded", "ATN", "29.02", "2014", and various initials and dates.

7	Special invitees for RPDAC meeting	Tahasildar, Lakhanpur & BDO, Lakhanpur will be invited as special invitees for the meeting.	P.D. R&R
8	Ratification of proceeding of Sub-Committee Meeting.	The decision taken in the Sub-Committee meeting held on 17.12.2013, 18.12.2013, 06.01.2014 & 08.02.2014 are approved.	P.D. R&R

The meeting ended with vote of thanks to the chair and participants.



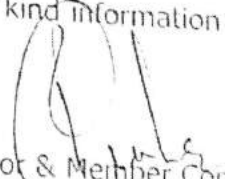
District Magistrate & Collector,
Jharsuguda



Chairman (RPDAC) & RDC (ND),
Sambalpur

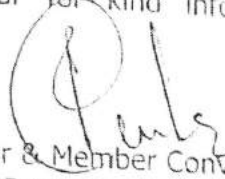
Memo No. 2837 /R&R Dt. 22-04-2014

Copy forwarded to all members of RPDAC for kind information and necessary action.


Collector & Member Convener,
RPDAC, Jharsuguda

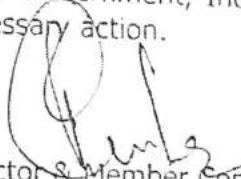
Memo No. 2838 /R&R Dt. 22-04-2014

Copy submitted to the Addl. Chief Secretary to Government, Revenue & Disaster Management Deptt., Odisha, Bhubaneswar for kind information and necessary action.


Collector & Member Convener,
RPDAC, Jharsuguda


Memo No. 2839 /R&R Dt. 22-04-2014

Copy submitted to the Principal Secretary to Government, Industries Deptt., Odisha, Bhubaneswar for kind information and necessary action.


Collector & Member Convener,
RPDAC, Jharsuguda


Memo No. 2840 /R&R Dt. 22-04-2014

Copy submitted to the OSD to Chief Secretary & Chief Development Commissioner, Govt. of Odisha, Bhubaneswar for kind information of Chief Secretary & Chief Development Commissioner.


Collector & Member Convener,
RPDAC, Jharsuguda

Memo No. 2841 /R&R Dt. 22-04-2014

Copy submitted to the Director, R&R, Revenue & Disaster Management Deptt., Odisha, Bhubaneswar/ M.D., IDCO, Bhubaneswar/ Secretary to RDC (ND) Sambalpur for kind information and necessary action.


Collector & Member Convener,
RPDAC, Jharsuguda

**PROCEEDING OF THE RPDAC MEETING OF MCL, BRAJARAJNAGAR HELD ON 26.05.2015
AT DRDA CONFERENCE HALL, JHARSUGUDA**

The RPDAC meeting of MCL, Jharsuguda was held on 26.05.2015 under the Chairmanship of Sri N.B.S. Rajput, IAS, RDC (ND), Sambalpur.

The attendance sheet of the meeting is appended at "Annexure-A"

