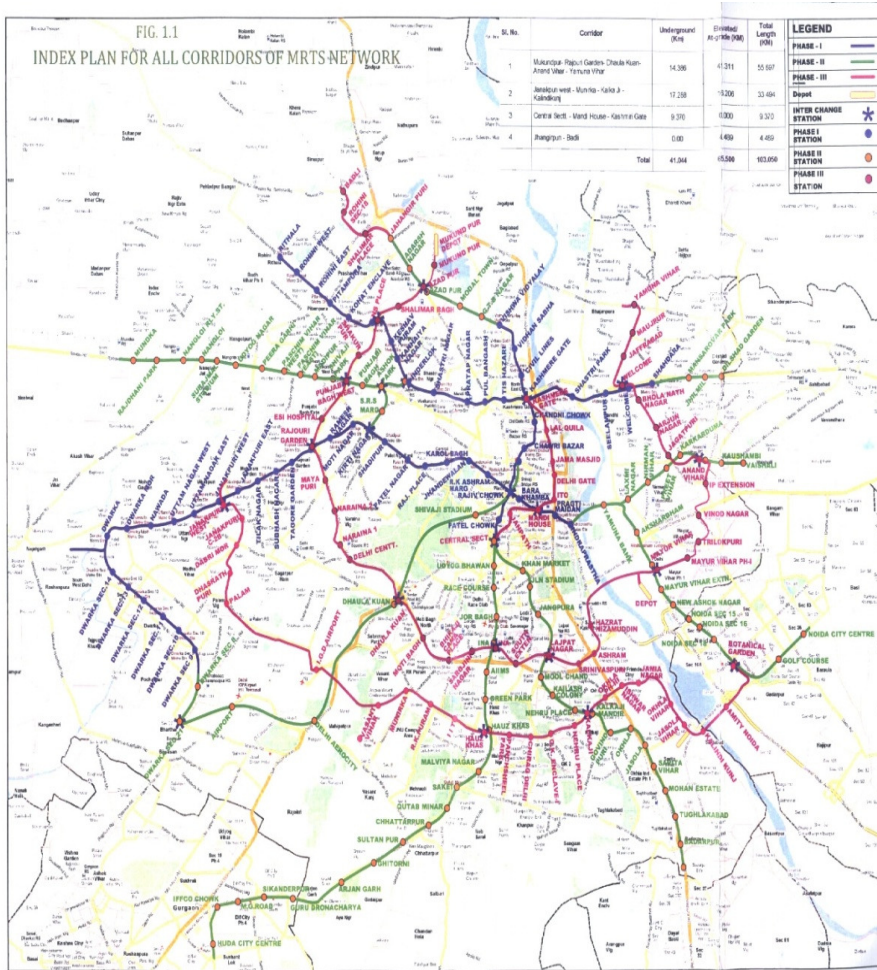




दिल्ली मेट्रो रेल कॉर्पोरेशन लिमिटेड
DELHI METRO RAIL CORPORATION LTD.

SOCIAL IMPACT ASSESSMENT FOR MUNDKA-BAHADURGARH CORRIDOR OF DELHI METRO



SEPTEMBER 2013
DELHI METRO RAIL CORPORATION
Metro Bhawan, Fire Brigade Lane,
Barakhamba Road, New Delhi-110001

Centre for Environment Research and Development
LGCS-27A, Ansal Plaza, Sector-3, Vaishali-201010,
Ghaziabad, U.P.

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CHAPTER – 1 PROJECT DESCRIPTION

1.1 BACKGROUND

Delhi Metro Rail Corporation (DMRC) has proposed the extension of Metro from Mundka to Bahadurgarh. This is rapidly developing town in the National Capital Region. It is experiencing population pressure due to its proximity to Delhi. An ever increasing demand for transport creates excessive pressure on the existing transport system. With high growth in transport demand, congestion on roads has been increasing due to phenomenal rise in private vehicles. The project description in this chapter is based on the Detailed Project Report (DPR) for Mundka - Bahadurgarh corridor, March 2012.

1.2.1 The Project

Mundka - Bahadurgarh Metro line is extension of the Metro Phase-II which runs westward from Mundka via Ghewra, Tikri Border, Modern Industrial estate, Bus Stand and it terminates at City Park Metro station in Bahadurgarh. There will be total of 6 stations on this corridor with last being City Park. All stations are proposed to be elevated.

1.3.1 Transport Demand Forecast

The estimation of traffic demand and ridership on proposed corridor from Mundka to Bahadurgarh has been done by DMRC on the basis of various primary surveys undertaken by RITES in 2004. Traffic survey for this section has been done by CRRI. As per NCR plan, Bahadurgarh town has been proposed to be developed for 3.00 lakhs population for 2021 AD.

The summary of transport demand forecast for horizon years 2011 for Mundka- Bahadurgarh corridor has been presented in Table 1.1.

Table 1.1 Traffic Demand Forecast of Mundka- Bahadurgarh Metro Corridor

	Passengers/ Day (Lakhs)	Pass. Km/ Day (Lakhs)	Pass. Km/ Km/ Day (Lakhs)
Ridership	74914	116456	160131
Passenger Induced Ridership	17934	30220	46259
Total Ridership	92848	146676	206390
	1069614	1720513	2665920

1.3.2 Planning and Design Parameters

DMRC has already commissioned the Inderlok- Mundka Corridor in Phase-II of Delhi Metro. Since this is further extension of existing Metro line, the planning and design parameters will be the same as adopted for Inderlok- Mundka line of Delhi Metro.

1.3.3 Route Alignment

The route of Bahadurgarh corridor takes off from terminal Mundka station of Delhi metro planned in phase-II. Centre line of Mundka Metro Station is at Chainage 15.796 Km. and its dead end is at 16.396 Km. Length of this line from centre line of Mundka station to the dead end of City Park Station will be 11.181 Km.

1.3.4 Rolling Stock, Traction and Signalling

The salient features of proposals for Metro Corridor (underground) and Rail Corridors (above ground) in respect of rolling stock, power supply, traction system and signalling are summarised in DPR and reproduced below:

- The rolling stock for Broad Gauge Section shall be of the same design as being procured by Delhi Metro Rail Corporation (DMRC) for Phase II (RS2 Stock) ; while for the standard gauge network extensions RS3 stock will be used.
- Variable voltage variable frequency (VVVF), light weight coaches, 3.2m wide with regenerative braking has been proposed for metro corridor
- Continuous Automatic Train Control (CATC) system, comprising cab signalling and automatic train protection system (ATP), along with automatic Train Operation (ATO) and automatic Train supervision (ATS) has been adopted. It also has train describer-cum-passenger information system. Signalling and train control system will be capable of running trains at operation headway between 100 to 120 seconds.
- The temperature and humidity of underground metro tunnels and stations are planned to be controlled at 29°C and 70% respectively.
- The 25 kV electric traction has been proposed for Mundka- Bahadurgarh similar to II of Delhi Metro. 25 kV AC traction has the economical advantages of minimal number of sub-stations and potential to carry large traffic (60,000-90,000 PHPDT). The system requires catenaries masts on surface/elevated section. In tunnel section 25 kV rigid overhead equipment OHE is proposed.
- Integrated system with Fibre Optics Cable, SCADA, Train radio, PA system will be provided for telecommunication.

- UIC -60 (60 kg/m) rail section has been adopted for the project. These rails are to be imported as these are not manufactures in India. The grade on main line will be 1080 Head Hardened. For the Depot lines, the grade of rails will be 880, which can be manufactures indigenously.
- Computer bases Automatic Fare Collection system (AFC) is proposed for the system. For multiple journey, the media shall be as utilised as Contactless Smart Token. The media shall be same as that existing on Phase I & II, so as to allow seamless travel.

1.4 PASSENGER CARRYING CAPACITY

In order to maximise the passenger carrying capacity, longitudinal seating arrangement shall be adopted. Criteria for the calculation of standing passengers are 3 persons per square metre of floor area in normal state and 6 persons in crush state of peak hour. Carrying Capacity of Broad Gauge Cars is shown in **Table 1.2**.

**TABLE 1.2
CARRYING CAPACITY OF BROAD GAUGE CAR**

Description	Driving Trailer car		Trailer car/ Motor car		4 car train	6 car train	8 car train
	Normal	Crush	Normal	Crush	Crush	Crush	Crush
Seated	42	42	50	50	184	284	384
Standing	120	240	124	248	976	1472	1968
Total	162	282	174	298	1160	1756	2352

1.5 MAINTENANCE DEPOT

One maintenance depot of 10.9 ha along with full workshop facilities has been proposed at Sector 9, Auto market, Bahadurgarh whereas existing depot i.e. Mundka shall also be utilized for the proposed corridor of DMRC. In addition 1.1 ha of land has been earmarked for RSS. This land is contiguous to Depot area.

1.6 OBJECTIVE AND SCOPE OF THE STUDY

In order to enable DMRC to implement appropriate social measures by making clear its procedures and criteria for decision making and for meeting the requirements of funding agency, the main objective of the social assessment is to ensure transparency, predictability and accountability in the present study. The study shall have following objectives:

- To assess the socio-economic conditions of the families/people likely to be affected due to the proposed Mundka- Bahadurgarh metro rail project,

- To examine potential positive and negative impacts on the socio-economic condition of people in the project area,
- To develop appropriate measures to minimise the negative socio-economic impacts,
- To prepare Resettlement Action Plan (RAP) based on the existing policies, laws and guidelines of the government for the loss caused to the project affected people.

The scope of socio-economic study is to include the impacts due to the proposed DMRC development of Mundka- Bahadurgarh corridor. Based on the site survey, it will generate socio-economic data about project affected families and prepare an inventory of property. Based on the data, the project proponent shall develop measures to safeguard the PAFs from the loss occurred due to the proposed project with an objective of sustainable development. The study shall meet the requirement of Japan International Cooperation Agency (JICA) and other funding Institutions for funding of the proposed corridor.

1.7 LAND ACQUISITION AND RESETTLEMENT

The proposed project requires land. The acquisition of land for the project shall displace people from their home, livelihood base, since land is a scarce commodity in Metropolitan areas. Efforts have been made to keep land requirement to the barest minimum by so choosing the alignments that the acquisition of private property is minimal. Land is mainly required for route alignment of rail tracks, station buildings, platforms, entry/exit structures, traffic integration, car shed, power sub-stations, administrative buildings, property development and temporary construction depots and work sites etc.

The project involves relocation of shops, commercial-cum-residential buildings and hutments along the proposed corridors. Compensation shall be paid accordingly, for relocation of shops, commercial-cum-residential buildings and hutments likely to be affected due to the proposed project.

1.8 MINIMISING RESETTLEMENT

Attempts have been made during the detailed design of the project preparation to minimize the land acquisition, resettlement and adverse impacts on people in the project area through suitable engineering design. Steps have already been made to confine the project area in the government land and in available Right of Way (ROW) where feasible. This has been done with proper consultation with the local people and affected communities. Their suggestions have been incorporated, in the design, whenever technically feasible. However, there will be some unavoidable land acquisition for which adequate compensation has been provided. For the proposed work the following specific measures are taken to minimize resettlement in this project.

- Selection of the sub project sites and its various components in the government land; and

- Adequate engineering design to avoid and minimize displacement and hence resettlement.

1.9 OBJECTIVE OF RESETTLEMENT ACTION PLAN

The Resettlement Action Plan is based on the principle that the population affected by the project will be assisted to improve their former living standards. Further, it also takes into account ways of avoiding or minimizing the impacts wherever possible by exploring other alternative project designs. Where displacement is unavoidable, people losing assets, livelihood or other resources, assistance is proposed for improving their former living standards. The rationale behind preparing RAP is not only to restore and improve the standard of living of PAPs but also bring qualitative changes in their life. Considering that the ultimate aim of RAP is to improve quality of life of the affected persons, it is important to assess the changes brought about by the project. National Policy for Rehabilitation and Resettlement -2007 will be followed for the resettlement action plan. Since Japan International for International Cooperation Agency (JICA) will finance the project, the JICA guidelines on Environmental and Social Consideration have been followed.

1.10 JICA REQUIREMENTS

According to JICA Guidelines for confirmation of Environmental and social Considerations, the proposed metro rail project is classified as 'Category A'. It includes projects in sensitive sectors or with sensitive characteristics and projects located in or near sensitive areas. The project is considered to have likely significant impacts on sensitive zones. Metro rail is similar to the "Road, Railways and Bridge" category project which is indicated in the JICA guidelines as 'category A' project, which requires impact assessments of social settings of the project area.

JICA considers it important to have a dialogue with the partners (the host country, local governments, borrowers and project proponents) for its confirmation of social considerations. The active participations of key stakeholders (local residents, project affected families and local NGOs) in all stages of the project are also desirable. The study requires the people and its social environment shall be addressed in the social assessment report.

1.11 APPROACH AND METHODOLOGY FOR SOCIO-ECONOMIC STUDIES

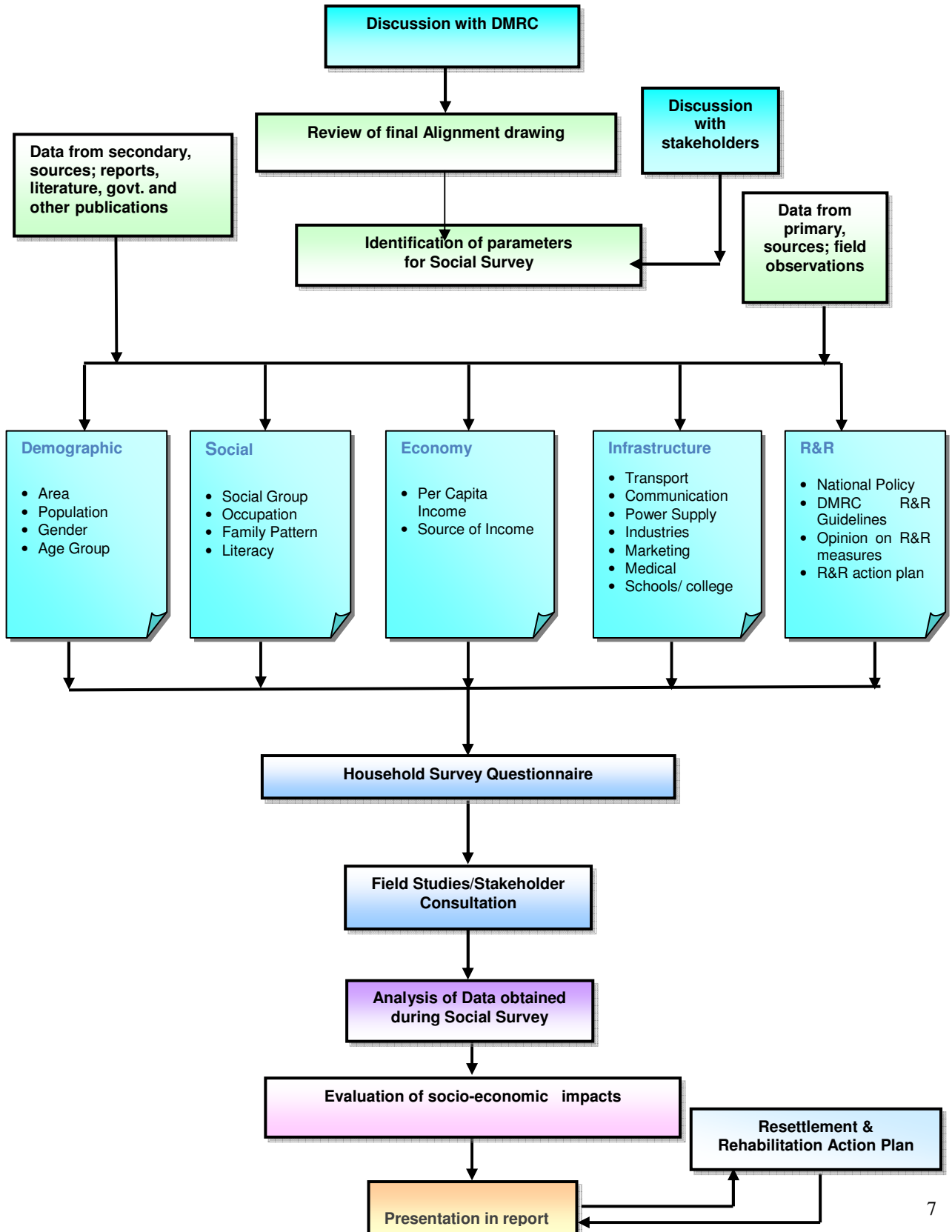
The approach adopted to conduct socio-economic study is described below. The study has been conducted in accordance with Japan International Cooperation Agency (JICA) Guidelines and the guidelines of Government of India. The study aims at collecting baseline data for socio-economic information and identifies the affected population by residence,

business base and their locality. The study is primarily based on field data generated by the Consultant during social survey and secondary data were collected from the census handbooks / gazetteers / other relevant texts. **Figure 1.1** presents the methodology in the form of a flow chart which indicates various steps involved in the study have been described in brief in the following paragraphs.

The methodology for conducting socio-economic study of the proposed project involves review of topographical survey drawings, field visits, data collection and stakeholder consultations.

- a) The consultant reviewed the final topographical maps and Detailed Project Report (DPR) of the project.
- b) Conducted socio-economic survey covering affected households, squatters, kiosks and small business entrepreneurs. The format is given in **Annexure-1.1**. Public consultation is conducted by unstructured format.
- c) The development of proposed metro project has significant positive impacts in the NCT & NCR. The proposed project may also bring unavoidable adverse impacts on the socio and economic environment around.
- d) Consultations with concerned stakeholders at the project level with affected families, communities, local leaders, vulnerable groups were held.

FIGURE - 1.1
APPROACH FOR SOCIAL ASSESSMENT



CHAPTER-2

POTENTIAL RESETTLEMENT IMPACTS

2.1 SOCIO- ECONOMIC SURVEY

A Socio-economic survey has been carried out in September 2013 to assess the impacts of the proposed corridor of Delhi metro rail project on the socio-economic conditions of the Project Affected Families (PAFs). In order to assess the impact, a questionnaire was developed and used to collect information of the families/people likely to be affected. Stakeholder consultations were also organised. This was essential to understand the nature of impacts in documenting impacts on assets, incomes and livelihood to develop mitigation measures and resettlement action plan for the affected people. The information compiled are: type of impact, type of ownership, social profile of the affected people, poverty status, the presence of titleholders and non titleholders in the project area. The views/opinion of the people about the project and options for rehabilitation and resettlement has also been obtained. The data collected through socio-economic survey of the project affected area is described in detail in **Chapter 3**. The major findings and magnitude of impacts of the proposed Delhi Metro project are discussed in the following sections. The project impacts have been classified into different categories such as impacts on land, impacts on the affected families and their livelihood resources, impacts on structures and impacts on the common property resources.

2.2 PROJECT IMPACTS

The proposed metro rail project will have a number of positive and negative impacts. In general the proposed metro rail Mundka- Bahadurgarh project shall bring following positive impacts:

- Generate Employment opportunity,
- Economic Growth,
- Mobility in the project area,
- Safety in Travelling,
- Traffic Decongestion,
- Save Fossil Fuel,
- Reduce Levels of Air Pollution
- Save Foreign Exchange

The proposed project is not so positive for a section of people / project affected families. The anticipated negative impacts on these people include:

- Loss of Land,
- Loss of Residential Structures,
- Loss of Commercial Structures,
- Loss of Jobs/Works,
- Loss of Livelihood,
- Loss of Common Property Resources
- Loss of Public Utility structures

2.2.1 Land Requirement and Acquisition

The proposed Delhi Metro project shall require land for different purposes. Land is mainly required for route alignments of rail tracks, station buildings, platforms, entry/exit structures, traffic integration, car shed, power sub-stations, ventilation shafts, administrative buildings, property development, depots and work sites etc. Land is scarce commodity in Delhi metropolitan areas. Acquisition of land shall make affected families landless in most of the cases. Therefore, every effort has been made to keep land requirements to the barest minimum by realigning the alignments away from private property / human habitation. After planning, the land requirement is kept at minimum and particularly, acquisition of private land was avoided.

The project shall require the acquisition/ transfer of 21.6104 ha of land. Details of land requirement is summarised below in Table 2.1

Table 2.1
Land Requirement for the Project

(Area in m ²)				
S. No.	Land Requirement	Total Area	Haryana	Delhi
A. Government Land				
1	Stations and Other Locations	35760	14549	21211
2	Property Development	40000	40000	-
3	Depot + RSS	120000	120000	-
	Total Govt Land	195760	174549	21211
B. Temporary Govt. Land				
1	Temporary APMC Land	7198	-	7198
C. Private Land				
1	Stations and Others	20344	8334	12010
	Total	216104	182883	33223

As per DPR out of the total land of 21.6104 ha, 19.5760 ha is government land and 2.0344 ha is private land.

2.2.2 Impact on Structures and its Magnitude

Many properties are being affected by the proposed corridor between Mundka and Bahadurgarh City Park corridor. The detail of affected properties is given in **Table 2.3**.

Table 2.3
Details of Affected Property Area in m²

S. No.	Station/ Location	Area	Ownership	Number	Impact	Details	Remark
1	MIA	490	Private	2	Fully	1Dhaba + 1Kiosk Pan shop	100%
2	MIA		Private	1	Partly	Industrial Plot with Boundary Rented to Tuli Motors	< 2% area
3	Ghewra		Private	1 Vatika	Partly	Vatika and other open plots	< 5%
4.	Tikri Kalan	643	Private	1 Plot	Partly	Parking of Cranes	< 5%
5	Tikri Border	146	Govt Boys School	1	Partly	Boundary wall, Guard room and part of ground	2m strip
			MCD Office	1	Fully	MCD Office on Road in front of School	100%
6	MIE	2661	Private	11 shops	Partly/ Fully	Open plots, shops and 2 houses, Boundary and open area of Jeevan Jyoti Hospital	Shops on roadside
7	Bus Stand	451	HRSTC	3 shops	Fully	3 small shops Leased+ Open land	100%
	Bus Stand Bahadurgarh	180	Cremation Ground	14 shops	Fully	Shops	100%
8	City Park		HTDC		Partly	Boundary and open area of Goraya complex	< 10%
			Tau Devi Lal Park		Part	Open Area of Park	< 2%
8	Depot+ RSS Area, Sector 9, Bahadurgarh	141	Private	1 houses	Fully	Pucca Houses	100%
		41	Temple	1	Fully	Ravi das Temple	100%
		11818	HUDA	10 houses	Fully	10 houses	100%

The data in the table infers that at MIA there is one squatter having Dhaba and 1Pan shop and one industrial plot which is having boundary. The unit was locked at the time of field visits. Enquiries revealed that the plot is rented out to M/s Tuli Motors for parking and storage of cars. Similarly at Ghewra there is Shanti Vatika and other plots having boundary. This Vatika is having a small office, guard room and some plantation and open land. At times it is used for parties. At Tikri Kalan Station area there is an open plot with boundary which is sometimes used for parking of Cranes. At Tikri Border there is Govt Boys school from which 2m strip is required inside the boundary wall. There is open area having one room for guard. In front of School boundary there is MCD . office where cleaning instruments are stored for staff. In Haryana portion at MIE the roadside area has to be acquired for side track for Depot area. Here 11 shops/ commercial establishments/ 2 closed factories

are likely to be affected. At the Bye pass crossing the ground and store of electricity department is getting affected. At Bus stand 17 shops will get affected along with 1 water hut in Bus stand. Whereas at Depot one house and 1 temple are getting affected in addition to 10 houses on HUDA land.

At Bahadurgarh Bus Stand station area, it is proposed to take land from the existing shops. There are 17 shops on the Roadside on RHS and three shops inside the Bus Stand. The ownership of shops inside the Bus Stand is HRSTC and the shops on the roadside are owned by Ram Bagh Society/ Municipal Committee. The society has constructed the shops and rented out to the shopkeepers. All the shopkeepers at Bus Stand are tenants. Similarly at Bahadurgarh Depot area there are 11 houses which are located in the area to be acquired for the Depot. The size of the houses varies between 50 m² to 100 m². These are located scattered.

2.2.3 Impact on Families

The land proposed to be acquired for Depot has been classified as Govt. Land by HUDA. One house and one temple are reported to be Pvt and the rest of the Depot area including RSS area is govt. land. Additionally, 10 families are getting affected in Depot area as their houses would be acquired. They are treated as encroachers. A total of 75 families are being affected due to the project. At other places no residential property is involved. However, commercial properties are involved in station areas. Simultaneously, families of 30 shopkeepers and their 34 employees are getting affected due to the land acquisition for the project. At Bus stand all the shopkeepers are tenants. The owner of the shops is Municipal Committee/ Ram Bagh Society who is maintaining the cremation ground and for the purpose have constructed the shops and rented out to the shopkeepers.

2.2.4 Loss of Livelihood

As assessed during social impact assessment study, out of total 75 affected families, there are 64 PAFs whose business/livelihoods as employees of shops will be affected due to the loss of the commercial structures vis-a-vis business base in the proposed corridor. 30 shopkeepers and their 34 employees would also lose their wages due to loss of the shops. These 75 families shall be affected by way of loss of residence/ livelihood due to the displacement of 30 structures, which is categorised as commercial structures.

As observed during field study, the PAFs are involved in different types of business activities. The different types of business in the project area include Juice shop, Music centres, Studio, mobile recharge shops, general store, eatables, consumables etc All the shop keepers are tenants. All of them are running their shops for quite long time. They have insisted that the matter may be coordinated with Ram Bagh Society to relocate the shops backward as ample space is available behind shops.

2.2.5 Loss of Common Property Resources

As such there would be no loss of common property resources except part of Cremation ground being maintained by Ram Bagh Society losing their shops and part of General Bus stand at Bahadurgarh. No school, religious structures, community facilities etc and government buildings have to be demolished in totality due to the project. One Ravi Das temple would be affected in Depot area. Additionally one water hut is affecting in Bus stand at Bahadurgarh.

2.3 RELOCATION

The proposed project shall affect the private property resources. The loss of private property and loss of community resource shall have social impacts on the local society. In view of social impacts, rehabilitation of the PAFs has been proposed. During site social survey, choice and desire of affected people have also been collected through survey questionnaires. Mitigation measure of the adverse impacts shall be following:

- to assist the PAPs in resettling them at the suitable place,
- to provide monetary assistance in the form of shifting allowance and transitional allowance, etc.
- to provide house for loss of house at resettlement site by Delhi Development Authority (DDA) / Haryana Urban Development Authority (HUDA).

As per the “Policy/Guidelines on Relocation and Rehabilitation of the PAPs of All Categories due to Implementation of Delhi MRTS project”, DDA will rehabilitate the PAFs occupying residential dwelling units on recommendation of Land Acquisition Commissioner (LAC) and approval of Land & Building Department (L&B), Government of National Capital of Delhi (GNCTD), HUDA and DMRC will rehabilitate PAPs occupying commercial unit/shop by providing constructed shop in the shopping complex.



Dhaba & Pan Shop at MIA



Open Plot & Plot with Boundary



Shanti Vatika and adjacent Properties at Ghewra



Crane Parking area at Tikri Kalan Station

Room for School Guard at Tikri Border



Govt Boys School at Tikri Border

MCD Office in Front of Govt. Boys School



Open Area in front of Samsung Show Room and Hanuman Dharam Kanta at MIE Stn



Ravi Das Temple and Houses in vicinity at Depot Area



Bahadurgarh Bus Stand

Area behind Shops at Bahadurgarh

CHAPTER-3 BASELINE SOCIO-ECONOMIC STUDY

3.1 PROFILE OF PROJECT AFFECTED FAMILIES

The alignment drawing and information provided by DMRC was the basis for identification of the affected families and project affected people due to the proposed project phase. The study represents assortment of the affected households, which includes titleholders and non-titleholders. The group of non-titleholders included tenants, squatters, kiosk owners, etc. The interviewees interacted with the social teams involved for the purpose and disclosed the information required for the questionnaires format for data collection. The socio-economic analysis of surveyed household has been presented here. The data collected through the social survey generated baseline for socio-economic information about the project affected families. A total of 64 Project Affected Families responded and provided the information about their families. So, the Socio-economic and demographic profile of PAPs has been developed on the basis of collected information.

3.2.1 Demographic and Social Conditions

Table 3.1 indicates that the affected families to be relocated are living in Depot area.

**TABLE-3.1
PROJECT AFFECTED FAMILIES & PEOPLE**

Total PAFS	Total PAPs	Total Male	Total Female
64	339	178	161
100.00	100.00	52.51	47.49

3.2.1.1 Gender & Sex Ratio

The data on gender divide and sex ratio is very helpful indicator to know the participatory share of males and females in the society, which is also an important indicator for human development index. The population of surveyed 64 households is 339, which is living in pucca houses. The surveyed population has gender composition of 52.51% male and 47.49 % female

3.2.1.2 Age Structure

Age Structure refers to the contribution of population as well as dependence of population on various economic and social activities. **Table 3.2** shows the data on age structures of the

interviewed project affected people. The age groups of 19-45 & 46-60 years are supposed to be productive and earning to contribute to the society, family and surroundings. About 43% PAPs are between 19-45 age group. Around 13% are between 46 to 60 years whereas 10 % are retired and another 10 % are children below 6 years. Only about 11 % are students in age group of 7 to 18 years. Table 3.2 shows the age groups of PAPs.

Table-3.2
Age structure of PAPs

Age	0-6	7-12	13-18	19-45	46-60	> 60	Total
Number	36	37	44	144	43	35	339
Percent	10.62	10.91	12.98	42.48	12.69	10.32	100.00

3.2.1.3 Religious and Social Groups

Data on religious groups has been collected in order to identify people with the specific religious belief among the PAFs. The religious beliefs and social affiliation of the people are indicators that help understand cultural behavior of the groups. The social and cultural behavior will help understand the desires and preferences of PAPs, which is a prerequisite to rehabilitate the affected people and their families.

Table 3.3
Religious and Social Distribution of PAP Families

Parameter	Number	Percentage
Religion		
Hindu	63	98.44
Muslim	1	1.56
Sikh	-	-
Christian	-	-
Total	64	100.00
Caste		
Scheduled Caste	20	31.25
Scheduled Tribes	-	-
Backward Caste	7	10.94
General	37	57.81
Total	64	100.00

98.44% families are Hindus and only 1.56 % are Muslim. About 58% families belong to General Castes whereas 31.25% belongs to Scheduled caste categories. About 11 % families belong to OBC category.

3.2.1.4 Family Size and Type

Family size and Family Type indicate the fabrics of sentimental attachment among the family members, social value, economic structures and financial burdens. The family particulars of the surveyed PAPs/ PAFs are given in Table 3.4. **Family size** is also determined by the economic burden and opportunities. Family size has been classified into three categories i.e. small (2 - 5), medium (6 - 8) and large (above 8). Table 3.4 shows that about 55% families have their member less than five. Another 33 % constitute medium size families with 6 - 8 members. About 6.25% of the families are large families with more than eight members whereas another 6.25% are individuals living in the area for earnings.

TABLE-3.4
Family Size and Type of PAFs

Parameter	Number	Percentage
Family Size		
One	4	6.25
2-5	35	54.69
6-8	21	32.81
>8	4	6.25
Total	64	100.00
Type of Family		
Single	4	6.25
Nuclear Family	36	56.25
Joint Family	24	37.50
Total	64	100.00

Out of total Project Affected Families, majority (56.25%) of the affected families are nuclear family whereas about 37.50 % are joint families. There are also single family to the extent of 6.25%.

3.2.1.5 Educational Attainment

Education is a double-edged blade. It is a tool for vertical mobility in the society. It provides an opportunity to participate in the process of growth and developments. However it also creates differences among people and introduces a new kind of inequality between those

who have it and those who do not. In all the cases, education is a basic need and the best indicator of socio-economic development of a region.

It is observed from the data of table 3.5 that about 13% PAPs are illiterate whereas about 22% have received the education less than primary level, i.e., 5th standard. About 32% of PAPs attended the school and got education up to 10th standard. However, it is also observed that new generation is attracted towards education and about 33% have studied in 12th, graduation and beyond.

TABLE-3.5
Education- wise Distribution of PAPs

Education Level	Number	Percent
Children below 6 years	36	-
Illiterate	40	13.21
< 5th	67	22.11
6-10 class	97	32.01
10-12 class	44	14.52
Graduate & above	55	18.15
Population > 6 years	303	100.00

3.2.2 Economic Conditions of PAFs

The economic condition of PAFs describes occupational pattern, family income, and number of earning and dependent members. The occupational pattern includes work in which the head of the project affected families are involved. The family income includes income of all the earning members. The earning members include the people who work and earn to contribute to the family; however dependents included housewife, children, elderly people and others who cannot work and earn.

3.2.2.1 Economic status of PAPs

It is observed that the number of workers in the families is small in Project Affected Families.

Table 3.6
Economic Status of PAPs

Economic Status	Number	Percentage
Workers	97	28.61
Non- Workers	242	71.39
Total Population	339	100.00

There are about 28.61 % workers among PAPs which indicate that the families are mainly dependent on Head of Family for their bread and butter. The families having more Adult member are having more than one workers.

3.2.2.2 Occupational Pattern

The occupation and profession of the head of family has been considered during the social survey. The study recorded and assessed the capability, base for livelihood and skills of the family head, so that resettlement impacts can be assessed. Based on the impacts assessment, the income generation plan and rehabilitation plans shall be prepared accordingly.

Table - 3.7
Occupational Pattern of PAP Workers

Occupation	Number	Percentage
Agriculture	3	3.09
Labour	20	20.62
Self Employed Business	39	40.21
Service	32	32.99
Others	3	3.09
Total	97	100.00

The survey result clearly shows that the occupation of 40 % PAPs is self employed business followed by PAPs doing service in the shops etc to the extent of about 33 %. About 21% are labour, mostly daily wage earners. A few of them are engaged in agricultural activities and other activities like driver/ Marketing.

3.2.2.3 Family Monthly Income

Assessing family income helps to understand the living standard, expenditure pattern, capacity of savings etc.. The data on monthly family income quantify either the family is under the Below Poverty line (BPL) or above poverty line (APL). Distribution of family income is given in **Table 3.8**.

The distribution of family income of PAPs shows that about 28% Families are earning between less than Rs. 10000/- per month. About 16% are earning Rs. 10000 to Rs. 15000/- and another 22% are earning between 15000 to Rs.20000/- per month. However, about 25% PAP families are earning between Rs 20000 to Rs. 50000/- in a month. But about 10% PAPs belongs to high income group and are classified earning more than Rs. 50000/- per month.

Table 3.8
Distribution of Monthly Family Income of PAPs

Monthly Family Income	Number	Percentage
< Rs.10000/-	18	28.11
Rs. 10,000/- - Rs. 15000/-	10	15.63
Rs. 15000/- to Rs. 20000/-	14	21.88
Rs. 20000- Rs 50000/-	16	25.00
Above Rs 50,000/-	6	9.38
Total	64	100.00

3.2.2.4 Assets of PAPs

Most of the PAP families are having all type of Modern gadgets including TV, Fridge, Washing Machine, Computers etc in addition to modern Kitchen wares except those PAPs who are encroachers and have monthly family income below RS. 10000/-. About 20% are even maintaining motorized two wheeler vehicles like bike/ scooties. A few of them are also maintaining cars.

