

ककरी परियोजना/ Kakri Project



CIN- U10102MP1985GOI003160

An ISO: 9001, ISO: 14001 & OHSAS: 18001 Certified Company

पोस्ट-ककरी, जिला- सोनभद्रा, प्र., पिन 231224/ Post- Kakri, Distt- Sonbhadra, U.P. PIN-231224

Phone: 05446- 278094, (FAX) 05446-278375 email: gmkak.ncl@coalindia.in website : www.nclci.in

क्रमांक: ककरी / महाप्रबंधक / वन / 2019 / २६६

दिनांक: 08.01.2020

प्रति,

प्रभागीय वनाधिकारी

रेनुकूट वन प्रभाग, रेनुकूट

सोनभद्र, उत्तर प्रदेश

विषय: रेनुकूट वन प्रभाग के अन्तर्गत नार्दर्न कोलफील्ड्स लिमिटेड की ककरी परियोजना को कोयला खनन हेतु लीज पर हस्तानान्तरित 185.84 हेक्टेयर वन भूमि के लीज नवीनीकरण के संबंध में।

संदर्भ : 1. संख्या—पी 112/81-2-2019-79/91 विशेष सचिव (अनुभाग 2) दिनांक 26.12.2019
2. प्रभागीय वनाधिकारी, रेनुकूट का पत्रांक 2338/15-117, दिनांक 06.01.2020

महाशय,

संदर्भित पत्र संख्या 1 के जवाब के क्रम में ककरी परियोजना द्वारा महाशय को पत्रांक ककरी/महाप्रबंधक/वन/2019/255 दिनांक 27.12.2019 को प्रेषित कर दिया गया था, (पत्र की छाया प्रति साथ में संलग्न है)। महाशय के संदर्भित पत्रांक 2 के क्रम में दिनांक 07.01.2020 को उप प्रभागीय वनाधिकारी (पिपरी) द्वारा ककरी परियोजना में संदर्भित विषयों की जाँच हेतु निरीक्षण सम्पन्न हुआ। इस संदर्भ में अधोहस्ताक्षरी के कार्यलय में बैठक हुई तथा इसपर चर्चा की गयी व जी०पी०एस० कोऑर्डिनेट आधारित दो नक्से भी उपलब्ध कराये गये।

उक्त निरीक्षण के दौरान वन विभाग से उप प्रभागीय वनाधिकारी (पिपरी), क्षेत्रीय वनाधिकारी, ककरी, क्षेत्रीय वनाधिकारी, बीना व वन विभाग के अन्य स्टाफ तथा ककरी परियोजना से परियोजना अधिकारी, स्टाफ अधिकारी (खनन) व नोडल अधिकारी (वन/पर्यावरण) मौजूद थे। उक्त निरीक्षण के दौरान पाया गया कि विषयांकित 185.84 हेतु वन भूमि के सम्पूर्ण क्षेत्र पर सिर्फ खनन कार्य किया जा रहा है। इसमें से लैंको, अनपरा या हिण्डाल्को पावर डिविजन, रेनुसागर को कोई भी हिस्सा लीज पर नहीं दिया गया है। पुष्टि हेतु लैंको, अनपरा तथा हिण्डाल्को पावर डिविजन, रेनुसागर को लीज पर दी गयी भूमि का गाटावार विवरण साथ में संलग्न है।

उक्त उल्लेखित मेसर्स हिण्डाल्को इण्डस्ट्रीज लिमिटेड, रेनुसागर (7.43 एकड़ एवं 30.86 एकड़) तथा मेसर्स लैंको अनपरा पावर लिमिटेड (8.8 एकड़) को भूमि जो लीज पर दी गई है, के संबंध में ये कहना है कि उपरोक्त संबंधित भूमियों का अधिग्रहण सी०बी०ए० ऐक्ट द्वारा ऊर्जा मंत्रालय द्वारा जारी अधिसूचना संख्या 3303 दिनांक 17.11.1981 व 1021 दिनांक 01.03.1982 के अन्तर्गत किया गया है। तत्पश्चात जिला कलेक्टर, सोनभद्र द्वारा, उत्तर प्रदेश द्वारा उपलब्ध कराये गये भू अभिलेखों के आधार पर संबंधित भूस्वामियों को जिला प्रशासन के प्रतिनिधियों (तहसीलदार, दुच्ची) की उपस्थिति में न केवल प्रतिकर भुगतान किया जा चुका है बल्कि भूविस्थापितों को पुनर्वास निति के तहत दी जाने वाली अन्य सुविधाओं के साथ एन०सी०एल० में नियोजित भी किया गया है।