After a long discussion the following decisions were taken in the meeting:-

Sl. No	Subject	Decision taken	Action to be taken by
1	Plantation <i>Gms (ESR)</i>	The Project authority has been instructed to make more plantations in the mine premises. 2. The CGM, Lakhanpur area is having shortfall of 29% plantation and the committee directed to achieve the Govt. norms during this year. DFO, Jharsuguda is instructed to give detail guidelines and target for plantation of MCL. 3. The Project authority has been instructed to take up more plantation in the project affected area. Further they should make plantation as per specification provided by DFO, Jharsuguda. The Chairman instructed DFO, Jharsuguda to advise the MCL authority for local species plantation in their area.	1. & 3. MCL Authority 2. DFO, Jharsuguda/ CGM, Lakhanpur
2	Pollution	1. The MCL authority has been directed to control pollution by covering of tarpaulin in the coal trucks in the loading point and also necessary arrangements should be done to check those trucks in different points. The 2. The Police and Transport department are instructed to make joint checking at regular intervals for covering of tarpaulin in the coal loaded trucks. 3. CCTVs should be installed in different loading point with in 7days. 4. The Hon'ble M.P, Bargarh raised concern on pollution matters of MCL and cited the circular of Ministry of Environment, Forest and Climate change, Govt. of India, New Delhi. Chairman instructed that MCL being Agency of Govt. of India is required to follow the guide lines of pollution of Environment, Govt. of India. 5. Sufficient water sprinkling are to be done by mechanized sprinkler machines on the different roads plying coal loaded trucks.	1. MCL authority 2. SP, Jharsuguda/ RTO, Jharsuguda 3. MCL authority 4. RO, SPCB, Jharsuguda/ MCL authority 5. MCL authority
3	Employment <i>Gms (ESR)</i>	The Chairman expressed his displeasure for non-submission of action taken report of the meeting Dt.16.01.2015 by the Project Authority. The chairman instructed to fix responsibility for non-submission of compliance. The Chairman advised the district administration to take up review meeting within 15days on action taken report & compliance report of the last meeting held on 16.01.2015 inviting Hon'ble MP and MLA and MCL authority.	CMD, MCL, Burla/ Collector, Jharsuguda
4	Shifting of Chharla village	The eviction in Chharla Village will be made within 15days in co-ordination with Police Administration. MCL, Authority has been instructed to co-ordinate this matter with Addl. SP, Jharsuguda/SDPO, Brajarajnagar.	SP, Jharsuguda /MCL

Gms (ESR)

*M.P. Suth -
To coordinate
in action
st. 1.17*

Contd. P-2

5	Traffic Issues	<p>1. MCL authority will place funds for construction of traffic tower at BTM, Gandhi Chowk, Belpahar and Police control room at Gandhi Chowk and Belpahar on priority basis to prevent accidents. SP, Jharsuguda to submit the estimate.</p> <p>2. The MCL authority to check proper covering of tarpaulin in the coal loaded trucks in the loading points and CC TVs are be installed at the designated places. Noncompliance of the above matter will be taken seriously by the police.</p> <p>3. MCL authority has been instructed to check all MV documents before loading of coal at loading points.</p> <p>4. Proper action plans are to be prepared by MCL to avoid road accident and intimate District administration.</p> <p>5. Registration of transporters should be made under Sec.3 of Motor Transport Workers Act, 1961. The Chairman instructed the DLO to file prosecution for above lapse if not complied.</p>	SP, Jharsuguda/ MCL authority/ DLO, Jharsuguda
6	Construction of Toilet <i>Gm (CSR)</i>	MCL, Authority is advised to co-ordinate with the Tahasildar, Jharsuguda for proper Identification of land for construction of sufficient no of toilets at Adibasi Colony, Brajarajnagar within 1 week.	Tahasildar, Jharsuguda/ MCL
7	Periphery Development Works <i>Gm (CSR)</i> <i>2</i> <i>ans</i>	<p>1. MCL, Authority will place funds of Rs.15.00 crores. For the development work of Lakhanpur Block and Jharsuguda Block under Brajarajnagar Assembly Constituency.</p> <p>2. The Hon'ble MP, MLA and public representative may be involved in preparation of CSR action plan.</p> <p>3. The Committee advised to MCL authority to make functioning trauma centre and burn unit in MCL, Hospital for the benefit of their employees and for the general public. The committee unanimously decided that only Rs.2.00 be taken from the patients as user fees in the MCL, Hospital irrespective of land outstees, PAFs & general public.</p>	CMD, MCL, Burla
8	Other Matters. <i>Gm (CSR)</i>	<p>1. The proceeding of RPDAC meeting of Talabira project on 12.01.2015 regarding mode of execution of RPDAC works was discussed. It was decided that the procedure followed before the instruction given by the Collector vide letter No.253/Res Dt.15.11.2014, will continue henceforth.</p> <p>2. It was decided that the bio-metric attendance system in Collectorate will be installed out of interest money of Periphery Development Funds.</p>	1.All Executing Agencies. 2.PD, R&R

The meeting ended with vote of thanks to the chair and participants.