3.2.3 Vulnerable Families

The vulnerability of the project affected families has been determined by the people falling in the category of scheduled caste, scheduled tribe, below poverty line (BPL), women headed family and disabled. If the households fall under BPL as a result of loss of livelihood/assets due to the proposed project, then they shall also be classified as vulnerable family. The study indicates that all the 12 families which have to be relocated are vulnerable families and belongs to Scheduled Caste category. Moreover their income level is also quite low.

3.2.4 Awareness about HIV/AIDS

Sex trade and spread of sexually transmitted diseases (STDs) also came up as critical socio-cultural and health issue, which needs to be addressed to ensure that the construction of metro rail is a socially responsible development project. Most of the respondents have shown awareness about HIV/AIDS. The main source of information is television, news paper and advertisement boards displayed by the government in the city.

3.3 Awareness and Opinion about the project

During the socio-economic survey, some questions were asked to the PAPs regarding the awareness, source of information and opinion about the proposed metro rail Mundka-

Bahadurgarh project. It is found that all the PAPs are very well conversant with the project. Most of the PAPs asked to look into the possibilities of modifying the alignment so as to avoid involvement of their properties.

3.4 Resettlement & Rehabilitation Options

The options on resettlement and rehabilitation measures have also been collected from owner residents, owner commercial, tenant residential & commercial, kiosk owner and squatters. The study reveals that all residential unit owners opted for constructed building or plot in the vicinity of their present area. The commercial unit owners have opted replacement of shops. The squatter and kiosk owners opted for proper rehabilitation within the area. The titleholders consented to get displaced by the project, if developer compensates them for the land with the market value and assistance for construction of house. The squatters gave their consent to the proposed project.

3.5 Common Property Resources/Public Utilities

The common property resources may be affected due to construction of the proposed project. The structures being used by public may also be affected. The common property resources and structures related to public utilities shall be rehabilitated in accordance to the consent of local communities. As per the provisions of DMRC for rehabilitation of the project affected structures of public utilities and common property resources, such property shall be properly compensated. The same type and size of structures shall be made in the same location. The details of such structures and property have been given in the **chapter 2**, which is on potential resettlement impacts.

CHAPTER-4 POLICY, LEGAL AND ADMINISTRATIVE FRAMEWORK

4.1 POLICY FRAMEWORK

The Metro Phase-III project falls in “Category A” based on World Bank Operational Policy (OP 4.01) and JICA guidelines for Environmental and Social Projects. Category ‘A’ includes sensitive sectors such as “Roads, Railways and Bridges” which are similar to metro lines or located in or near sensitive areas such as cultural, historical or of archeological value. Over the years R&R policies have been developed at national and organizational levels. The Acts and Policy relevant to the study are:

- Land Acquisition Act, 1894 (Amended in 1984);
- National Rehabilitation and Resettlement Policy, 2007;
- JICA Guidelines for Environmental and Social Consideration, April 2010
- Relocation & Rehabilitation Policy in respect of PAPs for all categories due to implementation of Delhi MRTS Project.
- Resettlement and Rehabilitation Policy of Haryana Government.

The following section deals with these policies with a comparison and subsequently deals with the entitlements and eligibility for compensation and other resettlement entitlements.

4.2 LAND ACQUISITION ACT, 1894 (Amended 1984)

The most relevant Indian regulation for facilitating resettlement and rehabilitation is the Land Acquisition Act, 1894(amended 1984). This Act is the principal document for procedures to be followed for acquisition of private land by the Government for public purposes and for determining compensation. The Act ensures that no person is deprived of land under this Act and entitles PAPs to a hearing before the actual acquisition. While this Act does not per se provide for mitigation measures, Section 23 of the Act discusses compensation at market price, the market value of land being determined at the “*date of publication of the notification*”. However, for land acquisition, this Act will not be applicable for displacement of temporary huts. Procedures set out include: (i) Preliminary notification (Section 4); (ii) Declaration of Notification (Section 6); (iii) Notice to persons interested (Section 9); (iv) Enquiry and award (Section 11); (v) Possession (Section 16). Summary features of LAA are presented in Box No.4.1.The proposed project entails acquisition of land along the alignment and land will be acquired under this Act.

The land will be acquired by DMRC for the proposed project by using Section 17 of this Act.

The main elements of the LAA are:

- Land identified for the purpose is placed under Section 4 of the LAA for notification. Objections must be made within 50 days to the District Collector (DC, is the highest administrative officer of

the concerned District). Once the land has been placed under Section 4, no further sale or transfer is allowed.

- The land is then placed under Section 6 of the LAA. This is a declaration that the Government intends to acquire the land. The DC is directed to take steps for the acquisition, and the land is placed under Section 9. Interested parties are then invited to state their interest in the land and the price. Under Section 11, the DC will make an award within two years of the date of publication of the declaration. Otherwise, the acquisition proceedings shall lapse.
- In case of disagreement on the price awarded, within 6 weeks of the award, the parties (under Section 18) can request the DC to refer the matter to the Courts to make a final ruling on the amount of compensation.
- Compensation for land and improvements (such as houses, wells, trees, etc.) is paid by the project authorities to the State Government, which in turn compensates landowners.
- In case of delayed payments, after placement under Section 9, an additional 9 percent amount per annum is to be paid for the first year and 15 percent for subsequent years.

4.3 THE NATIONAL REHABILITATION AND RESETTLEMENT POLICY, 2007

The National Rehabilitation and Resettlement Policy, 2007 (NRRP, 2007) was adopted by the Government of India on 31 October 2007 to address development-induced resettlement issues (**Annexure-4.1**). The NRRP stipulates the minimum facilities to be ensured for persons displaced due to the acquisition of land for public purposes and to provide for the basic minimum requirements. All projects leading to involuntary displacement of people must address the rehabilitation and resettlement issues comprehensively. The State Governments, Public Sector Undertakings or agencies, and other requiring bodies shall be at liberty to put in place greater benefit levels than those prescribed in the NRRP. The principles of this policy may also apply to the rehabilitation and resettlement of persons involuntarily displaced permanently due to any other reason. The objectives of the Policy are:

- a) to minimize displacement and to promote, as far as possible, non-displacing or least-displacing alternatives;
- b) to ensure adequate rehabilitation package and expeditious implementation of implementation process with the active participation of the affected families;
- c) to ensure that special care is taken for protecting the rights of the weaker sections of society, especially members of the Scheduled Castes and Scheduled Tribes, and to create obligations on the State for their treatment with concern and sensitivity;
- d) to provide a better standard of living, making concerted efforts for providing sustainable income to the affected families;

- e) to integrate rehabilitation concerns into the development planning and implementation process; and
- f) where displacement is on account of land acquisition, to facilitate harmonious relationship between the requiring body and affected families through mutual cooperation.

The NRRP is applicable for projects where over 400 families in the plains or 200 families in hilly or tribal or Desert Development Program areas are displaced. However, the basic principles can be applied to resettling and rehabilitating regardless of the number affected. However, the provisions under the NRRP can also be followed for other projects as a standard and best practice. Therefore, the relevant provisions of NRRP are applicable to the proposed metro rail project. NRRP's provisions are intended to mitigate adverse impacts on Project Affected Families. The NRRP comprehensively deals with all the issues and provides wide range of eligibility to the affected persons and meets most of the requirement of JICA's Policy on Environment and Social considerations. The non title holders, under NRRP, are recognized as people living in the affected area not less than three years after the declaration of the area as affected. The NRRP addresses vulnerable families with adequate entitlements and provides special provisions for Scheduled Castes and Scheduled Tribes Families. The NRRP takes into account transparency as far as consultation, dissemination of information, disclosure and grievance is concerned. However, the law relating to the acquisition of privately owned immovable property remains the LAA.

4.4 RELOCATION & REHABILITATION OF PROJECT AFFECTED PERSONS FOR DELHI MRTS PROJECTS

As per the Relocation & Rehabilitation Policy in respect of Project Affected Persons of all categories due to implementation of Delhi MRTS Projects, the responsibility for rehabilitation of PAPs are under three categories for execution of corridor:

- a) Rehabilitation of PAPs occupying residential/dwelling units for Mundka- Bahadurgarh corridor III of DMRC in Delhi area is to be assigned to DDA on recommendation of Land Acquisition Collector (LAC) and approval of Land and Building Department, as was applicable to up to Phase-II (**Annexure-4.2**).
- b) Rehabilitation of PAPs occupying commercial units/shops shall be done by DMRC by constructing shops and rehabilitating the affected shop keepers. This allotment will be at the cost determined by DMRC at its terms & conditions.
- c) Re-location and rehabilitation of Industrial units shall be done by Delhi State Industrial and Infrastructure Development (DSIIDC), GNCT of Delhi.

Based on the above guidelines/policy, a brief note on land acquisition and rehabilitation for MRTS Project, DPRs for different corridors has been prepared by DMRC. As per this note government land is acquired by DMRC from different departments of Central Government or State Government or local bodies at notified rate fixed by Ministry of Urban Development (MOUD), Govt. of India on long term

lease basis. For acquisition of private land for the projects, DMRC places requisition of land to Transport Department, GNCT of Delhi, who in turn forward the requisition to Land & Building Department and concerned Land Acquisition Collector. Land is acquired by LAC/ Land & Building Department under Land Acquisition Act, 1894. The price that is to be paid for acquisition of land is determined on the basis of fair market value of the land as assessed from the registration of last sale-purchase records of the land in the area. Final compensation is to be paid to owners, also includes 30% solatium over and above the market rate determined by LAC and interest @ 12% from the date of notification under Section(4) to the date of award and thereafter up to actual date of payment. For rehabilitation of PAPs in case of private land, concerned LAC shall prepare the list of persons eligible for rehabilitation in case of residential, commercial/ shops, industrial units and same will be approved by Land & Building Department. If the residual of the asset being taken is not economically viable, compensation and other resettlement assistance are provided as if the entire asset had been taken.

4.5 RESETTLEMENT AND REHABILITATION POLICY OF HARYANA GOVERNMENT

Haryana Govt. has notified a comprehensive policy laying down the floor rates in different parts of the state for acquisition of land under Land Acquisition Act 1894 and any other corresponding statutes on the subject vide GO No. 3212-R-5- 2010/12140 dated 9th November, 2010. The revised policy includes introduction of "No Litigation Incentive Scheme" in addition to revised rates of annuity and a number of additional benefits for the landowners whose land is acquired by the Government under the statute. The additional benefits include payment of solatium @ 30%, provision of alternative developed plots to PAPs, providing job to 1 dependent in Govt. organizations if > 75 % land is acquired, providing alternate agricultural electricity connection, Exemption from stamp duty on purchase of alternate agricultural land etc.

4.6 JICA's GUIDELINES ON INVOLUNTARY RESETTLEMENT

The JICA guidelines for environmental and social considerations are applicable to this project subject to provisions in this SIA report. The Resettlement Action Plan (RAP) has been developed in accordance with the requirements of the JICA on Involuntary Resettlement. The involuntary resettlement may cause severe long-term socioeconomic hardships, impoverishment and environmental damages unless appropriate measures are carefully planned and carried out. The JICA requires that involuntary resettlement should be avoided where feasible, or minimize exploring all viable alternative project designs. In cases, it becomes unavoidable, then the affected persons should be meaningfully consulted providing them an opportunity to participate in planning and implementing the resettlement programme. They should be assisted in their efforts to improve their livelihoods and standard of living or at least to restore these, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. This approach endorses the eligibility of all the categories of persons, whether with formal legal rights or without these rights, in a project, but occupying project area prior to the cut-off date established by the borrower and acceptable to the Bank.

4.7 ELIGIBILITY AND ENTITLEMENTS

PAPs entitled for compensation and rehabilitation are (i) PAPs losing land and other assets with legal title/traditional land rights will be compensated, and PAPs will be rehabilitated (ii) tenants in case of shops ; (iii) owners of buildings, or other objects attached to the land; (iv) PAPs losing business, income, and salaries; (v) assistance to the non title holders(squatters, etc). The cut-off date for those who have legal title is the date of notification under section 4(I) of Land Acquisition Act 1894 (amended in 1984). The cut-off-date for those who do not have legal standing (squatters and encroachers) is 31/03/2007 for eligibility of assistance under the project as per Delhi Government notification: F.386(7)/UD/BFUP/2010/1991-1205, Dt.03.02.2011. The entitlement matrix provides category wise details regarding the entitlements in relation to the R&R principles enumerated above. The following **Table 4.1** presents the entitlement matrix for the proposed metro rail project.

**TABLE 4.1
ENTITLEMENT MATRIX**

Category of Loss	Relocation & Rehabilitation Policy in respect of PAPs for all categories due to implementation of DMRC Mundka- Bhadurgarh	Responsible Agency
Loss of ownership of land	The price for acquisition of land is determined on the basis of market value.	District Collector Govt. of NCT/ DC Jhajjar, Haryana
Loss of ownership of house	<ul style="list-style-type: none"> • DDA/ HUDA is responsible for rehabilitation of PAPs. • A LIG flat for PAFs losing plot size less than 100sq.m. • A MIG flat for PAFs losing plot size more than 100sq.m. • Rs.7882/- per Sq.m. for construction cost 	District Collector, DDA, Govt. of NCT, DC, Jhajjar, Haryana, HUDA, Municipal Committee, Bahadurgarh
Loss of ownership of shop	<ul style="list-style-type: none"> • DMRC is responsible for rehabilitation of PAPs • Construction of shops • Maximum size of 15 sq.m per PAP • Rs.7882/-per sq.m. for construction cost 	District Collector Govt. of NCT, DMRC DC, Jhajjar, Haryana, HUDA, Municipal Committee, Bahadurgarh
Tenant in case of residential unit	Compensation for shifting expenses a sum of Rs 10,000/- to be paid to each household unit	Project Authority
Tenant in case of shops	Eligible for rehabilitation/ relocation	Project Authority
Relocation of Kiosk	Shifting allowance @ Rs 10,000/-	Project Authority
Vulnerable affected person	Skill improvement training to be arranged and assistance of Rs 15,000/- (LS)	Project Authority

CHAPTER-5 INSTITUTIONAL FRAMEWORK

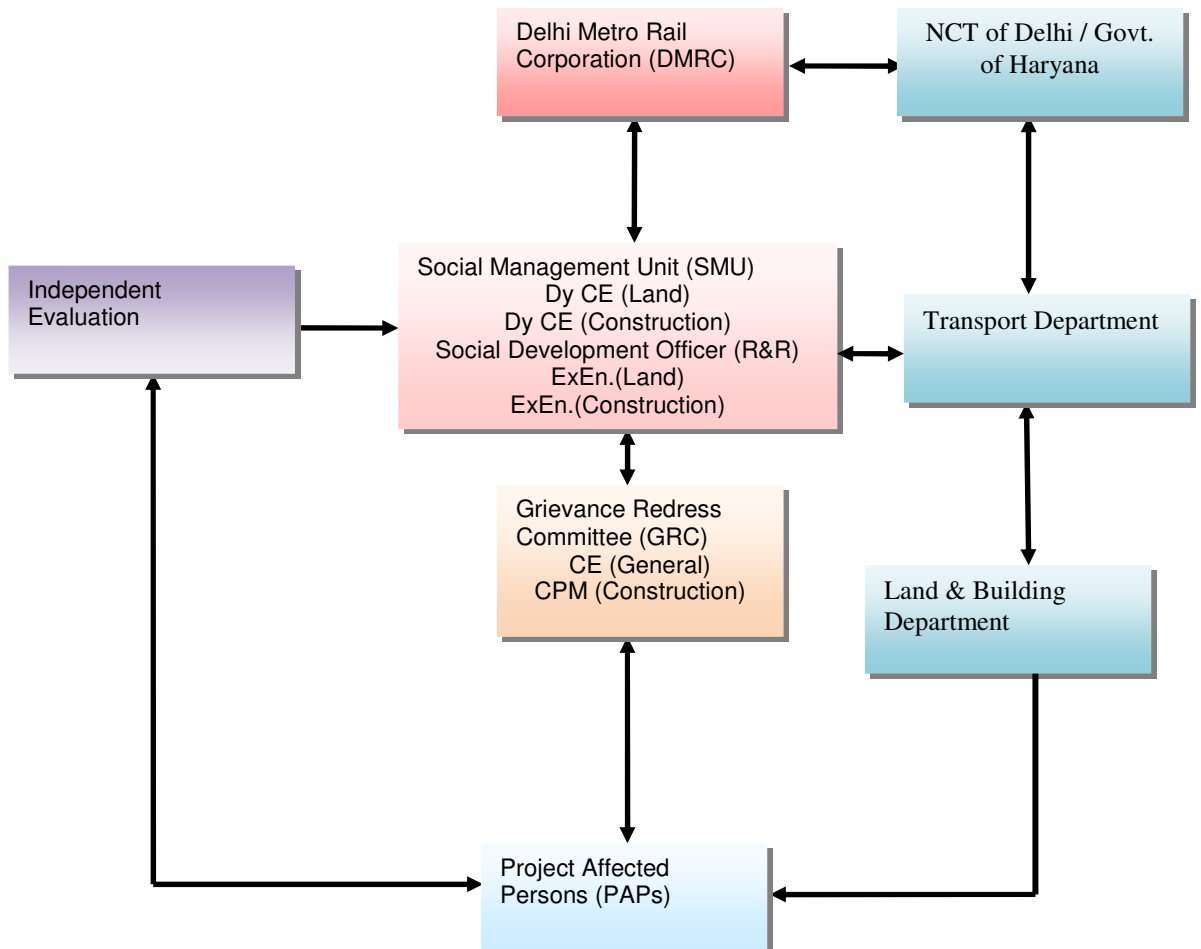
5.1 INSTITUTIONAL ARRANGEMENT

The implementation of Resettlement Action Plan (RAP) requires involvement of various institutions at different stages of project cycle. This section deals with roles and responsibilities of various institutions for a successful implementation of the RAP. The institutions to be involved in the process are as follows:

1. Delhi Metro Rail Corporation(DMRC)
2. Land and Building Department, Govt. of NCT of Delhi
3. Office of the District Collector in Delhi as well as Haryana

The institutional framework for RAP implementation is shown in **Figure 5.1**.

FIGURE 5.1 INSTITUTIONAL CHART FOR RAP IMPLEMENTATION



5.1.1 DELHI METRO RAIL CORPORATION

DMRC is the executing and implementing agency for the proposed four new metro rail corridors in Delhi. DMRC will be overall in charge of rehabilitation and resettlement issues such as implementation, monitoring and execution of land acquisition and resettlement issues. The designated engineering department headed by Chief Project Manager in DMRC will assess the requirement of land acquisition and resettlement based on the engineering design. DMRC will be responsible for coordinating with other concerned government departments for land acquisition, planning and implementation of RAP which will include the disbursement of compensation, assistance, shifting and relocation of affected people. DMRC also arrange/provide vocational training and other welfare assistance to the affected people. DMRC will also resettle and rehabilitate the PAPs occupying the commercial units by constructing shopping complexes at the nominated location. However, LIG & MIG flats will be provided to PAFs occupying residential / dwelling by Delhi Development Authority (DDA) on recommendation of LAC and approval of Land & Building Department, Government of NCT Delhi.

To ensure proper coordination and execution of the land acquisition and resettlement issues and to ensure coordination with the implementing agency, an independent evaluation consultant (Resettlement & Rehabilitation) with educational background of master in social science i.e. Social Work (MSW) & Sociology or an organization with similar expertise, may be hired by DMRC for mid and end term evaluation of implementation of resettlement and rehabilitation activities. The independent evaluation consultant could review RAP implementation in light of the objectives, targets, budget and duration that is laid down in the plan. DMRC will report to funding agency regarding the progress made on land acquisition and implementation of resettlement plan.

5.1.2 LAND AND BUILDING DEPARTMENT

Land and Building Department, Government of NCT of Delhi, is responsible for large-scale acquisition of land for planned development of Delhi. Land Acquisition Branch of this Department is responsible for overall coordination between various agencies involved in land acquisition. For acquisition of private land for the proposed metro rail project, DMRC will place requisition of land to Transport Department, GNCT of Delhi, who in turn will forward the requisition to Land & Building Department. On receipt of the proposal for acquisition of land from Transport Department, GNCT of Delhi, the Land Acquisition Branch of Land & Building Department will forward the same to Land Acquisition Collector (LAC) to initiate the process for acquisition of land. Land will be acquired by LAC/Land & Building Department under Land Acquisition Act, 1894.

Similarly, in Haryana the Land Acquisition Branch of Land & Building Department HUDA will forward the same to Land Acquisition Collector (LAC) to initiate the process for acquisition of land under DC Jhajjar. Land will be acquired by LAC/Land & Building Department under Land Acquisition Act, 1894 and revised Resettlement and Rehabilitation Policy 2010. Department of Revenue and Disaster Management, Govt. of Haryana will coordinate the land acquisition process.

5.1.3 OFFICE OF THE DISTRICT COLLECTOR

The proposed project covers North-west districts of Delhi and District Jhajjar of Haryana. These offices have Land Acquisition Collector (LAC). The office of the LAC will be responsible for the land acquisition. Land Acquisition Collector will coordinate between the DMRC and the affected land owners. DMRC will be providing the technical details and the land acquisition plans to the LAC. The LAC will be responsible for initiating the notice and issuing all the sections under the Land Acquisition Act, 1894. LAC will be responsible for conducting the valuation of affected land and assets and will decide the compensation. The disbursement of compensation for land and assets of the legal owners will be done by LAC.

5.1.5 SOCIAL MANAGEMENT UNIT (SMU)

DMRC has a division which is for looking after the social safeguards activities. This is headed by Deputy Chief Engineer (Land). He/ She co-ordinates with other divisions/sections of DMRC on social, rehabilitation and resettlement issues. Other members of this unit will include the concerned Deputy Chief Engineer of the line/ corridor referred to as Deputy Chief Engineer (construction), Executive Engineer (land) and Executive engineer of the concerned line/ corridor. DMRC will do the overall coordination, preparation, planning, implementation, and financing of RAP. The Social Management Unit (SMU) of DMRC, will work closely with other staff of the DMRC and will be specifically looking after the social safeguards issues. The SMU shall ensure that all land acquisition issues are handled according to the LA policy/guidelines as it is laid down in this report. It will also monitor that all the procedural and legal issues involved in land acquisition are fulfilled. The SMU will assist the DMRC for getting all the necessary clearances and implementation of the resettlement activities prior to start of any civil work. A Social Development Officer (R&R) with background of social science may be added in this SMU as full time to supervise and monitor overall activities of RAP and he/she will report day to day progress to Deputy Chief Engineer (Land).

Some of the specific functions of the SMU in regards to resettlement management will include the following:

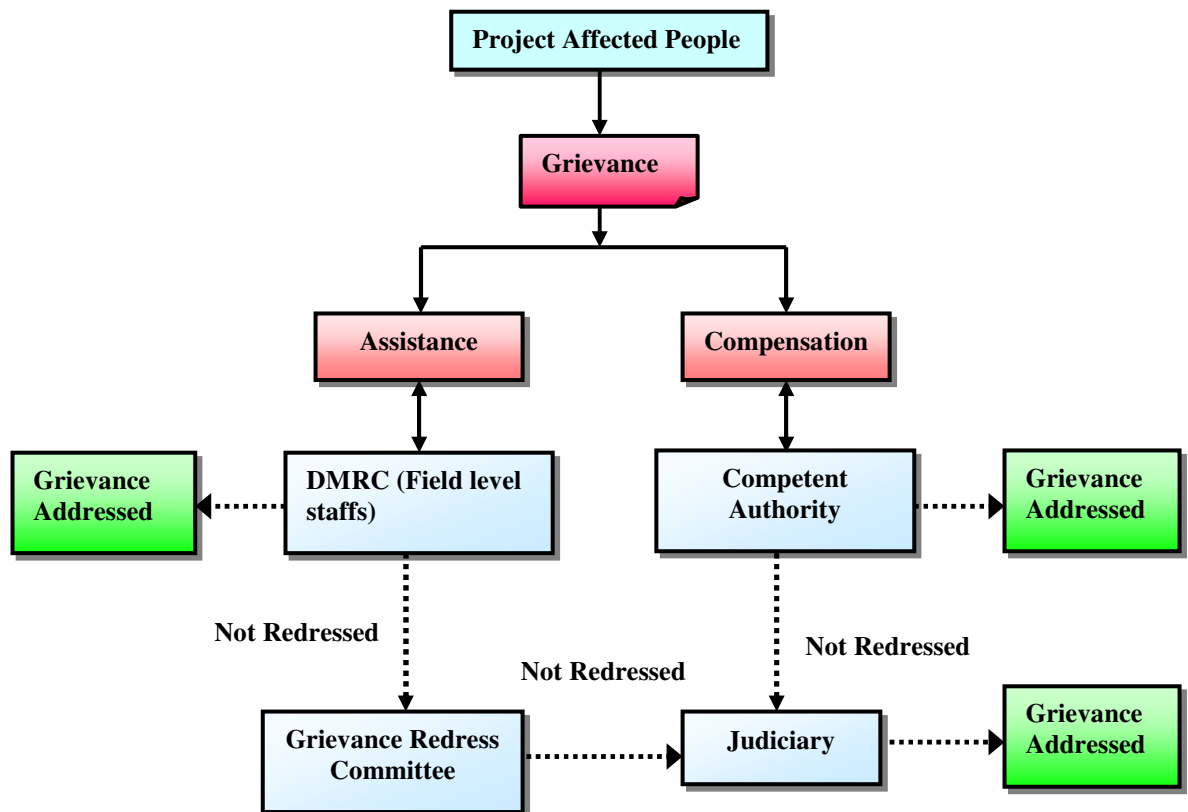
- Overall responsibility of planning, implementation and monitoring of land acquisition and resettlement and rehabilitation activities in the Project;
- Ensure availability of budget for R&R activities;
- Liaison lined agencies support for land acquisition and implementation of land acquisition and resettlement
- Coordinating with line Departments, especially with the LAC.

5.2 GRIEVANCE REDRESSAL COMMITTEE

Efficient grievance redressal mechanism will be developed to assist the PAPs resolve their queries and complaints. Grievances of PAPs will be first brought to the attention of SMU,DMRC. Grievances

not redressed by SMU will be brought to the Grievance Redressal Committee (GRC). The composition of the proposed GRC will have Chief Engineer (General), CPM(Construction). The GRC will address only rehabilitation assistance issues. Grievances related to ownership rights and land compensation can be dealt in court as per LAA. The main responsibilities of the GRC are to: (i) provide support to PAPs on problems arising from land/property acquisition; (ii) record PAPs grievances, categorize, and prioritize grievances and resolve them; (iii) immediately inform the SMU of serious cases; and (iv) report to PAPs on developments regarding their grievances and decisions of the GRC. Other than disputes relating to ownership rights under the court of law and compensation, GRC will review grievances involving all resettlement benefits. When any grievance is brought to the field level staff, it should be resolved within three months from the date of complaint. The GRC will meet every month (if grievances are brought to the Committee), determine the merit of each grievance, and resolve grievances within three months of receiving the complaint—failing which the grievance can be referred to appropriate court of Law for redressal by the PAP. Records will be kept of all grievances received including: contact details of complaint, date the complaint was received, nature of grievance, agreed corrective actions and the date these were effected, and final outcome. A flow chart of grievances redressal is indicated in **Figure 5.2**.

FIGURE-5.2 STAGES OF GRIEVANCE REDRESSAL



5.3 ROLE OF STAKEHOLDERS IN RAP

Role of different stakeholders for implementation of resettlement plan is presented in **Table 5.1**.

TABLE-5.1
ROLE OF STAKEHOLDERS FOR IMPLEMENTATION OF RAP

POSITION	RESPONSIBILITIES
Chief Engineer (DMRC)	<ul style="list-style-type: none"> • Implementation of R&R activities of LAP; • Land acquisition and R&R activities in the field; • Ensure availability of budget for R&R activities; • Liaison with district administration for support for land acquisition and implementation of R&R; and • Participate in the district level committee.
Dy. Chief Engineer (DMRC)	<ul style="list-style-type: none"> • Manage the day to day implementation of R&R activities and report the same to Chief Engineer, • Monitor land acquisition and progress of R&R implementation; • Develop communication strategy for disclosure of RAP; • Liaison with district administration for government's income generation and development programmes for the PAPs; • Monitor physical and financial progress on land acquisition and R&R activities; • Organize meetings with R&R officer and other support staffs to review the progress on R&R implementation;
Grievance Redressal Committee	<ul style="list-style-type: none"> • To provide support for the affected persons on problems arising out of LA/ property acquisition; • To record the grievances of the APs, categorize and prioritize the grievances that need to be resolved by the Committees; • To inform Chief Engineer of each corridor of serious cases within an appropriate time frame and • To report to the aggrieved parties about the development regarding their grievance and decisions of the project authorities.
Independent Evaluation	<ul style="list-style-type: none"> • Evaluate the implementation of the various provisions and activities planned in the RAP; • Review the plan implementation in light of the targets, budget and duration that had been laid down in the plan.
Judiciary	<ul style="list-style-type: none"> • The case not resolved at GRC shall be put to court of law.

5.4 IMPLEMENTATION SCHEDULE

The implementation schedule for resettlement plan will be scheduled as per the overall project implementation. All activities related to the land acquisition and resettlement must be planned to ensure that 80% compensation is paid prior to displacement and commencement of civil works. Public consultation, internal monitoring and grievance redressal will be undertaken intermittently throughout the project duration. However, the schedule is subject to modification depending on the progress of the project activities. As part of advance actions, DMRC will establish the GRC, and initiate the resettlement implementation. The R&R activities of proposed project are divided in to three broad

categories based on the stages of work and process of implementation. The details of activities involved in these three phases are project preparation phase, RP implementation phase and Monitoring and Evaluation phase.

5.4.1 PROJECT PREPARATORY STAGE (PRE-IMPLEMENTATION STAGE)

Setting up relevant institutions for the resettlement activities will be the major task during the preparatory stage which is pre implementation phase. The major activities to be performed in this period include establishment of ESMD and additionally, the GRC needs to be appointed at this stage.

5.4.2 RAP IMPLEMENTATION STAGE

The RAP, at this stage, needs to be approved and will be disclosed to the PAPs. Upon the approval of RAP, all the arrangements for fixing the compensation and the disbursement needs to be done which includes payment of all eligible assistance; relocation of PAPs; initiation of economic rehabilitation measures; site preparation for delivering the site to contractors for construction and finally commencement of the civil work. Considering the lengthy and time taking process for land acquisition, this step has been taken by the DMRC in advance which is being followed as per the Land Acquisition Act. However, the resettlement and rehabilitation fund will be monitored as part of the RAP implementation at this stage. Internal monitoring will be the responsibility of DMRC which will start in early stage of the project when implementation of RAP starts and will continue till the completion of the implementation of RAP. The DMRC will be responsible for carrying out the monitoring on half yearly basis.

5.4.3 RAP IMPLEMENTATION SCHEDULE

Corridor wise RAP implementation schedule for R&R activities in the proposed project including various sub tasks and time line matching with civil work schedule is prepared and presented in **TABLE 5.2**

**TABLE 5.2
RAP IMPLEMENTATION SCHEDULE**

Description \ Months	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Identification of Required Land		■	■																	
Community/ Public Consultation		■	■																	
Disclosure of RAP		■	■																	
Notification of Land Acquisition			■																	
Valuation of Structures for Compensation			■	■	■	■	■													
Payment for Land Acquisition			■	■	■	■	■													
Payment for Relocation of PAPs			■	■	■	■	■	■												
Construction of Shops/ Houses				■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Schedule of civil work				■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Internal Monitoring				■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
External Evaluation				■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■

CHAPTER-6 PUBLIC CONSULTATION

6.1 BACKGROUND

Public consultation is a continuous process throughout the project period, during project preparation, implementation, and monitoring stages. The sustainability of any infrastructure development depends on the participatory planning in which public consultation plays a major role. Experience indicates that involuntary resettlement generally causes numerous problems for the affected population. These problems may be reduced to a great extent if people are properly informed and consulted about the project and allowed to make meaningful choices or preferences. This serves to reduce the insecurity and opposition to the project which otherwise are likely to occur during project implementation. The overall objective of the consultation program is to minimize negative impact in the project corridors and to make people aware of the project.

Keeping in mind the significance of consultation and participation of the people likely to be affected or displaced due to the proposed project, both formal and informal discussions were conducted with stakeholders during field visits from 16/09/2013 to 18/09/2011. During field visits the social experts of CERD. consulted with the key stakeholders and discussed the issues regarding land acquisition, structures likely to be affected, high social risk, presence of significant CPR (Common Property Resource) and vulnerable population, mitigation measures, value of affected assets, and other assistance & allowances. In this chapter detailed methodology adopted for stakeholder consultation and key findings of consultations are discussed.

6.2 APPROAH AND METHODS OF CONSULTATION

Public consultations were held with various sections of affected persons such as traders, women, squatters, kiosks and other inhabitants in the areas likely to be affected by land acquisition, viz., Depot area and Opp Bus Stand in Bahadurgarh. During public consultations, issues related to land acquisition, compensation, income restoration, employment generation, information flow, grievance redressal, safety, role of administration etc. were discussed. The RAP addresses all issues raised during public consultation and recommends institutional strengthening measures as well. The following methods were adopted for conducting public consultation:

- Walk-through informal group consultation at affected places along the alignment.
- Focus Group Discussions (FGD) with different groups of affected people including residential groups, traders, and slum dwellers (squatters).
- In-depth individual interviews
- Discussions and interviews with key informants
- Sharing the opinion and preferences of the PAPs

The number of participants in the consultations were approximately 25, which include PAPs. The key informants included both individuals and groups namely (i) head of households;(ii)household members; (iii)small business entrepreneurs(SBEs); (iv)local people. Public consultations were organized at two places namely Opposite Bahadurgarh Bus Stand and Sant Ravidas Nagar, Sector 9, Bahadurgarh.

6.3 KEY FINDINGS OF CONSULTATIONS

The key findings of public consultation are presented in **Table 6.1**.

**TABLE 6.1
STAKEHOLDER CONSULTATION**

Place	Date	Issues Discussed	Important Opinion & Views	DMRC Reply
Bahadurgarh Bus Stand	18/09/2011	Structures	<ul style="list-style-type: none"> • Lose of shops structures will mean a lot of problems for the people. • Alignment should be redesigned or should be underground to avoid dismantling of any structures. • People have no objection for proposed metro rail project. 	<ul style="list-style-type: none"> • PAPs losing residential structure or land will be compensated properly as per the Relocation and Rehabilitation Policy of Haryana Government. • DMRC has made an attempt during design of project preparation to minimize land acquisition, resettlement and adverse impact on people through suitable engineering design. However, the identified private structures and land may not be avoidable in this location because of engineering design constrains. • DMRC welcomes the support of people for the proposed Delhi metro rail project.
		Land acquisition	<ul style="list-style-type: none"> • Shops are located on the land of Ram Bagh Society, which is maintaining the cremation ground. Matter shall be discussed by DMRC with Ram Bagh Society to shift/construct shops on vacant land behind 	<ul style="list-style-type: none"> • DMRC shall take special consideration while providing compensation for acquisition of land and other resettlement assistance.

			existing shops.	
		Felling of trees	<ul style="list-style-type: none"> • People of Bahadurgarh will cooperate DMRC for replantation of trees. 	<ul style="list-style-type: none"> • DMRC informed that it will take necessary permission for cutting of the trees and will do necessary compensatory afforestation as per forest department of Haryana.
Sant Ravidas Nagar Colony, Sector 9, ward 12, Bahadurgarh	18/09/2013	Displacement	<ul style="list-style-type: none"> • Govt. should provide a land for construction of House along with compensation for construction of house for each affected family. 	<ul style="list-style-type: none"> • In case of structures (pucca) at government land/ private land owners shall be compensated as per the existing Relocation Policy of Government of Haryana. • Compensation shall be given as per rules.
		Employment	<ul style="list-style-type: none"> • During construction and operation phase of the project, the PAPs should be provided job opportunities. 	<ul style="list-style-type: none"> • DMRC shall consider the views of people regarding employment opportunity during construction and operation period in Metro rail project.

