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Most Immediate

No.43021/1/2020-LAIR
Government of India
Ministry of Coal

Lok Nayak Bhawan, Khan Market,
New Delhi, the 17th October, 2024

To,

The Secretary, Department of Justice, Ministry of Law and Justice,
The Chief Secretaries of all States and UTs (As per standard List),
The Registrar of High Court of all States and UTs (As per standard List).

Subject: Appointment of Presiding officer for Special Tribunal (Full time) at Talcher u/s 14 (2) of the Coal Bearing Areas (Acquisition & Development) Act, 1957 for adjudicating the dispute cases of land acquisition/compensation for the land acquired under this Act by Mahanadi Coalfields Limited(MCL), a subsidiary of Coal India Limited(CIL), and other entities in the Talcher coalfield in Odisha - reg.

Sir,

I am directed to refer to the subject cited above and to say that the sanction of the President is conveyed to the creation of one post of Presiding officer for Special Tribunal (Full time) at Talcher, Odisha, for a period of two years from the date of assumption of charge, u/s 14 (2) of the Coal Bearing Areas (Acquisition & Development) Act, 1957 for adjudicating the dispute cases of land acquisition/compensation for the land acquired under this Act by Mahanadi Coalfields Limited(MCL), a subsidiary of Coal India Limited(CIL), and other entities in the Talcher coalfield in Odisha on the terms and condition mentioned below:

- i. Duration: The period of appointment will be for a period of two year from the assumption of charge or till the tenure of the tribunal or upto 65 years of age, whichever is earlier.
- ii. Pay Scale: Pay will be fixed at Rs 2,25,000/- per month(fixed) subject to the condition that the pay together with pension and pension equivalent of other forms of retirement benefits, are restricted to Rs.2,25,000/- per month.
- iii. Allowances: Dearness Allowances (DA) as payable to the officers of All India Services getting pay of equivalent scale and status as per Central Government orders revised from time to time.
- iv. City Compensatory Allowances: Not Admissible.
- v. Transfer T.A.: As admissible to a Government servant of the highest grade.
- vi. TA/DA: Payable according to the entitlement on the rates as payable to the Secretary to the Government of India.
- vii. H.R.A: Rent free furnished accommodation or House Rent Allowances at the prevailing rate.
- viii. Leave: As admissible to other-re-employment pensioners under the CSS (Leave) Rules, 1972.
- ix. LTC: For self and family as admissible to re-employment pensioners and the entitlement will be that of the highest grade in Central Government.



- x. Conveyance: Entitled to the facility of Staff Car for journeys in accordance with the Staff Car Rules of the Government of India, as applicable to the Secretary to the Government of India.
- xi. Medical: Medical facilities of Central Government Health Scheme (CGHS), if available at the station of positing. Where CGHS facility is not available, he/she would be entitled to medical facilities as provided in the Central Services (Medical Attendance) Rules.
- xii. Drawing & Disbursing Officer (DDO): He/She will also function as the Drawing and Disbursing Officer and also Head of Department for himself/herself and staff assisting the Special Tribunal, Talcher, Odisha.
- xiii. Pension and Provident Fund: Not Admissible.
- xiv. Residuary Provision: The conditions of service for which no express provision is available shall be determined by the rules and orders for the time being applicable to the Secretary to the Government of India.
- xv. Pay and allowances will be paid by Mahanadi Coalfields Limited (MCL), Jagriti Vihar, Burla, Dist. Sambalpur, Odisha.
- xvi. Power to Relax : The Central Government shall have the powers to relax the terms and conditions in this regard.

2. Apart from the Presiding Officer, supporting Staff will be deployed by MCL as per the requirement and direction of the Presiding Officer. The following 5 posts of supporting staff at the Special Tribunal, Talcher has been approved:-

Sl.No.	Name of Post	Number of Posts	Pay Level (in Rs.)
1	Stenographer	1(one)	Level 4 (25500 - 81100)
2	Typist/Clerk	2(Two)	Level 2 (19900 - 63200)
3	Peon(Now MTS)	1(one)	Level 1 (18000 - 56900)
4	Driver	1(one)	Level 2 (19900 -63200)
	Total	5 (Five)	

3. The expenditure involved for the Special Tribunal (Full time) at Talcher, Odisha, including the payment of salary/wages and office expenses of the Presiding Officer and supporting staff are to be borne by Mahanadi Coalfields Limited, Sambalpur, Odisha.

4. According to the provision of section 14 (1) of Coal Bearing Areas (Acquisition & Development) Act, 1957, where the amount of any compensation payable under this Act can be fixed by agreement, it shall be paid in accordance with such agreement and under the provision of section 14(2) of Coal Bearing Areas (Acquisition & Development) Act, 1957, where no such agreement can be reached, the Central Government shall constitute a Tribunal consisting of a person who is or has been or is qualified to be a Judge of a High Court for the purpose of determining the amount.

5. The Tribunal, in the proceedings before it, shall have all the powers which a civil court has while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908), in respect of the following matters, namely:-

- (i) summoning and enforcing the attendance of any person and examining him on oath;
- (ii) requiring the discovery and production of any document;



- (iii) reception of evidence on affidavits;
- (iv) requisitioning any public record from any court or office; and
- (v) issuing commissions for examination of witnesses.

6. As per section 14 of the Coal Bearing Areas (Acquisition & Development) Act, 1957, the Tribunal is to be consisting of a person who is or has been or is qualified to be a Judge of a High Court for the purpose of determining the amount.

7. You are requested to send a panel of suitable and willing persons for selection and appointment as the Presiding Officer, Special Tribunal at Talcher.

8. This has the approval of the Cabinet in its meeting held on 03rd October, 2024.

Yours faithfully,



(Darshan Kumar Solanki)
Deputy Secretary to the Govt. of India
Email:dk.solanki@nic.in

Copy to:

1. PS to Hon'ble Minister of Coal and Mines.
2. PSO to Secretary (Coal).
3. PPS to JS (BPP).
4. Chairman, Coal India Limited, Coal Bhawan, premises No-04-Mar, Plot-AF-III, action area-1A, New Town Rajarhat, Kolkata -700156.
5. CMD, Mahanadi Coalfields Limited, Floor No.-3, MCL HQ, Jagriti Vihar, Burla, Dist. Sambalpur, Odisha, PIN-768020
6. IFD, Ministry of Coal, Shastri Bhavan, New Delhi.
7. Coal Controller, Coal Controller's Organization, Ministry of Coal, Scope Minar, 5th floor, Core II, Laxmi Nagar, Delhi 110092
8. District and Sessions Judge and Presiding Officer of Part Time Tribunal, at Talcher, Odisha.
09. Senior Technical Director(NIC), Ministry of Coal with the request to kindly upload this letter on the website of the Ministry of Coal.