TBR
23/6/15
District Magistrate & Collector,
Jharsuguda

LA
Chairman (RPDAC) & RDC (ND),
Sambalpur

**PROCEEDING OF THE RPDAC SUB-COMMITTEE REVIEW MEETING HELD ON
DT.08.07.2016, 3.30 A.M IN COLLECTORATE CONFERENCE HALL, JHARSUGUDA.**

A review meeting of RPDAC Sub-Committee of Brajrajnagar assembly constituency held on Dt.08.07.2016, 11.30 A.M under the Chairmanship of Collector, Jharsuguda in the Collectorate Conference Hall, Jharsuguda.

The attendance sheet of the meeting is appended at "Annexure-A"

After a detailed discussion the following decisions were taken in the meeting and the new project proposals shall be placed in the next RPDAC meeting for consideration and approval.

Sl. No.	Subject	Decision taken	Action to be taken by
1	Construction of Coal-Corridor	Construction of Coal-corridor (2 lane) from Rampela to Nuabandh about 36.00 K m. at an estimated cost of Rs.85.00 crores from special fund excluding MCL. Periphery Development Fund is approved unanimously by the Sub-Committee. (To be placed in next RPDAC meeting for approval.)	I,CMID, MCL
2	Status of 385 nos of CSR projects of Lakhanpur Block	1. The policy for placement of funds for CSR projects to all Blocks should be uniform by the MCL. 2. The CSR projects of Lakhanpur Block taken up by the General Managers of MCL have been reviewed. 3. As the GM, Orient area shall not undertake the projects due to shortage of man power and machineries. The funds of Rs.5.31 crores shall be deposited to district office within 1 month. 4. The CSR projects of other GMs have been reviewed and the funds for the balance projects which are not taken up by the GM shall be deposited to district office within 1 month. 5. The GM, MCL IB Valley and Lakhanpur area instructed to submit monthly status report of CSR project taken up for Lakhanpur block to this office on the 1 st day of the month.	1.MCL. 2,3 &4. GM,CSR and All GMs,MCL.
3	Renovation of Kharakani Nallaha	The proposal placed by Hon'ble MP, Bargarh,P.C for renovation of Kharakani Nallaha at an estimated cost of Rs.2.33.55.978.00 vide his letter No 449/MPB Dt.01.06 2016 is approved. (To be placed in next RPDAC meeting for approval.)	GM, IB valley, MCL
4	Approval of Periphery development projects.	1.Bridge connecting Goleichhawik to Brajarajnagar market over railway line at an estimated cost of Rs.20.00 crores is approved.	

		<p>2. The proposal to be submitted by Hon'ble MP, Bargarh P.C. and Hon'ble M.L.A. Brajrajnagar A.C. are approved. Subject to feasibility and availability of funds.</p> <p>3. The project proposal submitted by EO, Brajarajnagar Municipality vide his letter No.3069 Dt.05.07.2016 is approved.</p> <p>4. The Master plan of Brajarajnagar Municipality, Belpahar Municipality, Development of Kilighughar Tourist place, Laxmi Temple and Chandi Temple are to be taken up and DPR should be made by a competent outsourcing agency. (To be placed in next RPDAC meeting for approval.)</p>	
5.	Issues on School	MCL board should decide on priority basis to undertake the maintenance of Jura Baga High School and Madhuban Nagar Primary School.	GM, CSR, MCL.
6.	Employment	<p>1. The MCL Authority to submit the list of Outsourcing agencies to District Office.</p> <p>2. The Contractual employees of outsourcing agencies of MCL, OPGC and IBEUL are to be covered under ESI and PF schemes.</p> <p>3. The police verification should be made for employees of outsourcing agencies. (To be placed in next RPDAC meeting for approval.)</p>	1. MCL. 2. MCL, OPGC and IBEUL.
7.	Modification of recommendation of CSR format	The present format used for recommendation of CSR Project are to be modified and recommendation of MP/MLA are to be required.	MCL.
8.	Supply of drinking water in Summer season	Estimate to be prepared by E.E., RWS&S, Jharsuguda for supply of drinking water through tanker during Summer season	E.E., RWS&S, Jharsuguda

Dring
COLLECTOR, JHARSUGUDA
28/7/16

Memo No. 6996 /R&R Dated. 20.07.2016
Copy to All members for information and necessary action.