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फिर भी यदि वन विभाग के आपत्ति के अनुसार यदि उलंघन हुआ है तो नियमानुसार उसे नियमित (Regularise) कराने के लिए वचनबद्ध हूँ। इसके अतिरिक्त इस प्रकरण में भारत व उत्तर प्रदेश सरकार द्वारा जो भी शर्तें लगायी जायेंगी, उनका अक्षरसह अनुपालन किया जायेगा।

लीज रेन्ट एवं इससे जुड़े प्रिमियम भुगतान के सन्दर्भ में अवगत कराना है कि वर्ष 2011-12 तक निर्धारित भुगतान किया गया है। इसके बाद लीज रेन्ट का भुगतान बन्द कर दिया गया था जिसके लिए नार्दर्न कोलफील्ड्स लिमिटेड द्वारा माननीय उच्च न्यायालय, इलाहाबाद के समक्ष रिट याचिका संख्या 50320/2010 (एन०सी०एल० बनाम उत्तर प्रदेश राज्य व अन्य) दाखिल किया गया था जिसमें सुनवाई के बाद एन०सी०एल० के पक्ष में निर्णय आया। इसके खिलाफ वन विभाग द्वारा माननीय उच्चतम न्यायालय में विशेष अनुज्ञा याचिका संख्या 22793/2013 (उत्तर प्रदेश राज्य सरकार व अन्य) बनाम नार्दर्न कोलफील्ड्स लिमिटेड, के अनुसार विचाराधीन है। इस संबंध में पुनः वचनबद्धता दी जाती है कि माननीय उच्चतम न्यायालय का जो भी निर्णय आयेगा उसपर अमल किया जायेगा। वांछित लीज डील के संबंध में कहना है कि रिट पेटिशन CMWP No. 33050/2010 (एन०सी०एल० बनाम उत्तर प्रदेश राज्य व अन्य) के संदर्भ में माननीय उच्च न्यायालय, इलाहाबाद के निर्णयानुसार इसपर भी अमल किया जायेगा।

महाशय के अवलोकनार्थ एवं उवित कार्यवाही हेतु प्रेषित।

रांगनक: यथोपरि

भवदीय

३० जून २०१०
महाप्रबंधक
कानूनी कक्ष क्षेत्र

प्रतिलिपि:

1. महाप्रबंधक (भू एवं राजस्व), एन०सी०एल०, सिंगरौली
2. महाप्रबंधक (पर्यावरण/वन), एन०सी०एल०, सिंगरौली

ककरी परियोजना/ Kakri Project



संहारक-



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पोस्ट-ककरी, जिला- सोनभद्र, उ.प्र., पिन 231224/ Post- Kakri, Distt- Sonbhadra, U.P. PIN-231224

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क्रमांक: ककरी / महाप्रबंधक / वन / 2019/255

दिनांक: 27.12.2019

प्रति,

प्रभागीय वनाधिकारी

रेनुकूट वन प्रभाग, रेनुकूट
सोनभद्र, उत्तर प्रदेश

विषय: रेनुकूट वन प्रभाग के अन्तर्गत नार्दर्न कोलफील्ड्स लिमिटेड की ककरी परियोजना को कोयला खनन हेतु
लीज पर हस्तानान्तरित 185.84 हेक्टेयर वन भूमि के लीज नवीनीकरण के संबंध में।

संदर्भ : संख्या-पी 112/81-2-2019-79/91 विशेष सचिव (अनुभाग 2) दिनांक 26.12.2019

महाशय,

संदर्भित पत्र में उल्लेखित बिन्दुओं पर सविनय निवेदन करना है कि-

1. (क) ककरी परियोजना के लीज नवीनीकरण हेतु प्रस्तावित 185.84 हेक्टेयर वन भूमि के सम्पूर्ण क्षेत्र पर सिर्फ खनन कार्य किया जा रहा है। इसमें से लैंको, अनपरा या हिण्डाल्को पावर डिविजन, रेनुसागर को कोई भी हिस्सा लीज पर नहीं दिया गया है। पुष्टीकरण हेतु नक्से (मानचित्र) की छायाप्रति संलग्न की जा रही है।

