



॥ महात्मा गांधी अमर रहे ॥

राष्ट्रीय मजदूर कांग्रेस (इंटूक) छ.ग.

INDIAN NATIONAL TRADE UNION CONGRESS

पंजीयन क्र. : 5098 / 07

स्थापना वर्ष : 03 / 05 / 1947

इंजी. शशांक दुबे

जिलाध्यक्ष (District President) राष्ट्रीय मजदूर कांग्रेस (INTUC) छ.ग.

राष्ट्रीय कार्यालय :- श्रमिक केन्द्र-4 भाई वीरसिंह मार्ग नई दिल्ली- 110001, फोन नं. - 2374-7767 / 68
Fax - 2336-4244, Email ID. - intucq@del13.vsnl.net.in
प्रदेश कार्यालय :- राजीव गांधी भवन, शंकर नगर, रायपुर, जिला- रायपुर (छ.ग.)
पत्राचार :- म.नं. 1032, शिवनगर, रुमगरा, बालको, जिला - कोरबा (छ.ग.) 495684
मो. - 7869357373, 8770079834

क्र. INTUC/KPBH/111

दिनांक : 06-08-2026

To,

The Secretary, Ministry of Coal, Government of India

GPOA-3, Netaji Nagar, New Delhi - 110023

Subject: Representation seeking implementation of the Chhattisgarh Rajya ki Adarsh Punarvas Niti, 2007 in all land acquisition, rehabilitation and employment matters of South Eastern Coalfields Limited (SECL) in the State of Chhattisgarh instead of the Coal India Rehabilitation & Resettlement Policy, 2012.

Respected Sir,

I respectfully submit this representation seeking the intervention of the Ministry of Coal for ensuring that South Eastern Coalfields Limited (SECL), a subsidiary of Coal India Limited, strictly implements the Chhattisgarh Rajya ki Adarsh Punarvas Niti, 2007 (Chhattisgarh Ideal Rehabilitation Policy, 2007) in all cases of land acquisition and rehabilitation within the State of Chhattisgarh, instead of applying the Coal India Rehabilitation & Resettlement Policy, 2012.

The issue now stands conclusively settled by the Hon'ble High Court of Chhattisgarh at Bilaspur in its common judgment dated 17.06.2026 in WPS No. 4381 of 2019 (Jyoti v. South Eastern Coalfields Limited & Others) and WPS No. 4393 of 2019 (Pawan Kumar Shukla v. South Eastern Coalfields Limited & Others).

The Hon'ble High Court categorically held that where the State Government has framed a specific Rehabilitation and Resettlement Policy governing land acquisition, the respondents are legally bound to consider the claims of land oustees in accordance with the Chhattisgarh Rehabilitation and Resettlement Policy, 2007 and not under the Coal India Rehabilitation & Resettlement Policy, 2012.

The Court further held that the District Rehabilitation and Resettlement Committee (DRRC) has

7869357373



er-shashank-dubey-ba3527172



intuccgkrb@gmail.com



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no legal authority to override, substitute or dilute the provisions of the State Policy merely by passing resolutions. Consequently, any decision to deny employment under the State Policy by relying upon the Coal India Policy, 2012 is legally unsustainable.

The Hon'ble High Court has specifically observed that the right of a land loser to receive rehabilitation and employment is an accrued statutory right, which must be determined according to the policy prevailing on the date of acquisition of land. Such accrued rights cannot be defeated by subsequent policy changes or administrative decisions. The Court further held that denial of employment to eligible land oustees amounts to violation of Articles 14, 15 and 21 of the Constitution of India.

Most importantly, the Hon'ble Court has declared that **no valid agreement, consent, administrative resolution or decision of the DRRC can override the statutory provisions contained in the Chhattisgarh Rehabilitation and Resettlement Policy, 2007**, and that reliance upon the Coal India Rehabilitation Policy, 2012 in preference to the State Policy is legally untenable.

The State Rehabilitation and Resettlement Policy, 2007 was framed by the Government of Chhattisgarh and its English version was published in the Chhattisgarh Gazette dated 15.05.2008. Clause 7 of the Policy, titled **"Employment and Other Facilities"**, provides a comprehensive statutory framework for rehabilitation of displaced families.

Clause 7.1 provides that where land is acquired for industrial or mining projects, **one eligible member of every affected family shall be provided employment according to his or her eligibility and suitability**. The Policy further mandates priority in project employment, vocational training, relaxation in age for Government and Public Sector appointments, transport facilities, and other rehabilitation measures.

Clause 7.1(e) specifically lays down the order of priority for providing employment as follows:

- Families whose **100% agricultural land and residential house have been acquired;**
- Families whose **100% agricultural land has been acquired;**
- Families whose **more than 75% agricultural land has been acquired;**
- Families whose **more than 50% agricultural land has been acquired;**
- Families whose **more than 25% agricultural land has been acquired;** and
- Other displaced families.