Dring
COLLECTOR, JHARSUGUDA
29/7/16

Memo No. 6997 /R&R Dated. 20.07.2016
Copy submitted to RDC, ND, Sambalpur for kind information and necessary action.

Dring
COLLECTOR, JHARSUGUDA
29/7/16

**PROCEEDING OF THE RPDAC SUB-COMMITTEE REVIEW MEETING HELD ON
DT.08.07.2016, 11.30 A.M IN COLLECTORATE CONFERENCE HALL, JHARSUGUDA.**

A review meeting of RPDAC Sub-Committee of Jharsuguda assembly constituency held on Dt.08.07.2016, 11.30 A.M under the Chairmanship of Collector, Jharsuguda in the Collectorate Conference Hall, Jharsuguda.

The attendance sheet of the meeting is appended at "Annexure-A"

After a detailed discussion the following decisions were taken in the meeting and the new project proposals shall be placed in the next RPDAC meeting for consideration and approval.

Sl. No.	Subject	Decision taken	Action to be taken by
1	Construction of Kalyan Mandap at Sarbahal	EO, Jharsuguda municipality to complete the project and submit the UC. Further, an amount of Rs.20.00 lakhs is required for completion. EO to submit plan and estimate for the same.	EO, Jharsuguda Municipality
2	Construction of Kalyan Mandap at Purunabasti	EO, Jharsuguda municipality is to refund Rs.30.00 lakhs to District Office already placed with him, not spent due to land dispute of the Project.	EO, Jharsuguda Municipality
3	Solid Waste Management of Jharsuguda Municipality	1. EO, Jharsuguda municipality to prepare the DPR for the Solid Waste management system and submit the plan and estimate to Collector, Jharsuguda before next RPDAC, Meeting. 2. EO, Jharsuguda Municipality to make tender for Preparation of DPR at their level. 3. MCL to provide Rs.5.00 crores immediately for purchase of certain requirements and machineries for solid waste disposal in municipalities.	1. & 2. EO, Jharsuguda, Brajrajnagar and Belpanar Municipalities. 3. MCL
4	Installation of CC TV in Jharsuguda Town	1. Installation of CC TV in Jharsuguda Town area shall be made out of interest money of PD funds. 2. SP, Jharsuguda to submit plan and estimate for the same. 3. Proposal may be send to RDC, ND, Sambalpur for immediate execution, pending approval in next RPDAC meeting.	1. & 3. PD, R&R 2. SP, Jharsuguda
5	BT road from SH-10 to District Court, Jharsuguda	The EE, R&B, Jharsuguda is instructed to estimate for BT road for approval in the next RPDAC meeting.	EE R&B, Jharsuguda
6	Circuit House Gardening	The M/s. Concast Steel & Power Ltd. is instructed to maintain the Circuit house Gardening in front of Circuit House, Jharsuguda.	M/s. Concast Steel & Power Ltd., Badmel

