

(b) if so, what action has been taken against the defaulting companies and what measures are proposed to be taken to restore the original character of such lands?

THE MINISTER OF MINES (SHRI DINSHA J. PATEL) : (a) Justice M.B. Shah Commission of Inquiry (COI) has submitted a Report on the State of Goa to the Government. A total of 100 cases of purported encroachments on land outside the lease area have been observed in the said Report. The Commission has observed that mining activities as permissible in a mine, as defined in the Mines Act, 1952, were being undertaken without a mining lease in such areas.

(b) The observations of COI on purported encroachments on land outside lease area are based on data from hand-held Global geo-positioning system (GPS) correlated with satellite imagery data. Ground-truthing of this data is essential for ensuring veracity of observations on encroachments in the Report. As maintenance of land records is a subject matter pertaining to concerned State Governments, the Report of the COI has been sent to the State Government of Goa. The State Government of Goa has since issued show-cause notices to all the lessees mentioned in the Report for encroachments.

Considering the concerns of COI on environmental impact, the Central Government has:

- i. issued directions for closure of 5 mines after suspending their Environmental clearances for violation of environmental clearance conditions.
- ii. show cause notices have been issued to 49 leases for dump mining within their leases.
- iii. issued directions to 139 mining lease owners to keep environmental clearance granted under Section 5 of Environment (Protection) Act, 1986 in abeyance.

Restoration of acquired agricultural land

†*230. DR. PRABHA THAKUR : Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether State Government should free agricultural land acquired for public use in such cases where more than twenty years have elapsed since its acquisition, the purpose of acquisition no longer existing, farmers declining compensation and still retaining the possession of the land; and

† Original notice of the question was received in Hindi.

- (b) if so, whether Government is bringing any Bill in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI LALCHAND KATARIA) : (a) and (b) Land Acquisition Act, 1894 has no provision for return of the unutilized land. However, Clause 95 of the LARR Bill, 2011 provides that “ When any land or part thereof, acquired under this Act remains unutilised for a period of ten years from the date of taking over the possession, the same shall return to the Land Bank of the appropriate Government by reversion.” The Land Acquisition, Rehabilitation and Resettlement (LARR) Bill, 2011 which proposes to replace the Land Acquisition Act, 1894 was approved by the Cabinet on 5th September, 2011. It was introduced in the Parliament on 7th September, 2011. The Bill was referred to the Parliamentary Standing Committee on Rural Development by the Hon’ble Speaker Lok Sabha on 13th September, 2011. The Committee after detailed examination has submitted its 31st Report on the above Bill to the Lok Sabha on 17th May, 2012 which was laid in the Rajya Sabha on the same day. Based on the recommendations of the Committee or otherwise, the Cabinet Note for the Official Amendments to the LARR Bill, 2011 was prepared by the Department. It was considered by the Cabinet in its meeting held on 28th August, 2012. As per the decision of the Cabinet , the matter was considered by a Group of Ministers (GoM). Based on the recommendations of the GoM, the Cabinet Note for the Official Amendments to the LARR Bill, 2011 has been prepared. The said Cabinet Note has been circulated to the concerned Ministries/Departments for seeking their views/comments. After consideration of the views/comments received from the Ministries /Departments , the Cabinet Note will be finalized and placed before the Cabinet for consideration.

Pending cases in the courts

*231. SHRI AVINASH RAI KHANNA : Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the number of cases pending from lower courts up to the Supreme Court, State-wise;
- (b) the number of cases in which the Central/State Governments are a party;
- (c) what was the intention of law-makers in framing the provision of Section 80 of the Civil Procedure Code (CPC);
- (d) whether Government decides the matter after receipt of notice under Section 80 of CPC and if so, how many such notices were received by the Central and State Governments during the last three years; and