From the above table it is evident that the people in Bahadurgarh have no objection to the proposed metro rail project. According to them loss of residential structures with land

and shops will mean a lot of problem for people. Compensation for acquisition of private land should be given to those who are likely to lose their land at the current market price.

Most of the shopkeepers at Bahadurgarh bus stand were of the view that they want to re-open shops near the metro stations.

6.4 INFORMATION DISCLOSURE AND CONSULTATION

During social survey, meetings and focus group discussions were conducted to get wider public input from the primary and secondary stakeholders. The roadside communities, particularly the affected small business enterprises, took tremendous interests in the meetings. This consultative approach led to identification of a range of issues related to designing of underground stations at populated areas, road improvements before construction of metro corridors, reducing disruption of livelihoods and improved design for roadside amenities/services for the traveling public. Perhaps more importantly, the affected communities strongly felt a sense of participation in the decision-making process. Consolidated minutes of public consultations are attached as **Annexure - 6.1 to Annexure 6.2**

During project implementation, Project Implementation Unit (PIU) with the help of Dy. Chief Engineer (DMRC) will conduct Information and Community Consultation Program (ICCP) in the

project area. The main objectives of the ICCP are to: (i) inform and explain the entitlement policy and the various options to the affected people prior to payments of compensation and other assistance; and (ii) socially prepare the Small Business Enterprises (SBE), and households for relocation and assist them in the process. As a result, the affected families/persons will be well informed about the project and their entitlements. PIU will prepare an information brochure in local language, i.e., Hindi, explaining the RAP, the entitlements and the implementation schedule. The RAP will be distributed to all affected households/SBEs.

6.5 COMMUNITY PARTICIPATION DURING PROJECT IMPLEMENTATION

The effectiveness of the resettlement action plan (RAP) is directly related to the degree of continuing involvement of those affected by the project. Several additional rounds of consultations with PAPs will form part of the project implementation. Consultations during resettlement plan implementation will involve agreements on compensation and assistance options and entitlement package. Another round of consultation will occur when compensation and assistance are provided.

The following set of activities will be undertaken for effective implementation of the plan:

- a) PIU will conduct information dissemination sessions in the project area and solicit the help of the local community/ leaders and encourage the participation of the PAP's in RAP implementation.
- b) Consultation and focus group discussions will be conducted with the vulnerable groups like women, families of BPL, Scheduled Castes to ensure that the vulnerable groups understand the process and their needs are specifically taken into consideration.
- c) DMRC will organize public meetings, and will appraise the communities about the progress in the implementation of project works and payment and assistance paid to the community. Regular update of the program of resettlement component of the project will be placed for public display at the project offices.
- d) Taking into consideration the risks of HIV/ AIDs during the project construction period and road safety issues, specialist will be invited to undertake activities related to their core competencies.

Lastly, participation of PAPs will also be ensured through their involvement in various local committees. PIU and field offices will maintain an ongoing interaction with PAPs to identify problems and undertake remedial measures.



Gathering of People during Public Consultation opposite Bahadurgarh Bus Stand



CHAPTER 7 RESETTLEMENT ASSISTANCE PLAN

7.1 BACKGROUND

This chapter presents an overview of eligibility for entitlement, valuation of and compensation for losses, income restoration and cost estimates. The present cost estimates for land and structures are based on DPR and circular of the GNCT, Delhi. The budget is indicative and costs will be updated and adjusted to the inflation rate as the project continues and during implementation. However, the final compensation amount for the land acquisition and structures will be determined by the competent authority appointed under Land Acquisition Act.

7.2 ELIGIBILITY FOR ENTITLEMENT

The entitlement framework has the following provision for providing compensation for land acquisition and resettlement and rehabilitation of project affected families/people:

Titleholder:

Residential

- Compensation at replacement cost(both land and structure)
- A LIG flat for PAFs loosing plot size less than 100sq.m.
- A MIG flat for PAFs loosing plot size more than 100sq.m.
- Rs.7882/- per Sq.m. for construction cost.
- Shifting allowance @ Rs.10,000/-

Commercial:

- Construction of shopping complex
- Maximum size of 15 Sq.m. per PAP family.
- Rs.7882/- per Sq.m for construction cost
- Shifting allowance @Rs.10,000/-

Non-Title Holder:

Tenant in case of residential unit

- Shifting allowance @Rs.10,000/-

Tenants in case of commercial unit

- Construction of shopping complex
- Maximum size of 15 Sq.m per PAP
- Rs.7882/- per sq.m for construction cost.
- Shifting allowance @ Rs.10,000/-
- Vulnerable to get Training @ Rs. 15000/-per PAP

Assistance for Squatters and encroachers

- Squatters-Occupancy before 31/03/2007, will be eligible for rehabilitation as per the relocation policy of slum dwellers.
- Squatters-Occupancy after 31/03/2007, will be eligible for compensation for loss of structure as per valuation of structure.

- Shifting allowance @Rs. 10,000/
- Training @ Rs.15,000/-

Assistance for Kiosk

- All Kiosk to get Rs. 10,000/-as one time shifting allowance

7.3 VALUATION AND COMPENSATION FOR LOSSES

Land requirements have been kept to the barest minimum and worked out on area basis. Acquisition of private land has been minimised as far as possible. Cost of Government land is based on the rate presently being charged by the concerned authorities, such as Land and Development Office, Govt. of India, Municipal Corporation of Delhi (MCD), Delhi Development Authority (DDA), etc. Private land for MRTS project shall be acquired by GNCT Delhi in Delhi Area and by Haryana Govt. in Haryana area and the compensation shall be paid as per Land Acquisition Act,1894.

7.3.1 LOSS OF LAND AND REPLACEMENT VALUE

As per DPR, the average rate of private land has been worked out to be Rs.34,500/- per sqm on the basis of awards issued for various cases in the recent past. An additional 30% cost has been taken as solatium over and above the compensation in consideration of compulsory nature of acquisition. About 12% as interest rate has also been considered. For acquiring temporary private land, compensation at the rate of 6% of total land cost per year for 3 years will be provided as per the provision in DPR..

7.3.2 LOSS OF STRUCTURE AND REPLACEMENT VALUE

For loss of structures, either commercial or residential, the title holders will be compensated at replacement cost as per the Relocation & Rehabilitation Policy in respect of PAPs for all categories due to implementation of Delhi MRTS Project. Rehabilitation of PAFs occupying residential/dwelling units will be done by DDA on recommendation of LAC and approval of Land & Building Department, GNCTD, Delhi. A LIG category flat shall be provided to the PAF loosing less than 100 sqm. A MIG category flat shall be provided to PAF loosing residential plot size more than 100 sqm. DMRC will resettle and rehabilitate the PAPs occupying commercial units by constructing shopping complexes at nominated locations. The rate for construction of a residential structure has been calculated @ 7882/- per sqm as per the base unit rate of cost of construction¹.All displaced PAFs shall get a flat of MIG type. Those who are partially affected shall get only the cost of land and structures.

7.3.3 ASSISTANCE FOR SQUATTERS

Squatters occupying their dwelling units before 31/03/2007 will be rehabilitated as per relocation policy of slum dwellers. Whereas squatters occupying after 31/03/2007 will be compensated as per valuation of the structures.

7.3.4 SHIFTING ALLOWANCE

Each displaced project affected families shall be provided shifting allowance of Rs.10,000/- as transportation cost for shifting of household materials and belonging etc. Shifting allowance is one time grant.

7.3.5 OTHER STRUCTURES

It is observed from the study that total four religious structures and six public toilets would be affected fully and five religious structures and two schools would be affected partially. The cost of these structures has been considered in project development cost in DPR.

7.4 INCOME RESTORATION

This development project will have an adverse impact on the income of PAFs. Accordingly it is the responsibility of DMRC as the owner of the project to provide adequate provisions for restoration of livelihood of the affected families. The focus of restoration of livelihood will be to ensure that the Project Affected Persons (PAPs) are able to at least “regain their previous living standards”. The entitlement matrix proposed for this project has adequate provisions for restoration of livelihood of the affected communities. The focus of restoration of livelihoods is to ensure that the PAPs are able to at least regain their pre project living standards. To restore and enhance the economic conditions of the PAPs, various assistances are incorporated in the RAP. DMRC will play a proactive role to mobilize PAPs to get some vocational skills training for the vulnerable groups and the vendors losing their business and income. DMRC, under the Government social welfare scheme such as SJSRY (Suvarna Jayanti Shahari Rojghar Yojana) may provide vocational training/skill such as trainings for painters, carpentry, plumbing, electrician work and so on for the BPL families.

Those who are unskilled and working as labourers in various establishments could be employed in construction sites. The special training program should be conducted with the help of concerned departments of Govt. of Delhi which is actively working for Poverty Alleviation Programs in Slums and other localities. Department of Urban Community Development also conducts various training programs leading to income generation. Especially, the Women and Child Welfare Department provides an opportunity to all concerned persons to undergo various training programs. It conducts several vocational and technical training courses. All these courses could be available to the affected people. For this purpose, help of local NGOs could be solicited. Based on the demands of the stakeholders, the NGOs may be asked to impart training. After completion of training, monitoring and follow up could be undertaken DMRC with the help of NGOs.

CHAPTER- 8

MONITORING AND EVALUATION

8.1 BACKGROUND

Monitoring & Evaluation are critical activities in involuntary resettlement. Monitoring involves periodic checking to ascertain whether activities are progressing as per schedule while evaluation is essentially to assess the performance of PAPs at the end of the project. For this purpose, a monitoring and evaluation (M&E) program is required to be developed to provide feedback to project management which will help keep the programs on schedule and make them successful. Monitoring provides both a working system for effective implementation of the RAP by the project managers, and an information channel for the PAPs to assess how their needs are being met.

Monitoring will give particular attention to the project affected vulnerable groups such as scheduled castes, BPL families, women headed households, widows, old aged and the disabled. RAP implementation will be monitored both internally and externally. DMRC will be responsible for internal monitoring through their field level offices and will prepare quarterly reports on the progress of RAP implementation. An Independent Evaluation Consultant may be hired by DMRC for mid and end term evaluation of RAP implementation.

8.2 INTERNAL MONITORING

The internal monitoring for RAP implementation will be carried out by DMRC. The main objectives of internal monitoring are to:

- measure and report progress against the RAP schedule;
- verify that agreed entitlements are delivered in full to affected people;
- identify any problems, issues or cases of hardship resulting from the resettlement process, and to develop appropriate corrective actions, or where problems are systemic refer them to the management team;
- monitor the effectiveness of the grievance system
- periodically measure the satisfaction of project affected people.

Internal monitoring will focus on measuring progress against the schedule of actions defined in the RAP. Activities to be undertaken by the DMRC will include:

- Liaison with the Land Acquisition team, construction contractor and project affected communities to review and report progress against the RAP;
- Verification of land acquisition and compensation entitlements are being delivered in accordance with the RAP;
- Verification of agreed measures to restore or enhance living standards are being implemented;
- Verification of agreed measures to restore or enhance livelihood are being implemented;

- Identification of any problems, issues, or cases of hardship resulting from resettlement process;
- Through household interviews, assess project affected peoples' satisfaction with resettlement outcomes;
- Collection of records of grievances, follow up that appropriate corrective actions have been undertaken and that outcomes are satisfactory;

Monitoring is a continuous process and will be carried out by Resettlement Specialist on regular basis to keep track of the R&R progress. For this purpose, the indicators suggested have been given in **Table 8.1**.

TABLE 8.1
INDICATORS FOR MONITORING OF RAP PROGRESS

Indicators	Parameters Indicators
Physical	Extent of land acquired Number of structures dismantled Number of land users and private structure owners paid compensation Number of families affected Number of families purchasing land and extent of land purchased Number of PAPs receiving assistance/compensation Number of PAPs provided transport facilities/ shifting allowance Extent of government land identified for house sites
Financial	Amount of compensation paid for land/structure Cash grant for shifting oustees Amount paid for training and capacity building of staffs Amount for restoration of CPR (Common Property Resource)
Social	Area and type of house and facility at resettlement site Number of time GRC met Number of appeals placed before grievance redressal cell Number of grievances referred and addressed by GRC Number of cases referred and addressed by arbitration Number of PAPs approached court Women concern
Economic	Entitlement of PAPs-land/cash Number of business re-established Utilization of compensation House sites/business sites purchased Successful implementation of Income Restoration Schemes
Grievance	Consultation for grievance redressal PAPs knowledge about their entitlements Cases referred to court, pending and settled Number of grievance cell meetings Number of cases disposed by SMU to the satisfaction of PAPs.

Field Offices will be responsible for monitoring the day-to-day resettlement activities of the project. Baseline socio-economic census and the land acquisition data provide the necessary benchmark for field level monitoring. A format for monitoring of RAP implementation is presented in **Annexure 8.1**.

8.3 INDEPENDENT EVALUATION

As mentioned earlier, an Independent Evaluation Agency (IEA) will be hired by DMRC for mid and end term evaluation. A detailed Terms of Reference for IEA is found as **Annexure 8.2**.

The following should be considered as the basis for indicators in monitoring and evaluation of the project. The list of impact performance indicators suggested to monitor project objectives is delineated in **Table 8.2**.

**TABLE 8.2
INDICATORS FOR PROJECT OUTCOME EVALUATION**

Objectives	Risk Factor	Outcomes and Impacts
<ul style="list-style-type: none"> - The negative impact on persons affected by the project will be minimized. - Persons losing assets to the project shall be compensated at replacement cost. - The project-affected persons will be assisted in improving or regaining their standard of living. - Vulnerable groups will be identified and assisted in improving their standard of living. 	<ul style="list-style-type: none"> - Resettlement plan implementation may take longer time than anticipated - Institutional arrangement may not function as efficiently as expected - NGO may not perform the task as efficiently as expected - Unexpected number of grievances - Finding a suitable rehabilitation site for displaced population - PAPs falling below their existing standard of living 	<ul style="list-style-type: none"> - Satisfaction of land owners with the compensation and assistance paid - Type of use of compensation and assistance by land owners - Satisfaction of structure owner with compensation and assistance - Type of use of compensation and assistance by structure owner - % of PAPs adopted the skill acquired through training as only economic activity - % of PAPs adopted the skill acquired through training as secondary economic activity - % of PAPs reported increase in income due to training - % PAPs got trained in the skill of their choice - Role of NGO in helping PAPs in selecting trade for skill improvement - Use of productive asset provided to PAPs under on time economic rehabilitation grant - Type of use of additional assistance money by vulnerable group - Types of grievances received - No. of grievances forwarded to

Objectives	Risk Factor	Outcomes and Impacts
		GRC and time taken to solve the grievances – % of PAPs aware about the GRC mechanism – % of PAPs aware about the entitlement frame work mechanism – PAPs opinion about NGO approach and accessibility

8.4 REPORTING REQUIREMENTS

DMRC will be responsible for supervision and implementation of the RAP. DMRC will prepare quarterly progress reports on resettlement activities. The Independent Evaluation Consultant will submit mid and end term evaluation report to DMRC and determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/ enhanced and suggest suitable recommendations for improvement.

ANNEXURE 1.1

SOCIO-ECONOMIC SURVEY OF INFLUENCE ZONE OF METRO PROJECT BY DMRC

Locality:

Chainage:

Head of Family (HOF):

Address:

Contact Detail, if any:

Ownership: Own/ Rented/ Encroached

Age: Years. Sex: Male/ Female

Religion:

Caste :

Sub-caste:

Type of Family: Joint/ Nuclear/ Single

Type of Structure: Brick Mortar with Roof/ Brick Mortar with tin shed etc/ Thatched

Area: Sq. Ft.

Fuel Used in: a. Kitchen: b. Vehicle:

Assets:

1. No. of Rooms : / Kitchen / Bathrooms / Toilets / others
2. Electrical Gadgets: Fridge / TV / Washing Machine / Computer / AC / Cooler / Fans / Kitchen Gadgets /
3. Sewing Machine:
4. Vehicles:
5. Animal Husbandry
6. Others

Family Details:

S. No.	Name	Age	Sex	Relation with HOF	Education	Occupation	Income
1							
2							
3							
4							
5							
6							
7							
8							

Station/ Location wise Details of land and Properties to be Affected/ Acquired

S. No.	Location	Ownership	Area in m ²	Details
A DELHI – Permanent				
1	MIA	Pvt.	490	1 Dhaba, 1 Kiosk + part of Industrial plot + open land
2	Ghewra	Govt.	46351	Vacant Open Land
		Pvt	350	Boundary and Open land of 5 plots and front portion of Shanti Vatika, Dharam kanta and a few others
3	Tikri Kalan	Govt	4195	Open vacant land of Gram Sabha
		Pvt.	643	Vacant Plot with Boundary. Also used for parking of Cranes
4	Tikri Border	Govt.	146	Govt Boys School Boundary and 2 m strip having guard room. On roadside MCD Office.
		Govt.	3605	Vacant Open land of APMC
B Temporary Land Requirement				
	Tikri Border	Govt.	7198	Vacant Land of APMC
C HARYANA- Permanent				
1	MIE	Govt	3724	Vacant Open land of HUDA
		Pvt	2661	Strip of land for Sideline and station area. Have open area as well as commercial properties
2	Bus Stand	Govt	451	Bus Stand Property of HRSTC. Have 3 shops, 1 water hut
		Govt	180	Have shops in cremation ground land
3	City Park	Govt.	524	Tau Devi Lal Park Vacant land
		Govt	3162	Haryana Tourism land Gauraya
4.	Depot and RSS	Govt	1z11768	HUDA Land having 10 houses
		Pvt	232	1 House + 1 Ravidas Temple
	Total Land			

ANNXURE 4.1

**GOVERNMENT OF NCT OF DELHI OF DELHI
LAND & BUILDING DEPARTMENT B-BLOCK,
VIKAS BHAWAN: NEW DELHI-02.**

No. F.31 (DMRC)/08/Alt./L&B/Part-II/ 7/7^7>o2- Dated:

To

All the Dy. Commissioners (Revenue), Government
of NCT of Delhi, Delhi.

Sub: Regarding Relocation and Rehabilitation Policy .

Sir,

I am directed to enclose herewith a copy of Relocation and Rehabilitation Policy for Owners of Urban Properties whose land is acquired for public purpose (Other than MRTS) w.e.f September 19, 2011 for your information and necessary action.

Addl.

Yours faithfully,



(Vinay Kumar)

Secretary^L&B)

Ends. As above.

No. F.31 (DMRC)/08/Alt./L&B/Part-II/

Copy to:

1. Vice-Chairman, D.D.A, Vikas Sadan, New Delhi.
 2. Pr. Secretary (P.W.D), Delhi Secretariat, Delhi.
 3. C.E.O, Delhi Jal Board, Varunalya, Ph.II, Karol Bagh, Delhi.
 4. Commissioner, M.C.D (East/ North /South), Delhi.
 5. Director (Education), Old Secretariat, Delhi
 6. All ADMs/LACs.
- ,y^Programmer, L&B Deptt., Delhi for uploading the policy on the website.

Copy for information to:

1. Pr. Secretary to Lt. Governor, Delhi.
2. Pr. Secretary to Chief Minister, Delhi.
3. Secretary to Minister of Health, Govt. of NCT of Delhi.

4. Secretary to Minister of Education, Govt. of NCT of Delhi.
5. Secretary to Minister of Food & Supplies, Govt. of NCT of Delhi.
6. Secretary to Minister of PWD, Govt. of NCT of Delhi.
7. Secretary to Minister of Social Welfare, Govt. of NCT of Delhi.
8. Secretary to Minister of Industries, Govt. of NCT of Delhi.
___9, Pr. Secretary (Rev.), Govt. of NCT of Delhi.
- 10.O.S.D to Chief Secretary, Govt. of NCT of Delhi.
- 11.Sh. Sanjeev Sahai, Standing Counsel, Govt. of NCT of Delhi, A-126, Niti
Bagh, New Delhi-110049.

Ends. As above.


Kumar) 25/7

(Vinay Kumar
Addl. Secretary (L&B))

Government of National Capital Territory of Delhi
Land & Building Department B-
Block: Vikas Bhawan, New Delhi-110002.

No. F.31(DMRC)/08/Mt./L&B/II/7/7dy-7X*>2Dated: 2[^]^ y

Relocation and Rehabilitation Policy for Owners of Urban Properties whose land is acquired for public purpose (other than MRTS) w.e.f September 19, 2011.

Applicability of the Policy

- (i) (a) The guidelines on Relocation and Rehabilitation Policy for Project Affected Persons (PAP) will be uniformly applicable to all urban areas.
- (b) ' The rehabilitation policy will also apply to pucca residential units only located on private land in unauthorized regularized colonies.

Eligibility Criteria

- (ii) (a) Those whose shops/residences or workshops/industrial units are affected in a manner that the said premises can not be utilized as a shop/residence, workshop/industrial unit on acquisition of this property shall be eligible for relocation and rehabilitation under the scheme. In ■ case of premises where less than 50 percent has been acquired and the recorded owner can continue to reside/work from there, would not be eligible for rehabilitation under the scheme.
- (b) In case of shops the recorded owner will be eligible.
- (C) In case of residential units, the rehabilitation will cover only owner's residing in the premises. Tenants would not be eligible under the scheme.
- (iii) To verify the claims of the project affected persons for suitable' rehabilitation and relocation, a committee shall be constituted under the"



chairmanship of the Deputy Commissioner concerned and consisting of the following members:

- (a) ADM/LAC concerned.
- (b) Representative(s) of land requisitioning department.
- (c) Representative(s) of local body concerned.
- (d) Representative(s) of DDA

The committee shall recommend the cases of eligible PAP in cases for residential plots and shops directly to DDA and in case of allotment of industrial units to the Department of Industries, Government of NCT of Delhi, and DSUDC.

- (iv) (a) For allotment of alternative residential units, the following norms, in respect of size, shall be adopted by DDA.

For residential plot of size less than 100 sq. mtrs.	A flat in LIG category
For residential plot of size above 100 sq. mtrs. Up to 300 Sq. Mt.	A flat of MIG category
For residential plot of size 300 Sq. mtrs and above.	A flat of HIG category

The location of Rehabilitation flats (L.I.G/M.I.G) should, as far as possible, be closer to the acquired land.

- (b) In respect of allotment of industrial plots the norms as approved in the industrial relocation scheme shall be followed. Those who have already availed the benefits under the Industrial Relocation Scheme would not be covered. Further, the cut off dates as prescribed under the Supreme Court orders on Industrial Relocation shall apply.
- (c) The size of shops may be decided by the allotting agency subject to availability of the shops.
- (v) The allotment of land or built up houses or shops or industrial units shall be done on pre-determined rates.



(vi) Wherever the land is available in the nearby vicinity, the project affected shopkeepers may form an association and the land may be allotted on 99 years lease to the association for constructing shops for its members only.

(vii) As the end-use of land will be commercial, the prevalent market rate for the commercial use will be charged as notified by the Government of India, Ministry of Urban Development and Poverty Alleviation (Lands Division) from time to time.

(viii) In addition, ground rent will be levied as per government policy.

(ix) The payment for land and ground rent will be made to the local body owning the land and, in case, there is more than one local body/agency owning the land, the same will be shared proportionately on the basis of their ownership of the land.

(x) The shops will be constructed by the association according to the sanctioned Building Plans by MCD/DDA, as the case may be.

(xi) The allotment of constructed shops will be made by the committee (proposed in paragraph (iii) above) on the pattern "of the Lease Deed of DDA by draw of lots to be held in the presence of office bearers of the association.

(xii) As far as possible, the allotment of alternative space for shops shall be pro-rata according to the floor area of the land acquired/given up by the shop keepers for development, projects of government in urban areas.

(xiii) Any area made available in excess of the area acquired, shall revert to the land owning agency for the purpose of allotment to other PAP as deemed fit.

(xiv) The Requisitioning Agencies will make a provision in its commercial complexes, if any, for allotment of built up space to PAP on priority. This



allotment will be at a cost determined by the Requisitioning Agencies on their terms and conditions.


(xv) For any government project requiring involuntary resettlement, resettlement planning shall be an integral part of project design, to be dealt with from the earliest stages of the project cycle.

(xvi) The affected people shall be identified and recommended by the project executing authority, i.e., land requisition agency before submitting the proposal for notification under section 4 of the Land Acquisition Act in consultation with the concerned Land Acquisition Collector.

(xvii) A cut off date shall be set preferably at the project preparation stage so as to prevent the subsequent influx of encroachment or others who wish to take advantage of the scheme.

(xviii) Further, the full resettlement costs shall be included in the presentation of the project costs and benefits. This shall include the cost of compensation, projected enhanced compensation, relocation and rehabilitation etc.

This policy has been made effective from September 19, 2011 vide Government of India order No. O-16021/3/2010-DDVA (909), Govt. of India, Ministry of Urban Development (Delhi Division} dated September 22,


(Vijay Dev)
Pr. Secretary (L&B)
23/11

2011.

ANNEXURE 4.2

Resettlement and Rehabilitation Policy of Haryana Government

Regd. No. CHD/0093/2009-2011



Haryana Government Gazette
EXTRAORDINARY
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CHANDIGARH, TUESDAY, NOVEMBER 9, 2010 (KARTIKA 18, 1932 SAKA)

HARYANA GOVERNMENT

REVENUE AND DISASTER MANAGEMENT DEPARTMENT

Notification

The 9th November, 2010

No. 3212-R-5-2010/12140.— In super-session of this Department Memo. No. 1296-R-5-2007/4174, dated the 6th April, 2007 and the Notification bearing No. 5451-R-V-2007/13258, dated 7th December 2007, Governor of Haryana is pleased to notify a comprehensive revised policy laying down the floor rates in different parts of the state for acquisition of land under the Land Acquisition Act, 1894 or any other corresponding statute on the subject. The revised policy, inter alia, includes introduction of a new Scheme 'Litigation Incentive', revised rates of Annuity and a number of additional benefits for the landowners whose land is acquired by the Government under the Statute.

The policy, of which the details are given in Annexure-A, has been concurred by the Finance Department vide their U.O No. 1/17/09-4FG-II/2362, dated 09.11.2010 and approved by the Council of Ministers in its meeting held on 09.11.2010. This Policy will take effect from 07.09.2010.

NARESH GULATI,
Financial Commissioner & Principal Secretary
to Government of Haryana,
Revenue and Disaster Management Department.

Enclosure: Annexure-'A'

Price: Rs. 5.00

(7569)

Revision of minimum floor rates and the Policy for Rehabilitation and Resettlement of Land Owners - Land Acquisition Oustees

A. Preamble :

As a welfare state, the Government of Haryana recognises that acquisition of land under the statute and the alienation of landowners from their source of livelihood could be a painful process, notwithstanding the payment of compensation for the same as per law. Therefore, it intends to minimise this pain of the affected persons through a set of policy initiatives that include (a) payment of market value as compensation of land to the landowners with the revision and fine-tuning of minimum floor rates in respect of land situated in different parts of the state; (b) introduction of a special incentive for reducing litigation qua the compensation amount; (c) revision of the rates of Annuity payable for a period of 33 years as a social security benefit for the landowners; and (d) review and introduction of certain additional benefits over and above the one-time compensation paid in accordance with the law so as to provide for alternate means of sustenance for the landowners and other landless persons/artisans who are dependent on the agricultural land being acquired for non-agricultural purposes.

B. Strategy and Approach:

The objectives set out in the Preamble of this Policy are sought to be achieved through the following approach:

1. Undertake revision of the minimum floor rates of land as contained in the Notification dated 6th April 2007 for different parts of the state, and further fine-tune the same with introduction of a larger number of categories;
2. Introduction of a 'No Litigation Incentive' for such of the landowners who opt to accept the compensation award with a view to containing litigation on this account;
3. Revision of the basic rates of 'Annuity' and the annual increase to make it more meaningful as a means of social security for the landowners;
4. Recognising two broad categories of infrastructure projects for acquisition of land and treatment of benefits to the landowners based on the feasibility thereof;
5. Making arrangements for professional advice to the landowners for prudent investment of the compensation amount with various options;

Social Impact Assessment for Mundka- Bahadurgarh corridor of Delhi Metro

HARYANA GOVT. GAZ. (EXTRA.) NOV. 9, 2010 (KRTK. 18, 1932 SAKA)

7571

6. Addressing the concerns of such landless persons and artisans in a village community whose source of livelihood is dependent upon the agricultural operations in respect of the acquired land.

C. The Policy:

1. Revision of Floor Rates of Land for determining the Compensation:

i) The Government had introduced the concept of determining the minimum floor rates of land for acquisition purposes for the first time vide its Memo No. 2025-R-5-2005/4299, dated 28.04.2005, which were further revised vide Memo No. 1298-R-5-2007/4174, dated 06.04.2007. It has been observed that market rates of land have registered an upward movement with the passage of time and recovery of markets from the general economic meltdown of 2008-09. Accordingly, after considering all the related aspects for determining the compensation amount payable to the landowners, the Government has decided to revise the minimum floor rates as under:

S.No.	Particulars	Current Rates per acre of (pre-revision)	Revised Rates per acre w.e.f. 09.2010
1	Land situated within the notified limits of Gurgaon Municipal Corporation	10.00 Lakh	10.00 Lakh
2	Land situated within (i) the notified limits of Gurgaon Municipal Corporation, (ii) the notified limits of Panchkula Municipal Corporation as on 09.2010, (iii) Development Plans of (a) Gurgaon-esar Urban Complex (excluding the areas falling in the limits of Municipal Corporation Gurgaon) (b) Bahadurgarh, and (c) Sonapat-Kundli Urban Complex	6.00 Lakh	10.00 Lakh
3	Land situated within the Development Plans of Bahadurgarh, Rohtak, Rewari, Dharuhera, Bawal and Sonapat towns	6.00 Lakh	5.00 Lakh
4	Land of the National Capital Region, areas situated outside the limits of Panchkula Municipal Corporation (as notified on 07.09.2010) in Panchkula District, and the land situated within the Development Plans of all other District headquarters outside the NCR	6.00 Lakhs.	10.00 Lakh
5	Land in Remaining Parts of the State	3.00 Lakh	2.00 Lakh
Note	The floor rates mentioned above represent the basic rate of land and do not include the amount payable under Section 23 (1A) and 30% Solatium [U/s 23(2)], payable in addition. Please see Appendix-1 for an indicative total amount payable to a landowner based on the floor rates.		

ii) The Committee headed by the Divisional Commissioner will continue to perform its duties while fixing the basic rates of compensation for various categories of land under acquisition. The Committee shall take into account (i) the sale-deeds executed in the area during the one year period immediately before issue of Section 4 of the Act (while doing so, it will ignore any isolated transaction/ sale deed that may be in the nature of a distortion/ aberration and not representative of the average market value of land in the area) (ii) the Collector Rates prescribed for the area for charging the stamp duty on sale deeds, and (iii) the Minimum floor rates revised under this policy. While the highest of the above three rates would form the basis for working out the basic rate, the Committee would not be precluded from taking into account the current prevailing market rates, which could still be higher in certain cases, but based on some dependable/ reliable guiding parameters. The said committee is expected to give a well-reasoned justification behind its recommendations. It will continue to take into account all these parameters for working out the land acquisition compensation rates being followed at present while communicating the rates to the Acquiring Departments/ Agencies in the State. To the rates so determined, would be added the additional amount as per Section 23(1A) and the 30% amount under Section 23(2) payable in accordance with the Land Acquisition Act, 1894.

2. Introduction of Incentive for 'No Litigation':

i) A landowner or an interested person, whose land is acquired, has a statutory right to seek a reference under Section 18 of the Land Acquisition Act for determination of the Court qua (a) the measurement of land, (b) the amount of compensation, (c) the persons to whom it is payable, or (d) the apportionment of the compensation among the persons interested. However, a reference under Section 18 with reference to the amount of compensation is not competent where the Award is announced by the Land Acquisition Collector under Section 11 (2).

ii) It has been observed that notwithstanding the liberal rates of compensation being awarded by the Land Acquisition Collectors as per the State Policy, the incidence of litigation has not abated, be it by way of Civil Writ Petitions challenging the acquisition of land *per se* in some cases or by way of references seeking higher amount of compensation. Acknowledging the need for reducing litigation on this account, **at least in matters pertaining to the amount of compensation**, the Government has decided to introduce an incentive for 'No Litigation' so as to move towards the domain of 'consent acquisition' qua the 'compensation amount'.

iii) Accordingly, it has been decided to pay an additional amount equal to 20% of the basic rate of land determined by the Land Acquisition Collector (excluding the interest and the Solatium components) as an incentive for '**No Litigation**' to such of

the landowners **who opt (a) not to challenge the acquisition of their land, and (b) to accept the compensation amount as awarded and undertake not to seek a reference under Section 18 of the Act qua the amount of compensation.** This incentive would still be available in cases where a reference is sought with respect to other issues i.e. (a) the measurement of land, (b) the persons to whom it is payable, or (c) the apportionment of the compensation among the persons interested.

- iv) The landowner opting to avail of this incentive would have to submit an undertaking as per **Application Form-1** to the effect that he accepts the compensation amount as Awarded and, that once he opts to avail of the Incentive, he would not be entitled to seek a reference under Section 18 of the Act. The Award would be deemed to have been made under Section 11(2) of the Act to that extent qua those who opt for this incentive.

3. Effective Date:

The revised floor rates, the policy of payment of 'No Litigation' incentive, and the revision in various parameters of the R & R Policy will be applicable to all such acquisition cases where awards have been announced on or after 07 September, 2010 irrespective of the date of notification under Section 4 of the Land Acquisition Act, 1894.

D. Rehabilitation and Resettlement Policy:

4. Annuity Scheme - revised rates and features:

The payment of Annuity to the persons, who are the landowners at the time of issue of Section 4 Notification (including their nominees over the prescribed period), whose land is acquired by the Government under a statute, is in the nature of a Social Security and Benefit Scheme as a part of the overall R & R Policy of the Government. It has been introduced primarily with a view to providing additional basic sustenance to the erstwhile landowners for a period of 33 years. Broad features of the Annuity scheme are as under:

- i) The eligible landowners will be paid Annuity @ Rs. 21,000/- per acre per annum for a period of 33 years over and above the usual land compensation;
- ii) The Annuity amount of Rs. 21,000/- will be increased by a fixed sum of Rs. 750/- every year;
- iii) In respect of land acquired in terms of land acquisition policy for setting up of Special Economic Zone/ Technology Cities/ Technology Parks, in addition to the rehabilitation and resettlement package notified by Industries and Commerce

Department vide No. 49/48/2006-41B1, dated 4th May, 2006, a sum of Rs. 42,000/-per acre per annum will be paid for a period of 33 years by private developers and the Annuity amount will be increased at the rate of Rs.1,500/- every year;

- iv) The scheme of Annuity payment will be applicable to all cases of land acquisition by the Government irrespective of the same being acquired for the State Government and its agencies or the Government of India/ its agencies, including the NHAI, the Railways, and the Defence purposes;
- v) The Government Departments acquiring land under a statute shall recover the amount required for discharging the Annuity obligations along with the compensation amount from the concerned agencies (for whom land is acquired) and shall ensure that the 'Instrument of Annuity' creating a right in favour of the erstwhile landowner is issued at the earliest;
- vi) The landowner would be entitled to appoint his nominee and change the same at any time before his demise for receipt of benefits under this Scheme who would step in his shoes after his death and so on so forth till the completion of 33 years period. In cases where a landowner dies intestate without leaving a nominee behind, the Annuity amount for the remainder of the period would be payable to the legal heirs of the deceased erstwhile landowner;
- vii) In cases where the land acquired in respect of a landowner/ co-sharer works out to less than one acre, such landowner will have the option to avail the commuted value of the Annuity amount upfront in one go which is fixed @ 30% of the gross amount of Annuity payable during the 33 years. He would be required to submit his application as per **Application Form-3**.
- viii) The Annuity in respect of land acquired during the preceding calendar year would become due for payment during the month of January of the following year. The landowner would be required to submit his Annuity claim in the prescribed form, (**Application Form-2**) along with the supporting documents, within a period of six months of the announcement of the Award. The acquiring departments shall be responsible for processing and compilation of the database of all such valid claimants within a period of further six months. The Annuity amount would be paid through Bank transfers.