(ख) पत्र में उल्लेखित मेसर्स हिण्डाल्को इण्डस्ट्रीज लिमिटेड, रेनुसागर (7.43 एकड़ एवं 30.86 एकड़) तथा मेसर्स लैंको अनपरा पावर लिमिटेड (8.8 एकड़) भूमि जो लीज पर दी गई है, के संबंध में ये कहना है कि उपरोक्त संबंधित भूमियों का अधिग्रहण सी0बी0एल० ऐक्ट द्वारा ऊर्जा मंत्रालय द्वारा जारी अधिसूचना संख्या 3303 दिनांक 17.11.1981 व 1021 दिनांक 01.03.1982 के अन्तर्गत किया गया है। तत्पश्चात जिला कलेक्टर, सोनभद्र द्वारा, उत्तर प्रदेश द्वारा उपलब्ध कराये गये भू अभिलेखों के आधार पर संबंधित भूस्वामियों को जिला प्रशासन के प्रतिनिधियों (तहसीलदार, दुर्दी) की उपस्थिति में न केवल प्रतिकर भुगतान किया जा चुका है बल्कि भूविस्थापितों को पुनर्वास निति के तहत दी जाने वाली अन्य सुविधाओं के साथ एन0सी0एल० अन्तर्गत नियोजित भी किया गया है।

वन विभाग के आपत्ति के अनुसार यदि उलंघन हुआ है तो नियमानुसार उसे नियमित (Regularise) कराने के लिए वचनबद्ध हूँ।

2. लीज रेन्ट एवं इससे जुड़े प्रिमियम भुगतान के सन्दर्भ में अवगत कराना है कि वर्ष 2011-12 तक निर्धारित भुगतान किया गया है। इसके बाद लीज रेन्ट का भुगतान बन्द कर दिया गया था जिसके लिए नार्दर्न कोलफील्ड्स लिमिटेड द्वारा माननीय उच्च न्यायालय, इलाहाबाद के समक्ष रिट याचिका संख्या 50320/2010 (एन0सी0एल० बनाम उत्तर प्रदेश राज्य व अन्य) दाखिल किया गया था जिसमें सुनवाई के बाद एन0सी0एल० के पक्ष में निर्णय आया। इसके खिलाफ वन विभाग द्वारा माननीय उच्चतम न्यायालय में विशेष अनुज्ञा याचिका संख्या 22793/2013 (उत्तर प्रदेश राज्य सरकार व अन्य) बनाम नार्दर्न कोलफील्ड्स लिमिटेड, के अनुसार विचाराधीन है। इस संबंध में पुनः वचनबद्धता दी जाती है कि माननीय उच्चतम न्यायालय का जो भी निर्णय

१०११२१११

आयेगा उसपर अमल किया जायेगा। वांछित लीज डीड के संबंध में कहना है कि रिट पेटिशन CMWP No. 33050/2010 (एन०सी०एल० बनाम उत्तर प्रदेश राज्य व अन्य) के संदर्भ में माननीय उच्च न्यायालय, इलाहाबाद के निर्णयानुसार इसपर भी अमल किया जायेगा। इसके अनिवार्य प्रकरण में भाग व उत्तर सम्बन्धीय दोषादा और शार्प अंगार्ह और अन्यको छोड़ना अनुपालग्न नहीं जा सका है।

संलग्नक: यथोपरि

मवदीय

४८०७११

महाप्रबंधक

ककरी क्षेत्र
महाप्रबंधक

ककरी क्षेत्र
एन.सी.एल

प्रतिलिपि:

- विशेष सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग 2, लखनऊ
- प्रधान मुख्य वन संरक्षक और विभागाध्यक्ष, (उत्तर प्रदेश) लखनऊ
- मुख्य वन संरक्षक/नोडल अधिकारी (उत्तर प्रदेश), लखनऊ
- मुख्य वन संरक्षक, मिर्जापुर मण्डल, मिर्जापुर
- महाप्रबंधक (भू. एवं राजस्व), एन०सी०एल०, सिंगरौली
- महाप्रबंधक (पर्यावरण), एन०सी०एल०, सिंगरौली
- महाप्रबंधक (वन), एन०सी०एल०, सिंगरौली



10

SUPREME COURT OF INDIA (/)

|| यतो धर्मस्ततो जयः ||

संट्रैक्स-2

Case Information (click here)

Diary Number	Case Number	Party Name	AOR	Court / Tribunal	Free Text
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5858

G

captcha

Case Type	Number	Year
CIVIL APPEAL	7614	2014

Submit

Diary No.- 13458 - 2013

STATE OF U.P. vs. NORTHERN COAL FIELDS LIMITED

Case Details

Diary No.	13458/2013 Filed on 25-04-2013 12:00 AM [SECTION: III-A]	PENDING
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Case No.	C.A. No. 007614 / 2014 Registered on 08-08-2014
	S.L.P.(C) No. 011150 / 2013 Registered on 15-07-2013
	SLP(C) No. 022793 / 2013 Registered on 15-07-2013