Clause 7.1(g) further provides that where regular employment opportunities are fewer than the number of displaced families, alternative rehabilitation measures such as allotment of commercial shops, preference in transport contracts, and assistance for self-employment shall be provided.

Clauses 7.2 to 7.6 additionally mandate technical training, skill development, self-employment assistance, preferential treatment in Government and semi-Government establishments, financial support, and integration of self-help groups into project activities. Thus, the State Policy creates a complete rehabilitation framework intended to safeguard the livelihood and dignity of displaced persons.

The Hon'ble High Court has examined these provisions in detail and has made an important finding in paragraph 16 of the judgment. The Court held that a bare reading of the Chhattisgarh Rehabilitation and Resettlement Policy, 2007 shows that nowhere does it prescribe any minimum landholding or cut-off area as a condition for grant of employment in industrial or mining projects.

The Court specifically observed that Clause 7(e) merely prescribes the order of priority among displaced families depending upon the percentage of agricultural land acquired. Therefore, the State Policy does not require ownership of any prescribed minimum area of land before a displaced family becomes eligible for employment.

The Hon'ble Court categorically rejected the stand taken by SECL that employment could be denied because the petitioners' acquired land measured less than 0.54 acres. The Court held that such a condition exists only under the Coal India Rehabilitation Policy and has no place whatsoever in the Chhattisgarh Rehabilitation and Resettlement Policy, 2007.

The Court therefore concluded that where the entire agricultural land of a family has been acquired, such family squarely falls within Clause 7(e)(ii) of the State Policy and is entitled to consideration for employment irrespective of the extent of land acquired. Accordingly, the objection raised by SECL based upon the alleged minimum cut-off area was held to be wholly unsustainable.

Unfortunately, despite this authoritative pronouncement, SECL continues in several cases to rely upon the Coal India Rehabilitation & Resettlement Policy, 2012 and continues to deny employment by applying conditions such as the minimum landholding requirement of 0.54 acres, which have now been expressly rejected by the Hon'ble High Court.

This practice not only defeats the statutory rights guaranteed under the Chhattisgarh Rehabilitation and Resettlement Policy, 2007 but also compels affected land oustees to engage in prolonged litigation to secure benefits that have already been recognized by law.

Since Coal India Limited and SECL function under the administrative control of the Ministry of Coal, it is imperative that a uniform policy direction be issued so that all subsidiaries operating in the State of Chhattisgarh comply with the law declared by the Hon'ble High Court.

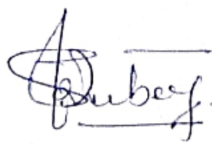
In view of the foregoing, I most respectfully request the Ministry of Coal to:

1. Issue immediate directions to Coal India Limited and South Eastern Coalfields Limited to implement the Chhattisgarh Rajya ki Adarsh Punarvas Niti, 2007 in all land acquisition, rehabilitation and employment matters arising within the State of Chhattisgarh.
2. Direct SECL to discontinue the application of the Coal India Rehabilitation & Resettlement Policy, 2012 wherever the State Rehabilitation Policy, 2007 is applicable.
3. Withdraw all administrative circulars, resolutions, DRRC decisions or internal instructions inconsistent with the Chhattisgarh Rehabilitation and Resettlement Policy, 2007.
4. Direct reconsideration of all pending and previously rejected employment claims that were rejected solely by applying the Coal India Rehabilitation & Resettlement Policy, 2012, including cases rejected on the ground of the 0.54-acre minimum landholding requirement.
5. Issue a comprehensive advisory to all subsidiaries of Coal India Limited operating in Chhattisgarh to ensure strict compliance with the judgment dated 17.06.2026 of the Hon'ble High Court of Chhattisgarh and the State Rehabilitation and Resettlement Policy, 2007.
6. Fix responsibility for any continued violation of the State Policy and take appropriate administrative action against officers responsible for denying lawful rehabilitation benefits.
7. Inform the undersigned of the action taken on this representation.

The Ministry of Coal is requested to uphold the rule of law and ensure that the constitutional and statutory rights of displaced families are protected in accordance with the judgment of the Hon'ble High Court and the Chhattisgarh Rehabilitation and Resettlement Policy, 2007.

I shall be grateful for your prompt intervention.

Yours faithfully,



Shashank Dubey

District President, INTUC Korba, Chhattisgarh

Enclosures:

1. Certified copy of the judgment dated 17.06.2026 in WPS No. 4381/2019 and WPS No. 4393/2019.
2. Relevant extracts of the Chhattisgarh Rehabilitation and Resettlement Policy, 2007 (Gazette Notification dated 15.05.2008).