

NORMS OF ECL W.R.T EMPLOYMENT AGAINST LAND

ITEMS	NORMS IN DETAIL
QUANTUM OF LAND	2 acres of land for one employment
STATUS OF POSSESSION	Land should be taken in possession of the company before/at the time of offering employment
PACKAGE DEAL	In a package deal, sanction of fixed number of employments against a chunk of land is to be considered. The essential criteria is that the nominee should be either himself owner for part of land directly or by way of being nominated as son, son's son or husband. In case the landowner has no son and only daughter, daughter's son, son-in-law and they can be nominated by other landowners for balance part of land to make it two acres.
TAGGING	Tagging of land of a landowner for the purpose of employment will be allowed only after the colliery has used the last parcel of total land falling within such colliery and norm of employment as prevalent during the use of the last parcel of such land will be applicable. Different plots of land falling within one colliery leasehold will be allowed. Land over one colliery cannot be tagged with another colliery/ area. However, the use of last parcel of land tailing within such colliery for providing employment by tagging was further placed to ECL Board in its 218 th meeting held on 27 th Mar 2008 for relaxation of norms. ECL Board advised to follow the R&R policy.
RELATIONSHIP	Opportunity of employment should be provided to the landowner himself/ or son or son's son or where the landowner is female, her husband. In case, land owner has no son and only daughter, daughter's son or son-in-law. In case of inherited land, brother and in that case nominee should also be one of the land owners.
SEX	Preference should be given to the eligible male member of the family. If there is no eligible male member in the family then only eligible female member should be considered for employment because of the nature of the industry.
EMPLOYMENT FOR OWNERSHIP OF USED	Employment will not be considered for ownership of used land i.e. land purchased/acquired after the use of land for the purpose of employment. Landowner will get value of the land.
DATE OF USE OF LAND	Date of use of land is the actual date of starting of caving operation in case of underground working, date of excavation in case of opencast or where construction is done, the date when the construction has started.
RECOMMENDATION	Any proposal for purchase of land or for offering employment can be processed for employment only if there is specific recommendation by Area Land Cell Committee and Area CGM/GM justifying the purchase or employment as the case may be. This is as per the directive of FDs in their meeting held on 7-7-2004.
AUTHENTICATION	All papers submitted in the proposal file must be verified and authenticated by the land-dealing executive of the area before the proposal is forwarded to headquarter.
PHYSICAL VERIFICATION OF RELATIONSHIP	Before Initiation of Employment Proposal For Approval: 1. General Manger of the Area should request In-charge of local Police Station, attaching related documents submitted by Landowner/ nominee with respect to their relationship, to physically verify the same and certify whether the relationship claimed in the documents are genuine. 2. If, for any reason whatsoever, the police-verification report is not obtained then, the same may be physically verified by a team of Area Personnel Manager and Area Land Dealing Officer. The team will visit the residential place of the landowner and physically judge relationship between the landowner and nominee. The team will take a written and duly signed statement of the landowner in this regard on the spot and the same should be countersigned by two neighboring villagers as witnesses and the team members mentioning full address of the place and date.

<p>SYSTEM IMPROVEMENT NORMS</p>	<p>1. Ownership Certificate is mandatory for purchase of land. Land can be purchased through sale-deed by ECL from a landowner only if his name is recorded as owner against the concerned plot area of land in the records of State Revenue department.</p> <p>2. Mutation of land in favor of ECL must be done before providing employment / compensation except in cases where land transfer is governed/ restricted by SPT/ CNT Act or where conditional employments have been approved by the Competent Authority against land which are disputed/ sub-judice and mutation of land in favor of the company isn't possible before providing employment due to statutory / legal obligations, or the land has already been acquired through CBA(A&D) Act, 1957 and the mutation hasn't been done in view of clarification of MOC, GOI through letter ref no. 43024/6/99-PRIW dated 2nd Nov 2007, and in those cases following conditions are to be strictly complied with:</p> <p>(i) All conditional employments will be treated as temporary till the concerned land is mutated in favor of the company.</p> <p>(ii) Physical possession of the land is to be taken before providing the employment. Unit and Area Authority must issue a written certificate in this regard and the same should be attached to the employment proposal.</p> <p>(iii) Agreements for providing approved R&R benefits/employments for taking physical possession of land from landowners are to be registered in the concerned State registration office, <i>except where SPT Act and CNT Act are applicable. At the places where SPT Act and CNT Act are applicable, the employment proposals may be disposed off by entering into an unregistered agreement along with an affidavit and an indemnity bond with sureties. In cases where approval is needed from the concerned District Authority under the provisions of CNT Act for registration of Sale Deed, a clause in the said agreement is to be inserted as under:-</i></p> <p><i>"It would be the responsibility of the landowners to hand over the copy of the approval of State Authority in respect of transfer of land, which is involved in employment, to ECL within next two years. If ECL does not receive the said approval due to the fact that either the ownership of the landowner over the land is not authenticated by the State Authority or the Competent Authority of State Government denies to approve the application for transfer of the land in favor of ECL for any other reason whatsoever then, ECL may take any disciplinary action including termination of service of the nominee who has been employed against the concerned land."</i></p>
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P.S: In ECL, employment against land is guided by Rehabilitation and Resettlement Policy of CIL, 2012 at present. The same is available in the website of CIL.