

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2712 of 2017

Kishanlal Sahu S/o Shri Taturam Sahu, Aged About 46 Years R/o Village Bahanpath, Tahsil Katghora, District Korba, Chhattisgarh.

---- Petitioner

Versus

1. South Eastern Coal Fields Limited Through Its Chairman-Cum- Managing Director, Seepat Road, Bilaspur, District Bilaspur, Chhattisgarh.
2. Managing Director, South Eastern Coalfield Limited, Gevra Area, P. O. Gevra Project, District Korba, Chhattisgarh.
3. Regional Personnel Manager, South Eastern Coalfield Limited, Gevra Area, P. O. Gevra Project, District Korba, Chhattisgarh.

---- Respondents

WPS No. 6649 of 2016

Adesh Kumar Yadav S/o C. R. Yadav, Aged About 32 Years R/o Chantidih, Near Santoshi Mandir, Seepat Road Bilaspur District Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Revenue & Disaster Management, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
2. Collector, Korba, District Korba, Chhattisgarh.
3. Sub Divisional Officer (Revenue), Pali, Tahsil Pali, District Korba (Chhattisgarh)
4. South Eastern Coalfields Limited, Through Its Chief Managing Director, Head Quarter At Seepat Road Bilaspur, District Bilaspur (Chhattisgarh)
5. The General Manager, South Eastern Coalfields Limited, Korba Area, Korba, District Korba (Chhattisgarh)
6. The Deputy General Manager (L & R), South Eastern Coalfields Limited, Korba Area, C G M Office Korba, District Korba (Chhattisgarh)

---- Respondents

WPS No. 3138 of 2017

Ghasiram S/o Ramu, Aged About 45 Years R/o Village Kamlapur, Thana

Bishrampur, Tahsil And District Surajpur, Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, General Administration Department, Mahanadi Bhawan, New Raipur Mantralaya, Civil And Revenue District Raipur, Chhattisgarh.
2. Collector, Bishrampur, Civil And Revenue District Surajpur, Chhattisgarh.
3. Sub Divisional Officer, (Revenue) Bishrampur, Civil And Revenue District Surajpur, Chhattisgarh.
4. South Eastern Coalfield Ltd., Through Chairman - Cum - Managing Director, South Eastern Coalfields Limited, Seepat Road, Bilaspur, Civil And Revenue District Bilaspur, Chhattisgarh.
5. Director (Personnel), South Eastern Coal Fields Limited, Seepat Road, Bilaspur, Civil And Revenue District Bilaspur, Chhattisgarh.
6. Chief General Manager, South Eastern Coal Fields Limited, Bishrampur Area, Civil And Revenue District Surajpur, Chhattisgarh.

---- **Respondents**

WPS No. 2640 of 2017

Rajesh Kumar Sahu S/o Shri Makhan Lal Sahu, Aged About 40 Years R/o Village Bahanpath, Tahsil Katghora, District Korba, Chhattisgarh.

---- **Petitioner**

Versus

1. South Eastern Coalfield Limited Through Its Chairman- Cum- Managing Director, Seepat Road, Bilaspur, District Bilaspur (Chhattisgarh)
2. Managing Director, South Eastern Coalfield Limited, Gevra Area, P. O. Gevra Project, District Korba, Chhattisgarh.
3. Regional Personnel Manager, South Eastern Coalfield Limited, Gevra Area, P. O. Gevra Project, District Korba, Chhattisgarh.

---- **Respondent**

WPS No. 1516 of 2013

Gopal Singh S/o Omkar Singh Aged About 28 Years R/o Suwabhodi, Po, Ps & Tah Katghorak, Dist Korba, Cg

---- **Petitioner**

Versus

1. South Eastern Coal Fields Limited Through Chairman Cum Managing Director (Cmd), Seepat Road, Po Bilaspur, Ps Kotwali, Distt Bilaspur, Cg
2. Chief General Manager South Eastern Coal Fields Ltd, Dipika Project, Po Pragati Nagar, Ps Dipika, Distt Korba, Cg
3. Nodal Officer (Bhu.Ra) Chief General Manager, South Eastern Coal Fields Ltd, Dipika Project, Po Pragati Nagar, Ps Dipika, Distt Korba, Cg
4. Area Personnel Manager, Chief General Manager, South Eastern Coal Fields Ltd, Dipika Project, Po Pragati Nagar, Ps Dipika, Distt Korba, Cg
5. Collector Korba, Po, Korba, Ps Kotwali, Dist Korba, Cg

---- Respondents

WPS No. 483 of 2015

Gulshan Begum D/o Md Abdul Muttalib Aged About 28 Years R/o Village Palmo Post Chandramedha Tahsil Bhaiyathan District Surajpur, Chhattisgarh

---- Petitioner

Versus

1. Chief Managing Director South Eastern Coal Field Ltd. Seepat Bilaspur, C.G.
2. Chief General Manager South Eastern Coal Field Ltd Bhatgawa Area Tahsil Bhaiyathan Revenue District Surajpur, Civil District Surajpur, C.G.
3. Regional Revenue Officer Bhatgawa Area Tahsil Bhaiyathan Revenue District Surajpur, Civil District Surajpur, C.G.
4. Collector Civil District Sarguja, Ambikapur, C.G.