5. Allotment of residential plots in cases where a self-occupied residential house is acquired for unavoidable reasons:

- i) Recognising the sensitivity involved in acquisition of built-up residential houses/ structures for unavoidable reasons, the Government has decided to accord the highest priority to the resettlement of this category of persons. In the first

instance, all efforts will be made by the acquiring departments to leave out the residential structures existing in the form of clusters from acquisition except where it becomes absolutely unavoidable either due to its stand-alone character or its location being within the Right of Way of infrastructure projects such as roads, canals, railway line etc.;

- ii) Accordingly, it has been decided that wherever any self-occupied residential structure/ house has to be acquired for unavoidable reasons in the process of acquisition of land by the Government for any purpose, such owners of built-up residential structures would be offered assured allotment of residential plots as per the following scale:

Scale of residential plots in cases where an existing self-occupied house/ residential structure is required			
Scale applicable up to 06.09.2010		Scale Revised w. e.f. 07.09.2010	
Area of the residential house acquired	Area of residential Plot to be allotted	Area of the residential house acquired	Area of residential Plot to be allotted
Up to 100 sq. yards	100 sq. yards	Up to 150 sq. yards	150 sqm
More than 100 but up to 200 sq. yards	200 sq. yards	More than 150 but up to 200 sq. yards	200 sqm
More than 200 and up to 300 sq. yards	300 sq. yards	More than 200 and up to 250 sq. yards	250 sqm
		More than 250 and up to 300 sq. yards	300 sqm
More than 300 up to 400 sq. yards	400 sq. yards	More than 300 up to 400 sq. yards	400 sqm
More than 400 up to 500 sq. yards	500 sq. yards	More than 400 up to 500 sq. yards	500 sqm
More than 500 sq. yards	500 sq. yards	More than 500 sq. yards	500 sqm

- iii) As the affected persons would be entitled to compensation on account of acquisition of land and the structures constructed thereon, the price/ cost of the plots to be allotted in favour of the affected persons as per above scale would be payable by the allottee;
- iv) The benefit of allotment of a residential plot in this category would be admissible only if the acquired residential house/ structure was self-occupied and was in existence on the date of issue of Section 4 Notification, and further subject to the condition that such residential house had not been constructed by way of any encroachment on the public/ community/ government land. The self-occupation of such house by the landowner's family as their regular residence would be an essential condition for this purpose. Residential structures used for rental purposes or those in the form of *kothras* in the fields would not be reckoned as 'residential houses' for this purpose;

- v) While assessing the entitlement for size of the plot to be allotted, the land under the existing residential house only would be taken into account and not the appurtenant facilities for other farm operations. Further, while computing the area under such Residential House, the plinth area of the constructed house and equal area towards admissible open space shall be taken into account. **Appendix-4** may be referred for the basis of calculation of area;
- vi) Development and allotment of the residential plots under this part would be the responsibility of the acquiring Department/ agency. Such plots, to the extent, possible, would be carved out in the area adjoining/ in close vicinity of the village *abdi deh* so that the displaced/ rehabilitated persons continue to remain a part of their social milieu. While HUDA, HSIIDC, and the HSAMB would plan their residential blocks for this part as well as for the 'oustee' category as one cluster, the other acquiring departments would have to acquire additional land specifically for this purpose also;
- vii) The rates of Plots allotted under this category by HUDA and the HSIIDC shall be 20% lesser than the nodal price of the plot determined for the general public. In all other cases, the rates of plots would be determined by the allotting agency based on the actual costs taking into account (a) the cost of acquisition of land, (b) costs incurred on provision of minimum amenities/ services, and (c) loading of the areas under roads/ streets/ services and utilities on to the plotted area.
- viii) The affected landowner would be required to submit his claim in the prescribed **Application Form-4**.

6. Categories of Land Acquisition Cases:

It has been observed that the Government acquires land for various infrastructure projects, which could be broadly clubbed under the following two categories:

- i) Projects where the urban/ industrial/ agriculture marketing infrastructure is developed in the form of large clusters by the state agencies i.e. the HUDA, the HSIIDC, and the HSAMB, for which comparatively large mass of land is acquired for development of planned infrastructure;
- ii) Projects where the land is either acquired in smaller pockets (e.g. water works and STPs of the Public Health Engineering Departments or the Power Sub-stations set-up by the power utilities) or where the land is acquired in a linear/ strip form for construction of roads and canals etc.

Whereas it has been found feasible to grant certain benefits in respect of the cluster development projects, the same has not been found feasible in the second category cases.

7. Benefits for the affected persons whose land is acquired for HUDA, HSIIDC and the HSAMB:

Recognising that the Government is expected to address the concerns of all sections of landowners to the extent possible, it has been decided to follow a two-pronged strategy in this behalf. Accordingly, it has been decided to grant the following benefits to the landowners whose land is acquired for HUDA, HSIIDC, and the HSAMB:

- i) Reservation and allotment of residential plots for the land-oustees, and
- ii) Provision for allotment of commercial booth-sites/ industrial plots to the landowner in whose case 75% or more of his land in a revenue estate, subject to a minimum of one acre, is acquired.

8. Allotment of 'oustees-category' residential plots in cases of land acquisition for development of infrastructure HUDA, HSIIDC, and the HSAMB.

- i) Where the land is acquired for development of planned urban infrastructure by HUDA, or development of planned industrial infrastructure by the HSIIDC, or marketing infrastructure by the HSAMB, developed residential plots will be reserved for assured allotment to the land oustees as per the following scale:

Allotment of in cases where only land is acquired (Oustee Quota Plots)			
Scheme applicable up to 06.09.2010		Scheme Revised w.e.f. 07.09.2010	
Land/Area acquired	of residential plot to be allotted	Land/Area acquired	of residential plot to be allotted
upto 500 sq. yards	one arla	upto 500 sq. yards	one sq. mtrs.
upto 1000 sq. yards	one arla	upto 1000 sq. yards	one sq. mtrs.
upto 1000 sq yards to $\frac{1}{2}$ acre	one arla	upto 1000 sq yards to $\frac{1}{2}$ acre	one sq. mtrs.
upto $\frac{1}{2}$ acre to $\frac{3}{4}$ acre	one arla	upto $\frac{1}{2}$ acre to $\frac{3}{4}$ acre	one sq. mtrs.
upto $\frac{3}{4}$ acre to 1 acre	one arla	upto $\frac{3}{4}$ acre to 1 acre	one sq. mtrs.
upto 1 acre and above	one arla	upto one acre	one sq. mtrs.

- ii) The rates of residential plots reserved for allotment to the land oustees, in both the above categories, as per the scale prescribed, would be 20% lesser than the nodal price applicable for the general public at the time of first floatation in the case of HUDA and HSIIDC, in all other cases the rates of plots would be determined by the acquiring departments/ organisations based on the actual costs taking into account (a) the cost of acquisition of land, (b) costs incurred on provision of minimum amenities/ services, and (c) loading of the areas under roads/ streets/ services and utilities on to the plotted area;
- iii) Each of the co-sharers, depending upon his share in the land acquired as per the entries in the revenue records at the time of issue of Section 4 Notification, would

be entitled to the allotment of a plot under the 'oustees category'. The co-sharers would be limited to the persons mentioned in the revenue records on the date of Section 4 Notification. Wherever any such landowner/ co-sharer dies during the intervening period of Section 4 Notification and the Award, the natural successors will be treated as one single unit;

- iv) As regards the co-sharers, it may be clarified that the entitlement for size of the plot would be determined based on the share of each of the co-sharers as on the date of Section 4 Notification. Further, under no circumstances, the total land under the plots allotted to the co-sharers put together would exceed 50% of **the** total acquired land of such co-sharers. An illustrative list of the entitlements is enclosed with this policy as Appendix-2.
- v) In cases where the land of a landowner is acquired in phases, and he becomes entitled to a bigger size of the plot due to subsequent acquisition, he would be entitled to additional area as per his revised entitlement. In such cases, either (a) the plot allotted as per the original entitlement may be upgraded as per his entitlement, or (b) in case he has already utilised/ transferred the earlier allotted plot, he may be allotted an additional plot as per his entitlement on account of the net additional area.
- vi) In case a landowner or co-sharer avails of a plot under para (5), he will not be entitled to a second plot in the 'oustees category' under para 8. Such a person, however, will have the option to either apply for allotment of a plot under para 5 or para 8 of this Policy. The landowner interested in availing this benefit would be required to submit his application in the prescribed **Application Form -5**.
- vii) No litigation should be pending in respect of the acquired land, except a reference under Section 18 of the Act, in order to be eligible for allotment of an 'oustees category' plot under the Scheme.
- viii) The acquiring department/ development agency will earmark a separate chunk of land, preferably close to the village in close vicinity of the *Toshi Abadi*, for carving out 'oustees category plots' for the landowners as stated under para 5(vi) above. **The allotment of 'Ouste Category' Plots will precede the allotment of 'General Category' plots.**

9. Allotment of Commercial/ Industrial Sites:

- i) Where 75% of the land-holding of a landowner/co-sharer in a revenue estate, measuring one acre or above, is acquired by the Government for HUDA, HSIIDC, and

the HSAMB, thereby substantially impacting his means of sustenance, developed commercial/ industrial sites would be reserved and allotted to such land oustees as per the following criterion:

	Commercial Sites measuring 3 x 4 mtr (12 sq. mtrs)	to be allotted by HUDA/ HSIIDC/ HSAMB at the Reserve Price, which will be no more than 3 times of the price of residential plot in that area/ sector.
	Industrial Plot measuring 450 sq. mtrs. in the case of HSIIDC	Landowner/ oustee eligible under this category will have the option in the case of HSIIDC to opt for the commercial site or an industrial plot. The Reserve Price for the Industrial Plot will be 20% lesser than the rate determined for the general public at the time of first floatation.

ii) The allotment of commercial sites/ industrial plots would be made to each co-sharer provided his share in the acquired land is one acre or more, otherwise all the co-sharers will be allotted a site(s) as per entitlement. In case the total acquired land of all the co-sharers put together is less than one acre, they would not be entitled to this facility. Illustrations given in **Appendix-2** may be referred for any clarity;

The commercial/ industrial sites would be reserved and allotted in addition to the residential plots for the land-oustees in these categories. The affected landowner would be required to submit his application in the prescribed **Application Form-6**.

10. Special dispensation by the Town & Country Planning Department:

The Town & Country Planning Department will make appropriate provisions in their rules/ regulations so as to allow additional component of residential and commercial use in the Estate/Sector to the extent of the area earmarked for the plots/ sites carved out for the purpose of R & R Policy.

11. Benefits for the affected persons whose land is acquired for infrastructure projects other than those of HUDA, HSIIDC, and the HSAMB:

i) While provision has been made for allotment of 'oustees category plots' in case of land acquired for development by HUDA, HSIIDC, and the HSAMB and for allotment of commercial sites/ industrial plots in case of those landowners whose 75% land gets acquired (subject to a minimum of one acre) for these organisations, extension of these additional benefits in case of the landowners whose land is acquired for public purposes other than these organisations, has not been found feasible. To that extent, it is also fortuitous.

- ii) In order to balance this situation and partially compensate the landowners in this category, it has been decided that wherever 75% or more land of a landowner in a revenue estate, subject to a minimum of two acres, is acquired for other infrastructure projects, and thereby impacting his sustenance to a considerable extent, one dependent of the land-owning family would be provided a job in the Government or its Boards/ Corporations/ State PSUs in Group 'D' and Group 'C' categories, subject to the incumbent fulfilling the qualifications prescribed for such posts;
- iii) Recognising that certain persons may indulge in large scale division of their holdings to acquire title to government jobs in this process, the entitlement of dependants would be based on the revenue records of four years prior to the date of issue of Notification under Section 4 of the Land Acquisition Act or a corresponding provision in other statutes;
- iii) The affected landowner would be required to file his claim-application in the prescribed **Application Forms- 7 and 8.**
- iv) While processing applications for this purpose, the applicant would first be considered for grant of a job in the Project for which the acquired land is used. In case of non-availability of adequate number of suitable jobs in the Project, the claim would be considered against vacancies available in the said department or its PSUs, failing which, the claim would be considered for employment in other departments/ organisations of the Government;
- v) In cases necessitating consideration of the applications for employment in the other Government Departments, the application receiving Department would forward such applications to the Financial Commissioner, Revenue & Disaster Management Department, along with a certificate that there are no vacancies in the Project/ Department/ its PSUs so as to accommodate the applicants elsewhere. The office of FCR would compile all such applications and pass these on to the office of Chief Secretary for appropriate action. Thereafter, the office of Chief Secretary would complete the process of employment;
- vi) While the landowners are expected to submit their claim-applications for jobs within a period of six months of the announcement of the Award, there may be some isolated cases where the dependent may be a minor or decide to take-up employment only after completion of his/ her studies. The erstwhile landowners would be allowed to defer their actual employment in such cases up to a period of 5 years from the date of Award. In such cases, the claim of the erstwhile landowner applicant would be processed and a letter of entitlement would be issued by the concerned Department.

12. Electricity Connection under agriculture category

Wherever the landowner has installed one or more tube-wells with an electricity connection sanctioned on agricultural tariff, and portion of the land whereupon such tube-well is installed is acquired, he would be entitled to alternate tube-well connection(s) in this category either in his un-acquired land or over the agricultural land that he may purchase elsewhere in the state within a period of two years of the Award. The alternate connection would be provided within a period of three months of his application to this effect.

13. Exemption from Stamp Duty & Registration Charges on purchase of alternate agricultural land

In case a landowner, whose land is acquired, purchases alternate agricultural land within the state of Haryana within a period of two years of the Award, such purchase of land, limited to the amount of compensation, would be exempt from payment of Stamp Duty and Registration charges. The Revenue & Disaster Management Department would separately issue necessary orders/ notification to this effect.

14. Scheme for the Landless persons and artisans dependent upon agricultural operations over the acquired land:

- i) There is another category of landless people in the rural set-up who have traditionally been associated with the land-owning families. These comprise of the landless workers engaged in the agricultural operations for generations (under the *jajmani* custom) and the rural artisans e.g. the blacksmiths, the carpenters, the potters, the masons, the barbers etc. which together constitute the village society. It is a well recognised fact that there is an association between landowners and the families of landless persons (in above categories) for generations and such association is well known in the village set-up. The Government is fully conscious of the adverse impact caused by acquisition of land for non-agriculture purposes on these dependant categories of people. It has, therefore, been decided to lay a special focus on the creation and up-gradation of skill-sets of these people/ their dependents so as to improve their employability in the organised sector.
- ii) The Government has decided to take the following measures for the rehabilitation/ resettlement of these affected persons:
 - a) The Government would impart free technical education to the dependents of these categories of people in the Government run Industrial Training Institutes and Polytechnics;

- b) HSIIDC, HUDA and the HSAMB would set apart a fund equal to 1% of the Compensation amount for creating adequate skill-sets among the dependents of land-oustees and the affected landless persons;
- c) HSIIDC would stipulate a condition for the allottees of industrial plots to give preference to these people in employment in their industrial projects;
- d) Wherever land is acquired for the Private Developers, they would be required to make arrangements for creation and up-gradation of the skill-sets of the affected persons and preference in employment of the affected persons/ their dependants in the projects set-up over such land.

15. Admissibility of benefits under the R & R Policy - exclusion of entrants after issue of Section 4 Notification:

It takes anywhere between 3 to 6 months before a Notification under Section 4 is issued for acquisition of land as the acquiring departments/ agencies start the process of ground survey in advance. As such, it becomes known in the area that the Government is in the process of acquiring land in a specific locality. The Government is also conscious that certain unscrupulous persons may, with the intention of availing un-earned and undeserved benefits of this Policy, which are meant for the landowning farmers, purchase the land (i) after it is known in the area that the land is proposed to be acquired by the Government, or (ii) even after issue of Section 4 Notification under the Act. In order to take care of any such misadventures, it has been decided that the benefits under this policy, including the Scheme of Annuity, would be admissible only for such of the landowners who own the title of land at least three months prior to the date of issue of Section 4 Notification or acquire the title by way of natural inheritance. **Any person becoming an interested party or acquiring interest in the land through sale/ purchase of the subject land within three months prior to the date of issue of Notification under Section 4 of the Act, save by way of natural inheritance, shall not be entitled to any of these benefits, including the payment of Annuity.**

16. Information to the Landowners and implementation of the Scheme

While a copy of this Policy would be available on the web-sites of the Departments of (i) Revenue & Disaster Management, (ii) Town & Country Planning Department, (iii) Industries & Commerce, (iv) HUDA, and (v) HSIIDC for the information of general public, the Land Acquisition Collector may, in addition, also inform the landowners about their entitlements under the R & R Policy along with the notices under Section 9 of the Act as per **Appendix-3**. However, non-communication of the same by the LAC would not in any manner vitiate any such proceedings by him. Further action in respect of each of the benefits would be taken as follows:

- i) The landowners, opting to accept the amount of compensation and avail of the 'No Litigation Incentive', would normally be required to make an application to the LAC within a period of 30 days of the announcement of Award and furnish an undertaking to that effect in the prescribed format (**Application Form-1**). A claim for the 'No Litigation Incentive' could also be entertained if filed after 30 days provided the landowner has not filed a reference under Section 18 qua the compensation amount, or if filed, undertakes to withdraw the same before receipt of the incentive amount. However, no such claim would be entertained after a period of six months of the announcement of the Award. It may be noted that once the landowners agree to avail of the said incentive, they would not be entitled to seek a reference under Section 18 of the Act for enhanced compensation and to that extent the Award would be deemed to have announced under Section 11 (2) of the Act. No references under Section 18 of the Act qua the amount of compensation would be competent in these cases;
- ii) As for the allotment of residential plots/ commercial sites/ industrial plots, the landowners would be required to submit their claim-applications in the prescribed formats (**Application Forms - 4/5/6**) to the acquiring departments/ agencies within a period of six months of the date of announcement of Award along with the requisite details and supporting documents. No claims on this account would be entertained after the expiry of six month period;
- iii) Wherever a landowner is entitled to employment/ government job under para 11 of this Policy, he would submit his claim-application in the prescribed format (**Application Form -7**) to the acquiring department within a period of six months of the announcement of Award, along with the supporting documents, and the concerned Government Department/ Organisation would process his claim within a further period of six months. On finding the claim valid, a letter of entitlement would be issued in favour of the applicant and the Government would provide a job to such valid claimant within the shortest possible time.
- iv) As regarding the payment of Annuity/ payment of commuted value of the Annuity, the landowner would submit his claim- application in the prescribed format (**Application Form-2/3**) to the designated officer of the Acquiring Department along with all the supporting documents/ verification, whereupon, the Acquiring Department would process the same within a period of next six months and ensure commencement of payment of the Annuity at the earliest;
- v) The acquiring departments/agencies shall process such claims and issue a certificate of entitlement (**Appendix-5**) in favour of the eligible beneficiary within

a period of further six months of the last date of receipt of claim-applications. In matters of allotment of residential/ commercial/ industrial plots, the allotments under the R &R Policy would precede the general allotments.

17. Investment Advisory Services

It has been observed that the landowners are invariably unable to make proper investment of the amount received as one-time compensation due to lack of their education and exposure, and familiarity with various investment options. As a result, they end-up exhausting these resources in meeting their consumption needs which has an adverse bearing on their long-term sustenance. In order to fill this knowledge gap, the Government would arrange for engagement of professional agencies to advise the landowners on various investment options of the compensation amount so as to enable them to utilise the resources in a prudent and productive manner. These services would be purely advisory in nature and it is ultimately for the landowners to decide their own investment options. The professional agencies engaged by the Government for this purpose would hold 2-3 day camps at sites at the time announcement of Award by the Land Acquisition Collector.

18. Social & Community infrastructure facilities:

i) Wherever land is acquired by the Government for development by HUDA, HSIIDC, and the HSAMB, an amount equal to 2% of the Compensation Amount will be set apart by the respective organisations for creation of community development/ infrastructure works in the respective villages.

Further, area in the close vicinity of the village will be set apart not only for rehabilitation, but also for necessary village level social infrastructure. The land required for social infrastructure could either be exchanged with the land of village Panchayat or the land acquired in continuity of the village can be transferred to village Panchayat together with the infrastructure developed thereon for its day to day management.

ii) Similarly, 1% of the Compensation amount will be set apart and expended on skill development initiatives for the dependents of oustees and other landless persons dependent on agriculture operations over the acquired land.

19. Acquisition of Land for Railways/ NHAI/ Other Central Government Ministries/ Central PSUs:

i) This policy shall also be applicable for any land acquisition for the Central Government (including the Ministry of Defence) / its PSUs, the NHAI/ Railways in the state of Haryana and an undertaking to this effect would be obtained in advance from such indenting agencies before initiating any land acquisition proceedings. The

amount of Annuity Policy will be charged upfront from such agencies in addition to the compensation paid to the landowners;

- ii) In addition to the above, wherever land is acquired for any of the Central Government Ministries/ their PSUs/ NHAI/Railways by the State Government machinery, administrative charges @ Rs. 1.00 lakh/ acre, as revised from time to time, would be charged from the concerned towards the administrative expenses involved in the entire exercise, inclusive of the expenses incurred on publication of the Notifications in the media/ newspapers.

20. Capital Gains Tax on Land Acquisition - a reference to the GoI

Capital Gains Tax is payable on the compensation amount paid in respect of land acquired within 8 kms of the Municipal Limits with 1981 as the base year for arriving at the Capital gains. The interest component in any case attracts the CG Tax. Since taxation is a Central Government subject, the State Government has decided to make a reference to the Ministry of Finance, Government of India, for exemption of the compensation amount for the land acquired under the Statute from the purview of Capital Gains Tax where the land is *Dadalahi* (i.e. acquired by the grandparents) or owned by a person in his own name or in his father's/ mother's name for a period of 10 years or more.

21. Nodal Department

The Revenue & Disaster Management Department would be the nodal department of the State for the implementation, interpretation, review and monitoring of this R&R Policy of the State.

22. Grievances/ Dispute Resolution Mechanism

Though every effort has been made to introduce clarity in respect of all the features and the process of implementation of this Policy, the possibility of some grievances/ disputes arising in the course of implementation of the policy cannot be ruled out. The Government has decided to establish an institutional mechanism to address all such grievances/ disputes with a view to settlement of such grievances and minimising any litigation on this account. A separate Notification would be issued shortly in this behalf.

NARESHGULATI, Financial Commissioner & Principal Secretary
to Government of Haryana, Revenue & Disaster Management Department

Social Impact Assessment for Mundka- Bahadurgarh corridor of Delhi Metro

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HARYANA GOVT. GAZ. (EXTRA.) NOV. 9, 2010 (KRTK. 18, 1932 SAKA)

Appendix-1 Indicative total amount payable to a landowner including the 'No Litigation' Incentive

Sl. No.	Particulars	Floor Area (sq. m)	Premium (%)	Amount under Section 23(1A) for 30 months (Lakh)	'No Litigation' Incentive @ 2% of the Market Rate (Lakh)	Total Amount/ (Lakh)
	Land situated within the notified limits of Gurgaon Municipal Corporation	0 Lakh	0 lakh	0 lakh	0 lakh	0 Lakh
	Land situated within the notified limits of Faridabad and Panchkula Municipal Corporations; Areas forming part of the Development Plans of Gurgaon-Manesar Urban Complex (excluding the areas lying within the limits of Municipal Corporation Gurgaon), Sonapat, Sonapat-Kundli Urban Complex	0 Lakh	0 Lakh	0 lakh	0 Lakh	0 Lakh
	Land situated within the Development Plans of Bahadurgarh, Rohtak, Rewari, Sirsa, Sirsa-Rohruha, Bawal, and Panipat Districts	0 Lakh	0 Lakh	0 Lakh	0 Lakh	0 Lakh
	Land of the National Capital Region, areas situated outside the limits of Panchkula Municipal Corporation in Panchkula District, and the land situated in the Development Plans of other district headquarters outside the NCR	0 Lakh	0 lakh	0 Lakh	0 Lakh	0 Lakh
	Land in Remaining Parts of the State	0 Lakh	0 Lakh	0 Lakh	0 lakh	0 Lakh
<p>Notes: • The figures given under Column 5 are indicative only as the actual period for payment of 2% amount per annum u/s 23(1A) would vary from case to case; • 'No Litigation incentive' would be admissible only in the cases where the landowners execute an agreement to this effect and accept it as an agreed settlement compensation.</p>						

Appendix-2

Calculation of the size of plot /entitlement for co-sharers in the oustee category 1. Scale of entitlement for residential plot (Para 8): Illustrations:

	Pl land required	Particulars of land required (Khasra No.)	No. of co-sharers (including names)	Share of land required	Size of Plot entitled
	4K-0 M	Plot filled-up	04	each	sqm each
	4K-0 M	Plot filled-	10	1/10 th each	sqm each
	4K-0 M	Plot filled-	20	1/20 th each	Maximum of 11 plots of 150 sqm each; or lots of 150 sqm each one plot of 90 sqm; or lots of 200 sqm each; lots of 300 sqm each one plot of 90 sqm; or lots of 350 sqm and 1 of 300 sqm; or lots of 450 sqm each 1 plot of 90 sqm a total of 1000 sqm, not exceeding 50% of the acquired land (subject to the upper feasible limit)
	4K-00M	Plot filled-	01	1/1 st	plot of 450 sqm
	4K-00M	Plot filled-	02	1/2 nd share	plot of 450 sqm for of the two co-sharers
	4K-00M	Plot filled-	05	1/5 th share	plot of 350 sqm for of the 05 co-sharers
	4K-00M	Plot filled-	08	1/8 th share	plot of 300 sqm to of the 08 co-sharers

2. Commercial Site/ Industrial Plot (para 9):

No.	Pl land required	Particulars of land required (Khasra No.)	No. of co-sharers (including names)	Share of land required	Size of Commercial sites
	7K-00 M	Plot filled-up	04	each	1/4 th acre, land being less one acre
	7K-00M	Plot filled-up	03	each	1/3 rd site for all the 03 co- sharers
	7K-00M	Plot filled-up	04	each	1/4 th sites for all the 04 co- sharers
	7K-00M	Plot filled-up	02	1/2 nd	1/2 nd site each
	7K-00M	Plot filled-up	01	1 st	1 st site

Appendix-3

Information regarding entitlements of a landowner/ co-sharers under this Policy Dear

Landowner,

As the Award for acquisition of your land is likely to be announced soon pursuant to the declaration issued under Section 6 of the Act, you may please note that you are entitled to the following special benefits under the R&R Policy of the State Government:

1. No Litigation Incentive:

You are entitled to claim a 'No Litigation Incentive' equal to 20% of the amount of basic rate of your land, in case you accept the compensation amount and execute an agreement to this effect. Acceptance of the compensation is entirely at your option. Once you agree to accept the Compensation amount, you may collect the prescribed format for the '**Undertaking**' from the LAC Office and furnish the same duly executed within a period of 30 days of the announcement of the award. Your incentive money will be given to you simultaneously with the submission of the Agreement. Please also note that in case you accept the compensation amount, you will not be eligible for seeking a reference to the District Court for increase in the compensation amount under Section 18 of the Land Acquisition Act, 1894.

2. Payment of Annuity:

You are entitled to payment of Annuity @ Rs. 21,000/- per acre/ per annum, which will be increased by a fixed amount of Rs. 750/- every year. The rates of Annuity and yearly increase in case of land acquired for the Private Developers are double that of above. In case your acquired land/ share is less than one acre, you have the option of getting the Annuity upfront in one instalment @ 30% of the total amount payable during 33 year period. You are required to submit your claim-application in the prescribed form within a period of 6 months of the Award.

3. Allotment of a Residential Plot on account of acquisition of your self-occupied residential house (if applicable):

In case your self-occupied built-up house/ residential structure, as existing on the date of Section 4 notification, has been acquired, you are entitled to apply for a residential plot as per the scale prescribed under para 5. You may like to apply for a residential plot under this category. If you decide to avail of this benefit, please apply for the same within a period of 90 days in the prescribed format, copy of which may be obtained from the LAC/ nodal officer of the acquiring department.

4. Allotment of a Residential Plot on account of acquisition of your land under the 'Land Oustee Scheme':

In case your land has been acquired for HUDA or HSIIDC or HSAMB, you are entitled to the allotment of a residential plot under the "Land Oustee Scheme" as per the prescribed scale. You may like to apply for allotment of a residential plot under this category. In case you decide to avail of this additional benefit, please apply for the same within a period of 06 months (180 days) in the prescribed format, copy of which may be obtained from the LAC/ the nodal officer from the acquiring department.

5. Allotment of a Commercial Site/ Industrial plot in case 100% of your land has been acquired for HUDA, HSIIDC or HSAMB:

In case 75% of your land in a revenue estate, subject to a minimum of one acre, has been acquired for HUDA, HSIIDC, and the HSAMB, you are entitled to allotment of a commercial site (or an industrial plot in the case of HSIIDC, at your option) as an additional benefit under this Policy. You may like to avail of this additional benefit. In case you decide to avail of this additional benefit, you may submit your application within a period of 06 months in the prescribed format.

6. Provision of a 'Group-C or 'Group-D' job in the Government or its Boards and Corporations:

In case 75% of your land in a revenue estate has been acquired for Government Infrastructure Projects, other than those for HUDA, HSIIDC or HSAMB, subject to a minimum of 2 acres, your one dependent would be considered for a job in Group 'C or Group 'D' subject to fulfilment of qualifications prescribed for the post. In case you fall in this category, you may submit your application in the prescribed format within a period of 06 months in the prescribed format.

(Land Acquisition Collector, _____).

Appendix-4

Method of calculation of the Area under a self-occupied residential house

(Reference Para 5 (v) of the Policy)

As per the practice followed by the Urban Estates Departments and the Industries, efforts are made to exclude the self-occupied residential houses, especially the clusters, from acquisition, subject to the feasibility thereof. Some of these exclusions take place pursuant to the settlement of objections filed under Section 5-A of the Act. Normally, the area under the house is released as such. Wherever the adjoining open space is much larger than the built-up area, open area equal to the plinth area is taken into consideration while releasing the land in respect of built-up houses. For instance, there could be following scenarios:

Sl. No.	Plinth Area of the house	Adjoining Open Area	Plinth Area	Area considered for release
	sq. yards	sq. yards	sq. yards	sq. yards
	sq. yards	sq yards	sq. yards	sq. yards (200+ 200)
	sq. yards	sq yards	sq. yards	sq. yards

2. Following the above principle, it has been decided that while considering the area under a built-up house for the purposes of allotment of a plot under para 5 (v) of the Policy, the actual area under the built-up portion (i.e. the Plinth Area) + equal open area will be taken into account.

3. Accordingly, the entitlements would be worked out as per the following illustrations:

Sl. No.	Plinth Area of the house	Adjoining open area	Plinth Area	Area to be reckoned for determining the entitlement	Area to be released
	sq. yards	sq. yards	sq. yards	sq. yards (i.e. Up to 150 sq. yards)	sq. mtrs.
	sq. yards	sq. yards	sq. yards	sq yards (i.e. Above 150 but up to 200 sq. yards)	sq. mtrs.
	sq. yards	sq. yards	sq. yards	sq. yards (i.e. Above 150 but up to 200 sq yards)	sq. mtrs.
	sq. yards	sq. yards	sq. yards	sq. yards (i.e. 250 to 300 sq. yards)	sq. mtrs.
	sq. yards	sq. yards	sq. yards	sq. yards (i.e. 200= 400sq yards (i.e. Above 300 up to 400 sq. yards)	sq mtr.
	sq. yards	sq. yards	sq. yards	sq yards (i.e. above 400 up to 500 sq. yards)	sq mtrs.
	sq. yards	sq yards	sq. yards	sq yards (i.e. above 500 sq. yards)	sq mtrs.
	sq. yards	sq yards	sq. yards	sq. yards (i.e. above 500 sq. yards)	sq mtrs.

Appendix-5

Certificate of Entitlement for allotment of a Residential Plot/ Commercial Site/ Industrial Plot/Payment of Annuity/ Employment in accordance with the R&R Policy, 2010

From: _____

(HUDA/HSIIDC/HSAMB/ Any Other Dept.)

To

(The designated officer of the Department/ Organisation)

No. _____ Dated

Subject: Certificate of Entitlement for allotment of a Residential Plot/ Commercial Site/ Industrial Plot - reg.

Dear Sir,

Kindly refer to your application dated _____ for payment of Annuity/ commutation of Annuity/ allotment of a residential plot/ commercial site/ industrial plot/ grant of employment on account of acquisition of your land measuring _____ [share in Khasra Numbers] or _____ (HUDA/HSIIDC/HSAMB) at _____ (Location) under the R & R Policy, 2010 of the Government.

2. Having found your above said application in order, it has been found that you are eligible for the allotment of a residential plot measuring _____ sqm / commercial site measuring 12 sqm (3 mtr x 4 mtrs)/ industrial plot measuring 450 sqm/ payment of Annuity/provision of employment (strike out whichever is not applicable). Accordingly, this Certificate of Entitlement is being issued in your favour. The formal letter of allotment/Instrument of Annuity/ appointment letter would be issued in due course before which you will also be required to deposit 25% of the tentative price of the plot. We would let you know about the same and give you a notice of 30 days for the purpose.

3. Please keep this letter of entitlement in safe custody as you would be required to produce this letter at the time of issue of a Regular Letter of allotment.

Thanking you,

Yours faithfully,

XYZ

Note: The certificate may be suitably modified as per the entitlement/ benefit.

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Application Form -1 (Application for grant of 'No Litigation Incentive' Ref. Para 2 of the Policy)

From: _____
 (The Landowner)

To: _____ Applicant's
 (The LAC) _____ Photograph

Dated:

Subject: Application for grant of 'No Litigation Incentive' and Undertaking.

Sir,

My land (as per description given below) has been acquired by the Government vide Award announced by you on _____.

Sl. No.	Name of Landowner/ Applicant	Plot No.	Block No.	Area of the land (Acres)	Area	
					Original	Acquired

2. As per the Award, following amount of compensation has been determined in respect of my subject land:

Sl. No.	Basic Rate of Land/ Acre	Amount under Section 18(A)	Solatium	Total Amount/ Acre

3. This is to submit that the amount of compensation determined by you is acceptable to me and I wish to avail of the 'No Litigation Incentive' amount of Rs. _____ / acre, which is equal to 20% of the Basic Rate of land. Accordingly, in terms of the R&R Policy of the State Government, I request you to kindly disburse the amount of 'No Litigation Incentive' to me.

