

GOVERNMENT OF ASSAM
JUDICIAL DEPARTMENT:::JUDICIAL BRANCH
DISPUR::GUWAHATI-6

No.JDJ.57/2021/78

Dated Dispur, the 26th November, 2021.

From : Smti. P. Kalita,
Deputy L.R. & Deputy Secretary to the Govt. of Assam,
Judicial Department.

✓ To : The Registrar General,
Gauhati High Court,
Guwahati - 1.

Sub : Regarding appointment of Special Tribunal at Nagpur.

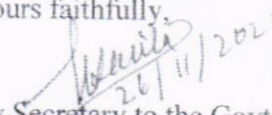
Ref. : D.O.No.43021/2/2011-PRIW-I/LA&IR dated 15/11/2021.

Sir,

With reference to the letter on the subject cited above, I am directed to forward herewith a copy of letter being D.O.No.43021/2/2011-PRIW-I/LA&IR dated 15/11/2021 alongwith its enclosures of M. Nagaraju, IAS, Additional Secretary and Nominated Authority, Govt. of India, Ministry of Coal, Shastri Bhawan, New Delhi received through Chief Secretary, Assam, which is self explanatory for favour of kind information and necessary action.

Encl: As stated above.

Yours faithfully,


26/11/2021
Deputy L.R. & Deputy Secretary to the Govt. of Assam,
Judicial Department.

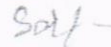
Memo No.JDJ.57/2021/78-A

Dated Dispur, the 26th November, 2021.

Copy to :

S.O. to Chief Secretary, Assam, Dispur, Guwahati-6 with reference to his
ECR No.705454 dtd. 16/11/2021.

By order etc.,



Deputy L.R. & Deputy Secretary to the Govt. of Assam,
Judicial Department

M. Nagaraju, IAS
Additional Secretary
&
Nominated Authority



सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA
कोयला मंत्रालय
MINISTRY OF COAL
शास्त्री भवन, नई दिल्ली
SHASTRI BHAWAN, NEW DELHI
Ph: 011-23383356, Fax: 011-23388043
E-mail: m.nagaraju@nic.in

Judicial Dept
D.O.No.43021/2/2011-PRIW-I/LA&IR

Dear Sir

Office of the Chief Secretary
Government of Assam
Dispur, Guwahati-6
RCB No. 705454



15th November, 2021

I am pleased to state that the Government of India, Ministry of Coal had constituted a one-man Special Tribunal with Headquarter at Nagpur, Maharashtra under 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 in the State of Maharashtra. The term of the Special Tribunal is extendable from time to time keeping in view the total number of compensation cases.

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 term of Article 217(2) of the Constitution, a person who has held a judicial Office 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 (along with biodata) may be sent to this Ministry by 30th November, 2021 at email:rs.saroj@nic.in

With regards

Yours sincerely,

15/11/21
(M. Nagaraju)

Sh. Jishnu Barua
Chief Secretary
Government of Assam
Block- C, 3rd Floor, Assam Sachivalaya
Dispur - 781006, Guwahati

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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 IFD, MOC vide their Note#52 dated 01.07.2019.

(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 posting. 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.
