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03-6-2024

CCO/CBA/ECL/Bankola&KonardihiBlock/2024/359047

Government of India  
Ministry of Coal  
Office of the Coal Controller

Scope Minar, Core-II, 5<sup>th</sup> floor,  
Laxmi Nagar Delhi – 110092.  
Dated: 3<sup>rd</sup> June, 2024.

To  
The Deputy Secretary (LA & IR),  
Ministry of Coal, Shastri Bhawan,  
New Delhi – 110 001.

**Sub: Competent Authority's Report under Section 8(2) of the Coal bearing Area (Acquisition and Development) Act, 1957 in respect of North and Central Bankola Block and Konardihi Block District-Paschim Bardhaman West Bengal Eastern Coalfields Limited for extent of land 4.38 Ha (approx.) or 10.82 acres (approx.) regarding.**

**Ref:**

1. Central Government's Notification, in exercise of powers conferred under by Sub-Section (1) of Section 7 of Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. 4942(E) dated 14.11.2023 for acquisition of land for an extent of 4.21 Ha or 10.40 Acres(approx.) pertaining to North and Central Bankola Block and Konardihi Block District-Paschim Bardhaman West Bengal, Eastern Coalfields Limited.
2. Central Government's Notification, in exercise of powers conferred under by Sub-Section (1) of Section 7 of Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. SO.5082(E) dated 29.11.2023 acquisition of land for an extent of 0.17 Ha or 0.42 Acres(approx.) pertaining to North and Central Bankola Block and Konardihi Block District-Paschim Bardhaman West Bengal, Eastern Coalfields Limited.
3. Letter from Director, Ukahra Farming Corporation Ltd dated 12.12.2023.
4. Letter No. ECL/CMD/LRI/CBA/887 dated 03.02.2024.
5. Plan baring number GM/JNR/LAND/2021-22/CBA(SEC-7)/63, dated the 25<sup>th</sup> July, 2023
6. Plan baring number GM/JNR/LAND/2022-23/CBA(SEC-7)/65, dated the 25<sup>th</sup> July, 2023

With reference to above subject, I am directed to send the Competent Authority's Report under Section 8(2) of the Coal bearing Area (Acquisition and Development) Act, 1957 in respect of North and Central Bankola Block and Konardihi Block District -Paschim Bardhaman West Bengal Eastern Coalfields Limited which is as below.

**Publication of Notifications:**

Notification under Sub-Section(1) under section 7 of the above notification vide S.O. No. 4942(E) dated 14.11.2023 for an extent of 4.21 Ha (approx.) or 10.40 acres (approx.) in

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respect of North and Central Bankola Block and Konardihi Block District -Paschim Bardhaman West Bengal Eastern Coalfields Limited. was published on 16.11.2023. **(Enclosed as Annexure -I)**

Subsequently, ECL published another Notification vide SO.5082(E) dated 29.11.2023 for additional land extent of 0.17 Ha (approx.) or 0.42 acres (approx.) was published on 29.11.2023. **(Enclosed as Annexure -II)**

Details of land as per Notifications is as under:

- i. Plan baring number GM/JNR/LAND/2021-22/CBA(SEC-4)/112, dated the 20<sup>th</sup> October, 2021

Sr. No.	Name of Mouza	Thana	Block	District	Area (In Hectares)	Remarks
1.	Chakbanbahal Jurisdiction List number 17	Andal	Andal	Paschim Bardhaman	2.31	Part
2.	Konardihi Jurisdiction List number 14	Pandaveswar	Pandaveswar	Paschim Bardhaman	1.90	Part
Total Area :					4.21 (approx)	

- ii. Plan baring number GM/JNR/LAND/2022-23/CBA(SEC-7)/65, dated the 25th of July, 2023

Sr. No.	Name of Mouza	Thana	Block	District	Area (In Hectares)	Remarks
1.	Chakbanbahal Jurisdiction List number 17	Andal	Andal	Paschim Bardhaman	0.17 (approximately)	Part

Total area =10.82 Acers(approximately) or 4.38 Ha (Approximately)

Project Proponent vide their letter No. ECL/CMD/LRI/CBA/887 dated 03.02.2024 has given wide publicity by means of publishing in Newspapers i.e. “**Prabhat Khabbar(Hindi)**”, “**The Statesman Kolkata**” (English ) and “**Aajkal Kolkata**” (Bengali) on 30.01.2024 and amongst the villagers of the said area.**(Enclosed as Annexure -III).**

**Objections received under Section 8(1) of the Coal Bearing Area (A & D) Act 1957:**

Office of Coal Controller's Organisation has received one objection from Director, Ukahra Farming Corporation Ltd. vide dt. 12th December,2023 objection against the acquisition

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of plots for Jhanjra-Ukhra Railway Line under Mouza – Kumardihi & Chakbanbahal for an extent of 4.20 Ha (approx.) or 10.40 acres (approx.). (**Annexure -IV**)

**Brief of objection received:** Objection received from Director, Ukhra Farming Corporation Ltd is produced as below.

*"We are the owner of the subject land and/or part thereof which you intend to acquire in terms of the said Notification. In terms of Section 8 of the CB (A&D) Act we as the owner of the said land do hereby object to such acquisition of the said land and its part thereof.*