4. I/we are fully conscious that having opted to accept the amount of compensation and availed of the amount of 'No Litigation Incentive', I/we would have no right, whatsoever, to seek a reference under Section 18 of the Act in so far as the amount of compensation in respect of acquired land is concerned. I/We undertake to abide by this provision of the Government Policy.

Yours faithfully,

(Landowner/ Name/ Signature)

Witness: _____

The entitlement of above said claim has been verified by the Revenue Patwari and accordingly, an amount of Rs. /- has been disbursed to the claimant.

(Land Acquisition Collector, _____)

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Application Form -2 (Application for payment of Annuity: Ref. ara 4)

From:

(The Landowner)

To

(The Designated Officer of the Acquiring Department)

Applicant's
Photograph

Dated:

Subject: Application for Payment of Annuity as per the R&R Policy of the State Government.

Sir,

The Government has acquired my land situated in the Revenue Estate with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____:

Sr.No.	Name of Landowner/	Rectangle	Khasra	Share of the	Area	
					Kanal	Marla

2. A Copy of the Jamabandi/Revenue Records in support of above is enclosed herewith for ready reference.

3. It is further submitted that I am entitled to receive the Annuity as per the R&R Policy of the State Government. I have opened my account with the Bank, particulars of which are as under:

Name of the Applicant	Account No.	Branch name	

4. Further, the particulars of my nominee(s) to receive the Annuity amount, after my demise, are as under:

Sr.No.	Name(s) of Nominee(s)	Date of Birth	Relationship with the landowner/ applicant	Share of the Annuity

5. The Photographs of my nominee(s), duly attested, are also enclosed herewith. My above said nominee(s), unless changed by me before my death, will be submitting their Bank Account details at the appropriate time to the Authority disbursing the Annuity. Accordingly, you are requested to consider my claim and disburse the Annuity amount to me as per the Policy.

Yours faithfully,

Verification by the Revenue Patwari:

Countersigned by the Land Acquisition Collector:

**Application Form -3 [Application for payment of Commutation
Value of the Annuity: Ref. Para 4(vii)]**

From:
(The Landowner)

Applicant's Photograph

To
(The Designated Officer of the Acquiring Department)

Dated:

Subject: Application for Payment of Commuted value of Annuity as per the R&R Policy of the State Government.

Sir,
The Government has acquired my land situated in the Revenue Estate with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____:

Sl. No.	Name of Landowner/ Applicant	Plot No.	Area No.	Area of the land	Total Area	
					Acquired	Remaining

2. A Copy of the Jamabandi/Revenue Records in support of above is enclosed herewith for ready reference.

3. It is submitted that my share in the land acquired by the Government works out to less than one acre. As such, I wish to exercise the option of availing the commuted value of the Annuity upfront. Accordingly, I request that the amount of Commuted value of the Annuity may kindly be paid to me as per the Policy at the earliest.

Yours faithfully,

Verification by the Revenue Patwari:

Countersigned by the Land Acquisition Collector:

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7594 HARYANA GOVT. GAZ. (EXTRA.) NOV. 9, 2010 (KRTK. 18, 1932 SAKA)

**Application Form-4
(Application for allotment of a Plot on account of acquisition of a Residential House)
(Ref. Para 5)**

From: _____
(The Landowner)

To: _____
(The Designated Officer of the Acquiring Department)

Applicant's
Photograph

Dated:

Subject: Application for allotment of a Plot in lieu of acquisition of a Self-occupied House/ Residential Structure)

Sir,

The Government has acquired my land situated in the Revenue Estate _____ with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____:

Sl. No.	Name of Landowner/ Applicant	Khasra No.	Plot No.	Area of the plot	Area	
					sq. ft.	sq. m.

2. Our self-occupied residential house situated in Khasra No. _____ since before issue of Section 4, over an area of _____ sq. yards has also been acquired through the aforesaid Award. I certify that I have been staying in the said house since _____ and I have no other residential house in this Revenue Estate. This residential house is being used for our own bona-fide residence purposes and has been constructed on the land in our title/ ownership. The following documents are enclosed in support of the above claim:

- i) A Copy of the Jamabandi/ Revenue Records in support of above;
- ii) A photograph of the residential structure/ house.
- iii) A copy of the Ration card/ Electricity bill/ voter Identity Card indicating the above address as my place of residence.

3. Accordingly, I am entitled to the allotment of a residential plot measuring _____ in accordance with the R&R Policy of the Government. You are requested to consider my claim and allot a residential plot in accordance with the Policy. I undertake to make payment of the price of the plot on demand.

Yours faithfully,

Verification by the Revenue Patwari:

Countersigned by the Land Acquisition Collector:

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Application Form -5 (Application for Allotment of an 'Oustee Category' Residential Plot: Ref. Para 8)

From:

(The Landowner)

To

(The Designated Officer of the Acquiring Department)

Applicant's
photograph

Dated:

Subject: Application for allotment of an "Oustee Category Residential Plot" under the R&R Policy of the State of Haryana

Sir,

The Government has acquired my land situated in the Revenue Estate _____ with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____:

Sl. No.	Name of Landowner/ Applicant	Plot No.	Area No.	Area of the Plot	Area	
					sq. ft.	sq. m.

2. A Copy of the Jamabandi/Revenue Records in support of above is enclosed herewith for ready reference.

3. Accordingly, I am entitled to the allotment of a residential plot measuring _____ in accordance with the R&R Policy of the Government. You are requested to consider my claim and allot the residential plot in accordance with the Policy. I undertake to make payment of the price of the plot on demand.

Yours faithfully,

Verification by the Revenue Patwari:

Countersigned by the Land Acquisition Collector:

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Application Form-6 (Application for Allotment of a Commercial Site/ Industrial Plot: Ref. Para 9)

From: _____
(The Landowner)

To: _____
(The Designated Officer of the Acquiring Department)

Applicant's
Photograph

Dated:

Subject: Application for allotment of a Commercial Site/ Industrial Plot under the R&R Policy of the State of Haryana

Sir,

The Government has acquired my land situated in the Revenue Estate _____ with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____:

Sl. No.	Name of Landowner/ Applicant	Plot No.	Area No.	Area of the Applicant	Share	
					Share	Area

2. A Copy of the Jamabandi/ Revenue Records in support of above is enclosed herewith for ready reference.

3. It is further submitted that 75% of my land situated in this Revenue Estate, and the same being more than one acre, has been acquired by the Government. Accordingly, I am entitled to the allotment of a commercial site/ industrial plot (strike out which is not applicable) in accordance with the R&R Policy of the Government. You are requested to consider my claim and allot the commercial site/ industrial plot in accordance with the Policy. I undertake to make payment of the price of the plot on demand.

Yours faithfully,

Verification by the Revenue Patwari:

It is verified that 75% of the land in the name of the applicant/ in his share in this Revenue Estate as per the above details, has been acquired by the Government.

(Patwari)

Countersigned by the Land Acquisition Collector:

Social Impact Assessment for Mundka- Bahadurgarh corridor of Delhi Metro

HARYANA GOVT. GAZ. (EXTRA.) NOV. 9, 2010 (KRTK. 18, 1932 SAKA)

7597

Application Form-7 (Application for Employment: Ref. Para 11)

From:

(The) _____
Landowner)

To

(The) _____
Designated Officer of the Acquiring Department)

Applicant's
Photograph

Dated: _____

Subject: **Application for job under the R&R Policy of the State of Haryana on account of acquisition of land.**

Sir,

The Government has acquired my land situated in the Revenue Estate with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____:

S. No.	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. My total land-holding in the Revenue Estate is _____Acre ___Kanal _____Marla and more than 75% of the same has been acquired by the Government for a public purpose i.e. _____ . Further, my acquired land is more than 2 acres. We are the following co-sharers in the above-said land:

S. No.	Name of the Landowner/Applicant	Total Land-holding of the Applicant in the Revenue Estate			Land Acquired		
		Khasra No.	Kanal	Marla	Khasra No.	Kanal	Marla

3. I am enclosing a copy of the Jamabandi/revenue records in support of the above claim.

4. I would like to avail the opportunity of applying for a Job in Group 'C' / 'D' in the Government/ its PSUs for myself/ my son/ daughter as per the R&R Policy of the Government. The application for job, along with a copy of my/his/her educational qualifications/certificate is enclosed for ready reference. Accordingly, you are requested to consider this application for a job in the Government/ its PSUs as per the R&R Policy of the Government.

Yours faithfully,

(X Y Z)

Verification by the Revenue Patwari: Countersigned by

the Land Acquisition Collector:

Social Impact Assessment for Mundka- Bahadurgarh corridor of Delhi Metro

7598 HARYANA GOVT. GAZ. (EXTRA.) NOV. 9, 2010 (KRTK. 18, 1932 SAKA)

Format for the Enclosure to Application Form- 7 (Ref. Para 11)

From:

To _____
To _____ Applicant's
(The Designated Officer of the Acquiring Department) Photograph

Dated:

Subject: Application for job under the R&R Policy of the State of Haryana on account of acquisition of land.

Sir,

Kindly refer to the application submitted by me/ my father/ mother for provision of employment for me under the R & R Policy of the Government. I am the real son/ daughter/ brother/ sister of the said landowner and dependent upon him.

2. I have studied _____ and my educational qualifications are as under:
up to _____

Social Impact Assessment for Mundka- Bahadurgarh corridor of Delhi Metro

Sr.No.	Board/ University	Name of School/ College from where studied	Examination Passed/ Year	Subjects	Marks	Division/ % of marks

3.

A copy of my school/ college-leaving certificate, duly attested, is enclosed.

4. Sir, I am eligible for a post in Group 'C / 'D' in the Organisation/ Department/ Government and as such I request that I may be provided a suitable job as per the R & R Policy of the Government.

Yours faithfully,

(XYZ)

Certification by the Landowner:

I _____, son/ daughter of _____, resident of _____, certify that the above Applicant is my son/ daughter/ brother/ sister and is dependent upon me and his name is recommended for the purposes of grant of employment under the R & R Policy of the Government. It is further certified that there would be no other claimant for this purpose from my family.

(Landowner)

ANNEXURE 6.1

MINUTES OF PUBLIC CONSULTATION

Minutes of Public Consultation –I

Place: Bahadurgarh

Date: 18/05/2013

Venue: Opposite Bahadurgarh General Bus Stand

Name of the Participants:

Dr. S.K.Jain; Mr. Ghanshyam Upadhyay; Deepak Kumar; Mr. Ajay Kumar, Mr. Vijay ua, Mr. Satya Prakash, Mr. Pawan Kumar, Mr. Kuldeep, Mr. Satbir Rathi, Mr. LAlit Kumar Saini, Mr. Rajkumar

Procedures of Public Participation:

Public consultation was conducted at shop No. 10, Opposite Bahadurgarh General Bus Stand, Bahadurgarh. The overall objective of the consultation programme is to interact with the PAPs and make them aware about the project details and its impacts on them. The number of participants in the consultation was approximately 12, which included representatives from different echelon of the society. The key informants included both individuals and groups namely (i) shopkeepers , (ii)small business entrepreneurs(SBEs); (iv)local people. During public consultations, issues related to land acquisition, compensation, income restoration, employment and noise pollution, traffic management were discussed. The following methods were adopted for conducting public consultation:

- In-depth individual discussions
- Group discussion/meeting and interviews with key informants
- Sharing the opinion and preferences of the PAPs

Means of Public Notification:

During survey local people were informed verbally about the venue, date, and objective of public consultation.

Issue and Agenda Discussed:

- Issue of Land Acquisition
- Compensation
- Income Restoration
- Employment Generation
- Safety
- Noise Pollution
- Traffic Management

Opinion & Views from the Public/Affected Person

1. Govt Land is available within the area, which shall be used for station purpose at Bus Stand.
2. Proper compensation for acquisition of private land should be given
3. People whose structures get demolished should be compensated properly
4. PAPs losing their commercial units should be given adequate rehabilitation assistance
5. Affected people should be provided preferential employment opportunities in Metro Rail Project
6. Proper measures should be taken to reduce noise level, air pollution and vibration, etc. during construction and operation of the proposed Delhi Metro project, what measures shall be taken to reduce noise level, vibration level and air pollution in the project area?
7. Proper traffic management to be done to avoid and traffic jams

DMRC Reply

1. Compensation for acquisition of private land shall be decided as per the Relocation and Rehabilitation Policy of Haryana Government.
2. Compensation for demolition of structures shall be considered at replacement value under the provision of Relocation and Rehabilitation Policy of Haryana/ Delhi Government.
3. As per S.N.2&3.
4. DMRC shall consider the views of people regarding employment opportunity in Metro rail project seriously.
5. DMRC shall use suitable technology/equipments to reduce noise, vibration and air pollution.
6. DMRC informed that proper traffic diversion plan will be prepared and traffic diversion signage will be installed.

Minutes of Public Consultation-II

Place: Sector 9, Bahadurgarh Date: 18/09/2013,

Time:11.30

Venue: Ravi Das Temple

Names of the Participants:

Dr. S.K.Jain, Mr. Ghanshyam Upadhyay, Mr. Deepak Kumar, Ms. Guddi, Ms. Rani, Mr. Man Singh. Mr. Veere, Mr. Prakash, Mr. Jaipal, Mr. Bedo, Mr. Subey, Mr. Jeetram, Ms Bala, Kishmi, Mr. Rajkumar

Procedures of Public Participation:

Public consultation was conducted at Ravi s Temple to discuss how to minimize negative impacts in the project corridor and to make people aware of the project. The number of participants in the consultation was approximately 16, which included representatives from different echelon of the society. The key informants included both individuals and groups namely (i) head of households;(ii)household members; (iii) local people. During public consultations, issues related to land acquisition, compensation, income restoration, employment, training were discussed. The following methods were adopted for conducting public consultation:

- In-depth individual interviews
- Group discussion/meeting and interviews with key informants
- Sharing the opinion and preferences of the PAPs

Means of Public Notification:

During survey local people were informed verbally about the venue, date, and objective of public consultation.

Issue and Agenda Discussed:

- Issue of Land Acquisition
- Compensation
- Employment Generation
- Training

Opinion & Views from the Public/Affected Person

1. People losing their residential units and livelihoods should be rehabilitated before construction of metro project.
2. Small Business/ petty jobs is the main source of livelihood of people in the area. Therefore, their source of livelihood should not be disturbed.
3. Compensation for acquisition of private land should be given at market value.
4. Need based training should be provided to PAPs for income generation and supporting their livelihood.
5. People have no objection for proposed metro rail project.

6. People losing their jobs due to demolition of structures should be given employment opportunity.
7. Safety should be the first priority during construction and operation of the project.

DMRC Reply

1. DMRC shall ensure that all resettlement and rehabilitation activities shall be completed before construction of metro project.
2. DMRC has made an attempt during design of project preparation to minimize land acquisition, resettlement and adverse impact on people through suitable engineering design. Steps have been made to confine project area in the government land and in available right of way, where ever feasible. However, the PAPs losing their business as source of main livelihood shall be properly rehabilitated by constructing a market complex nearby area.
3. Compensation for acquisition of private land shall be decided as per the Relocation and Rehabilitation Policy of Haryana/ Delhi Government.
4. DMRC shall take proper initiatives to arrange for training for employment or income generation activities for PAPs.
5. DMRC shall rehabilitate all PAPs losing their business units by constructing a market complex nearby area as per the Relocation and Rehabilitation Policy of Delhi Government.
6. DMRC welcomes the support of people for the proposed Delhi metro rail project,
7. DMRC and contractors shall take all the safety measures during construction of metro rail.
8. DMRC informed that proper traffic diversion plan will be prepared and proper signage will be installed to avoid traffic jam problem

DELHI METRO RAIL CORPORATION
Mundka- Bahadurgarh Corridor of Delhi Metro

Monitoring of RAP Implementation

Report for the month of

Part-I: Quantitative monitoring format

Activity	Indicator	Target		Achievement	
		This Month	Cumulative	This Month	Cumulative
Staffing	Number of DMRC staff on the project by job function				
	Number of other line agency officials available for tasks				
Verification of impact	No. of project affected households				
	No. of project affected people				
	No. of people loss residence				
	No. of people loss livelihood				
	No. of people displace				
Resettlement	No. of people provided with ID Card				
	No. of resettlement sites developed				
	No. of people received compensation before starting construction activities				
	Area of private land acquired				
	Area of Govt. land acquired				
	No. of people resettled				
	No. of religious properties relocated				
	No. of community properties relocated				
Rehabilitation	No. of training agencies identified				
	No. of people undergone skill development training				
	No. of people restarted their income restoration activities				
	No. of new enterprises started				
Grievance Redressal	No. of grievance redress committee formed				
	No. of grievance redress committee meetings conducted				
	No. of grievances received				
	No. of grievances addressed				
Public consultation/	No. of public consultations				
	Frequency of consultation				

Activity	Indicator	Target		Achievement	
		This Month	Cumulative	This Month	Cumulative
Disclosure of information	No. of participants in the consultation meetings				
	Whether the entitlement matrix has been translated in a understandable local language.				
	No. of translated copies distributed to relevant stakeholders including Aps				
	No. of locations where the list of entitled persons displayed				
Review and Monitoring	No. of staff meetings conducted at PIU level				
	Date of appointment of Independent Evaluation Agency (IEA)				
	Frequency of submitting progress reports				
Awareness programs	No. of HIV/AIDS awareness programs conducted				
	No. of hotspots identified				
	No. of road safety awareness programs conducted.				
Fund utilization	Funds utilized				

Part-II- Qualitative Monitoring format

1. Composition/type of participants and specific issues raised by the participants especially the vulnerable groups.
2. Actions/follow-up taken to address the issues raised in the public consultation meetings.
3. Process adopted for the relocation of AFs, religious and community structures. The process adopted for relocation of squatters and other vulnerable groups may be specified.
4. Process of distribution and allotment of compensation and other R&R assistances.
5. When the compensation/assistance has been paid, and the utility of compensation amount and other R&R assistances.
6. Type of grievances, its reasons and measures taken to address this.
7. Brief description of income generation activities undertaken by the AFs.
8. Major issues faced during RAP implementation and actions taken to resolve it.
9. Major lessons learned and documented.

Signature
Name and Designation of the Reporting officer

Place:
Date:

Terms of Reference for Independent Evaluation Agency

1. Project Description

Delhi Metro Rail Corporation (DMRC) has already implemented Phase I and Phase II of the Metro network in Delhi. Now DMRC is in process to implement the phase III and Mundka- Bahadurgarh corridor of Delhi Metro. This project is being implemented by Executing Agency (EA) with financial support of Japan International Corporation Agency (JICA). The project gives utmost importance to the Rehabilitation and Resettlement of project affected families. Accordingly, a Resettlement Action Plan has been developed for implementation.

The project includes a provision for monitoring and evaluation of the implementation of the Resettlement Action Plan (RAP) by an external monitor. Therefore, the EA, which is the Executing Agency (EA) for this project, requires services of a reputed Social Sector specialist individual /firm for monitoring and evaluation of RAP implementation referred to as the "Independent Evaluation Agency"(IEA).

2. Scope of Work of IEA- Generic

- To review and verify the progress in resettlement implementation as outlined in the RAP
- To monitor the effectiveness and efficiency of Social Management Unit (SMU) and the concerned agency in RAP implementation.
- To assess whether resettlement objectives, particularly livelihoods and living standards of the affected persons have been restored or enhanced
- To assess the efforts of SMU and concerned agency in implementation of the 'Community Participation strategy' with particular attention on participation of vulnerable groups namely (i) those who are below poverty line (BPL), (ii) those who belong to Scheduled Castes (SC) and Scheduled Tribes (ST), (iii) Women headed families, (iv) elderly and (v) disabled persons.
- To assess resettlement efficiency, effectiveness, impact and sustainability, drawing both on policies and practices and to suggest any corrective measures, if necessary.

3. Scope of work- Specific

The independent evaluation agency (IEA) will be involved in ongoing monitoring of the resettlement efforts by the EA. The major tasks expected from the external monitor are:

- Review pre-displaced baseline data on income and expenditure, occupational and livelihood patterns, arrangements for use of common property, social organization, community organizations and cultural parameters.
- To review and verify the progress in land acquisition/resettlement implementation of subproject on a sample basis and prepare reports for the EA.
- To evaluate and assess the livelihood opportunities and income as well as quality of life of affected persons of project induced changes.
- To evaluate and assess the adequacy and effectiveness of consultative process with affected persons, particularly those vulnerable, including the adequacy and effectiveness of grievance procedures and legal redress available to the affected parties and dissemination of information about these.
- Identify an appropriate set of indicators for gathering and analyzing information on resettlement impacts; the indicators shall include but not limited to issues like restoration of income and living standards and level of satisfaction by the APs in post-resettlement period.

- Review results of internal monitoring and verify claims through random checking at the field level to assess whether resettlement objectives have been generally met. Involve the APs, host population, and community groups in assessing the impact of resettlement for monitoring and evaluation purposes.
- Conduct both individual and community level impact analysis through the use of formal and informal surveys, key informant interviews, focus group discussions, community public meetings, and in-depth case studies of APs and host population from various social classes to assess the impact of resettlement.
- Identify the strengths and weaknesses of basic resettlement objectives and approaches, implementation strategies, including institutional issues, and provides suggestions for improvements in future resettlement policy making and planning

4. Time frame and Reporting

The independent monitoring agency will be responsible for independent evaluation of the RAP implementation. The work is scheduled to start in and continue till the end of the project. The duration of RAP implementation is as per the given RAP time schedule. The monitoring and evaluation report should be submitted to EA .

5. Qualifications

The monitoring and evaluation agency will have significant experience in resettlement policy analysis and RAP implementation. Further, work experience and familiarity with all aspects of resettlement operations would be desirable.

Interested agencies should submit proposal for the work with a brief statement of the approach, methodology, staff strength, and relevant information concerning previous experience on monitoring and evaluation of resettlement and rehabilitation implementation and preparation of reports.

6. Budget and Logistics

Copies of the proposal- both Technical and Financial- should be submitted and the budget should include all cost and any other logistics details necessary for resettlement monitoring. Additional expense claims whatsoever outside the budget will not be entertained.

**SOCIO-ECONOMIC SURVEY OF INFLUENCE ZONE OF METRO
PROJECT BY DMRC**

Locality:**Chainage:****Head of Family (HOF):****Address:****Contact Detail, if any:****Ownership: Own/ Rented/ Encroached****Age: Years. Sex: Male/ Female****Religion:****Caste :****Sub-caste:****Type of Family: Joint/ Nuclear/ Single****Type of Structure: Brick Mortar with Roof/ Brick Mortar with tin shed etc/ Thatched****Area: Sq. Ft.****Fuel Used in: a. Kitchen:****b. Vehicle:****Assets:**

1. No. of Rooms : / Kitchen / Bathrooms / Toilets / others
2. Electrical Gadgets: Fridge / TV / Washing Machine / Computer / AC
/ Cooler / Fans / Kitchen Gadgets /
3. Sewing Machine:
4. Vehicles:
5. Animal Husbandry
6. Others

Family Details:

S. No.	Name	Age	Sex	Relation with HOF	Education	Occupation	Income
1							
2							
3							
4							
5							
6							
7							
8							

LIST OF AFFECTED PROPERTY
Mundka- Bahadurgarh Corridor

S.No.	Location	LHS/RHS	Identification /Number	Type	Ownership of Land	Impact	Details
1	Ravi Das Nagar Colony, Sector9, Bahadurgarh	RHS	11 houses	Residential	Disputed	Fully	Houses
2	Bahadurgarh Bus Stand		20 shops	Commercial	Ram Bagh Society	Fully	Shops
1	MIA	RHS	1	Commercial	Pvt	Fully	Squater
2	MIA	RHS	2	Commercial	Pvt	Partly	Industry with Foundations
3	Ghewra	RHS	1 Vatika	Non Commercial	Pvt	Partly	Vatika
4.	Tikri Kalan	RHS	1 Plot	Commercial	Pvt	Partly	Parking of Cranes
5	BUs Stand Bahadurgarh	RHS	17 shops	Commercial	Pvt	Fully	Shops
6	Depot Area		11 houses	Residential	Pvt/ HUda Disputed	Fully	Pucca Houses

ANNEXURE 6.1

MINUTES OF PUBLIC CONSULTATION

Minutes of Public Consultation -I

Place: Bahadurgarh

Date: 18/05/2013

Venue: Opposite Bahadurgarh General Bus Stand

Name of the Participants:

Dr. S.K.Jain; Mr. Ghanshyam Upadhyay; Deepak Kumar; Mr. Ajay Kumar, Mr. Vijay ua, Mr. Satya Prakash, Mr. Pawan Kumar, Mr. Kuldeep, Mr. Satbir Rathi, Mr. LAlit Kumar Saini, Mr. Rajkumar

Procedures of Public Participation:

Public consultation was conducted at shop No. 10, Opposite Bahadurgarh General Bus Stand, Bahadurgarh. The overall objective of the consultation programme is to interact with the PAPs and make them aware about the project details and its impacts on them. The number of participants in the consultation was approximately 12, which included representatives from different echelon of the society. The key informants included both individuals and groups namely (i) shopkeepers , (ii)small business entrepreneurs(SBEs); (iv)local people. During public consultations, issues related to land acquisition, compensation, income restoration, employment and noise pollution, traffic management were discussed. The following methods were adopted for conducting public consultation:

- In-depth individual discussions
- Group discussion/meeting and interviews with key informants
- Sharing the opinion and preferences of the PAPs

Means of Public Notification:

During survey local people were informed verbally about the venue, date, and objective of public consultation.

Issue and Agenda Discussed:

- Issue of Land Acquisition
 - Compensation
 - Income Restoration
-

- Employment Generation
- Safety
- Noise Pollution
- Traffic Management

Opinion & Views from the Public/Affected Person

1. Govt Land is available within the area, which shall be used for station purpose at Bus Stand.
2. Proper compensation for acquisition of private land should be given
3. People whose structures get demolished should be compensated properly
4. PAPs losing their commercial units should be given adequate rehabilitation assistance
5. Affected people should be provided preferential employment opportunities in Metro Rail Project
6. Proper measures should be taken to reduce noise level, air pollution and vibration, etc. during construction and operation of the proposed Delhi Metro project, what measures shall be taken to reduce noise level, vibration level and air pollution in the project area?
7. Proper traffic management to be done to avoid and traffic jams

DMRC Reply

1. Compensation for acquisition of private land shall be decided as per the Relocation and Rehabilitation Policy of Haryana Government.
 2. Compensation for demolition of structures shall be considered at replacement value under the provision of Relocation and Rehabilitation Policy of Haryana/Delhi Government.
 3. As per S.N.2&3.
 4. DMRC shall consider the views of people regarding employment opportunity in Metro rail project seriously.
 5. DMRC shall use suitable technology/equipments to reduce noise, vibration and air pollution.
 6. DMRC informed that proper traffic diversion plan will be prepared and traffic diversion signage will be installed.
-

ANNEXURE 6.2

Minutes of Public Consultation-II

Place: Ravi Das Nagar Colony, Bahadurgarh **Date:** 18/09/2013,

Time:11.30

Venue: Ravi Das Temple

Name s the Participants:

Dr. S.K.Jain, Mr. Ghanshyam Upadhyay, Mr. Deepak Kumar, Ms. Guddi, Ms. Rani, Mr. Man Singh. Mr. Veere, Mr. Prakash, Mr. Jaipal, Mr. Bedo, Mr. Subey, Mr. Jeetram, Ms Bala, Kishmi, Mr. Rajkumar

Procedures of Public Participation:

Public consultation was conducted at Ravi s Temple to discuss how to minimize negative impacts in the project corridor and to make people aware of the project. The number of participants in the consultation was approximately 16, which included representatives from different echelon of the society. The key informants included both individuals and groups namely (i) head of households;(ii)household members; (iii) local people. During public consultations, issues related to land acquisition, compensation, income restoration, employment, training were discussed. The following methods were adopted for conducting public consultation:

- In-depth individual interviews
- Group discussion/meeting and interviews with key informants
- Sharing the opinion and preferences of the PAPs

Means of Public Notification:

During survey local people were informed verbally about the venue, date, and objective of public consultation.

Issue and Agenda Discussed:

- Issue of Land Acquisition
 - Compensation
 - Employment Generation
 - Training
-

Opinion & Views from the Public/Affected Person

1. People losing their residential units and livelihoods should be rehabilitated before construction of metro project.
2. Small Business/ petty jobs is the main source of livelihood of people in the area. Therefore, their source of livelihood should not be disturbed.
3. Compensation for acquisition of private land should be given at market value.
4. Need based training should be provided to PAPs for income generation and supporting their livelihood.
5. People have no objection for proposed metro rail project.
6. People losing their jobs due to demolition of structures should be given employment opportunity.
7. Safety should be the first priority during construction and operation of the project.

DMRC Reply

1. DMRC shall ensure that all resettlement and rehabilitation activities shall be completed before construction of metro project.
 2. DMRC has made an attempt during design of project preparation to minimize land acquisition, resettlement and adverse impact on people through suitable engineering design. Steps have been made to confine project area in the government land and in available right of way, where ever feasible. However, the PAPs losing their business as source of main livelihood shall be properly rehabilitated by constructing a market complex nearby area.
 3. Compensation for acquisition of private land shall be decided as per the Relocation and Rehabilitation Policy of Haryana/ Delhi Government.
 4. DMRC shall take proper initiatives to arrange for training for employment or income generation activities for PAPs.
 5. DMRC shall rehabilitate all PAPs losing their business units by constructing a market complex nearby area as per the Relocation and Rehabilitation Policy of Delhi Government.
 6. DMRC welcomes the support of people for the proposed Delhi metro rail project,
 7. DMRC and contractors shall take all the safety measures during construction of metro rail.
 8. DMRC informed that proper traffic diversion plan will be prepared and proper signage will be installed to avoid traffic jam problem
-

DELHI METRO RAIL CORPORATION
Phase III Corridors of Delhi Metro

Monitoring of RAP Implementation

Report for the month of

Part-I: Quantitative monitoring format

Activity	Indicator	Target		Achievement	
		This Month	Cumulative	This Month	Cumulative
Staffing	Number of DMRC staff on the project by job function				
	Number of other line agency officials available for tasks				
Verification of impact	No. of project affected households				
	No. of project affected people				
	No. of people loss residence				
	No. of people loss livelihood				
	No. of people displace				
Resettlement	No. of people provided with ID Card				
	No. of resettlement sites developed				
	No. of people received compensation before starting construction activities				
	Area of private land acquired				
	Area of Govt. land acquired				
	No. of people resettled				
	No. of religious properties relocated				
	No. of community properties relocated				
	No. of Govt. properties relocated				
Rehabilitation	No. of training agencies identified				

Social Impact Assessment for Mundka- Bahadurgarh corridor of Delhi Metro

Activity	Indicator	Target		Achievement	
		This Month	Cumulative	This Month	Cumulative
	No. of people undergone skill development training				
	No. of people restarted their income restoration activities				
	No. of new enterprises started				
Grievance Redressal	No. of grievance redress committee formed				
	No. of grievance redress committee meetings conducted				
	No. of grievances received				
	No. of grievances addressed				
Public consultation/ Disclosure of information	No. of public consultations				
	Frequency of consultation				
	No. of participants in the consultation meetings				
	Whether the entitlement matrix has been translated in a understandable local language.				
	No. of translated copies distributed to relevant stakeholders including Aps				
	No. of locations where the list of entitled persons displayed				
Review and Monitoring	No. of staff meetings conducted at PIU level				
	Date of appointment of Independent Evaluation Agency (IEA)				
	Frequency of submitting progress reports				
Awareness programs	No. of HIV/AIDS awareness programs conducted				

Activity	Indicator	Target		Achievement	
		This Month	Cumulative	This Month	Cumulative
	No. of hotspots identified				
	No. of road safety awareness programs conducted.				
Fund utilization	Funds utilized				

Part-II- Qualitative Monitoring format

1. Composition/type of participants and specific issues raised by the participants especially the vulnerable groups.
2. Actions/follow-up taken to address the issues raised in the public consultation meetings.
3. Process adopted for the relocation of AFs, religious and community structures. The process adopted for relocation of squatters and other vulnerable groups may be specified.
4. Process of distribution and allotment of compensation and other R&R assistances.
5. When the compensation/assistance has been paid, and the utility of compensation amount and other R&R assistances.
6. Type of grievances, its reasons and measures taken to address this.
7. Brief description of income generation activities undertaken by the AFs.
8. Major issues faced during RAP implementation and actions taken to resolve it.
9. Major lessons learned and documented.

Signature

Name and Designation of the Reporting officer

Place:

Date:

Terms of Reference for Independent Evaluation Agency

1. Project Description

Delhi Metro Rail Corporation (DMRC) has already implemented Phase I and Phase II of the Metro network in Delhi. Now DMRC is in process to implement the phase III of Delhi Metro. The project involves construction of four corridors. This project is being implemented by Executing Agency (EA) with financial support of Japan International Corporation Agency (JICA). The project gives utmost importance to the Rehabilitation and Resettlement of project affected families. Accordingly, a Resettlement Action Plan has been developed for implementation.

The project includes a provision for monitoring and evaluation of the implementation of the Resettlement Action Plan (RAP) by an external monitor. Therefore, the EA, which is the Executing Agency (EA) for this project, requires services of a reputed Social Sector specialist individual /firm for monitoring and evaluation of RAP implementation referred to as the "Independent Evaluation Agency"(IEA).

2. Scope of Work of IEA- Generic

- To review and verify the progress in resettlement implementation as outlined in the RAP
- To monitor the effectiveness and efficiency of Social Management Unit (SMU) and the concerned agency in RAP implementation.
- To assess whether resettlement objectives, particularly livelihoods and living standards of the affected persons have been restored or enhanced
- To assess the efforts of SMU and concerned agency in implementation of the 'Community Participation strategy' with particular attention on participation of vulnerable groups namely (i) those who are below poverty line (BPL), (ii) those who belong to Scheduled Castes (SC) and Scheduled Tribes (ST), (iii) Women headed families, (iv) elderly and (v) disabled persons.
- To assess resettlement efficiency, effectiveness, impact and sustainability, drawing both on policies and practices and to suggest any corrective measures, if necessary.

3. Scope of work- Specific

The independent evaluation agency (IEA) will be involved in ongoing monitoring of the resettlement efforts by the EA. The major tasks expected from the external monitor are:

- Review pre-displaced baseline data on income and expenditure, occupational and livelihood patterns, arrangements for use of common property, social organization, community organizations and cultural parameters.
 - To review and verify the progress in land acquisition/resettlement implementation of subproject on a sample basis and prepare reports for the EA.
-

- To evaluate and assess the livelihood opportunities and income as well as quality of life of affected persons of project induced changes.
- To evaluate and assess the adequacy and effectiveness of consultative process with affected persons, particularly those vulnerable, including the adequacy and effectiveness of grievance procedures and legal redress available to the affected parties and dissemination of information about these.
- Identify an appropriate set of indicators for gathering and analyzing information on resettlement impacts; the indicators shall include but not limited to issues like restoration of income and living standards and level of satisfaction by the APs in post-resettlement period.
- Review results of internal monitoring and verify claims through random checking at the field level to assess whether resettlement objectives have been generally met. Involve the APs, host population, and community groups in assessing the impact of resettlement for monitoring and evaluation purposes.
- Conduct both individual and community level impact analysis through the use of formal and informal surveys, key informant interviews, focus group discussions, community public meetings, and in-depth case studies of APs and host population from various social classes to assess the impact of resettlement.
- Identify the strengths and weaknesses of basic resettlement objectives and approaches, implementation strategies, including institutional issues, and provides suggestions for improvements in future resettlement policy making and planning

4. Time frame and Reporting

The independent monitoring agency will be responsible for independent evaluation of the RAP implementation. The work is scheduled to start in and continue till the end of the project. The duration of RAP implementation is as per the given RAP time schedule. The monitoring and evaluation report should be submitted to EA .

