THE POLICY OF EASTERN COALFIELDS LIMITED FOR TAKING POSSESSION OF LAND WITHOUT PROVISION OF DIRECT EMPLOYMENT IN THE COMPANY BY PAYING ONE TIME LUMP SUM (OTL) AMOUNT

A. **Nomenclature**:

This Policy is named "The Policy of Eastern Coalfields Limited for Taking Possession of Land Without Provision of Direct Employment in the Company by Paying One Time Lump Sum (OTL) Amount"

B. **Applicability**:

This Policy can be applied to take possession of land that has been acquired under any acquisition Act, like the RFCTLARR Act 2013, CBA (A&D) Act 1957, LA Act 1894, West Bengal Land (Requisition & Acquisition) Act 1948, and also includes land that has been directly purchased from the landowner by registration of a sale deed.

This Policy will not be applicable for acquired forest land or Government land on which Pattas have been assigned by the concerned department of State Government; for land taken on lease from any person or organisation, encumbrance-free Government land or Forest land obtained from State Government, Forest Department under the State or Central Government, Land obtained from Railway Authority, Defence, PSU and other Government or semi-Government Organizations and for Debottar/Pirottar land which is not private in nature.

C. Effective Date:

This policy can be applied

i. In the cases of land acquisition under the acquisition Acts like the RFCTLARR Act 2013, CBA (A&D) Act 1957, LA Act 1894, West Bengal Land (Requisition & Acquisition) Act 1948, if determination and payment of compensation are done on or after the date of approval of the policy.

ii. In case the land is directly purchased from the landowner by registration of a sale deed on or after the date of approval of the policy.

iii. The policy shall have retrospective effect if desired by the landowner, whose land has already been acquired under the acquisition Acts like the RFCTLARR Act 2013, CBA (A&D) Act 1957, LA Act 1894, West Bengal Land (Requisition & Acquisition) Act 1948, and through Direct Purchase by registration of sale deed, against whom employment is yet to be approved.

iv. The policy will not be applicable for those lands against which provision of employment has been restricted by an earlier competent decision of the Company/ Ministry of Coal.

v. This policy will also be applicable to those new entrants who opt for employment against land as per the CIL R&R Policy and later on decide to opt for this policy if they are within their training/ probation period.

D. **Eligibility Criteria**:

The eligible beneficiary of this policy has to fulfil the following criteria:

I. He will be a 'landowner' as defined in the RFCTLARR Act 2013. In subsection (r) of Section 3 of the RFCTLARR Act 2013 of RFCTLARR Act 2013, it has been mentioned –

Quote

"land owner" includes any person —

(i) whose name is recorded as the owner of the land or building or part thereof, in the records of the authority concerned; or

(ii) any person who is granted forest rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, 2 of 2007. or under any other law for the time being in force; or

(iii) who is entitled to be granted Patta rights on the land under any law of the State, including assigned lands; or

(iv) any person who has been declared as such by an order of the court or Authority;

Unquote

II. He will be a Project-Affected Person (PAP) according to the Rehabilitation and Resettlement Policy of Coal India Limited.

E. **Entitled benefits**:

Benefits will be provided to the entitled landowners under two heads, namely,

(a) Land Compensation and
(b) One-time lump sum payment in lieu of employment.

Note:

I. The amounts of the above two heads will depend on the market price of the land as declared by the State Government.

II. Although the amounts of the said two heads are to be calculated separately, those amounts are inseparable from the payment point of view (i.e., those amounts cannot be paid separately or in isolation).

III. Beneficiaries are entitled to get the total consolidated compensation amount that will be arrived by adding up the amounts of the two heads, namely 'Land Compensation' and a 'One-time lump sum payment in lieu of employment', applicable to the particular slab of the market price of land described in the following Para.

IV. In case the land is purchased under the Direct Purchase mode, the upper limit of the market price of land shall be fixed as ₹ 25 Lakhs/ acre.

F. **Amounts of compensation**:

1. **For the market price of land per acre - Up to ₹ 10 Lakh/acre**:

1.1. **Land Compensation**- To be considered as ₹ 10 Lakh/acre. Land compensation will be calculated according to the First Schedule of the RFCTLARR Act 2013 for all cases.

1.2. **One-time lump sum payment in lieu of employment**:

1.2.1. In the cases of land acquisition under the CBA (A&D) Act 1957 and the RFCTLARR Act 2013, the Sum of the Basic value of ₹ 5 Lakh per recorded landowner (i.e., the affected family) and a Premium of the amount ₹ 20 Lakhs/ acre on a pro-rata basis.

1.2.2. In all other cases -@-₹ 22.5 Lakh/acre on a pro-rata basis.

2. **For the market price of land per acre - More than ₹ 10 Lakh up to ₹ 15 Lakh/acre**:

2.1. **Land Compensation**- To be considered as ₹ 15 Lakh/acre. Land compensation will be calculated according to the First Schedule of the RFCTLARR Act 2013 for all cases.