*The proposal for acquisition of part plot of land will create tremendous prejudice and hardship to us, in as much as the rest of the plot will be absolutely useless and cannot be used in future for any other purpose. The rest of the land cannot be utilized or cannot be cultivated and will definitely be encroached on by the outsiders who would start making construction on the said plot of land. The rest of the plot of the land cannot be dealt with by us as owner thereof. It would not be out of place to mention that while acquiring the said plot of land the authority would made construction on the said plot of land by making at least four feet high in order to construct Railway line and consequently the land would be divided and in effect and would be of no use for any other purpose.*

*We have always shown a positive and co-operative attitude to ECL, but you appreciate that by the process of such a proposed acquisition we could suffer acute difficulty and loss.*

*We have no objection if the entire land is acquired by you as we are not in a position to accept part acquisition of the land and therefore object to the said acquisition.*

*In the premise, please note that if you are interested to acquire whole plot of land then we are already to hand over our entire land for the purpose of acquisition and therefore we request you not to proceed any further for part acquisition through CB(A&D) Act, 1957."*

**Hearing by Coal Controller's Organisation:**

In response to the objection received from M/s Ukhra Farming Corporation Ltd., the hearing was scheduled in the Office of ECL HQ Sanctoria at 11:30 AM on 16.05.2024.

**Annexure – V**

List of participants are enclosed as **Annexure – VI**

As per schedule, the hearing was conducted and deliberation of hearing as below.

**Deliberation of hearing:**

1. In the beginning of the meeting, the Coal Controller ensured the presence of the representatives of the objector i.e. Ukhra Farming Corporation Ltd.
2. Coal Controller ensured that objections raised by the objector are submitted as prescribed time u/s 8(2) of CBA(A&D) Act, 1957. Subsequently, Coal Controller advised Project Proponent to deliberate on the acquisition of land under CBA (A&D) Act, 1957.

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3. The Project proponent presented the details of land under acquisition through Power Point. It was deliberated that the said land i.e., 4.38 Ha, is required for laying of a railway line to establish a new siding. The land under acquisition is part land of Ukhra Farming Corporation Ltd. The railway project is approved by the Railway Board as per the requirement of the Project and at the same time the land is over coal bearing areas. This land acquisition is essential to increase the evacuation of coal produced from Jhanjra Project Colliery and to meet the stipulation of EC capacity of the mine.
4. Coal Controller directed the representatives of Ukhra Farming Corporation Ltd. to raise their concerns.
5. The representatives of Ukhra Farming Corporation Ltd. stated that the balance of unacquired land will be encroached and will become useless and cannot be used for any other purposes in future. The representatives of Ukhra Farming Corporation Ltd. requested to acquire the entire land.
6. Coal Controller asked whether the land is idle or being used for some other purposes. The representatives of Ukhra Farming Corporation Ltd informed us that presently the land is idle and the rest of the land cannot be utilized in future.
7. The Project proponent informed that since the land to be acquired is for linear project, the entire land belonging to Ukhra Farming Corporation Ltd. cannot be acquired at this juncture.
8. Coal Controller informed that under CBA(A&D) Act, 1957, the Central Govt. can give notice of intention to acquire the whole or part of the land over such area where coal is obtainable.
9. The representatives of Ukhra Farming Corporation Ltd. requested that assurance should be given for the acquisition of rest land.
10. Coal Controller directed the Project proponent to clarify on the objections raised by the objector.
11. The Project proponent informed that the new project namely Nakrakonda-Kumardihi OCP is coming up in next 5-10 years and there is every possibility of acquiring of rest of the land for above project.

#### **Recommendations:**

Considering the objection /representation of objector & the response of proponent as above, the following point wise recommendations are being submitted.

1. The objector, through his representation requested to acquire the entire land as the balance of unacquired land will be encroached and cannot be used for any other purposes in future.
2. Project Proponent has taken cognizance of the objection raised by the objector and has submitted that as the land to be acquired is for linear project, the entire land belonging to Ukhra Farming Corporation Ltd. cannot be acquired at this juncture. However, project proponent stated that there is every possibility of acquiring the rest of the land for the upcoming Nakrakonda-Kumardihi OCP project in future.
3. The relevant provisions of CBA(A&D) Act 1957 are stipulated below:

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- Vide clause no Sec.7(1) of CBA(A&D) Act, 1957, the Central Govt. can give notice of intention to acquire the whole or part of the land over such area where coal is obtainable.

Thus, considering the objection viz-a-viz comments of ECL in the backdrop of statutory provisions, the objection is to be dealt with by Project Proponent as per the laid down provisions of the statute and taking over the possession of the said land plots.

Therefore, necessary action may be taken at your end in the process of instant land acquisition.

This issues with the approval of Coal Controller

Yours Faithfully,

*(Signature)*  
3/6/14  
(Aarti Mahawar)

Dy Director

Enclosure As above

Copy

1. Nominated Owner ECL
2. GM L&R ECL
3. Director CCO Delhi
4. PS to Office of the Coal Controller