7	Boundary wall with Gate of Collectorate, Jharsuguda	EE, R&B, Jharsuguda to construct the boundary wall with Gate.	EE, R&B, Jharsuguda
8	Meeting Hall & approach road of women association of 2nd Battalion, OSAP, Jharsuguda	An amount of Rs.25.00 lakhs is required for Meeting Hall and approach road of women association of 2nd Battalion, OSAP, Jharsuguda which is approved. The Police housing corporation to execute the work. (To be placed in the next RPDAC meeting)	Police Housing Corporation, Cuttack.
9	Construction of Community Hall	The revised estimate to be submitted by PWD, Jharsuguda is approved.	EE PWD, Jharsuguda
10	Construction of Bus Stand	The Hon'ble MP, MLA & Collector, Jharsuguda to request CMD, MCL for placement of balance fund of Rs.5.39crores.	
11	Cardiac Care Centre, Jharsuguda	The MCL shall be requested for placement balance fund of Rs.45.00 crores.	PD, R&P, Jharsuguda.
12	Cancer Centre, Jharsuguda	1. Cancer institute to be constructed at Jharsuguda out of PD Funds of MCL as suggested by S/ J, Neha Kishore Das, Hon'ble MLA, Jharsuguda. (To be placed in the next RPDAC meeting) 2. Tahasildar, Jharsuguda to reserve Ac.10.00 dec. land near the DHH, Jharsuguda.	1.MCL, 2.Tahasildar, Jharsuguda
13	Employment to be given on Sports Quota	MCL to provide employment to Sportsmen in Sports Quota for motivation of Sports as suggested by Hon'ble MP, Bargarh.	MCL
14	Funds to be placed for Dhanu Jatra, Baragarh	Hon'ble MP, Bargarh & MLA, Jharsuguda has suggested to place fund for Dhanujatra, Baragarh every year. (To be placed in the next RPDAC meeting)	MCL
15	Sustainable livelihood for Transgender	Rs.50.00 lakhs will be placed by MCL for the Sustainable livelihood development of Transgender. (To be placed in the next RPDAC meeting)	MCL
16	Funds for Office Contingency	2% of the interest money of PDF to be accrued shall be utilized for R&R section towards office Contingency over and above the normal grants. (To be placed in the next RPDAC meeting)	PD, R&R
17	Pollution	Hon'ble MLA, Jharsuguda placed two no's of public petition for SMC & Action Ispat on Pollution. The Member Secretary, SPCB, Bhubaneswar to be moved.	PD, R&R

Dr. Prabhakar Mahapatra Singh

MEMBER OF PARLIAMENT
FROM BHOJIPUR
PARLIAMENTARY CONSTITUENCY



ANILBYURB - A

22, South Avenue
New Delhi - 110011
Phone: 011-26100004
E-mail: anilbyurb@parliament.in

Members:

1. Member for Parliamentary Constituency - Anilbyurb - A
2. Member for Parliamentary Constituency - Anilbyurb - B
3. Member for Parliamentary Constituency - Anilbyurb - C
4. Member for Parliamentary Constituency - Anilbyurb - D

To,

The District collector, Jharsuguda.

Subj: Submission of project proposal to be taken under CSR activities.

Sir,

I am submitting herewith project proposal to be taken under CSR activities in Brajrajnagar assembly segment under my parliamentary constituency.

Sl. No	Name of the G.P/ Ward No	Name of Municipality/ Block	Name of Project	Amount (Lakh)
1	Bhikampali	Lakhanpur	Const. of Kalyan Mandap near Ghanteswari Mandir	Rs 4000000
2	Attabira	Do	Const. of Kalyan Mandap at Kumar	Do
3	Palsada	Do	Const. of Kalyan Mandap at Palsada	Do
4	Jamgaon	Do	Const. of Kalyan Mandap at Jamgaon	Do
5	Samarbagha	Do	Const. of Kalyan Mandap at Samarbagha	Do
6	Katarbagha	Do	Const. of Kalyan Mandap at Kadamdigi	Do
7	Kadamdigi	Do	Const. of Kalyan Mandap at Katarbagha	Do
8	Bhounkore	Do	Const. of Kalyan Mandap at Bhounkore	Do
9	Chantoli	Do	Const. of Kalyan Mandap at Chantoli	Do
10	Kandakeela	Do	Const. of Kalyan Mandap at Kandakeela	Do
11	Remta	Do	Const. of Kalyan Mandap at Remta	Do
12	Kanaktora	Do	Const. of Kalyan Mandap at Kanaktora	Do
13	Badimal	Do	Const. of Kalyan Mandap at Badimal	Do
14	Machida	Do	Const. of Kalyan Mandap at Machida	Do
15	Baghamunda	Do	Const. of Kalyan Mandap at Baghamunda	Do
16	Pandari	Do	Const. of Kalyan Mandap at Pandari	Do
17	Sunari	Do	Const. of Kalyan Mandap at Sunari	Do
18	Lakhanpur	Do	Const. of Kalyan Mandap at Lakhanpur	Do
19	Banjari	Do	Const. of Kalyan Mandap at Banjari	Do
20	Kudaloi	Do	Const. of Kalyan Mandap at Kudaloi	Do
21	Remanda	Do	Const. of Kalyan Mandap at Remanda	Do
22	Telenpali	Do	Const. of Kalyan Mandap at Telenpali	Do
23	Kusraloi	Do	Const. of Kalyan Mandap at Kusraloi	Do
24	Kumarbandh	Do	Const. of Kalyan Mandap at Kumarbandh	Do
25	Piplikani	Do	Const. of Kalyan Mandap at Piplikani	Do