Present/Last Listed

On

Status/Stage PENDING (Final Hearing)

Admitted [ADMITTED ON 08-08-2014]

Category 1507-Ordinary Civil Matters : Others

Act

1 STATE OF U.P.
 THROUGH ITS SECRETARY MINISTRY OF ENVIRONMENT AND FOREST, DISTRICT:
 LUCKNOW, UTTAR PRADESH

Petitioner(s) 2 DIVISIONAL FOREST OFFICER,
 RENUKOT, DISTRICT: SONBHADRA, UTTAR PRADESH

Respondent(s) 1 NORTHERN COAL FIELDS LIMITED
 THROUGH ITS CMD, SINGRAULI, DISTRICT: UTTAR PRADESH

Pet. Advocate(s) KAMLENDRA MISHRA[P-1]

Resp. Advocate(s) ASHWANI KUMAR DUBEY[R-1]

U/Section

Indexing

Earlier Court Details

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Defects

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Mention Memo

Restoration Details[DropNote](#)[Appearance](#)[Office Report](#)[Similarities](#)[Caveat](#)**Correspondence**

The Registrar,
Supreme Court of India,
Tilak Marg, New Delhi-110001
011-23385922-24, 23388942
FAX -
011-23381508, 23381584
e-mail
supremecourt@nic.in

History ([/history](#))[Constitution](#)
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([/telephone-directory](#))**Publication**[\(\[/publication\]\(#\)\)](#)[Accounts](#)
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([/practice-and-procedure](#))[SC Rules - 1968](#)
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([/supreme-court-rules-2013](#))[GSICC](#)
([/gsicc](#))**Guidelines & Orders**[\(\[/guidelines-orders\]\(#\)\)](#)[Employee Corner](#)
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([/forms](#))[India Code](#)
([http://indiacode.nic.in/](#))[Indian Courts](#)
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SYNOPSIS
Renewal of Lease of 185.84 ha. forest land for Kalkri Project:

132017 JUDGMENT/ORDER IN - WRIT - C No. 50320 of 2010 of Allahabad Dated-10.1.2013 CASE TITLE - Northern Coal Fields Limited Vs. State Of U.P. M.M.
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HIGH COURT OF JUDICATURE AT ALLAHABAD

Reserved on 11/10/2012
Delivered on 16/1/2013

Case :- WRIT - C No. - 50320 of 2010
Petitioner :- Northern Coal Fields Limited
Respondent :- State Of U.P. And Others
Petitioner Counsel :- P.N. Srivastava
Respondent Counsel :- C.S.C.
Hon'ble Ashok Bhushan, J
Hon'ble Abhinava Upadhyay, J
(Delivered by Hon'ble Ashok Bhushan, J)

We have heard Shri A.K. Sinha, learned Senior Advocate, assisted by Shri P.N. Srivastava for the petitioner and Shri Yashwant Varma, learned Chief Standing Counsel for the respondents.

Counter and rejoinder affidavits in the writ petition having been exchanged, with the consent of the learned counsel for the parties, the writ petition is being finally decided.

The petitioner, which is carrying on two coal mine projects namely: "Krishnashila Project" and "Bina Project" in District Sonbhadra has come up in this writ petition praying for quashing the letters dated 23/3/2010 and 11/6/2010, by which letter the Divisional Forest Officer, Renukoot, (Sonbhadra), has written to the petitioner to deposit the lease rent for the year 2010-2011, of the forest land which has been transferred on lease to the petitioner respectively for 30 years and 23 years. A prayer has also been made for quashing the letter dated 31/7/2010, by which the Divisional Forest Officer, Renukoot, (Sonbhadra) wrote to the petitioner that since the petitioner has deposited the amount of lease rent for the period 2010-2011, under protest which is against the conditions on which the land was transferred, hence the matter is being referred to the higher level of the Government for cancelling the transfer.