2.2. **One-time lump sum payment in lieu of employment**:

2.2.1. In the cases of land acquisition under the CBA (A&D) Act 1957 and the RFCTLARR Act 2013, the Sum of the Basic value of ₹ 5 Lakh per recorded landowner (i.e., the affected family) and a Premium of the amount ₹ 10 Lakhs/ acre pro-rata basis for the cases where the multiplying factor applied for the determination of land compensation is less than 1.5. No premium would be added where the multiplying factor is more than 1.5

2.2.2. In all other cases -@-₹ 12.5 Lakh/acre on a pro-rata basis for the cases where the multiplying factor applied for the determination of land compensation is less than 1.5.

And @ ₹ 5 Lakh/acre on a pro-rata basis for the cases where the multiplying factor applied for the determination of land compensation is more than 1.5.

3. **For the market price of land per acre - More than ₹ 15 Lakh up to ₹ 18 Lakh/acre**:
   3.1. **Land Compensation**- To be considered as ₹ 18 Lakh/acre. Land compensation will be calculated according to the First Schedule of the RFCTLARR Act 2013 for all cases.
   3.2. **One-time lump sum payment in lieu of employment**:
      3.2.1. In the cases of land acquisition under the CBA (A&D) Act 1957 and the RFCTLARR Act 2013, the Sum of the Basic value of ₹ 5 Lakh per recorded landowner (i.e., the affected family) and a Premium of the amount ₹ 5 Lakhs/ acre pro-rata basis for the cases where the multiplying factor applied for the determination of land compensation is less than 1.5. No premium would be added where the multiplying factor is more than 1.5
      3.2.2. In all other cases -@-₹ 7.5 Lakh/acre on a pro-rata basis for the cases where the multiplying factor applied for the determination of land compensation is less than 1.5. And @ ₹ 5 Lakh/acre on a pro-rata basis for the cases where the multiplying factor applied for the determination of land compensation is more than 1.5.

4. **For the market price of land per acre - More than ₹ 18 Lakh up to ₹ 20 Lakh/acre:**
   4.1. **Land Compensation**- To be considered as ₹ 20 Lakh/acre. Land compensation will be calculated according to the First Schedule of the RFCTLARR Act 2013 for all cases based on the declared market price of land.
   4.2. **One-time lump sum payment in lieu of employment**:
      4.2.1. In the cases of land acquisition under the CBA (A&D) Act 1957 and the RFCTLARR Act 2013, the Sum of the Basic value of ₹ 5 Lakh per recorded landowner (i.e., the affected family) and a Premium of the amount ₹ 5 Lakhs/ acre pro-rata basis for the cases where the multiplying factor applied for the determination of land compensation is less than 1.5. No premium would be added where the multiplying factor is more than 1.5
      4.2.2. In all other cases -@-₹ 7.5 Lakh/acre on a pro-rata basis for the cases where the multiplying factor applied for the determination of land compensation is less than 1.5. And @ ₹ 5 Lakh/acre on a pro-rata basis for the cases where the multiplying factor applied for the determination of land compensation is more than 1.5.

5. **For the market price of land per acre - More than ₹ 20 Lakh up to ₹ 22.5 Lakh**:
   5.1. **Land Compensation**- To be considered as ₹ 22.5 Lakh/acre. Land compensation will be calculated according to the First Schedule of the RFCTLARR Act 2013 for all cases.
   5.2. **One-time lump sum payment in lieu of employment**:
      5.2.1. In the cases of land acquisition under the CBA (A&D) Act 1957 and the RFCTLARR Act 2013, the Sum of the Basic value of ₹ 5 Lakh per recorded landowner (i.e., the affected family) and a Premium of the amount ₹ 5 Lakhs/ acre pro-rata basis for the cases where the multiplying factor applied for the determination of land compensation is less than 1.5. No premium would be added where the multiplying factor is more than 1.5.
      5.2.2. In all other cases -@-₹ 7.5 Lakh/acre on a pro-rata basis for the cases where the multiplying factor applied for the determination of land compensation is less than 1.5. And @ ₹ 5 Lakh/acre on a pro-rata basis for the cases where the multiplying factor applied for the determination of land compensation is more than 1.5.

6. **For the market price of land per acre- More than ₹ 22.5 Lakh up to ₹ 25 Lakh**:

6.1. **Land Compensation**- To be considered as ₹ 25 Lakh/acre. Land compensation will be calculated according to the First Schedule of the RFCTLARR Act 2013. for all cases.

6.2. **One-time lump sum payment in lieu of employment**:

6.2.1. In the cases of land acquisition under the CBA (A&D) Act 1957 and the RFCTLARR Act 2013, the Sum of the Basic value of ₹ 5 Lakh per recorded landowner (i.e., the affected family) and a Premium of the amount ₹ 5 Lakhs/ acre pro-rata basis for the cases where the multiplying factor applied for the determination of land compensation is less than 1.5. No premium would be added where the multiplying factor is more than 1.5.