---- Respondents

WPS No. 738 of 2013

Ragmaen S/o Fadul Rajwar Aged About 54 Years Caste Rajwar, R/o Village & Post Batra, P.S. Bishrapur, Tehsil & Distt. Surajpur Cg.

---- Petitioner

Versus

1. South Eastern Coal Filed Ltd. Through Chief Managing Director (S.E.C.L. Head Office) Seepat Road, Bilaspur Tehsil & District Bilaspur C.G.
2. South Eastern Coal Field Limited Through Chief General Manager (Bhatgaon Area), Post Bhatagoan Tehsil & Distt. Surajpur C.G.
3. Collector Surajpur (Earlier Sarguja) District Surajpur C.G.
4. Sub Divisional Officer (Revenue) Cum Land Acquisition Officer, Surajpur, Tehsil &

Distict Surajpur (Earlier District Sarguja C.G.

5. Kamta Prasad S/o Anandi Aged About 45 Years R/o Village & Post Batra, P.S. Bishrampur, Tehsil & District Surajpur C.G.

---- Respondents

WPS No. 1515 of 2013

Rakesh Kumar S/o Maha Singh Aged About 24 Years R/o Vill Chainpur, Po, Ps & Tah Katghora, Dist Korba, Cg

---- Petitioner

Versus

1. South Eastern Coal Fields Limited Through Chairman Cum Managing Director (Cmd), Seepat Road, Po Bilaspur, Ps Kotwali, Dist Bilaspur, Cg
2. Chief General Manager South Eastern Coal Fields Ltd, Dipika Project, Po Pragati Nagar, Ps Dipika, Dist Korba, Cg
3. Nodal Officer (Bhu.Ra) Chief General Manager, South Eastern Coal Fields Ltd, Dipika Project, Po Pragati Nagar, Ps Dipika, Distt Korba, Cg
4. Area Personnel Manager Chief General Manager, South Eastern Coal Fields Ltd, Dipika Project, Po Pragati Nagar, Ps Dipika, Distt Korba, Cg
5. Collector Korba, Po Korba, Ps Kotwali, Distt Korba, Cg

---- Respondents

Shri Sanjay Patel, Shri Surfaraj Khan, Shri R.V.Rajwade, Shri Punit Ruparel, Shri Palash Tiwari and Ms. Madhunisha Singh, counsel for respective petitioners.

Shri H.B.Agrawal, senior counsel along with Ms. Prabha Shukla, Shri Sudhir Bajpai, Shri Vinod Deshmukh, Shri Abhishek Sinha, Shri Sudeep Agrawal, Shri Shailendra Shukla and Shri Vivek Chopra, counsel for respective respondents.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

17/08/2017

These are the cases filed by the petitioners who are claiming employment under the rehabilitation policy framed by the Government and respondent / SECL from time to time with an object to provide proper rehabilitation in addition to proper compensation in lieu of land acquisition.

Though applications have been made and claims have been raised, decisions on these applications have not been taken.

Learned counsel appearing for the respondent / SECL in these matters jointly submit that whatever applications are filed seeking employment by those whose lands have been acquired, matters are referred to the head quarter and there is a committee of officials which considers those applications in the light of the applicable rehabilitation policy. They submit that the cases where decision so far has not been taken, respondents will ensure that there is expeditious disposal of each of those applications in a time bound manner by due application of mind.

In view of the statement which has now been made before this Court by learned counsel for the respondent / SECL, these petitions are disposed off at this stage with a direction to the respondents to examine each of the cases on its own merits upon due application of mind and take decision expeditiously. It would be in fitness to direct the respondents that where such application is pending for employment in lieu of land acquisition, it shall be decided within an outer limit of six months. In order to maintain transparency in the decision making process and to disclose mind and reason why in a given case, appointment was refused, is expected that some brief reasons are recorded in the minutes of the meeting and supplied to the concerned applicant so that he may also know the reason for rejection of his claim.

In cases where the petitioners have directly filed the petition without having made representation in writing, fresh representations may be filed before the competent authority.

Sd/-

(Manindra Mohan Shrivastava)
Judge