5. Qualifications

The monitoring and evaluation agency will have significant experience in resettlement policy analysis and RAP implementation. Further, work experience and familiarity with all aspects of resettlement operations would be desirable.

Interested agencies should submit proposal for the work with a brief statement of the approach, methodology, staff strength, and relevant information concerning previous experience on monitoring and evaluation of resettlement and rehabilitation implementation and preparation of reports.

6. Budget and Logistics

Copies of the proposal- both Technical and Financial- should be submitted and the budget should include all cost and any other logistics details necessary for resettlement monitoring. Additional expense claims whatsoever outside the budget will not be entertained.

MINISTRY OF RURAL DEVELOPMENT

(Department of Land Resources)

(Land Reforms Division)

RESOLUTION

New Delhi, the 31st October, 2007 **Subject : National**

Rehabilitation and Resettlement Policy, 2007

RNo. 26011/4/2007-LRD.—Whereas, the Government of India, Ministry of Rural Development, Department of Land Resources, have formulated a National Rehabilitation and Resettlement Policy, 2007;

And, whereas, the Government of India desire that the contents of the said Policy be brought to the notice of the general public and given wide publicity;

Now, therefore, it is directed that the National Rehabilitation and Resettlement Policy, 2007 given in the Schedule hereto annexed be published in the Gazette of India, Extraordinary, Part 1, Section I, dated the 31st October, 2007.

SCHEDULE

THE NATIONAL REHABILITATION AND RESETTLEMENT

POLICY, 2007

CHAPTER-I

1. Policy

PREAMBLE:

1.1 Provision of public facilities or infrastructure often requires the exercise of legal powers by the state under the principle of *eminent domain* for acquisition of private property, leading to involuntary displacement of people, depriving them of their land, livelihood and shelter; restricting their access to traditional resource base, and uprooting them from their socio-cultural environment. These have traumatic, psychological and socio-cultural consequences on the affected population which call for protecting their rights, in particular of the weaker sections of the society including members of the Scheduled Castes, Scheduled Tribes, marginal farmers and women. Involuntary displacement of people may be caused by other factors also.

1.2 There is imperative need to recognise rehabilitation and resettlement issues as intrinsic to the development process formulated with the active participation of the affected persons, rather than as externally-imposed requirements.

Additional

benefits beyond monetary compensation have to be provided to the families affected adversely by involuntary displacement. The plight of those who do not have legal or recognised rights over the land on which they are critically dependent for their

subsistence is even worse. This calls for a broader concerted effort on the part of the planners to include in the displacement, rehabilitation and resettlement process framework not only those who directly lose land and other assets but also those who are affected by such acquisition of assets. The displacement process often poses problems that make it difficult for the affected persons to continue their earlier livelihood activities after resettlement. This requires a careful assessment of the economic disadvantages and social impact of displacement. There must also be a holistic effort aimed at improving the all round living standards of the affected people.

1.3 A National Policy on Resettlement and Rehabilitation for Project Affected Families was formulated in 2003, and it came into force w.e.f. February, 2004. Experience of implementation of this policy indicates that there are many issues addressed by the policy which need to be reviewed. There should be a clear perception, through a careful quantification of the costs and benefits that will accrue to society at large, of the desirability and justifiability of each project. The adverse impact on affected families - economic, environmental, social and cultural - needs to be assessed in a participatory and transparent manner. A national policy must apply to all projects where involuntary displacement takes place.

1.4 The aim should be to minimise large-scale displacement, as far as possible. Only the minimum area of land commensurate with the purpose of the project may be acquired. Also, as far as possible, projects may be set up on wasteland, degraded land or un-irrigated land. Acquisition of agricultural land for non-agricultural use in the project may be kept to the minimum; multi-cropped land may be avoided to the extent possible for such purposes, and acquisition of irrigated land, if unavoidable, may be kept to the minimum. Prior to initiating the acquisition of land for a project, the appropriate Government should, *inter alia*, take into consideration the alternatives that will (i) minimise the displacement of people due to the acquisition of land for the project; (ii) minimise the total area of land to be acquired for the project; and (iii) minimise the acquisition of agricultural land for non-agricultural use in the project. The options assessment may be in terms of the alternative project plans, potentially suitable sites, technological choices available, or a combination of these. Suitable institutional mechanism should be developed and adopted by the appropriate Government for carrying out the task in a transparent manner,

1.5 Where large numbers of families are affected, it must be mandatory to do social impact assessments and provide all required infrastructural facilities and amenities in the resettlement area. More particularly, where the Scheduled Tribes people are being displaced in sizeable numbers, a well thought out Tribal Development Plan must be put in place,

1.6 Furthermore, such a policy must specify clear timeframes within which the

implementation of the rehabilitation package as well as utilization of the land shall

be accomplished. Also, it should lay down an effective monitoring and grievance redressal mechanism,

1.7 It is acknowledged that many State Governments, Public Sector Undertakings or agencies, and other requiring bodies either have their own Rehabilitation and Resettlement (R&R) policies or are in the process of formulating them. The provisions of the National Rehabilitation and Resettlement Policy, 2007 (NRRP-2007) provide for the basic minimum requirements, and all projects leading to involuntary displacement of people must address the rehabilitation and resettlement issues comprehensively. The State Governments, Public Sector Undertakings or agencies, and other requiring bodies shall be at liberty to put in place greater benefit levels than those prescribed in the NRRP-2007. The principles of this policy may also apply to the rehabilitation and resettlement of persons involuntarily displaced permanently due to any other reason.

CHAPTER - II

2. Objectives of the National Rehabilitation and Resettlement Policy

2.1 The objectives of the National Rehabilitation and Resettlement Policy are as follows:-

- (a) to minimise displacement and to promote, as far as possible, non-displacing or least-displacing alternatives;
- (b) to ensure adequate rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of the affected families;
- (c) to ensure that special care is taken for protecting the rights of the weaker sections of society, especially members of the Scheduled Castes and Scheduled Tribes, and to create obligations on the State for their treatment with concern and sensitivity;
- (d) to provide a better standard of living, making concerted efforts for providing sustainable income to the affected families;
- (e) to integrate rehabilitation concerns into the development planning and implementation process; and
- (f) where displacement is on account of land acquisition, to facilitate harmonious relationship between the requiring body and affected families through mutual cooperation.

CHAPTER-III

3. Definitions

3.1 The definition of various expressions used in this policy are as follows:

- (a) "*Administrator for Rehabilitation and Resettlement*" means an officer not below the rank of ■ District Collector in a State appointed for the purpose of rehabilitation and resettlement of affected persons;

(b) "*affected family*" means:

- (i) a family whose primary place of residence or other property or source of livelihood is adversely affected by the acquisition of land for a project or involuntary displacement for any other reason; or
- (ii) any tenure holder, tenant, lessee or owner of other property, who on account of acquisition of land (including plot in the *abadi* or other property) in the affected area or otherwise, has been involuntarily displaced from such land or other property; or
- (iii) any agricultural or non-agricultural labourer, landless person (not having homestead land, agricultural land, or either homestead or agricultural land), rural artisan, small trader or self-employed person; who has been residing or engaged in any trade, business, occupation or vocation continuously for a period of not less than three years preceding the date of declaration of the affected area, and who has been deprived of earning his livelihood or alienated wholly or substantially from the main source of his trade, business, occupation or vocation because of the acquisition of land in the affected area or being involuntarily displaced for any other reason;

(c) "*affected area*" means area of village or locality **notified** by the appropriate Government under paragraph 6.1 of this policy;

(d) "*agricultural labourer*" means a person primarily resident in the affected area for a period of not less than three years immediately before the declaration of the affected area who does not hold any land in the affected area but who earns his livelihood principally by manual labour on agricultural land therein immediately before such declaration and who has been deprived of his livelihood;

(e) "*agricultural land*" includes lands being used for the purpose of-

- (i) agriculture or horticulture;
- (ii) dairy farming, poultry farming, pisciculture, breeding of livestock or nursery growing medicinal herbs;
- (iii) raising of crops, grass or garden produce; and
- (iv) land used by an agriculturist for the grazing of cattle, but does not include land used for cutting of wood only;

(f) "*appropriate Government*" means, -

- (i) in relation to the acquisition of land for the purposes of the Union, the Central Government;
- (ii) in relation to a project which is executed by the Central Government agency or undertaking or by any other agency on the orders or directions

of the Central Government, the Central Government;

(iii) in relation to the acquisition of land for purposes other than (i) and (ii) above, the State Government; and

(iv) in relation to the rehabilitation and resettlement of persons involuntarily displaced due to any other reason, the State Government;

(g) '*BPL family*': The below poverty line (BPL) families shall be those as defined by the Planning Commission of India from time to time and included in a BPL list for the time being in force;

(h) "*Commissioner for Rehabilitation and Resettlement*" means the Commissioner for Rehabilitation and Resettlement appointed by the State Government not below the rank of Commissioner or of equivalent rank of that Government;

(i) "*DDP block*" means a block identified under the Desert Development Programme of the Government of India;

(j) "*family*" includes a person, his-or her spouse, minor sons, unmarried daughters, minor brothers, unmarried sisters, father, mother and other relatives residing with him or her and dependent on him or her for their livelihood; and includes "*nuclear family*" consisting of a person, his or her spouse and minor children;

(k) "*holding*" means the total land held by a person as an occupant or tenant or as both;

(l) "*khatedar*" means a person whose name is included in the revenue records of the parcel of land under reference;

(m) "*land acquisition*" or "*acquisition of land*" means acquisition of land under the Land Acquisition Act, 1894 (1 of 1894), as amended from time to time, or any other law of the Union or a State for the time being in force;

(n) "*marginal farmer*" means a cultivator with an un-irrigated land holding up to one hectare or irrigated land holding up to half hectare;

(o) "*non-agricultural labourer*" means a person who is not an agricultural labourer but is primarily residing in the affected area for a period of not less than three years immediately before the declaration of the affected area and who does not hold any land under the affected area but who earns his livelihood principally by manual labour or as a rural artisan immediately before such declaration and who has been deprived of earning his livelihood principally by manual labour or as such artisan in the affected area;

(p) "*notification*" means a notification published in the Gazette of India or, as the case may be the Gazette of a State;

(q) "*occupiers*" means members of the Scheduled Tribes in possession of forest land prior to the 13th day of December, 2005;

- (r) "*Ombudsman*" means the person appointed under paragraph 8.3 of this policy for redressal of grievances;
- (s) "*prescribed*" means, unless otherwise specified, prescribed by guidelines or orders issued by the Central Government under this policy;
- (t) "*project*" means a project involving involuntary displacement of people, irrespective of the number of persons affected;
- (u) "*requiring body*" means a company, a body corporate, an institution, or any other organisation for whom land is to be acquired by the appropriate Government, and includes the appropriate Government if the acquisition of land is for such Government either for its own use or for subsequent transfer of such land in public interest to a company, a body corporate, an institution, or any other organization, as the case may be, under lease, license or through any other system of transfer of land;
- (v) "*resettlement area*" means any area so declared under paragraph 6.9 of this policy by the appropriate Government;
- (w) "*small farmer*" means a cultivator with an un-irrigated land holding up to two hectares or with an irrigated land holding up to one hectare, but more than the holding of a marginal farmer.

CHAPTER-IV 4.

Social Impact Assessment (SIA) of Projects

4.1 Whenever it is desired to undertake a new project or expansion of an existing project, which involves involuntary displacement of four hundred or more families *en masse* in plain areas, or two hundred or more families *en masse* in tribal or hilly areas, DDP blocks or areas mentioned in the Schedule V or Schedule VI to the Constitution, the appropriate Government shall ensure that a Social Impact Assessment (SIA) study is carried out in the proposed affected areas in such manner as may be prescribed.

4.2.1 The above SIA report shall be prepared, in such proforma as may be prescribed, considering various alternatives, and using agencies accredited in the manner prescribed.

4.2.2 While undertaking a social impact assessment, the appropriate Government shall, *inter alia*, take into consideration the impact that the project will have on public and community properties, assets and infrastructure; particularly, roads, public transport, drainage, sanitation, sources of safe

drinking water, sources of drinking water for cattle, community ponds, grazing land, plantations; public utilities, such as post offices, fair price shops, etc.; food storage godowns, electricity supply, health care facilities, schools and educational/training facilities, places of worship, land for traditional tribal institutions, burial and cremation grounds, etc.

4.2.3 The appropriate Government may specify that the ameliorative measures, which will need to be undertaken for addressing the said impact for a component, may not be less than what is provided in a scheme or programme, if any, of the Central Government or a State Government in operation in that area.

4.3.1 Where it is required as per the provisions of any law, rules, regulations or guidelines to undertake environmental impact assessment also, the SIA study shall be carried out simultaneously with the Environmental Impact Assessment (EIA) study.

4.3.2 In cases where both EIA and SIA are required, the public hearing done in the project affected area for EIA shall also cover issues related to SIA. Such public hearing shall be organised by the appropriate Government.

4.3.3 Where there is no requirement for EIA, the SIA report shall be made available to the public through public hearing to be organised by the appropriate Government in the affected area.

4.4.1 The SIA report shall be examined by an independent multi-disciplinary expert group constituted for the purpose by the appropriate Government. Two non-official social science and rehabilitation experts, the Secretary/Secretaries of the department(s) concerned with the welfare of Scheduled Castes and Scheduled Tribes of the appropriate Government or his (their) representative(s), and a representative of the requiring body shall be nominated by the appropriate Government to serve on this expert group.

4.4.2 Where both EIA and SIA are required, a copy of the SIA report shall be made available to the agency prescribed in respect of environmental impact assessment by the Ministry of Environment and Forests, and a copy of the EIA report shall be shared with the expert group mentioned in paragraph 4.4.1.

4.5 The SIA clearance shall be accorded as per the procedure and within the time limits as may be prescribed.

4.6 The SIA clearance shall be mandatory for all projects involving involuntary displacement of four hundred or more families *en masse* in plain areas, or two hundred or more families *en masse* in tribal or hilly areas, DDP blocks or areas mentioned in the Schedule V or Schedule VI to the Constitution, and the conditions laid down in the SIA clearance shall be duly followed by all concerned.

4.7 The Ministry of Defence, in respect of projects involving emergency acquisition of minimum area of land in connection with national security, may be exempted from the provisions of this Chapter, with due institutional safeguards, as may be prescribed, for protecting the interests of the affected families and achieving the broad objectives of this policy.

CHAPTER-V

5. Appointment of Administrator and Commissioner for Rehabilitation and Resettlement and their powers and functions

5.1 Where the appropriate Government is satisfied that there is likely to be involuntary displacement of large number of persons due to acquisition of land for any project or due to any other reason, it may; and where the appropriate Government is satisfied that there is likely to be involuntary displacement of four hundred or more families *en masse* in plain areas, or two hundred or more families *en masse* in tribal or hilly areas, DDP blocks or areas mentioned in the Schedule V or Schedule VI to the Constitution due to acquisition of land for any project or due to any other reason, it shall, appoint, by notification, by the State Government(s) concerned, in respect of that project, an officer not below the rank of District Collector of the State Government to be the Administrator for Rehabilitation and Resettlement (R&R):

Provided that if the appropriate Government in respect of the project is the Central Government, such appointment shall be made in consultation with the Central Government:

Provided further that in case of a project involving involuntary displacement of less than four hundred families *en masse* in plain areas, or less than two hundred families *en masse* in tribal or hilly areas, DDP blocks or areas mentioned in the Schedule V or Schedule VI to the Constitution, where the appropriate Government decides not to appoint an Administrator for Rehabilitation and Resettlement, adequate administrative arrangements shall be made by the appropriate Government for the rehabilitation and resettlement of the affected families as per this policy.

5.2 The Administrator for Rehabilitation and Resettlement shall be assisted by such officers and employees as the appropriate Government may provide.

5.3 Subject to the superintendence, directions and control of the appropriate Government and Commissioner for Rehabilitation and Resettlement, the Administrator for Rehabilitation and Resettlement shall take all measures for the rehabilitation and resettlement of the affected families.

5.4 The overall control and superintendence of the formulation, execution and monitoring of the rehabilitation and resettlement plan shall vest in the Administrator for Rehabilitation and Resettlement.

5.5 Subject to any general or special order of the appropriate Government, the Administrator for Rehabilitation and Resettlement shall perform the following functions and duties:

- (i) minimise displacement of people and to identify non-displacing or least-displacing alternatives in consultation with the requiring body;
- (ii) hold consultation with the affected families while preparing a rehabilitation and resettlement scheme or plan;
- (iii) ensure that interests of the adversely affected persons of Scheduled Tribes and weaker sections are protected;
- (iv) prepare a draft scheme or plan of rehabilitation and resettlement as required under Chapter VI of this policy;
- (v) prepare a budget including estimated expenditure of various components of acquisition of land, rehabilitation and resettlement activities or programmes in consultation with representatives of the affected families and the requiring body;
- (vi) arrange adequate land, as far as possible, for rehabilitation and resettlement of the affected families;
- (vii) allot land and sanction the benefits to the affected families;
- (viii) perform such other functions as the appropriate Government may, from time to time, by order in writing, assign.

5.6 The Administrator for Rehabilitation and Resettlement may, by order in writing, delegate such of the administrative powers conferred and duties imposed on him by or under this policy to any officer not below the rank of *Tehsildar* or equivalent.

5.7 All officers and staff appointed by the appropriate Government under this policy shall be subordinate to the Administrator for Rehabilitation and Resettlement.

5.8 The State Government shall appoint **an** officer of the rank of Commissioner or of equivalent rank of that Government for rehabilitation and resettlement in respect of such cases to which this policy applies to be called the Commissioner for Rehabilitation and Resettlement.

5.9 For the purposes of this policy, the Administrator for Rehabilitation and Resettlement and other officers and employees appointed for the purposes of rehabilitation and resettlement of the affected families shall be subordinate to the Commissioner for Rehabilitation and Resettlement.

5.10 The Commissioner for Rehabilitation and Resettlement shall be responsible for supervising the formulation of rehabilitation and resettlement plans or schemes and proper implementation of such plans or schemes.

CHAPTER-VI

6. Rehabilitation and Resettlement Plan

The procedure mentioned in this chapter shall be followed for declaration of the affected area, carrying out survey and census of affected persons, assessment of government land available and land to be arranged for rehabilitation and resettlement, declaration of the resettlement area or areas, preparation of the draft rehabilitation and resettlement scheme or plan and its final publication.

6.1 Where the appropriate Government is of the opinion that there is likely to be involuntary displacement of four hundred or more families *en masse* in plain areas, or two hundred or more families *en masse* in tribal or hilly areas, DDP blocks or areas mentioned in the Schedule V or Schedule VI to the Constitution due to acquisition of land for any project or due to any other reason, it shall, declare, by notification in the Official Gazette, area of villages or localities as an affected area.

6.2 Every declaration made under paragraph 6.1 of the policy shall be published in at least three daily newspapers, two of which shall be in the local vernacular, having circulation in villages or areas which are likely to be affected, and also by affixing a copy of the notification on the notice board of the concerned *gram panchayats* or municipalities and other prominent place or places in the affected area and the resettlement area, and/or by any other method as may be prescribed in this regard by the appropriate Government.

6.3 Once the declaration is made under paragraph 6.1 of the policy, the Administrator for Rehabilitation and Resettlement shall undertake a baseline survey and census for identification of the persons and families likely to be affected.

6.4 Every such survey shall contain the following village-wise information of the affected families:-

- (i) members of the family who are permanently residing, engaged in any trade, business, occupation or vocation in the affected area;
- (ii) families who are likely to lose, or have lost, their house, agricultural land, employment or are alienated wholly or substantially from the main source of their trade, business, occupation or vocation;
- (iii) agricultural labourers and non-agricultural labourers;
- (iv) families belonging to the Scheduled Caste or Scheduled Tribe categories;
- (v) vulnerable persons such as the disabled, destitute, orphans, widows, unmarried girls, abandoned women, or persons above fifty years of age; who are not provided or cannot immediately be provided with alternative livelihood, and who are not otherwise covered as part of a family;
- (vi) families that are landless (not having homestead land, agricultural land, or either homestead or agricultural land) and below poverty line, but residing continuously for a period of not less than three years in the affected area preceding the date of declaration of the affected area; and
- (vii) Scheduled Tribes families who are or were having possession of forest lands in the affected area prior to the 13th day of December, 2005.

6.5 Every survey undertaken under paragraph 6.4 shall be completed expeditiously and within a period of ninety days from the date of declaration made under paragraph 6.1.

6.6 On completion of the above survey or on expiry of a period of ninety days, whichever is earlier, the Administrator for Rehabilitation and Resettlement shall, by notification, and also in such other manner so as to reach all persons likely to be affected, publish a draft of the details of the findings of the survey conducted by him and invite objections and suggestions from all persons likely to be affected thereby. This draft shall be made known locally by wide publicity in the affected area.

6.7 On the expiry of thirty days from the date of publication of the draft of the details of survey and after considering the objections and suggestions received by

him in this behalf, the Administrator for Rehabilitation and Resettlement shall submit his recommendations thereon along with the details of the survey to the appropriate Government.

6.8 Within forty-five days from the date of receipt of the details of the survey and recommendations of the Administrator for Rehabilitation and Resettlement, the appropriate Government shall publish the final details of survey in the Official Gazette.

6.9 The appropriate Government shall, by notification, declare any area (or areas) as a resettlement area (or areas) for rehabilitation and resettlement of the affected families.

6.10 The Administrator for Rehabilitation and Resettlement shall ensure that the affected families may be settled, wherever possible, in a group or groups in such resettlement areas. However, it has to be ensured that the affected families may be resettled with the host community on the basis of equality and mutual understanding, consistent with the desire of each group to preserve its own identity and culture.

6.11 For the purposes of paragraph 6.9 above, the Administrator for Resettlement and Rehabilitation shall draw up a list of lands that may be available for rehabilitation and resettlement of the affected families.

6.12 The lands drawn up under paragraph 6.11 shall consist of>

- (a) land available or acquired for the project and earmarked for this purpose;
- (b) Government wastelands and any other land vesting in the Government available for allotment to the affected families;
- (c) lands that may be available for purchase or acquisition for the purposes of rehabilitation and resettlement scheme or plan; or
- (d) a combination of one or more of the above.

However, the Administrator for Rehabilitation and Resettlement should ensure that such acquisition of land does not lead to another set of physically displaced families.

6.13 The Administrator for Rehabilitation and Resettlement, on behalf of the appropriate Government, may either purchase land from any person through

consent award and may enter into an agreement for this purpose, or approach the State Government concerned for acquisition of land for the purposes of rehabilitation and resettlement scheme or plan, keeping in view the contents of paragraph 6.12(b) above.

6.14.1 After completion of baseline survey and census of the affected families and assessment of the requirement of land for resettlement, as mentioned in paragraphs 6.3 and 6.12, the Administrator for Rehabilitation and Resettlement shall prepare a draft scheme or plan for the rehabilitation and resettlement of the affected families after consultation with the representatives of the affected families including women and the representative of the requiring body,

6.14.2 The draft rehabilitation and resettlement scheme or plan shall contain the following particulars, namely:-

- (a) the extent of land to be acquired for the project and the name(s) of the affected village(s);
- (b) a village-wise list of the affected persons, family-wise, and the extent and nature of land and immovable property owned or held in their possession in the affected area, and the extent and nature of such land and immovable property which they are likely to lose or have lost, indicating the survey numbers thereof;
- (c) a list of agricultural labourers in such area and the names of such persons whose livelihood depends on agricultural activities;
- (d) a list of persons who have lost or are likely to lose their employment or livelihood or who have been or likely to be alienated wholly or substantially from their main sources of trade, business, occupation or vocation consequent to the acquisition of land for the project or involuntary displacement due to any other cause;
- (e) a list of non-agricultural labourers, including artisans;
- (f) a list of affected landless families, including those without homestead land and below poverty line families;
- (g) a list of vulnerable affected persons, as indicated at paragraph 6.4(v);
- (h) a list of occupiers, if any;
- (i) a list of public utilities and government buildings which are affected or likely to be affected;
- (j) details of public and community properties, assets and infrastructure;
- (k) a list of benefits and packages which are to be provided to the affected families;

- (1) details of the extent of land available in the resettlement area for resettling and for allotment of land to the affected families;
- (m) details of the amenities and infrastructural facilities which are to be provided for resettlement;
- (n) the time schedule for shifting and resettling the displaced persons in the resettlement area or areas; and
- (o) such other particulars as the Administrator for Rehabilitation and Resettlement may consider necessary.

6.14.3 The draft scheme or plan may be made known locally by wide publicity in the affected area and the resettlement area (or areas) in such manner as may be prescribed by the appropriate Government.

6.15.1 The draft rehabilitation and resettlement scheme or plan shall also be discussed in *gram sabhas* in rural areas and in public hearings in urban and rural areas where *gram sabhas* don't exist.

6.15.2 The consultation with the *gram sabha* or the *panchayats* at the appropriate level in the Scheduled Areas under Schedule V of the Constitution shall be in accordance with the provisions of the Provisions of the *Panchayats* (Extension to the Scheduled Areas) Act, 1996 (40 of 1996).

6.15.3 In cases of involuntary displacement of two hundred or more Scheduled Tribes families from the Scheduled Areas, the concerned Tribes Advisory Councils may also be consulted,

6.16 While preparing a draft scheme or plan as specified in paragraph 6.14, the Administrator for Rehabilitation and Resettlement shall ensure that the entire estimated cost of the rehabilitation and resettlement scheme or plan forms an integral part of the cost of the project for which the land is being acquired. The entire expenditure on rehabilitation and resettlement benefits and other expenditure for rehabilitation and resettlement of the affected families are to be borne by the requiring body for which the land is being acquired. The Administrator for Rehabilitation and Resettlement shall ensure that the entire estimated cost of rehabilitation and resettlement benefits and other expenditure for rehabilitation and resettlement of the affected families is communicated to the requiring body for incorporation in the project cost.

6.17 The Administrator for Rehabilitation and Resettlement shall submit the draft scheme or plan for rehabilitation and resettlement to the appropriate Government

for its approval. In case of a project involving land acquisition on behalf of a requiring body, it shall be the responsibility of the appropriate Government to obtain the consent of the requiring body, to ensure that the necessary approvals as required under this policy have been obtained, and to make sure that the requiring body has agreed to bear the entire cost of rehabilitation and resettlement benefits and other expenditure for rehabilitation and resettlement of the affected families as communicated by the Administrator for Rehabilitation and Resettlement, before approving it.

6.18 After approving the rehabilitation and resettlement scheme or plan, the appropriate Government shall publish the same in the Official Gazette. On final notification of the rehabilitation and resettlement scheme or plan, it shall come into force.

6.19 It shall be the responsibility of the requiring body to provide sufficient funds to the Administrator for Rehabilitation and Resettlement for proper implementation of the rehabilitation and resettlement scheme or plan. As soon as the rehabilitation and resettlement scheme or plan is finalized, the requiring body shall deposit one-third cost of the rehabilitation and resettlement scheme or plan with the Administrator for Rehabilitation and Resettlement.

6.20 The Administrator for Rehabilitation and Resettlement shall keep proper books of accounts and records of the funds placed at his disposal and submit periodic returns to the appropriate Government in this behalf,

6.21 In case of a project involving land acquisition on behalf of a requiring body, an exercise for fast-track updating of land records shall be undertaken concurrently with the land acquisition proceedings. Persons who have acquired any right prior to the date of issue of the notification under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (or such notification under any other Act of the Union or a State for the time being in force under which land acquisition is being undertaken) as per the updated records shall also have right to proportionate compensation along with the original landowners referred to in the said notification.

6.22 In case of a project involving land acquisition on behalf of a requiring body:

- (a) The compensation award shall be declared well in time before displacement of the affected families. Full payment of compensation as well as adequate progress in resettlement shall be ensured in advance of the actual displacement of the affected families.

- (bj) The compensation award shall take into account the market value of the property being acquired, including the location-wise minimum price per unit area fixed (or to be fixed) by the respective State Government or UT Administration.
- (c) Conversion to the intended category of use of the land being acquired (for example, from agricultural to non-agricultural) shall be taken into account in advance of the acquisition, and the compensation award shall be determined as per the intended land use category.
- (d) The applicable conversion charges for the change in the land use category shall be paid by the requiring body, and no reduction shall be made in the compensation award on this account.

6.23 In case of a project involving land acquisition on behalf of a requiring body, and if the requiring body is a company authorized to issue shares and debentures, the affected families who are entitled to get compensation for the land or other property acquired, shall be given the option to take up to twenty per cent, of the compensation amount due to them in the form of shares or debentures or both of the requiring body, as per the guidelines to be notified by the Central Government:

Provided that the appropriate Government, at its discretion, may raise this proportion up to fifty per cent, of the compensation amount.

6.24.1 Land compulsorily acquired for a project cannot be transferred to any other purpose except for a public purpose, and after obtaining the prior approval of the appropriate Government.

6.24.2 If land compulsorily acquired for a project or part thereof, remains unutilized for the project for a period of five years from the date of taking over the possession by the requiring body, the same shall revert to the possession and ownership of the appropriate Government without payment of any compensation or remuneration to the requiring body.

6.25 Whenever any land acquired for a public purpose is transferred to an individual or organisation (whether in private sector, public sector or joint sector) for a consideration, eighty per cent, of any net unearned income so accruing to the transferor, shall be shared amongst the persons from whom the lands were acquired or their heirs, in proportion to the value at which the lands were acquired. The fund shall be kept in a separate account which shall be administered in such manner as may be prescribed.

CHAPTER-VII

7. Rehabilitation and Resettlement Benefits for the Affected Families

7.1 The rehabilitation and resettlement benefits shall be extended to all the affected families who are eligible as affected families on the date of publication

of the declaration under paragraph 6.1, and any division of assets in the family after the said date may not be taken into account.

7.2 Any affected family owning house and whose house has been acquired or lost, may be allotted free of cost house site to the extent of actual loss of area of the acquired house but not more than two hundred and fifty square metre of land in rural areas, or one hundred and fifty square metre of land in urban areas, as the case may be, for each nuclear family:

Provided that, in urban areas, a house of up to one hundred square metre carpet area may be provided in lieu thereof. Such a house, if necessary, may be offered in a multi-storied building complex.

7.3 Each affected below poverty line family which is without homestead land and which has been residing in the affected area continuously for a period of not less than three years preceding the date of declaration of the affected area and which has been involuntarily displaced from such area, shall be entitled to a house of minimum one hundred square metre carpet area in rural areas, or fifty square metre carpet area in urban areas (which may be offered, where applicable, in a multi-storied building complex), as the case may be, in the resettlement area:

Provided that any such affected family which opts not to take the house offered, shall get a suitable one-time financial assistance for house construction, and the amount shall not be less than what is given under any programme of house construction by the Government of India.

7.4.1 Each affected family owning agricultural land in the affected area and whose entire land has been acquired or lost, may be allotted in the name of the *khatedar(s)* in the affected family, agricultural land or cultivable wasteland to the extent of actual land loss by the *khatedar(s)* in the affected family subject to a maximum of one hectare of irrigated land or two hectares of un-irrigated land or cultivable wasteland, if Government land is available in the resettlement area. This benefit shall also be available to the affected families who have, as a consequence of the acquisition or loss of land, been reduced to the status of marginal farmers.

7.4.2 In the case of irrigation or hydel projects, the affected families shall be given preference in allotment of land-for-land in the command area of the project, to the extent possible. Such lands may be consolidated, and plots of suitable sizes allotted to the affected families who could be settled there in groups. In case a family cannot be given land in the command area of the project or the family opts not to take land there, such a family may be given monetary compensation on replacement cost basis for their lands lost, for purchase of suitable land elsewhere.

7.4.3 In the case of irrigation or hydel projects, the State Governments may formulate suitable schemes for providing land to the affected families in the command areas of the projects by way of pooling of the lands that may be available or, otherwise, could be made available in the command areas of such projects.

7.5 (a) In the case of irrigation or hydel projects, fishing rights in the reservoirs shall be given to the affected families, if such rights were enjoyed by them in the affected area; (b) In other cases also, unless there are special reasons, fishing rights shall be given preferentially to the affected families.

7.6 In case of a project involving land acquisition on behalf of a requiring body, the stamp duty and other fees payable for registration of the land or house allotted to the affected families shall be borne by the requiring body.

7.7 The land or house allotted to the affected families under this policy shall be free from all encumbrances.

7.8 The land or house allotted to the affected families under this policy may be in the joint names of wife and husband of the affected family.

7.9.1 In case of allotment of wasteland or degraded land in lieu of the acquired land, each *khatedar* in the affected family shall get a one-time financial assistance of such amount as the appropriate Government may decide but not less than fifteen thousand rupees per hectare for land development.

7.9.2 In case of allotment of agricultural land in lieu of the acquired land, each *khatedar* in the affected family shall get a one-time financial assistance of such amount as the appropriate Government may decide but not less than ten thousand rupees, for agricultural production.

7.10 Each affected family that is displaced and has cattle, shall get financial assistance of such amount as the appropriate Government may decide but not less than fifteen thousand rupees, for construction of cattle shed,

7.11 Each affected family that is displaced shall get a one-time financial assistance of such amount as the appropriate Government may decide but not less than ten thousand rupees, for shifting of the family, building materials, belongings and cattle.

7.12 Each affected person who is a rural artisan, small trader or self-employed person and who has been displaced shall get a one-time financial assistance of such amount as the appropriate Government may decide but not less than twenty-five thousand rupees, for construction of working shed or shop.

7.13.1 In case of a project involving land acquisition on behalf of a requiring body,-

- (a) the requiring body shall give preference to the affected families - at least one person per nuclear family - in providing employment in **the** project, subject to the availability of vacancies and suitability of the affected person for the employment;
- (b) wherever necessary, the requiring body shall arrange for training of the affected persons, so as to enable such persons to take on suitable jobs;
- (c) the requiring body shall offer scholarships and other skill development opportunities to the eligible persons from the affected families as per the criteria as may be fixed by the appropriate Government;
- (d) the requiring body shall give preference to the affected persons or their groups or cooperatives in the allotment of outsourced contracts, shops or other economic opportunities coming up in or around the project site; and
- (e) the requiring body shall give preference to willing landless labourers and unemployed affected persons while engaging labour in the project during the construction phase.

7.13.2 The affected persons shall be offered the necessary training facilities for development of entrepreneurship, technical and professional skills for self-employment.