Brief facts which emerge from the pleadings of the parties are: the petitioner a Government Company was incorporated with an object to carry on mining operation for extraction of coal and supply thereof to core sector and non-core sector. The Parliament has enacted an Act namely: The Coal Bearing Areas (Acquisition and Development) Act, 1957 hereinafter called the "CBA Act, 1957". In accordance with the provisions of the CBA Act, 1957, the Central Government issued notification under sub-section (1) of Section 7 of the CBA Act, 1957, giving notice of its intention to acquire the lands specified in the Schedule and after consulting the Government of U.P., issued a declaration under sub-section (1) of Section 9 of the CBA Act, 1957, for acquisition of land mentioned in the schedule measuring 1657.16 hectares. By subsequent order dated 02/11/1982, in exercise of power under sub-section (1) of Section 11 of the CBA Act, 1957, it was directed the lands and rights so vested shall, w.e.f. 05/12/1981, instead of continuing to so vest in the Central Government, shall vest in the said Government Company namely: Central Coalfields Limited, Ranchi (the petitioner). The petitioner submitted a proposal for its "Krishnashila Project" of 235.99 hectares land for obtaining approval of the Central Government for use of the land for mining purpose under the Forest (Conservation) Act, 1980 hereinafter called the "Act, 1980". Similarly, a proposal for 258 hectares forest land was submitted to the Central Government for "Bina Coal Project" for obtaining approval of the Central Government. In accordance with the provisions of the Act, 1980, Central Government vide its order dated 23/5/1996, granted approval for diversion of 258 hectares of forest land under the "Bina project" in accordance with the Act, 1980. The State Government consequently issued a letter dated 28/6/1998, communicating the approval granted by the Central Government. The State Government communicated its approval on certain conditions mentioned in the Government Order dated 28/6/1998. Similarly, with regard to the "Krishnashila Project", the Central Government vide its order dated 06/7/2006, granted prior approval for diversion of 235.99 hectares of forest land in accordance with the provisions of Section 2 of the Act, 1980. The Central Government while granting prior approval has laid down various conditions. The State Government, vide letter dated 27/7/2007, communicated approval of the Central Government. The State Government also vide letter dated 27/7/2007, communicated its decision for granting lease on certain conditions mentioned therein. The petitioner claims to carry on coal mining of open cast in consonance with the mining plan approved by the competent authority. The petitioner by virtue of Section 18-A of the CBA, Act, 1957, has been paying money equal to royalty as determined under Section 9 of the Mines and Minerals (Development and Regulation) Act, 1957, hereinafter referred to as "MMDR Act, 1957". A letter dated 23/3/2010, was issued by the Divisional Forest Officer, asking the petitioner to deposit the lease rent for the year 2010-2011 for an amount of Rs 12423015/- . The petitioner was asked to deposit the said amount by Bank Draft within two weeks. Another letter was written on 11/6/2010, asking the petitioner that according to Condition No. 7 of "Krishnashila Project" and

10/13/2017 JUDGMENT/ORDER IN - WRIT - C No. 50320 of 2010 in Allahabad Dated 10.1.2013 CASE TITLE - Northern Coal Fields Limited Vs. State Of U.P. An..
payments which were made without any protest.

Shri Yashwant Varma, learned Chief Standing Counsel has sought to justify the aforesaid payment made by the petitioner on the basis of the condition which is included as Condition No. 7 in the State Government's order dated 27/7/2007 as noted above. In this context it is relevant to note that prior approval was granted by the Central Government under Section 2 of the Act, 1950. Copy of the prior approval granted by the Central Government dated 06/7/2006 has been brought on record as Annexure-9 to the writ petition. The conditions under which the approval was granted were mentioned in paragraph 2 as quoted above. The further conditions which could have been imposed were with regard to protection and improvement of flora and fauna in the forest area that too by Chief Conservator of Forest, (Central). Apart from the aforesaid conditions no basis or foundation for claiming the lease rent has been laid by the State in its pleading or oral submissions.

As noted above, the area having been acquired under the CBA, Act, 1957, and the entire field being covered by the MMDR Act, 1957, the State has no legislative competence which pronouncement has already been made by the Apex Court in the Constitution Bench judgment of State of West Bengal (supra). The State shall be denuded of any power to legislate in the matter or to exercise any executive under Article 162 of the Constitution. No satisfactory basis has been disclosed by the State Government for claiming the lease rent from the petitioner. The Condition No.7 which has been put in the Government Order dated 27/7/2007, being not supported by any legal basis cannot be permitted to operate against the petitioner at least from the date when the protest has been raised by the petitioner against such illegal demand of the respondents. The proposition laid down by the Apex Court in paragraph 14 of the Bharathidasan University (supra) which has been relied on by Shri Yashwant Varma, learned Chief Standing Counsel clearly supports the petitioner's contention that such conditions which are not supported by any statute have to be ignored even though there was no specific relief sought for to strike down or declare them ultra vires.

In view of the foregoing discussion, we are of the view that the petitioner is entitled for relief in this writ petition. The orders dated 23/3/2010, 11/6/2010 and 31/7/2010, issued by the respondent no.2 are set-aside. A direction is issued to the respondents not to realize further lease rent from the petitioner. The respondents shall refund/adjust the amount paid by the petitioner for the year 2010-2011.

The writ petition is allowed accordingly.

