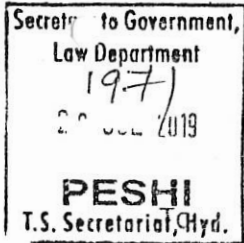


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F.No.43021/2/2011-PRIW-I/LA&IR
Government of India
Ministry of Coal

Lok Nayak Bhawan, Khan Market
New Delhi, dt. 12th July 2019

The Chief Secretaries of all States/UTs
(As per list attached)

Subject: Special Tribunal at Nagpur, Maharashtra under Coal Bearing Areas (Acquisition & Development) Act, 1957-request for sending names of qualified persons for appointment to the Special Tribunal.

Sir/Madam,

I am directed to say that the Government of India, Ministry of Coal had constituted a one-man Special Tribunal with Headquarter at Nagpur, Maharashtra under the provision of section 14(2) of the Coal Bearing Areas (Acquisition and Development) Act, 1957, for the purpose of determining the amount of compensation in the cases of disputes arising in respect of acquisition of coal bearing areas by the Government of India. Even though Special Tribunal is initially for a period of one year its term is extendable. The term of the present incumbent will expire on 25/09/2019.

2. According the provision of section 14(2) of the Coal Bearing Areas (Acquisition and Development Act, 1957, 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 of compensation. In terms of Article 217(2) of the Constitution, a person who has held a judicial Officer in the territory of India for at least ten years is qualified for appointment as a judge of a High Court. Therefore, Judicial Officers at the level of District and Additional Session Judges with adequate seniority could also be considered for appointment to the Special Tribunal at Nagpur.

3. You are requested to send a panel of suitable and willing persons to this Ministry for selection and appointment as the Special Tribunal at Nagpur. Details of terms and conditions for the said post are enclosed.

4. This may kindly be accorded priority and the names may be sent to this Ministry at an early date.

Encl: as above

Yours faithfully,

Ashish

(Ashish Upadhyaya)

Joint Secretary to the Govt. of India

Pri. Secy / Secy
Law Dept.



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Terms and conditions for the post of Presiding Officer of Special Tribunal under the Coal Bearing Areas(A&D) Act, 1957 as approved by competent authority in Ministry of Coal.

(A) **Qualification :** As per sub-section (2) of Section 14 of the 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 determination of amount.

(B) **Terms and conditions for the post of Presiding Officer of Special Tribunal under the CBA(A&D) Act, 1957 for adjudicating the cases arising out of the inadequacy of payment of compensation to be made to the persons whose lands have been acquired under the said Act in the State of Maharashtra.**

- (i) **Duration:** The initial period of appointment will be for a period of two year from the date his/her takes over further extendable upto to 1 year 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 as per the 7th Central Pay Commission Matrix Level 17 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 officer 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, Nagpur.
- (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 Western Coalfields Limited, Nagapur, Maharashtra.
- (xvi) **Power to Relax:** The Central Government shall have the powers to relax the terms and conditions in this regard.