7.14 In case of a project involving land acquisition on behalf of a requiring body, the affected families who have not been provided agricultural land or employment shall be entitled to a rehabilitation grant equivalent to seven hundred fifty days minimum agricultural wages or such other higher amount as may be prescribed by the appropriate Government:

Provided that, if the requiring body is a company authorised to issue shares and debentures, such affected families shall be given the option of taking up to twenty per cent, of their rehabilitation grant amount in the form of shares or debentures of the requiring body, in such manner as may be prescribed:

Provided further that the appropriate Government may, at its discretion, raise this proportion up to fifty per cent, of the rehabilitation grant amount.

7.15 In cases where the acquisition of agricultural land or involuntary displacement takes place on account of land development projects, in lieu of land-for-land or employment, such affected families would be given site(s) or apartment(s) within the development project, in proportion to the land lost, but subject to such limits as may be **defined** by the appropriate Government.

7.16 In case of a project involving land acquisition on behalf of a requiring body, each affected family which is involuntarily displaced shall get a monthly subsistence allowance equivalent to twenty-five days minimum agricultural wages per month for a period of one year from the date of displacement.

7.17 The project authorities shall, at their cost, arrange for annuity policies that will pay a pension for life to the vulnerable affected persons as indicated at paragraph 6.4(v), of such amount as may be prescribed by the appropriate Government subject to a minimum of five hundred rupees per month.

7.18 If land is acquired in cases of urgency, such as under section 17 of the Land Acquisition Act, 1894 or similar provision of any other Act of the Union or a State for the time being in force, each affected family which is displaced shall be provided with transit and temporary accommodation, pending rehabilitation and resettlement scheme or plan, in addition to the monthly subsistence allowance and other rehabilitation and resettlement benefits due to them under this policy.

7.19 In case of linear acquisitions, in projects relating to railway lines, highways, transmission lines, laying of pipelines and other such projects wherein only a narrow stretch of land is acquired for the purpose of the project or is utilised for right of way, each *khatedar* in the affected family shall be offered by the requiring body an ex-gratia payment of such amount as the appropriate Government may decide, but not less than twenty thousand rupees, in addition to the compensation or any other benefits due under the Act or programme or scheme under which the land, house or other property is acquired:

Provided that, if as a result of such land acquisition, the land-holder becomes landless or is reduced to the status of a "small" or "marginal" farmer, other rehabilitation and resettlement benefits available under this policy shall also be extended to such affected family.

7.20 The affected families may be given the option to take a lump-sum amount in lieu of one or more of the benefits specified in paragraphs 7.2 to 7.19, the amount being determined by the appropriate Government after consultation with the requiring body.

7.21 REHABILITATION AND RESETTLEMENT BENEFITS FOR PROJECT AFFECTED FAMILIES BELONGING TO THE SCHEDULED TRIBES AND SCHEDULED CASTES:

7.21.1 In case of a project involving land acquisition on behalf of a requiring body which involves involuntary displacement of two hundred or more Scheduled Tribes families, a Tribal Development Plan shall be prepared, in such form as may be prescribed, laying down the detailed procedure for settling land

rights due but not settled and restoring titles of tribals on alienated land by undertaking a special drive together with land acquisition. The Plan shall also contain a programme for development of alternate fuel, fodder and non-timber forest produce (NTFP) resources on non-forest lands within a period of five years sufficient to meet requirements of tribal communities who are denied access to forests.

7.21.2 The concerned *gram sabha* or the *panchayats* at the appropriate level in the Scheduled Areas under Schedule V of the Constitution or as the case may be, Councils in the Schedule VI Areas shall be consulted in all cases of land acquisition in such areas including land acquisition in cases of urgency, before issue of a notification under the Land Acquisition Act, 1894 or any other Act of the Union or a State for the time being in force under which land acquisition is undertaken, and the consultation shall be in accordance with the provisions of the Provisions of the *Panchayats (Extension to the Scheduled Areas) Act, 1996* and other relevant laws.

Further, in cases of involuntary displacement of two hundred or more Scheduled Tribes families from the Scheduled Areas, the concerned Tribes Advisory Councils (TACs) may also be consulted,

7.21.3 Each affected family of Scheduled Tribe followed by Scheduled Caste categories shall be given preference in allotment of land-for-land, if Government land is available in the resettlement area.

7.21.4 In case of land being acquired from members of the Scheduled Tribes, at least one-third of the compensation amount due shall be paid to the affected families at the outset as first installment and the rest at the time of taking over the possession of the land.

7.21.5 In case of a project involving land acquisition on behalf of a requiring body, each Scheduled Tribe affected family shall get an additional one-time financial assistance equivalent to five hundred days minimum agricultural wages for loss of customary rights or usages of forest produce.

7.21.6 The Scheduled Tribes affected families will be re-settled, as far as possible, in the same Schedule Area in a compact block, so that they can retain their ethnic, linguistic and cultural identity. Exceptions would be allowed only in rare cases where the requiring body in case of a project involving land acquisition, or the State Government in other cases of involuntary displacement, is unable to offer such land due to reasons beyond its control.

7.21.7 The resettlement areas predominantly inhabited by the Scheduled Tribes shall get land free of cost for community and religious gatherings, to the extent decided by the appropriate Government.

7.21.8 In case of a project involving land acquisition on behalf of a requiring body, the Scheduled Tribes affected families resettled out of the district will get twenty-five per cent, higher rehabilitation and resettlement benefits in monetary terms in respect of the items specified in paragraphs 7.9, 7.10, 7.11, and 7.12.

7.21.9 Any alienation of tribal lands in violation of the laws and regulations for the time being in force shall be treated as null and void. In the case of acquisition of such lands, the rehabilitation and resettlement benefits would be available to the original tribal land-owners.

7.21.10 In the case of irrigation or hydel projects, the affected Scheduled Tribes, other traditional forest dwellers and the Scheduled Castes families having fishing rights in a river or pond or dam in the affected area shall be given fishing rights in the reservoir area of the irrigation or hydel projects.

7.21.11 The Scheduled Tribes and Scheduled Castes affected families enjoying reservation benefits in the affected area shall be entitled to get the reservation benefits at the resettlement area(s).

7.21.12 The affected Scheduled Tribes families, who were in possession of forest lands in the affected area prior to the 13th day of December, 2005, shall also be eligible for the rehabilitation and resettlement benefits under this policy.

7.22 AMENITIES AND INFRASTRUCTURAL FACILITIES TO BE PROVIDED AT RESETTLEMENT AREAS:

7.22.1 In all cases of involuntary displacement of four hundred families or more *en masse* in plain areas, or two hundred families or more *en masse* in tribal or hilly areas, DDP blocks or areas mentioned in the Schedule V or Schedule VI to the Constitution, comprehensive infrastructural facilities and amenities notified by the appropriate Government shall be provided in the resettlement area(s). Such facilities and amenities shall, *inter alia*, include roads, public transport, drainage, sanitation, safe drinking water, drinking water for cattle, community ponds, grazing land, land for fodder, plantation (social forestry or agro-forestry), Fair Price shops, *panchayat ghars*, Cooperative Societies, Post Offices,

seed-cum-fertilizer storage, irrigation, electricity, health centres, **child and mother supplemental nutritional services**, children's playground, community centres, schools, institutional arrangements for training, places of worship, land for traditional tribal institutions, burial/cremation grounds, and security arrangements.

7.22.2 In cases of involuntary displacement of less than four hundred families *en masse* in plain areas, or less than two hundred families or more *en masse* in tribal or hilly areas, DDP blocks or areas mentioned in the Schedule V or Schedule VI to the Constitution, all affected families shall be provided basic infrastructural facilities and amenities at the resettlement site(s) as per the norms specified by the appropriate Government. It would be desirable that provision of drinking water, electricity, schools, dispensaries, and access to the resettlement sites, amongst others, be included in the resettlement plan approved by the appropriate Government.

7.22.3 If relocation takes place in an existing settlement area, the same infrastructure shall also be extended to the host community,

7.22.4 While shifting the population of the affected area to the resettlement area, the Administrator for Rehabilitation and Resettlement shall, as far as possible, ensure that:

- a) In case the entire population of the village or area to be shifted belongs to a particular community, such population or families may, as far as possible, be resettled *en masse* in a compact area, so that socio-cultural relations and social harmony amongst the shifted families are not disturbed.
- b) In the case of resettlement of the Scheduled Caste affected families, it may, as far as possible, be ensured that such families are resettled in the areas close to the villages.

7.22.5 The appropriate Government shall ensure that a resettlement area forms part of a *gram panchayat* or municipality.

7.23 INDEXATION OF REHABILITATION GRANT AND OTHER BENEFITS:

The rehabilitation grant and other benefits expressed in monetary terms in this policy shall be indexed to the Consumer Price Index (CPI) with the first day of April following the date of coming into force of this policy as the reference date, and the same shall also be revised by the appropriate Government at suitable intervals.

7.24 PERIPHERY DEVELOPMENT:

In case of a project involving land acquisition on behalf of a requiring body, the requiring body will be responsible for development of the defined geographic area on the periphery of the project site as decided by the appropriate Government, and will be required to contribute to the socio-economic development of the areas contiguous to its area of operation. For this purpose, the requiring body will earmark a percentage of its net profit or, in case no profit is declared by the requiring body in a particular year, for that year, such minimum alternative amount as may be determined by the appropriate Government after consultation with the requiring body, to be spent within the specified zone. The requiring body will carry out the developmental activity within this zone in close coordination with the Commissioner for Rehabilitation and Resettlement. The State Governments will be free to frame their own rules and guidelines for this purpose.

CHAPTER-VIII

8. Grievance Redressal Mechanism 8.1 Rehabilitation and

Resettlement Committee at the Project Level:

8.1.1 For each project which involves involuntary displacement of four hundred or more families *en masse* in plain areas, or two hundred or more families *en masse* in tribal or hilly areas, DDP blocks or areas mentioned in the Schedule V or Schedule VI to the Constitution, the appropriate Government shall constitute a Committee under the chairpersonship of the Administrator for Rehabilitation and Resettlement, where appointed, or some other senior Government official, where the Administrator for Rehabilitation and Resettlement is not appointed, to be called the Rehabilitation and Resettlement Committee, to monitor and review the progress of implementation of the scheme or plan of rehabilitation and resettlement of the affected families, and to carry out post-implementation social audits.

8.1.2 The Rehabilitation and Resettlement Committee constituted as above shall include., apart from officers of the appropriate Government, as one of its members:-

- a representative of women residing in the affected area;
- a representative each of the Scheduled Castes and Scheduled Tribes residing in the affected area;
- a representative of a voluntary organisation;
- a representative of the lead bank;

- Chairperson(s) of the *panchayats* and municipalities located in the affected area, or their nominee(s);
- Members of Parliament and Members of Legislative Assembly of the area included in the affected area;
- the Land Acquisition Officer of the project; and
- a representative of the requiring body.

8.1.3 The procedure regulating the business of the Rehabilitation and Resettlement Committee, its meetings and other matters connected thereto shall be such as may be prescribed by the appropriate Government.

8.2 Rehabilitation and Resettlement Committee at the District Level:

8.2.1 In each district, the State Government shall constitute a standing Rehabilitation and Resettlement Committee under the chairpersonship of the District Collector or, as the case may be Deputy Commissioner of the district, to monitor and review the progress of rehabilitation and resettlement of the affected families in the district excluding those covered by the Rehabilitation and Resettlement Committees at the project level as prescribed in paragraph 8.1.

8.2.2 The composition, powers, functions and other matters relating to the functioning of the Rehabilitation and Resettlement Committee at the District Level shall be such as may be prescribed by the State Government.

8.3 Ombudsman:

8.3.1 An Ombudsman shall be appointed by the appropriate Government, in the manner as may be prescribed, for time-bound disposal of the grievances arising out of the matters covered by this policy.

8.3.2 Any affected person, if aggrieved, for not being offered the admissible rehabilitation and resettlement benefits as provided under this policy, may move an appropriate petition for redressal of his or her grievances to the Ombudsman concerned.

8.3.3 The form and manner in which and the time within which complaints may be made to the Ombudsman and disposed of shall be such as may be prescribed by the appropriate Government.

8.3.4 The Ombudsman shall have the power to consider and dispose of all complaints relating to rehabilitation and resettlement against the decision of the Administrator for Rehabilitation and Resettlement or Rehabilitation and

Resettlement Committee and issue such directions to the requiring body^ the Administrator for Rehabilitation and Resettlement (where appointed, or the other senior Government official appointed for rehabilitation and resettlement, where the Administrator for Rehabilitation and Resettlement is not appointed; or the District Collector/Deputy Commissioner, as the case may be) as he may deem proper for the redressal of such grievances relating to implementation of this policy.

8.3.5 In case of a project involving land acquisition on behalf of a requiring body, the disputes related to the compensation award for the land or other property acquired will be disposed of as per the provisions of the Land Acquisition Act, 1894 or any other Act of the Union or a State for the time being in force under which the acquisition of land is undertaken, and will be outside the purview of the functions of the Ombudsman.

8.4 Inter-State Projects:

8.4.1 In case a project covers an area in more than one State or Union territory where the project affected families are or had been residing, or proposed to be resettled, the Central Government in the Ministry of Rural Development (Department of Land Resources) shall, in consultation with the concerned States or Union territories, as the case may be; appoint the Administrator for Rehabilitation and Resettlement, the Commissioner for Rehabilitation and Resettlement, a common Rehabilitation and Resettlement Committee, and the Ombudsman for the purposes of this policy.

8.4.2 The method of implementation of the rehabilitation and resettlement schemes or plans shall be mutually discussed by the State Governments and the Union territory Administrations, and the common scheme or plan shall be notified by the Administrator for Rehabilitation and Resettlement in the States or Union territories, as agreed to, in accordance with the procedure laid down under this policy.

8.4.3 If any difficulty arises in the implementation of the rehabilitation and resettlement schemes or plans, the matter shall be referred to the Central Government in the Ministry of Rural Development (Department of Land Resources) for its decision, and the decision of the Central Government shall be binding on the concerned States and Union territories.

CHAPTER-IX

9. Monitoring Mechanism

9.1 National Monitoring Committee:

9.1.1 The Central Government shall constitute a National Monitoring

Committee, to be chaired by the Secretary, Department of Land Resources for reviewing and monitoring the progress of implementation of rehabilitation and resettlement schemes or plans relating to all cases to which this policy applies. The Committee will have the following or his nominee not below the rank of Joint Secretary as its members:

- Secretary, Ministry of Agriculture;
- Secretary, Ministry of Coal;
- Secretary, Ministry of Commerce;
- Secretary, Department of Industrial Policy and Promotion;
- Secretary, Ministry of Defense;
- Secretary, Ministry of Environment and Forests;
- Secretary, Ministry of Law and Justice;
- Secretary, Ministry of Mines;
- Secretary, Ministry of Panchayati Raj;
- Secretary, Planning Commission;
- Secretary, Ministry of Power;
- Secretary, Department of Road Transport and Highways;
- Secretary, Ministry of Railways/Chairman, Railway Board;
- Secretary, Ministry of Social Justice and Empowerment;
- Secretary, Ministry of Tribal Affairs;
- Secretary, Ministry of Urban Development; and
- Secretary, Ministry of Water Resources.

Besides, in case of a project involving land acquisition on behalf of a requiring body, the Secretary of the concerned administrative Ministry or Department shall be invited as one of the members. Secretary of any other Ministry or Department, and independent expert(s) of eminence in the relevant field(s) may be made special invitee(s) to this Committee.

9.1.2 The duties and procedures of the National Monitoring Committee shall be such as may be prescribed.

9.2 National Monitoring Cell:

9.2.1 The National Monitoring Committee shall be serviced by a National Monitoring Cell to be constituted by the Central Government for reviewing and monitoring the progress of implementation of rehabilitation and resettlement schemes or plans relating to all cases to which this policy applies.

9.2.2 The National Monitoring Cell constituted under this policy shall be headed by an officer not below the rank of Joint Secretary to the Government of India, and shall be suitably staffed for efficient functioning.

9.3 Information Sharing:

9.3.1 All information on displacement, rehabilitation and resettlement, with names of the affected persons and details of the rehabilitation and resettlement package, shall be placed in the public domain on the Internet as well as shared with the concerned *gram sabhas*, *panchayats*, etc. by the project authorities.

9.3.2 The States and Union territories shall provide all the relevant information on the matters covered by this policy to the National Monitoring Cell in a regular and timely manner, and also as and when required.

9.4 Internal Oversight:

9.4.1 For each major project covered by this policy, there shall be an Oversight Committee for rehabilitation and resettlement in the Ministry/Department concerned of the appropriate Government.

9.4.2 The composition, functions and procedures of this Committee shall be such as may be prescribed by the appropriate Government.

9.5 External Oversight:

9.5.1 A National Rehabilitation Commission shall be set up by the Central Government with the power to exercise external oversight over the rehabilitation and resettlement of affected families covered by this policy.

9.5.2 The composition, powers and the procedure of transaction of business of the National Rehabilitation Commission shall be such as may be prescribed.

9.6 Commencement:

The National Rehabilitation and Resettlement Policy, 2007 shall come into effect from the date of its publication in the Gazette of India (Extraordinary).

Dr. SUBAS CHANDRA PANI, Secy.

**GOVERNMENT OF NCT OF DELHI OF DELHI
LAND & BUILDING DEPARTMENT
B-BLOCK, VIKAS BHAWAN: NEW DELHI-02.**

No. F.31 (DMRC)/08/Alt./L&B/Part-II/ 7/7^7>o2- Dated:

To

All the Dy. Commissioners (Revenue),
Government of NCT of Delhi, Delhi.

Sub: Regarding Relocation and Rehabilitation Policy .

Sir,

I am directed to enclose herewith a copy of Relocation and Rehabilitation Policy for Owners of Urban Properties whose land is acquired for public purpose (Other than MRTS) w.e.f September 19, 2011 for your information and necessary action.

(Vinay Addl.

Yours faithfully,


(Kumar) 28/12

Secretary^L&B)

Ends. As above.

No. F.31 (DMRC)/08/Alt./L&B/Part-II/

Copy to:

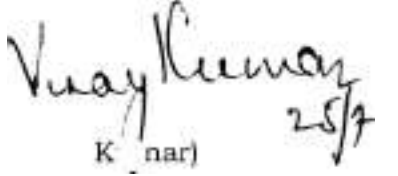
1. Vice-Chairman, D.D.A, Vikas Sadan, New Delhi.
 2. Pr. Secretary (P.W.D), Delhi Secretariat, Delhi.
 3. C.E.O, Delhi Jal Board, Varunalya, Ph.II, Karol Bagh, Delhi.
 4. Commissioner, M.C.D (East/ North /South), Delhi.
 5. Director (Education), Old Secretariat, Delhi
 6. All ADMs/LACs.
- ,y^Programmer, L&B Deptt., Delhi for uploading the policy on the website.

Copy for information to:

1. Pr. Secretary to Lt. Governor, Delhi.
2. Pr. Secretary to Chief Minister, Delhi.
3. Secretary to Minister of Health, Govt. of NCT of Delhi.

4. Secretary to Minister of Education, Govt. of NCT of Delhi.
5. Secretary to Minister of Food & Supplies, Govt. of NCT of Delhi.
6. Secretary to Minister of PWD, Govt. of NCT of Delhi.
7. Secretary to Minister of Social Welfare, Govt. of NCT of Delhi.
8. Secretary to Minister of Industries, Govt. of NCT of Delhi.
9. Pr. Secretary (Rev.), Govt. of NCT of Delhi.
10. O.S.D to Chief Secretary, Govt. of NCT of Delhi.
11. Sh. Sanjeev Sahai, Standing Counsel, Govt. of NCT of Delhi, A-126, Niti Bagh, New Delhi-110049.

Ends. As above.



Handwritten signature of Vinay Kumar, dated 25/7. Below the signature, the name 'Vinay Kumar' is printed in a small font.

(Vinay Kumar)
Addl. Secretary (L&B)

Government of National Capital Territory of Delhi
Land & Building Department
B-Block: Vikas Bhawan, New Delhi-110002.

No. F.31(DMRC)/08/Mt./L&B/II/7/7dy-7X*>2Dated: 2^)^ y

Relocation and Rehabilitation Policy for Owners of Urban Properties whose land is acquired for public purpose (other than MRTS) w.e.f September 19, 2011.

Applicability of the Policy

- (i) (a) The guidelines on Relocation and Rehabilitation Policy for Project Affected Persons (PAP) will be uniformly applicable to all urban areas.
- (b) ' The rehabilitation policy will also apply to pucca residential units only located on private land in unauthorized regularized colonies.

Eligibility Criteria

- (ii) (a) Those whose shops/residences or workshops/industrial units are affected in a manner that the said premises can not be utilized as a shop/residence, workshop/industrial unit on acquisition of this property shall be eligible for relocation and rehabilitation under the scheme. In ■ case of premises where less than 50 percent has been acquired and the recorded owner can continue to reside/work from there, would not be eligible for rehabilitation under the scheme.
- (b) In case of shops the recorded owner will be eligible.
- (C) In case of residential units, the rehabilitation will cover only owner's residing in the premises. Tenants would not be eligible under the scheme.
- (iii) To verify the claims of the project affected persons for suitable' rehabilitation and relocation, a committee shall be constituted under the"



chairmanship of the Deputy Commissioner concerned and consisting of the following members:

- (a) ADM/LAC concerned.
- (b) Representative(s) of land requisitioning department.
- (c) Representative(s) of local body concerned.
- (d) Representative(s) of DDA

The committee shall recommend the cases of eligible PAP in cases for residential plots and shops directly to DDA and in case of allotment of industrial units to the Department of Industries, Government of NCT of Delhi, and DSUDC.

- (iv) (a) For allotment of alternative residential units, the following norms, in respect of size, shall be adopted by DDA.

For residential plot of size less than 100 sq. mtrs.	A flat in LIG category
For residential plot of size above 100 sq. mtrs. Up to 300 Sq. Mt.	A flat of MIG category
For residential plot of size 300 Sq. mtrs and above.	A flat of HIG category

The location of Rehabilitation flats (L.I.G/M.I.G) should, as far as possible, be closer to the acquired land.

(b) In respect of allotment of industrial plots the norms as approved in the industrial relocation scheme shall be followed. Those who have already availed the benefits under the Industrial Relocation Scheme would not be covered. Further, the cut off dates as prescribed under the Supreme Court orders on Industrial Relocation shall apply.

(c) The size of shops may be decided by the allotting agency subject to availability of the shops.

(v) The allotment of land or built up houses or shops or industrial units shall be done on pre-determined rates.



(vi) Wherever the land is available in the nearby vicinity, the project affected shopkeepers may form an association and the land may be allotted on 99 years lease to the association for constructing shops for its members only.

(vii) As the end-use of land will be commercial, the prevalent market rate for the commercial use will be charged as notified by the Government of India, Ministry of Urban Development and Poverty Alleviation (Lands Division) from time to time.

(viii) In addition, ground rent will be levied as per government policy.

(ix) The payment for land and ground rent will be made to the local body owning the land and, in case, there is more than one local body/agency owning the land, the same will be shared proportionately on the basis of their ownership of the land.

(x) The shops will be constructed by the association according to the sanctioned Building Plans by MCD/DDA, as the case may be.

(xi) The allotment of constructed shops will be made by the committee (proposed in paragraph (iii) above) on the pattern "of the Lease Deed of DDA by draw of lots to be held in the presence of office bearers of the association.

(xii) As far as possible, the allotment of alternative space for shops shall be pro-rata according to the floor area of the land acquired/given up by the shop keepers for development, projects of government in urban areas.

(xiii) Any area made available in excess of the area acquired, shall revert to the land owning agency for the purpose of allotment to other PAP as deemed fit.

(xiv) The Requisitioning Agencies will make a provision in its commercial complexes, if any, for allotment of built up space to PAP on priority. This



allotment will be at a cost determined by the Requisitioning Agencies on their terms and conditions.

(xv) For any government project requiring involuntary resettlement, resettlement planning shall be an integral part of project design, to be dealt with from the earliest stages of the project cycle.

(xvi) The affected people shall be identified and recommended by the project executing authority, i.e., land requisition agency before submitting the proposal for notification under section 4 of the Land Acquisition Act in consultation with the concerned Land Acquisition Collector.

(xvii) A cut off date shall be set preferably at the project preparation stage so as to prevent the subsequent influx of encroachment or others who wish to take advantage of the scheme.

(xviii) Further, the full resettlement costs shall be included in the presentation of the project costs and benefits. This shall include the cost of compensation, projected enhanced compensation, relocation and rehabilitation etc.

This policy has been made effective from September 19, 2011 vide Government of India order No. O-16021/3/2010-DDVA (909), Govt. of India, Ministry of Urban Development (Delhi Division) dated September 22, 2011.



(Vijay Dev)
Pr. Secretary (L&B)



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HARYANA GOVERNMENT

REVENUE AND DISASTER MANAGEMENT DEPARTMENT

Notification

The 9th November, 2010

No. 3212-R-5-2010/12140.— In super-session of this Department Memo. No. 1298-R-5-2007/4174, dated the 6th April, 2007 and the Notification bearing No. 5451-R-V-2007/13258, dated 7th December 2007, the Governor of Haryana is pleased to notify a comprehensive revised policy laying down the floor rates in different parts of the state for acquisition of land under the Land Acquisition Act, 1894 or any other corresponding statute on the subject. The revised policy, inter alia, includes introduction of a new Scheme of 'No Litigation Incentive', revised rates of Annuity and a number of additional benefits for the landowners whose land is acquired by the Government under the Statute.

2. The policy, of which the details are given in Annexure-A, has been concurred by the Finance Department vide their U.O No. 1/17/09-4FG-II/2362, dated 09.11.2010 and approved by the Council of Ministers in its meeting held on 09.11.2010. This Policy will take effect from 07.09.2010.

NARESH GULATI,
Financial Commissioner & Principal Secretary
to Government of Haryana,
Revenue and Disaster Management Department.

Enclosure: Annexure-'A'

Price : Rs. 5.00

(7569)

Annexure 'A'**Revision of minimum floor rates and the Policy for Rehabilitation and Resettlement of Land Owners - Land Acquisition Oustees****A. Preamble :**

As a welfare state, the Government of Haryana recognises that acquisition of land under the statute and the alienation of landowners from their source of livelihood could be a painful process, notwithstanding the payment of compensation for the same as per law. Therefore, it intends to minimise this pain of the affected persons through a set of policy initiatives that include (a) payment of market value as compensation of land to the landowners with the revision and fine-tuning of minimum floor rates in respect of land situated in different parts of the state; (b) introduction of a special incentive for reducing litigation qua the compensation amount; (c) revision of the rates of Annuity payable for a period of 33 years as a social security benefit for the landowners; and (d) review and introduction of certain additional benefits over and above the one-time compensation paid in accordance with the law so as to provide for alternate means of sustenance for the landowners and other landless persons/artisans who are dependent on the agricultural land being acquired for non-agricultural purposes.

B. Strategy and Approach:

The objectives set out in the Preamble of this Policy are sought to be achieved through the following approach:

1. Undertake revision of the minimum floor rates of land as contained in the Notification dated 6th April 2007 for different parts of the state, and further fine-tune the same with introduction of a larger number of categories;
2. Introduction of a 'No Litigation Incentive' for such of the landowners who opt to accept the compensation award with a view to containing litigation on this account;
3. Revision of the basic rates of 'Annuity' and the annual increase to make it more meaningful as a means of social security for the landowners;
4. Recognising two broad categories of infrastructure projects for acquisition of land and treatment of benefits to the landowners based on the feasibility thereof;
5. Making arrangements for professional advice to the landowners for prudent investment of the compensation amount with various options;

6. Addressing the concerns of such landless persons and artisans in a village community whose source of livelihood is dependent upon the agricultural operations in respect of the acquired land.

C. The Policy:

1. Revision of Floor Rates of Land for determining the Compensation:

- i) The Government had introduced the concept of determining the minimum floor rates of land for acquisition purposes for the first time vide its Memo No. 2025-R-5-2005/4299, dated 28.04.2005, which were further revised vide Memo No. 1298-R-5-2007/4174, dated 06.04.2007. It has been observed that market rates of land have registered an upward movement with the passage of time and recovery of markets from the general economic meltdown of 2008-09. Accordingly, after considering all the related aspects for determining the compensation amount payable to the landowners, the Government has decided to revise the minimum floor rates as under:

Sr. No.	Particulars	Floor Rates per acre of land (pre-revision)	Floor Rates per acre as revised w.e.f. 07.09.2010
1	Land situated within the notified limits of Gurgaon Municipal Corporation	Rs. 20.00 Lakh	Rs. 40.00 Lakh
2	Land situated within (i) the notified limits of Faridabad Municipal Corporation, (ii) the notified limits of Panchkula Municipal Corporation as on 07.09.2010, (iii) Development Plans of (a) Gurgaon-Manesar Urban Complex (excluding the areas falling within the limits of Municipal Corporation Gurgaon) (b) Sohna, and (c) Sonapat-Kundli Urban Complex	Rs. 16.00 Lakh	Rs. 30.00 Lakh
3	Areas situated within the Development Plans of Bahadurgarh, Rohtak, Rewari, Dharuhera, Bawal and Panipat towns	Rs. 16.00 Lakh	Rs. 25.00 Lakh
4	Rest of the National Capital Region, areas situated out side the limits of Panchkula Municipal Corporation (as on 07.09.2010) in Panchkula District, and the land situated within the Development Plans of all other district headquarters outside the NCR	Rs. 16.00 Lakhs.	Rs. 20.00 Lakh
5	Remaining Parts of the State	Rs. 8.00 Lakh	Rs. 12.00 Lakh
Note	1. The floor rates mentioned above represent the basic rate of land and do not include the amount payable under Section 23 (1A) and 30% Solatium [U/s 23(2)], payable in addition. 2. Please see Appendix-1 for an indicative total amount payable to a landowner based on these floor rates.		

- ii) The Committee headed by the Divisional Commissioner will continue to perform its duties while fixing the basic rates of compensation for various categories of land under acquisition. The Committee shall take into account (i) the sale-deeds executed in the area during the one year period immediately before issue of Section 4 of the Act (while doing so, it will ignore any isolated transaction/ sale deed that may be in the nature of a distortion/ aberration and not representative of the average market value of land in the area) (ii) the Collector Rates prescribed for the area for charging the stamp duty on sale deeds, and (iii) the Minimum floor rates revised under this policy. While the highest of the above three rates would form the basis for working out the basic rate, the Committee would not be precluded from taking into account the current prevailing market rates, which could still be higher in certain cases, but based on some dependable/ reliable guiding parameters. The said committee is expected to give a well-reasoned justification behind its recommendations. It will continue to take into account all these parameters for working out the land acquisition compensation rates being followed at present while communicating the rates to the Acquiring Departments/ Agencies in the State. To the rates so determined, would be added the additional amount as per Section 23(1A) and the 30% amount under Section 23(2) payable in accordance with the Land Acquisition Act, 1894.

2. Introduction of Incentive for 'No Litigation':

- i) A landowner or an interested person, whose land is acquired, has a statutory right to seek a reference under Section 18 of the Land Acquisition Act for determination of the Court qua (a) the measurement of land, (b) the amount of compensation, (c) the persons to whom it is payable, or (d) the apportionment of the compensation among the persons interested. However, a reference under Section 18 with reference to the amount of compensation is not competent where the Award is announced by the Land Acquisition Collector under Section 11 (2).
- ii) It has been observed that notwithstanding the liberal rates of compensation being awarded by the Land Acquisition Collectors as per the State Policy, the incidence of litigation has not abated, be it by way of Civil Writ Petitions challenging the acquisition of land *per se* in some cases or by way of references seeking higher amount of compensation. Acknowledging the need for reducing litigation on this account, **at least in matters pertaining to the amount of compensation**, the Government has decided to introduce an incentive for 'No Litigation' so as to move towards the domain of 'consent acquisition' qua the 'compensation amount'.
- iii) Accordingly, it has been decided to pay an additional amount equal to 20% of the basic rate of land determined by the Land Acquisition Collector (excluding the interest and the Solatium components) as an incentive for '**No Litigation**' to such of

the landowners **who opt (a) not to challenge the acquisition of their land, and (b) to accept the compensation amount as awarded and undertake not to seek a reference under Section 18 of the Act qua the amount of compensation.** This incentive would still be available in cases where a reference is sought with respect to other issues i.e. (a) the measurement of land, (b) the persons to whom it is payable, or (c) the apportionment of the compensation among the persons interested.

- iv) The landowner opting to avail of this incentive would have to submit an undertaking as per **Application Form-1** to the effect that he accepts the compensation amount as Awarded and, that once he opts to avail of the Incentive, he would not be entitled to seek a reference under Section 18 of the Act. The Award would be deemed to have been made under Section 11(2) of the Act to that extent qua those who opt for this incentive.

3. **Effective Date:**

The revised floor rates, the policy of payment of 'No Litigation' incentive, and the revision in various parameters of the R & R Policy will be applicable to all such acquisition cases where awards have been announced on or after 07 September, 2010 irrespective of the date of notification under Section 4 of the Land Acquisition Act, 1894.

D. **Rehabilitation and Resettlement Policy:**

4. **Annuity Scheme - revised rates and features:**

The payment of Annuity to the persons, who are the landowners at the time of issue of Section 4 Notification (including their nominees over the prescribed period), whose land is acquired by the Government under a statute, is in the nature of a Social Security and Benefit Scheme as a part of the overall R & R Policy of the Government. It has been introduced primarily with a view to providing additional basic sustenance to the erstwhile landowners for a period of 33 years. Broad features of the Annuity scheme are as under:

- i) The eligible landowners will be paid Annuity @ Rs. 21,000/- per acre per annum for a period of 33 years over and above the usual land compensation;
- ii) The Annuity amount of Rs. 21,000/- will be increased by a fixed sum of Rs. 750/- every year;
- iii) In respect of land acquired in terms of land acquisition policy for setting up of Special Economic Zone/ Technology Cities/ Technology Parks, in addition to the rehabilitation and resettlement package notified by Industries and Commerce

Department vide No. 49/48/2006-41B1, dated 4th May, 2006, a sum of Rs. 42,000/-per acre per annum will be paid for a period of 33 years by private developers and the Annuity amount will be increased at the rate of Rs.1,500/- every year;

- iv) The scheme of Annuity payment will be applicable to all cases of land acquisition by the Government irrespective of the same being acquired for the State Government and its agencies or the Government of India/ its agencies, including the NHAI, the Railways, and the Defence purposes;
- v) The Government Departments acquiring land under a statute shall recover the amount required for discharging the Annuity obligations along with the compensation amount from the concerned agencies (for whom land is acquired) and shall ensure that the 'Instrument of Annuity' creating a right in favour of the erstwhile landowner is issued at the earliest;
- vi) The landowner would be entitled to appoint his nominee and change the same at any time before his demise for receipt of benefits under this Scheme who would step in his shoes after his death and so on so forth till the completion of 33 years period. In cases where a landowner dies intestate without leaving a nominee behind, the Annuity amount for the remainder of the period would be payable to the legal heirs of the deceased erstwhile landowner;
- vii) In cases where the land acquired in respect of a landowner/ co-sharer works out to less than one acre, such landowner will have the option to avail the commuted value of the Annuity amount upfront in one go which is fixed @ 30% of the gross amount of Annuity payable during the 33 years. He would be required to submit his application as per **Application Form-3**.
- viii) The Annuity in respect of land acquired during the preceding calendar year would become due for payment during the month of January of the following year. The landowner would be required to submit his Annuity claim in the prescribed form, **(Application Form-2)** along with the supporting documents, within a period of six months of the announcement of the Award. The acquiring departments shall be responsible for processing and compilation of the database of all such valid claimants within a period of further six months. The Annuity amount would be paid through Bank transfers.