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Dr. Prabhakar Kumar Singh

MEMBER OF PARLIAMENT

(LCA SARDAR)

SARDAR (L.P.S.M.)



सत्यमेव जयते

32, South Avenue

New Delhi - 110017

Phone : 91-11-23052074

Mobile : 9840746190

E-mail : drprabhakar@gmail.com

Member of

- ★ Advisory Committee on Human Resource Development
- ★ Consultative Committee on Teachers & Salaries
- ★ Central Board of Secondary Education
- ★ Western Railway Development Council

26	Dalgaon	Do	Const. of Kalyan Mandap at Dalgaon	Do
27	Do	Do	Const. of Kalyan Mandap at Gudiali	Do
28	Sarandamal	Do	Const. of Kalyan Mandap at Phata	Do
29	Rampela	Do	Const. of Kalyan Mandap at Charpali barpali	Do
30	Tilia	Do	Const. of Kalyan Mandap at Tilia	Do
31	Piplimal	Do	Const. of Kalyan Mandap at Piplimal	Do
32	Panchagaon	Do	Const. of Kalyan Mandap at Panchagaon	Do
33	Pithinda	Do	Const. of Kalyan Mandap at Pithinda	Do
34	Kumarbandh	Do	Improvement of Collage play ground Kuma-bandh	Rs.1000000
35	Attabira	Do	Improvement of play ground ML High School Attabira	Do
36	Telengali	Do	Improvement of play ground at banharpali	Do
37	Bhikampali	Do	Improvement of play ground at Bhikampali	Do
38	Kande kela	Do	Improvement of play ground at kandeikela	Do
39	Sunari	Do	Improvement of play ground at Beranbandh	Do
40	Kadamdihi	Do	Improvement of play ground Kadamdihi	Do
41	Badimal	Do	Const. of Co road from Badhara School to Khajurpada	Rs.500000
42	Badimal	Do	Const. of Guard wall & Bathing steps at gountiamuda Baddhara	Rs.100000
43	Badimal	Do	Const. of Guard wall & Bathing steps at Kusme! Naik Bandh	Rs. Do
44	Kanaktora	Do	Const. of Rest shead at Kanaktora	
45	Ward No.20	Brjrajnagar Municipality	Const. of Kalyan Mandap	Rs.5000000
46	Ward No 30	Brjrajnagar Municipality	Const. of Drain from Sahani house to K.C Dash House at remja power house pada	Rs.1000000
47	Ward No 18	- do -	Kirican Mandap near R.C. club	RS 15,00,000

Your faith fully

Dr. Prabhakar Kumar Singh

Member of Parliament

Smt. RADHARANI PANDA, M.L.A.
BRAJRAJNAGAR
ODISHA LEGISLATIVE ASSEMBLY
DIST. JHARSUGUDA



Qrs. No. DS-2/1, Type-VII
Unit-III, Bhu. baneeswar
Mobile-9437059254

24.07.16

Ref. No. DS-2/1/1075

Date:

To
The Collector-cum-District Magistrate
Dist. Jharsuguda, ODISHA
=====

Subject : CSR work related to Brajrajnagar Constituency

Respected sir,

I on behalf of the people of my constituency propose the following CSR work to be taken up from MCL CSR fund at the earliest.