Parties shall bear their own costs.

16/1/2013

SB

Lease Rent and Lease Deed

1. In Writ Petition no. CMWP 50320/2010(NCL vs. State of UP & others), the judgement of the Hon'ble High Court has been delivered on 16.01.2013 in favour of the NCL. The relevant and operative portion of judgement of the Hon'ble High Court passed on 16.01.2013 is as under:

"In view of the foregoing discussion, we are of the view that the petitioner is entitled for relief in this Writ Petition. The orders dated 23/3/2010, 11/6/2010 and 31/7/2010, issued by the respondent no. 2 are set aside.

A direction is issued to the respondents not to realize further lease rent from the petitioner. The respondents shall resind/adjust the amount paid by the petitioner for the year 2010- 2011.

The writ petition is allowed accordingly.

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However, the UP Government has filed a Special Leave Petition (SLP) bearing no. 11158/2013 in the Hon'ble Supreme Court against the aforesaid judgement. The NCL has submitted reply to the SLP.

2. NCL filed before the Hon'ble High Court, Allahabad a Writ petition CMWP No. 33050/2010 (NCL vs. State of UP & others) questioning the applicability of execution of lease deed. The Writ Petition is pending with the Hon'ble High Court, Allahabad.

Court No. - 33

Case :- WRIT - C No. - 33050 of 2010

Petitioner :- Northern Coal Fields Limited And Others
Respondent :- State Of U.P. & Ors.
Petitioner Counsel :- P.N. Shrivastava
Respondent Counsel :- C.S.C.

Hon'ble Pankaj Mithal, J.

Petitioner no.1 is Northern Coal Fields Limited and petitioner no.2 is Chief General Manager of Northern Coal Fields. They are aggrieved by the order dated 8.4.2010 whereby the petitioners have been directed to submit a draft lease deed and deposit registration (Vidhikshan) fee so that after approval of the Government the lease may be executed. It further directs the petitioners to stop using the land for dumping with immediate effect in the meantime.

The submission of learned counsel for the petitioner is that the land in dispute was acquired under Section 9 read with Section 10 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 and the land in dispute was vested in the petitioner under Section 11(1) of the aforesaid Act in the year 1981. Therefore, no lease deed in respect of the same is required to be executed and even if a lease deed is executed no stamp duty or registration fee is payable thereon by virtue of Section 3 of the Indian Stamp Act. In support it has placed reliance upon a decision of the Madhya Pradesh High Court in the case of State of U.P. and another Vs. Western Coal Field decided on 12.9.2008.

Learned Standing Counsel appearing on behalf of respondents no.1 and 2 and Sri Mithlesh Chandra Tripathi who has put in appearance on behalf of respondent 3 pray for and are allowed two weeks' time to file counter affidavit. One week thereafter is allowed to the petitioner for filing rejoinder affidavit.

List for admission/final disposal after expiry of the above period.

Till the next date of listing, the operation of the order dated 6.4.2010 (Annexure - 1), so far it stops the petitioners from using the land in dispute for dumping purposes, shall remain stayed.