6.2.2. In all other cases -@-₹ 7.5 Lakh/acre on a pro-rata basis for the cases where the multiplying factor applied for the determination of land compensation is less than 1.5. And @ ₹ 5 Lakh/acre on a pro-rata basis for the cases where the multiplying factor applied for the determination of land compensation is more than 1.5.

7. **For the market price of land per acre - More than ₹ 25 Lakh up to ₹ 30 Lakh**:

7.1. **Land Compensation**-

7.1.1 To be considered as ₹ 30 Lakh/acre. Land compensation will be calculated according to the First Schedule of the RFCTLARR Act 2013 for cases of land acquisition under the CBA (A&D) Act 1957 and the RFCTLARR Act 2013.

7.1.2 To be considered as ₹ 25 Lakh/acre for cases of land acquisition through Direct Purchase.

7.2. **One-time lump sum payment in lieu of employment**:

7.2.1. In the cases of land acquisition under the CBA (A&D) Act 1957 and the RFCTLARR Act 2013, the basic value of ₹ 5 Lakh per recorded landowner (i.e., the affected family).

7.2.2. In all other cases -@-₹ 5 Lakh/acre on a pro-rata basis.

8. **For the market price of land per acre - More than ₹ 30 Lakh**:

8.1. **Land Compensation**-

8.1.1 The market price declared by the State Government will be considered. Land compensation will be calculated according to the First Schedule of the RFCTLARR Act 2013. for cases of land acquisition under the CBA (A&D) Act 1957 and the RFCTLARR Act 2013.

8.1.2 To be considered as ₹ 25 Lakh/acre for cases of land acquisition through Direct Purchase.

8.2. **One-time lump sum payment in lieu of employment**:

8.2.1. In the cases of land acquisition under the CBA (A&D) Act 1957 and the RFCTLARR Act 2013, the Basic value of ₹ 5 Lakh per recorded landowner (i.e., the affected family).

8.2.2. In all other cases -@-₹ 5 Lakh/acre on a pro-rata basis.

G. Determination of the market price of land:

The market price of land has to be ascertained as per the following procedure:

i. For the lands situated in Godda, Deoghar and other Districts of Jharkhand State, where land is not transferable due to the prohibition applied by the 'Santhal Pargana Tenancy Act 1949', the market price of land will be as per the rates provided for non-saleable land in the latest circular issued by the State Government for the particular District/ Circle. Digitized circulation or Publication in the official Website of the State will also be accepted.

ii. For other places, the **market price** of the particular piece of land certified by the Department of Registration of Land of the State Government or published on the official Website of the State Government.

iii. For all places, except where land is non-transferable, determination of the **Market Price** of the land has to be done as per Section 26 of the RFCTLARR Act 2013, irrespective of the mode of acquisition of the land

iv. The Market Price of the land has to be obtained for the specific land class recorded in the 'Record of Right' of the landowner and not for 'Industrial', 'Koylar Khad', or any other class for which it may be used.

Note: Determination of the Market Price following Section 26 of the RFTCLARR Act 2013 shall be considered subject to its applicability on a case-by-case basis to eliminate the possibilities like over-valuation or under-valuation of the Fair Market Price.

H. Documents to be verified:

To claim benefits under this policy, the beneficiary has to submit the following documents:

I. Duly authenticated identity proof.
II. Duly authenticated ownership documents regarding the land for which benefits are claimed
III. In the case of land purchase under the direct purchase mode, the registered Sale deed for land transfer to ECL by the landowner.
IV. In the case of land acquisition under the Coal Bearing Areas (Acquisition and Development) Act 1957, a notarised document for handing and taking over possession of scheduled land in the standard format typed on Stamp Paper and signed by the landowner and authorised signatory on behalf of the Area General Manager.
V. In the case of land acquisition under the other Acts/ modes, the document issued by the concerned department of the State Government/ Central Government for obtaining possession of the land.
VI. Declaration in the form of an Affidavit in the standard format, sworn before a first-class Magistrate, stating details of his identity, details of the land and his willingness to get the benefits under the provisions of this policy instead of the benefits, if any, admissible under any other Act for the scheduled land.
VII. An Indemnity Bond in Standard Format wherein the landowner will declare to indemnify the total loss and damages of ECL caused by any false and/ or misleading data, document, or information submitted by him
VIII. All the other documents required for the particular case, according to the company's existing norms and guidelines.
IX. The documents will be verified following the existing norms and guidelines issued for the purpose.

I. Scope of review:

This policy has been formulated based on the current circumstances, statutory provisions, and existing parametric data and information. The Board of Directors of Eastern Coalfields Limited reserves the right to insert, delete, modify, abolish or take relief of any or all provisions of this Policy as and when required.