1. Construction of administrative building along with Entrance Gate at I.G. Women's College Brajrajnagar.
2. Construction of Two Examination Hall having seating capacity of 200 students each at I.G. Women's College Brajrajnagar.
3. Installation of 250 KVA transformer at Brajrajnagar College.
4. Construction of Ladies Hostel at Belpahar College (having 100 seat capacity).
5. Construction of Two Examination Hall having seating capacity of 200 students each at Kumbharband College, Kumbharband (under Lakhanpur Block).
6. Construction of Kalyan Mandap at Tarani Chowk (Bhoot Bangla) & Gwaia Para, Brajrajnagar.
7. Construction of Kalyan Mandap at Belpahar.
8. Construction of one Railway Flyover at Brajrajnagar (Mama Chowk).
9. Construction of overhead tank along with intake well at Village Thebra, Bhanurkhol GP under Lakhanpur Block.
10. Setup a trauma centre at Central Hospital as our area is accident prone area due to Production & Transportation of Coal.
11. Immediately start Mobile Ambulance Facility (Medical Van) to the all the villages under Brajrajnagar Constituency.
12. Construction of an overhead tank along with deep bore well and construction of a Bridge / Culvert at Bhanjipada, Bhanurkhol GP under Lakhanpur Block.
13. Construction of Hanging Bridge and beautification of Koili Ghogar by engaging a consultant for submitting a blue print for proper development of this tourist place.
14. Construction of a Botanical & Children's Park at Sarai Pali (19 enclave Villages) under Lakhanpur Block.

Please do the needful to take up the above works at the earliest.

Thanking you.

Yours truly,

Radharani Panda
Smt. Radharani Panda

Smt. Radharani Panda
M.L.A.
Brajrajnagar Constituency

18	Diversion Proposal on PD Projects of Blocks	The BDO, Jharsuguda, Kolabira, Kirimira & Laikira submitted diversion proposal vide their letter No.1556/Dt.05.07.2016 & No.1550/Dt.04.07.2016 No.2551/Dt.05.07.2016; No.1491/Dt.05.07.2016 & No.1406/Dt.04.07.2016 respectively are approved.	BDO, Jharsuguda, Kolabira, Kirimira, Laikira & PD, R&R
19	Incomplete Projects	The BDO, Jharsuguda, Kolabira, Kirimira & Laikira submitted proposal for completion of incomplete projects vide their letter No.1555/Dt.05.07.2016, No.2552/Dt.05.07.2016, No.1493/Dt.05.07.2016 & No.1417/Dt.05.07.2016 respectively are approved.(To be placed in the next RPDAC meeting)	BDO, Jharsuguda, Kolabira, Kirimira & Laikira.
20	New Projects	1.The BDO, Jharsuguda, Kolabira, Kirimira & Laikira submitted proposal for New projects duly approved in PS meeting vide their letter No.1554/Dt.05.07.2016, No.2553/ Dt.05.07.2016, No.1492/ Dt.05.07.2016 & No.1418/Dt.05.07.2016 respectively are approved. 2. The projects submitted by Hon'ble MP, Bargam & MLA, Jharsuguda are approved as annexures. 3. The Hon'ble MP desires a compliance from MCL on the projects furnished by him earlier. (To be placed in the next RPDAC meeting) 4. All new projects are subject to feasibility and availability of funds.	1. BDO, Jharsuguda, Laikira, Kirimira and Kolabira. 2. PD, R&R. 3. PD, R&R.
21	Submission Of UC	All BDOs are instructed to submit the pending UCs immediately.	All BDOs.


COLLECTOR, JHARSUGUDA


Memo No. 6994 / R&R Dated. 29.07.2016

Copy to All members for information and necessary action


COLLECTOR, JHARSUGUDA

Memo No. 6995 / R&R Dated. 29.07.2016

Copy submitted to RDC, ND, Sambalpur for kind information and necessary action


COLLECTOR, JHARSUGUDA