Order Date :- 14.7.2010

BK

AUTHENTICATED COPY
Atulya Garg
JULY 15. 2010
SECTION OFFICER
COMPUTERISED COPYING SECTION
HIGH COURT, ALLAHABAD

Lease Deed
State of UP & others), the
.. 2013 in favour of
Court

3/2017 JUDGMENT/ORDER IN - WRIT - C No. 50320 of 2010 at Allahabad Dated-16.1.2013 CASE TITLE - Northern Coal Fields Limited Vs. State Of U.P. An..
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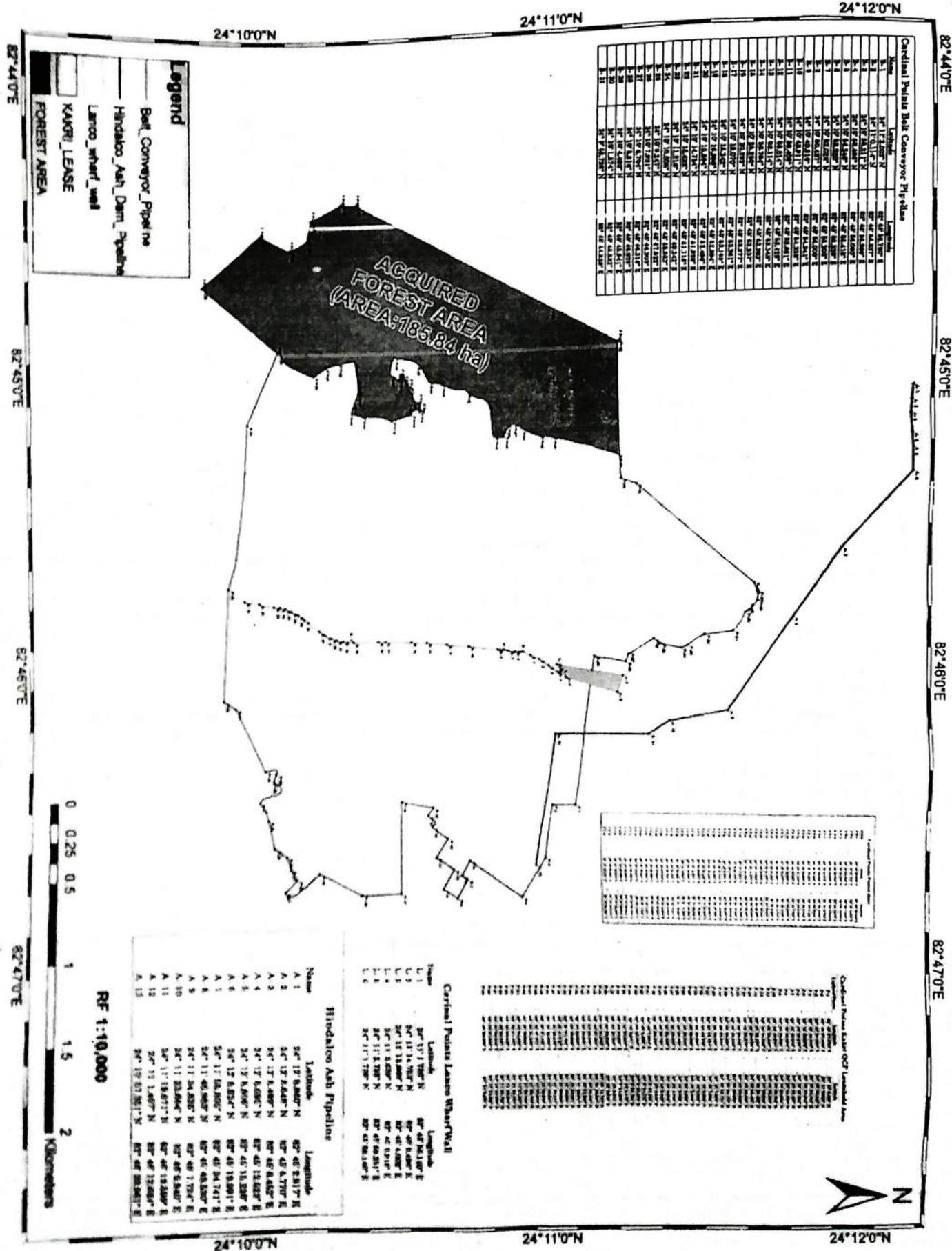
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16/1/2013

SB

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Schedule of the land demised.

Village Aundi		Village Parasli		Area in Acres	
Village	Aundi	Plot No.	Area	Plot No.	Area
Plot No.	Area	Plot No.	Area	Plot No.	Area
1180	0.03	3	0.1	60	0.1
1179	0.11	4	0.22	48	0.09
1178	0.11	5	0.2	71	0.18
1177	0.11	12	0.14	75	0.01
1176	0.33	11	0.07	74	0.19
922	0.18	10	0.11	81	0.03
1255	0.14	13	0.011	82	0.04
1253	0.14	14	0.41	84	0.07
1253	0.45	19	0.14	87	0.12
1253	0.44	15	0.1	90	0.06
1355	0.17	37	0.01	91	0.07
		35	0.031	95	0.07
		20	0.07	97	0.23
		35	0.151	148	0.03
Total Aundi		58	0.091	292	0.04
Total Parasli				417	0.24
Total Parasli					5.22



	Acreage
Parasi	5.22 Acres
Aundi	2.21 Acres
Total	7.43 Acres

मुख्य स्वामित्वक (राजस्व एवं जुनवार्ता)
न. सी. एल. निगराली
कर्ता - रियालेटर (न. प.)

सामग्री (राजस्व जामीनवार्ता)
पाइप लोडन निगराली
नियमी

Details of land for belt Pipe Conveyor (BPC) Coal Transportation Systems from Krishnashilla Coal Mine to Ranusagar Power Division

(1) JAMSHILA			(2) BANSI			BANSI (CONTINUED)		
S.No.	Plot No.	Area in Acres	S.No.	Plot No.	Area in Acres	S.No.	Plot No.	Area in Acres
1	4	0.65	1	173	0.15	42	147	0.12
2	62	0.60	2	175	0.02	43	148	0.01
3	76	0.20	3	176	0.42	44	149	0.13
4	81	0.30	4	177	0.38	45	153	0.06
5	82	0.42	5	178	0.16	SUB TOTAL		12.33
6	83	0.63	6	205	0.55	(3) KAKRI		
7	84	0.37	7	206	0.16	1	918	0.05
8	85	0.22	8	208	0.06	2	919	0.06
9	86	0.08	9	219	0.25	3	1015	0.03
10	87	0.10	10	390	0.75	4	1016	0.05
11	88	0.07	11	392	0.08	5	1017	0.08
12	89	0.06	12	393	0.12	6	1138	0.16
13	90	0.12	13	394	0.78	7	1139	0.22
14	91	0.31	14	395	0.18	8	1141	0.00
15	92	0.11	15	396	0.65	9	1142	0.46
16	93	0.06	16	397	0.78	10	1143	0.52
17	94	0.05	17	398	0.03	11	1146	0.00
18	95	0.08	18	442	0.45	12	1155	0.68
19	113	0.35	19	443	0.17	13	1156	0.16
20	114	0.01	20	444	0.36	14	1157	0.04
21	115	0.06	21	446	0.24	15	1158	0.32
22	116	0.38	22	452	0.06	16	1183	0.19
23	117	0.60	23	453	0.14	SUB TOTAL		2.92
24	118	0.13	24	470	0.55	(4) PARASI		
25	119	0.30	25	492	0.20	1	47	0.09
26	120	0.09	26	495	0.05	2	96	0.07
27	121	0.40	27	496	0.48	3	97	0.05
28	124	0.03	28	95	0.05	SUB TOTAL		0.21
29	125	1.65	29	99	0.13			
30	126	1.32	30	100	0.18			
31	127	0.29	31	101	0.15			
32	128	0.50	32	102	0.13			
33	157	2.00	33	103	0.12			
34	158	0.08	34	104	0.20			
35	160	1.08	35	105	0.01			
36	161	0.25	36	113	0.01			
37	162	0.44	37	114	0.95			
38	164	0.36	38	115	0.10			
39	165	0.60	39	116	0.12			
40	166	0.07	40	119	0.02			
SUB TOTAL		15.49	41	124	0.06	TOTAL LAND		30.86

Mayanik

Mayank Srivastava
Head (Coal Quality & Linkage Coal)

महा प्रबन्धक [राजस्थ एवं पुनर्बसि]

भारतीय गैर न्यायिक

एक सौ रुपये



Rs. 100

ONE
HUNDRED RUPEES

₹ 100
28 SEP 2010

एक सौ रुपये-69

इष्ट राष्ट्र-69

भारत INDIA

INDIA NON JUDICIAL

सत्यमेव जयते

तरं प्रदेश UTTAR PRADESH

AK-267336

SCHEDULE OF LAND TO BE USED BY M/s LANCO ANPARA POWER LTD.

For construction of Railway Siding/Warf-wall and Approach road total 8.8 Acres

S.N.	VILLAGE	PLOT NO.	TOTAL AREA (In Acres)	AREA TO BE USED BY LANCO In Acres
1	Kakri	1103 Ka	4.59375	3.2
2	Kakri	1103 Kha	0.8125	
3	Kakri	1108	1.21875	0.35
4	Kakri	1152	0.09375	0.09
5	Kakri	1153 Ka	0.5625	
6	Kakri	1153 Kha	0.53125	
7	Kakri	1154	1.84375	0.9
8	Kakri	1155	2.25	1.3
9	Kakri	1156 Ka	0.125	
10	Kakri	1156 Kha	0.546875	
11	Kakri	1157	0.28125	0.06
12	Kakri	1158	0.96875	0.16
13	Kakri	1159	0.1875	0.06
14	Kakri	1160 Ka	2.03125	
15	Kakri	1160 Kha	1.9375	0.3
16	Kakri	1160 Ga	0.25	
17	Kakri	1165	0.78125	0.11
18	Kakri	1167 Ka	0.3125	
19	Kakri	1167 Kha	0.65625	0.1
20	Kakri	1047	0.21875	0.06
21	Kakri		0.21875	0.02
22	Kakri	1061 Ka	0.84375	
23	Kakri	1061 Kha	0.65625	
24	Kakri	1064	0.28125	0.01
25	Kakri	1066	0.40625	0.14
26	Kakri	1073	0.85	0.28
27	Kakri	1161 Ka	0.78125	
28	Kakri	1161 Kha	0.3125	0.2
Total				8.8