5. Allotment of residential plots in cases where a self-occupied residential house is acquired for unavoidable reasons:

- i) Recognising the sensitivity involved in acquisition of built-up residential houses/ structures for unavoidable reasons, the Government has decided to accord the highest priority to the resettlement of this category of persons. In the first

instance, all efforts will be made by the acquiring departments to leave out the residential structures existing in the form of clusters from acquisition except where it becomes absolutely unavoidable either due to its stand-alone character or its location being within the Right of Way of infrastructure projects such as roads, canals, railway line etc.;

- ii) Accordingly, it has been decided that wherever any self-occupied residential structure/ house has to be acquired for unavoidable reasons in the process of acquisition of land by the Government for any purpose, such owners of built-up residential structures would be offered assured allotment of residential plots as per the following scale:

Scale of residential plots in cases where an existing self-occupied house/ residential structure is acquired			
Scheme applicable up to 06.09.2010		Scheme Revised w. e.f. 07.09.2010	
Size of the residential house acquired	Size of Residential Plot to be allotted	Size of the residential house acquired	Size of Residential Plot to be allotted
Up to 100 sq. yards	50 sq. yards	Up to 150 sq. yards	90 sqm
Above 100 but up to 200 sq. yards	100 sq. yards	Above 150 but up to 200 sq. yards	150 sqm
Above 200 and up to 300 sq. yards	150 sq. yards	Above 200 and up to 250 sq. yards	200 sqm
		Above 250 and up to 300 sq. yards	250 sqm
Above 300 up to 400 sq. yards	200 sq. yards	Above 300 up to 400 sq. yards	300 sqm
Above 400 up to 500 sq. yards	250 sq. yards	Above 400 up to 500 sq. yards	350 sqm
Above 500 sq. yards	350 sq. yards	Above 500 sq. yards	450 sqm

- iii) As the affected persons would be entitled to compensation on account of acquisition of land and the structures constructed thereon, the price/ cost of the plots to be allotted in favour of the affected persons as per above scale would be payable by the allottee;
- iv) The benefit of allotment of a residential plot in this category would be admissible only if the acquired residential house/ structure was self-occupied and was in existence on the date of issue of Section 4 Notification, and further subject to the condition that such residential house had not been constructed by way of any encroachment on the public/ community/ government land. The self-occupation of such house by the landowner's family as their regular residence would be an essential condition for this purpose. Residential structures used for rental purposes or those in the form of *kothras* in the fields would not be reckoned as 'residential houses' for this purpose;

- v) While assessing the entitlement for size of the plot to be allotted, the land under the existing residential house only would be taken into account and not the appurtenant facilities for other farm operations. Further, while computing the area under such Residential House, the plinth area of the constructed house and equal area towards admissible open space shall be taken into account. **Appendix-4** may be referred for the basis of calculation of area;
- vi) Development and allotment of the residential plots under this part would be the responsibility of the acquiring Department/ agency. Such plots, to the extent, possible, would be carved out in the area adjoining/ in close vicinity of the village *abdi deh* so that the displaced/ rehabilitated persons continue to remain a part of their social milieu. While HUDA, HSIIDC, and the HSAMB would plan their residential blocks for this part as well as for the 'oustee' category as one cluster, the other acquiring departments would have to acquire additional land specifically for this purpose also;
- vii) The rates of Plots allotted under this category by HUDA and the HSIIDC shall be 20% lesser than the nodal price of the plot determined for the general public. In all other cases, the rates of plots would be determined by the allotting agency based on the actual costs taking into account (a) the cost of acquisition of land, (b) costs incurred on provision of minimum amenities/ services, and (c) loading of the areas under roads/ streets/ services and utilities on to the plotted area.
- viii) The affected landowner would be required to submit his claim in the prescribed **Application Form-4**.

6. Categories of Land Acquisition Cases:

It has been observed that the Government acquires land for various infrastructure projects, which could be broadly clubbed under the following two categories:

- i) Projects where the urban/ industrial/ agriculture marketing infrastructure is developed in the form of large clusters by the state agencies i.e. the HUDA, the HSIIDC, and the HSAMB, for which comparatively large mass of land is acquired for development of planned infrastructure;
- ii) Projects where the land is either acquired in smaller pockets (e.g. water works and STPs of the Public Health Engineering Departments or the Power Sub-stations set-up by the power utilities) or where the land is acquired in a linear/ strip form for construction of roads and canals etc.

Whereas it has been found feasible to grant certain benefits in respect of the cluster development projects, the same has not been found feasible in the second category cases.

7. Benefits for the affected persons whose land is acquired for HUDA, HSIIDC and the HSAMB:

Recognising that the Government is expected to address the concerns of all sections of landowners to the extent possible, it has been decided to follow a two-pronged strategy in this behalf. Accordingly, it has been decided to grant the following benefits to the landowners whose land is acquired for HUDA, HSIIDC, and the HSAMB:

- i) Reservation and allotment of residential plots for the land-oustees, and
- ii) Provision for allotment of commercial booth-sites/ industrial plots to the landowner in whose case 75% or more of his land in a revenue estate, subject to a minimum of one acre, is acquired.

8. Allotment of 'oustees-category' residential plots in cases of land acquisition for development of infrastructure HUDA, HSIIDC, and the HSAMB.

- i) Where the land is acquired for development of planned urban infrastructure by HUDA, or development of planned industrial infrastructure by the HSIIDC, or marketing infrastructure by the HSAMB, developed residential plots will be reserved for assured allotment to the land oustees as per the following scale:

Allotment of in cases where only land is acquired (Oustee Quota Plots)			
Scheme applicable up to 06.09.2010		Scheme Revised w.e.f. 07.09.2010	
Land/Area acquired	Size of residential plot to be allotted	Land/Area acquired	Size of residential plot to be allotted
100 to 500 sq. yards	3 marla	100 to 500 sq. yards	90 sq. mtrs.
501 to 1000 sq. yards	4 marla	501 to 1000 sq. yards	150 sq. mtrs.
1001 sq yards to $\frac{1}{2}$ acre	6 marla	1001 sq yards to $\frac{1}{2}$ acre	200 sq. mtrs.
Above $\frac{1}{2}$ acre to $\frac{1}{4}$ acre	8 marla	Above $\frac{1}{2}$ acre to $\frac{1}{4}$ acre	300 sq. mtrs.
Above $\frac{1}{4}$ acre to 1 acre	10 marla	Above $\frac{1}{4}$ acre to 1 acre	350 sq. mtrs.
One acre and above	14 marla	Above one acre	450 sq. mtrs.

- ii) The rates of residential plots reserved for allotment to the land oustees, in both the above categories, as per the scale prescribed, would be 20% lesser than the nodal price applicable for the general public at the time of first floatation in the case of HUDA and HSIIDC, in all other cases the rates of plots would be determined by the acquiring departments/ organisations based on the actual costs taking into account (a) the cost of acquisition of land, (b) costs incurred on provision of minimum amenities/ services, and (c) loading of the areas under roads/ streets/ services and utilities on to the plotted area;
- iii) Each of the co-sharers, depending upon his share in the land acquired as per the entries in the revenue records at the time of issue of Section 4 Notification, would

be entitled to the allotment of a plot under the 'oustee category'. The co-sharers would be limited to the persons mentioned in the revenue records on the date of Section 4 Notification. Wherever any such landowner/ co-sharer dies during the intervening period of Section 4 Notification and the Award, the natural successors will be treated as one single unit;

- iv) As regards the co-sharers, it may be clarified that the entitlement for size of the plot would be determined based on the share of each of the co-sharers as on the date of Section 4 Notification. Further, under no circumstances, the total land under the plots allotted to the co-sharers put together would exceed 50% of **the** total acquired land of such co-sharers. An illustrative list of the entitlements is enclosed with this policy as Appendix-2.
- v) In cases where the land of a landowner is acquired in phases, and he becomes entitled to a bigger size of the plot due to subsequent acquisition, he would be entitled to additional area as per his revised entitlement. In such cases, either (a) the plot allotted as per the original entitlement may be upgraded as per his entitlement, or (b) in case he has already utilised/ transferred the earlier allotted plot, he may be allotted an additional plot as per his entitlement on account of the net additional area.
- vi) In case a landowner or co-sharer avails of a plot under para (5), he will not be entitled to a second plot in the 'oustees category' under para 8. Such a person, however, will have the option to either apply for allotment of a plot under para 5 or para 8 of this Policy. The landowner interested in availing this benefit would be required to submit his application in the prescribed **Application Form -5**.
- vii) No litigation should be pending in respect of the acquired land, except a reference under Section 18 of the Act, in order to be eligible for allotment of an 'oustee category' plot under the Scheme.
- viii) The acquiring department/ development agency will earmark a separate chunk of land, preferably close to the village in close vicinity of the *Toshi Abadi*, for carving out 'oustee category plots' for the landowners as stated under para 5(vi) above. **The allotment of 'Oustee Category' Plots will precede the allotment of 'General Category' plots.**

9. Allotment of Commercial/ Industrial Sites:

- i) Where 75% of the land-holding of a landowner/co-sharer in a revenue estate, measuring one acre or above, is acquired by the Government for HUDA, HSIIDC, and

the HSAMB, thereby substantially impacting his means of sustenance, developed commercial/ industrial sites would be reserved and allotted to such land oustees as per the following criterion:

1	Commercial Sites measuring 3 mtr x 4 mtr (12 sq. mtrs)	To be allotted by HUDA/ HSIIDC/ HSAMB at the Reserve Price, which will be no more than 3 times of the price of residential plot in that area/ sector.
2	Industrial Plot measuring 450 sq mtrs. in the case of HSIIDC	A landowner oustee eligible under this category will have the option in the case of HSIIDC to opt for the Commercial site or an industrial plot. The rate for the Industrial Plot will be 20% lesser than the rate determined for the general public at the time of first floatation.

- ii) The allotment of commercial sites/ industrial plots would be made to each co-sharer provided his share in the acquired land is one acre or more, otherwise all the co-sharers will be allotted a site(s) as per entitlement. In case the total acquired land of all the co-sharers put together is less than one acre, they would not be entitled to this facility. Illustrations given in **Appendix-2** may be referred for any clarity;
- iii) The commercial/ industrial sites would be reserved and allotted in addition to the residential plots for the land-oustees in these categories. The affected landowner would be required to submit his application in the prescribed **Application Form-6**.

10. Special dispensation by the Town & Country Planning Department:

The Town & Country Planning Department will make appropriate provisions in their rules/ regulations so as to allow additional component of residential and commercial use in the Estate/Sector to the extent of the area earmarked for the plots/ sites carved out for the purpose of R & R Policy.

11. Benefits for the affected persons whose land is acquired for infrastructure projects other than those of HUDA, HSIIDC, and the HSAMB:

- i) While provision has been made for allotment of 'oustee category plots' in case of land acquired for development by HUDA, HSIIDC, and the HSAMB and for allotment of commercial sites/ industrial plots in case of those landowners whose 75% land gets acquired (subject to a minimum of one acre) for these organisations, extension of these additional benefits in case of the landowners whose land is acquired for public purposes other than these organisations, has not been found feasible. To that extent, it is also fortuitous.

- ii) In order to balance this situation and partially compensate the landowners in this category, it has been decided that wherever 75% or more land of a landowner in a revenue estate, subject to a minimum of two acres, is acquired for other infrastructure projects, and thereby impacting his sustenance to a considerable extent, one dependent of the land-owning family would be provided a job in the Government or its Boards/ Corporations/ State PSUs in Group 'D' and Group 'C' categories, subject to the incumbent fulfilling the qualifications prescribed for such posts;
- iii) Recognising that certain persons may indulge in large scale division of their holdings to acquire title to government jobs in this process, the entitlement of dependants would be based on the revenue records of four years prior to the date of issue of Notification under Section 4 of the Land Acquisition Act or a corresponding provision in other statutes;
- iii) The affected landowner would be required to file his claim-application in the prescribed **Application Forms- 7 and 8.**
- iv) While processing applications for this purpose, the applicant would first be considered for grant of a job in the Project for which the acquired land is used. In case of non-availability of adequate number of suitable jobs in the Project, the claim would be considered against vacancies available in the said department or its PSUs, failing which, the claim would be considered for employment in other departments/ organisations of the Government;
- v) In cases necessitating consideration of the applications for employment in the other Government Departments, the application receiving Department would forward such applications to the Financial Commissioner, Revenue & Disaster Management Department, along with a certificate that there are no vacancies in the Project/ Department/ its PSUs so as to accommodate the applicants elsewhere. The office of FCR would compile all such applications and pass these on to the office of Chief Secretary for appropriate action. Thereafter, the office of Chief Secretary would complete the process of employment;
- vi) While the landowners are expected to submit their claim-applications for jobs within a period of six months of the announcement of the Award, there may be some isolated cases where the dependent may be a minor or decide to take-up employment only after completion of his/ her studies. The erstwhile landowners would be allowed to defer their actual employment in such cases up to a period of 5 years from the date of Award. In such cases, the claim of the erstwhile landowner applicant would be processed and a letter of entitlement would be issued by the concerned Department.

12. Electricity Connection under agriculture category

Wherever the landowner has installed one or more tube-wells with an electricity connection sanctioned on agricultural tariff, and portion of the land whereupon such tube-well is installed is acquired, he would be entitled to alternate tube-well connection(s) in this category either in his un-acquired land or over the agricultural land that he may purchase elsewhere in the state within a period of two years of the Award. The alternate connection would be provided within a period of three months of his application to this effect.

13. Exemption from Stamp Duty & Registration Charges on purchase of alternate agricultural land

In case a landowner, whose land is acquired, purchases alternate agricultural land within the state of Haryana within a period of two years of the Award, such purchase of land, limited to the amount of compensation, would be exempt from payment of Stamp Duty and Registration charges. The Revenue & Disaster Management Department would separately issue necessary orders/ notification to this effect.

14. Scheme for the Landless persons and artisans dependent upon agricultural operations over the acquired land:

- i) There is another category of landless people in the rural set-up who have traditionally been associated with the land-owning families. These comprise of the landless workers engaged in the agricultural operations for generations (under the *jajmani* custom) and the rural artisans e.g. the blacksmiths, the carpenters, the potters, the masons, the barbers etc. which together constitute the village society. It is a well recognised fact that there is an association between landowners and the families of landless persons (in above categories) for generations and such association is well known in the village set-up. The Government is fully conscious of the adverse impact caused by acquisition of land for non-agriculture purposes on these dependant categories of people. It has, therefore, been decided to lay a special focus on the creation and up-gradation of skill-sets of these people/ their dependents so as to improve their employability in the organised sector.
- ii) The Government has decided to take the following measures for the rehabilitation/ resettlement of these affected persons:
 - a) The Government would impart free technical education to the dependents of these categories of people in the Government run Industrial Training Institutes and Polytechnics;

- b) HSIIDC, HUDA and the HSAMB would set apart a fund equal to 1% of the Compensation amount for creating adequate skill-sets among the dependents of land-oustees and the affected landless persons;
- c) HSIIDC would stipulate a condition for the allottees of industrial plots to give preference to these people in employment in their industrial projects;
- d) Wherever land is acquired for the Private Developers, they would be required to make arrangements for creation and up-gradation of the skill-sets of the affected persons and preference in employment of the affected persons/ their dependants in the projects set-up over such land.

15. Admissibility of benefits under the R & R Policy - exclusion of entrants after issue of Section 4 Notification:

It takes anywhere between 3 to 6 months before a Notification under Section 4 is issued for acquisition of land as the acquiring departments/ agencies start the process of ground survey in advance. As such, it becomes known in the area that the Government is in the process of acquiring land in a specific locality. The Government is also conscious that certain unscrupulous persons may, with the intention of availing un-earned and undeserved benefits of this Policy, which are meant for the landowning farmers, purchase the land (i) after it is known in the area that the land is proposed to be acquired by the Government, or (ii) even after issue of Section 4 Notification under the Act. In order to take care of any such misadventures, it has been decided that the benefits under this policy, including the Scheme of Annuity, would be admissible only for such of the landowners who own the title of land at least three months prior to the date of issue of Section 4 Notification or acquire the title by way of natural inheritance. **Any person becoming an interested party or acquiring interest in the land through sale/ purchase of the subject land within three months prior to the date of issue of Notification under Section 4 of the Act, save by way of natural inheritance, shall not be entitled to any of these benefits, including the payment of Annuity.**

16. Information to the Landowners and implementation of the Scheme

While a copy of this Policy would be available on the web-sites of the Departments of (i) Revenue & Disaster Management, (ii) Town & Country Planning Department, (iii) Industries & Commerce, (iv) HUDA, and (v) HSIIDC for the information of general public, the Land Acquisition Collector may, in addition, also inform the landowners about their entitlements under the R & R Policy along with the notices under Section 9 of the Act as per **Appendix-3**. However, non-communication of the same by the LAC would not in any manner vitiate any such proceedings by him. Further action in respect of each of the benefits would be taken as follows:

- i) The landowners, opting to accept the amount of compensation and avail of the 'No Litigation Incentive', would normally be required to make an application to the LAC within a period of 30 days of the announcement of Award and furnish an undertaking to that effect in the prescribed format (**Application Form-1**). A claim for the 'No Litigation Incentive' could also be entertained if filed after 30 days provided the landowner has not filed a reference under Section 18 qua the compensation amount, or if filed, undertakes to withdraw the same before receipt of the incentive amount. However, no such claim would be entertained after a period of six months of the announcement of the Award. It may be noted that once the landowners agree to avail of the said incentive, they would not be entitled to seek a reference under Section 18 of the Act for enhanced compensation and to that extent the Award would be deemed to have announced under Section 11 (2) of the Act. No references under Section 18 of the Act qua the amount of compensation would be competent in these cases;
- ii) As for the allotment of residential plots/ commercial sites/ industrial plots, the landowners would be required to submit their claim-applications in the prescribed formats (**Application Forms - 4/5/6**) to the acquiring departments/ agencies within a period of six months of the date of announcement of Award along with the requisite details and supporting documents. No claims on this account would be entertained after the expiry of six month period;
- iii) Wherever a landowner is entitled to employment/ government job under para 11 of this Policy, he would submit his claim-application in the prescribed format (**Application Form -7**) to the acquiring department within a period of six months of the announcement of Award, along with the supporting documents, and the concerned Government Department/ Organisation would process his claim within a further period of six months. On finding the claim valid, a letter of entitlement would be issued in favour of the applicant and the Government would provide a job to such valid claimant within the shortest possible time.
- iv) As regarding the payment of Annuity/ payment of commuted value of the Annuity, the landowner would submit his claim- application in the prescribed format (**Application Form-2/3**) to the designated officer of the Acquiring Department along with all the supporting documents/ verification, whereupon, the Acquiring Department would process the same within a period of next six months and ensure commencement of payment of the Annuity at the earliest;
- v) The acquiring departments/agencies shall process such claims and issue a certificate of entitlement (**Appendix-5**) in favour of the eligible beneficiary within

a period of further six months of the last date of receipt of claim-applications. In matters of allotment of residential/ commercial/ industrial plots, the allotments under the R & R Policy would precede the general allotments.

17. Investment Advisory Services

It has been observed that the landowners are invariably unable to make proper investment of the amount received as one-time compensation due to lack of their education and exposure, and familiarity with various investment options. As a result, they end-up exhausting these resources in meeting their consumption needs which has an adverse bearing on their long-term sustenance. In order to fill this knowledge gap, the Government would arrange for engagement of professional agencies to advise the landowners on various investment options of the compensation amount so as to enable them to utilise the resources in a prudent and productive manner. These services would be purely advisory in nature and it is ultimately for the landowners to decide their own investment options. The professional agencies engaged by the Government for this purpose would hold 2-3 day camps at sites at the time announcement of Award by the Land Acquisition Collector.

18. Social & Community infrastructure facilities:

- i) Wherever land is acquired by the Government for development by HUDA, HSIIDC, and the HSAMB, an amount equal to 2% of the Compensation Amount will be set apart by the respective organisations for creation of community development/ infrastructure works in the respective villages.

Further, area in the close vicinity of the village will be set apart not only for rehabilitation, but also for necessary village level social infrastructure. The land required for social infrastructure could either be exchanged with the land of village Panchayat or the land acquired in continuity of the village can be transferred to village Panchayat together with the infrastructure developed thereon for its day to day management.

- ii) Similarly, 1% of the Compensation amount will be set apart and expended on skill development initiatives for the dependents of oustees and other landless persons dependent on agriculture operations over the acquired land.

19. Acquisition of Land for Railways/ NHAI/ Other Central Government Ministries/ Central PSUs:

- i) This policy shall also be applicable for any land acquisition for the Central Government (including the Ministry of Defence) / its PSUs, the NHAI/ Railways in the state of Haryana and an undertaking to this effect would be obtained in advance from such indenting agencies before initiating any land acquisition proceedings. The

amount of Annuity Policy will be charged upfront from such agencies in addition to the compensation paid to the landowners;

- ii) In addition to the above, wherever land is acquired for any of the Central Government Ministries/ their PSUs/ NHAI/Railways by the State Government machinery, administrative charges @ Rs. 1.00 lakh/ acre, as revised from time to time, would be charged from the concerned towards the administrative expenses involved in the entire exercise, inclusive of the expenses incurred on publication of the Notifications in the media/ newspapers.

20. Capital Gains Tax on Land Acquisition - a reference to the Gol

Capital Gains Tax is payable on the compensation amount paid in respect of land acquired within 8 kms of the Municipal Limits with 1981 as the base year for arriving at the Capital gains. The interest component in any case attracts the CG Tax. Since taxation is a Central Government subject, the State Government has decided to make a reference to the Ministry of Finance, Government of India, for exemption of the compensation amount for the land acquired under the Statute from the purview of Capital Gains Tax where the land is *Dadlahi* (i.e. acquired by the grandparents) or owned by a person in his own name or in his father's/ mother's name for a period of 10 years or more.

21. Nodal Department

The Revenue & Disaster Management Department would be the nodal department of the State for the implementation, interpretation, review and monitoring of this R&R Policy of the State.

22. Grievances/ Dispute Resolution Mechanism

Though every effort has been made to introduce clarity in respect of all the features and the process of implementation of this Policy, the possibility of some grievances/ disputes arising in the course of implementation of the policy cannot be ruled out. The Government has decided to establish an institutional mechanism to address all such grievances/ disputes with a view to settlement of such grievances and minimising any litigation on this account. A separate Notification would be issued shortly in this behalf.

NARESH GULATI, Financial
Commissioner & Principal Secretary
to Government of Haryana, Revenue
& Disaster Management Department

Indicative total amount payable to a landowner including the 'No Litigation' Incentive

1	2	3	4	5	6	7
Sr. No.	Particulars	Min. Floor Rate	Solatium @ 30%	Amount under Section 23(1A) for 30 months on col. 3	No Litigation Incentive @ 20% of the Floor Rate	Total Amount/ Acre
1	Land situated within the notified limits of Gurgaon Municipal Corporation	40.00 Lakh	12.00 lakh	12.00 lakh	8.00 lakh	72.00 Lakh
2	Land situated within the notified limits of Faridabad and Panchkula Municipal Corporations; Areas forming part of the Development Plans of Gurgan-Manesar Urban Complex (excluding the areas falling within the limits of Municipal Corporation Gurgaon) Sohna, and Sonapat-Kundli Urban Complex	30.00 Lakh	9.00 Lakh	9.00 lakh	6.00 Lakh	54.00 Lakh
3	Areas situated within the Development Plans of Bahadurgarh, Rohtak, Rewari, Dharuhera, Bawal, and Panipat towns	25.00 Lakh	7.50 Lakh	7.50 Lakh	5.00 Lakh	45.00 Lakh
4	Rest of the National Capital Region, areas situated outside the limits of Panchkula Municipal Corporation in Panchkula District, and the land situated within the Development Plans of all other district headquarters outside the NCR	20.00 Lakh	6.00 lakh	6.00 Lakh	4.00 Lakh	36.00 Lakh
5	Remaining Parts of the State	12.00 Lakh	3.60 Lakh	3.60 Lakh	2.40 lakh	21.60 Lakh
Notes: • The figures given under Column 5 are indicative only as the actual period for payment of 12% amount per annum u/s 23(1A) would vary from case to case; • 'No Litigation incentive' would be admissible only in the cases where the landowners execute an agreement to this effect and accept it as an agreed settlement compensation.						

Appendix-2**Calculation of the size of plot /entitlement for co-sharers in the oustee category 1.****Scale of entitlement for residential plot (Para 8): Illustrations:**

Sr. No.	Total land Acquired	Particulars of Acquired (Khasra No. etc.)	No. of co-sharers (along with names)	Share land acquired	Size of Plot entitled
1.	0 A-4K-0 M	To be filled-up	Say 04	1 /4 th each	150 sqm each
2.	0 A-4K-0 M	To be filled-up	Say 10	1/10 th each	90 sqm each
3.	0 A-4K-0 M	To be filled-up	Say 20	1 /20 th each	A maximum of 11 plots of 90 sqm each; or 06 plots of 150 sqm each and one plot of 90 sqm; or 05 plots of 200 sqm each; or 03 plots of 300 sqm each and one plot of 90 sqm; or 02 plots of 350 sqm and 1 plot of 300 sqm; or 2 plots of 450 sqm each and 1 plot of 90 sqm (As a total of 1000 sqm, being 50% of the acquired land, is the admissible limit)
4.	5A-0K-00M	To be filled-up	Say 01	Single	One plot of 450 sqm
5.	5A-0K-00M	To be filled-up	Say 02	Vi share	One plot of 450 sqm for each of the two co-sharers
6.	5A-0K-00M	To be filled-up	Say 05	1 /5 th share	One plot of 350 sqm for each of the 05 co-sharers
7.	5A-0K-00M	To be filled-up	Say 08	1 /8 th share	One plot of 300 sqm to each of the 08 co-sharers

2. Commercial Site/ Industrial Plot (para 9):

Sr. No.	Total land Acquired	Particulars of land Acquired (Khasra No. etc.)	No. of co-sharers (along with names)	Share of land acquired	No. of Commercial sites
1.	0 A-7K-00 M	To be filled-up	Say 04	1 /4 th each	None, land being less than one
2.	1A-4K-00M	To be filled-up	Say 03	1 /3 rd each	One site for all the 03 co-sharers
3.	2A-0K-00M	To be filled-up	Say 04	1 /4 th each	02 sites for all the 04 co-sharers
4.	2A-0K-00M	To be filled-up	Say 02	Vi each	One site each
5.	2A-0K-00M	To be filled-up	Say 01	Single	One site

Appendix-3**Information regarding entitlements of a landowner/ co-sharers under this Policy**

Dear Landowner,

As the Award for acquisition of your land is likely to be announced soon pursuant to the declaration issued under Section 6 of the Act, you may please note that you are entitled to the following special benefits under the R&R Policy of the State Government:

1. No Litigation Incentive:

You are entitled to claim a 'No Litigation Incentive' equal to 20% of the amount of basic rate of your land, in case you accept the compensation amount and execute an agreement to this effect. Acceptance of the compensation is entirely at your option. Once you agree to accept the Compensation amount, you may collect the prescribed format for the '**Undertaking**' from the LAC Office and furnish the same duly executed within a period of 30 days of the announcement of the award. Your incentive money will be given to you simultaneously with the submission of the Agreement. Please also note that in case you accept the compensation amount, you will not be eligible for seeking a reference to the District Court for increase in the compensation amount under Section 18 of the Land Acquisition Act, 1894.

2. Payment of Annuity:

You are entitled to payment of Annuity @ Rs. 21,000/- per acre/ per annum, which will be increased by a fixed amount of Rs. 750/- every year. The rates of Annuity and yearly increase in case of land acquired for the Private Developers are double that of above. In case your acquired land/ share is less than one acre, you have the option of getting the Annuity upfront in one instalment @ 30% of the total amount payable during 33 year period. You are required to submit your claim-application in the prescribed form within a period of 6 months of the Award.

3. Allotment of a Residential Plot on account of acquisition of your self-occupied residential house (if applicable):

In case your self-occupied built-up house/ residential structure, as existing on the date of Section 4 notification, has been acquired, you are entitled to apply for a residential plot as per the scale prescribed under para 5. You may like to apply for a residential plot under this category. If you decide to avail of this benefit, please apply for the same within a period of 90 days in the prescribed format, copy of which may be obtained from the LAC/ nodal officer of the acquiring department.

4. Allotment of a Residential Plot on account of acquisition of your land under the 'Land Oustee Scheme':

In case your land has been acquired for HUDA or HSIIDC or HSAMB, you are entitled to the allotment of a residential plot under the "Land Oustee Scheme" as per the prescribed scale. You may like to apply for allotment of a residential plot under this category. In case you decide to avail of this additional benefit, please apply for the same within a period of 06 months (180 days) in the prescribed format, copy of which may be obtained from the LAC/ the nodal officer from the acquiring department.

5. Allotment of a Commercial Site/ Industrial plot in case 100% of your land has been acquired for HUDA, HSIIDC or HSAMB:

In case 75% of your land in a revenue estate, subject to a minimum of one acre, has been acquired for HUDA, HSIIDC, and the HSAMB, you are entitled to allotment of a commercial site (or an industrial plot in the case of HSIIDC, at your option) as an additional benefit under this Policy. You may like to avail of this additional benefit. In case you decide to avail of this additional benefit, you may submit your application within a period of 06 months in the prescribed format.

6. Provision of a 'Group-C or 'Group-D' job in the Government or its Boards and Corporations:

In case 75% of your land in a revenue estate has been acquired for Government Infrastructure Projects, other than those for HUDA, HSIIDC or HSAMB, subject to a minimum of 2 acres, your one dependent would be considered for a job in Group 'C or Group 'D' subject to fulfilment of qualifications prescribed for the post. In case you fall in this category, you may submit your application in the prescribed format within a period of 06 months in the prescribed format.

(Land Acquisition Collector, _____).

Appendix-4

Method of calculation of the Area under a self-occupied residential house
(Reference Para 5 (v) of the Policy)

As per the practice followed by the Urban Estates Departments and the Industries, efforts are made to exclude the self-occupied residential houses, especially the clusters, from acquisition, subject to the feasibility thereof. Some of these exclusions take place pursuant to the settlement of objections filed under Section 5-A of the Act. Normally, the area under the house is released as such. Wherever the adjoining open space is much larger than the built-up area, open area equal to the plinth area is taken into consideration while releasing the land in respect of built-up houses. For instance, there could be following scenarios:

Sr. No.	Plinth Area of the house	Abutting Open Area	Total Area	Area considered for release
1	200 sq. yards	150 sq. yards	350 sq. yards	350 sq. yards
2	200 sq. yards	300 sq yards	500 sq. yards	400 sq. yards (200+ 200)
3	200 sq. yards	500 sq yards	700 sq. yards	400 sq. yards

2. Following the above principle, it has been decided that while considering the area under a built-up house for the purposes of allotment of a plot under para 5 (v) of the Policy, the actual area under the built-up portion (i.e. the Plinth Area) + equal open area will be taken into account.

3. Accordingly, the entitlements would be worked out as per the following illustrations:

Sr. No.	Plinth Area of the House	Abutting open Area	Total Area	Area to be reckoned for determining the entitlement	Plot Area to be allotted
1.	50 sq. yards	30 sq. yards	80 sq. yards	First block (i.e. Up to 150 sq. yards)	90 sq. mtrs.
2.	90 sq. yards	70 sq. yards	160 sq. yards	160 sq yards (i.e. Above 150 but up to 200 sq. yards)	150 sq. mtrs.
3.	90 sq. yards	200 sq. yards	290 sq. yards	90+90 = 180 sq. yards (i.e. Above 150 but up to 200 sq yards)	150 sq. mtrs.
4.	150 sq. yards	120 sq. yards	270 sq. yards	270 sq. yards (i.e. 250 to 300 sq yards)	250 sq. mtrs.
5.	200 sq. yards	300 sq. yards	500 sq. yards	200+200= 400sq yards (i.e. Above 300 up to 400 sq. yards)	300 sq mtr.
6.	250 sq. yards	225 sq. yards	475 sq. yards	475 sq yards (i.e. above 400 up to 500 sq. yards)	350 sq mtrs.
7.	300 sq. yards	225 sq. yards	525 sq. yards	525 sq yards (i.e. above 500 sq yards)	450 sq mtrs.
8.	300 sq. yards	300 sq. yards	600 sq. yards	600 sq. yards (i.e. above 500 sq yards)	450 sq mtrs.

Appendix-5**Certificate of Entitlement for allotment of a Residential Plot/ Commercial Site/
Industrial Plot/Payment of Annuity/ Employment in accordance with the R&R
Policy, 2010**

From:

(HUDA/HSIIDC/HSAMB/ Any Other Dept.)

To

(The designated officer of the Department/ Organisation)

No. _____ Dated

**Subject: Certificate of Entitlement for allotment of a
Residential Plot/****Commercial Site/ Industrial Plot - reg.****Dear Sir,**Kindly refer to your application dated _____ for payment of
Annuity/commutation of Annuity/ allotment of a residential plot/ commercial site/ industrial plot/
grant of employment on account of acquisition of your land measuring _____ [____
share in Khasra Numbers _____] for _____ (HUDA/HSIIDC/HSAMB) at
_____ (Location) under the R & R Policy, 2010 of the Government.

2. Having found your above said application in order, it has been found that you are eligible for the allotment of a residential plot measuring _____ sqm / commercial site measuring 12 sqm (3 mtr x 4 mtrs)/ industrial plot measuring 450 sqm/ payment of Annuity/provision of employment (strike out whichever is not applicable). Accordingly, this Certificate of Entitlement is being issued in your favour. The formal letter of allotment/Instrument of Annuity/ appointment letter would be issued in due course before which you will also be required to deposit 25% of the tentative price of the plot. We would let you know about the same and give you a notice of 30 days for the purpose.

3. Please keep this letter of entitlement in safe custody as you would be required to produce this letter at the time of issue of a Regular Letter of allotment.

Thanking you,

Yours faithfully,

XYZ

Note: The certificate may be suitably modified as per the entitlement/ benefit.

**Application Form -1 (Application for grant of 'No
Litigation Incentive' Ref. Para 2 of the Policy)**

From: _____
(The Landowner)

To _____ Applicant's
(The LAC) _____ Photograph

Dated:

Subject: Application for grant of 'No Litigation Incentive' and Undertaking.

Sir,

My land (as per description given below) has been acquired by the Government vide Award announced by you on _____.

Sr. No.	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. As per the Award, following amount of compensation has been determined in respect of my subject land:

Sr. No.	Basic Rate of Land/ Acre	Amount under Section	30% Solatium	Total Amount/ Acre

3. This is to submit that the amount of compensation determined by you is acceptable to me and I wish to avail of the 'No Litigation Incentive' amount of Rs. _____ / acre, which is equal to 20% of the Basic Rate of land. Accordingly, in terms of the R&R Policy of the State Government, I request you to kindly disburse the amount of 'No Litigation Incentive' to me.

4. I/we are fully conscious that having opted to accept the amount of compensation and availed of the amount of 'No Litigation Incentive', I/we would have no right, whatsoever, to seek a reference under Section 18 of the Act in so far as the amount of compensation in respect of acquired land is concerned. I/We undertake to abide by this provision of the Government Policy.

Yours faithfully,

(Landowner/ Name/ Signature)

Witness: ____

The entitlement of above said claim has been verified by the Revenue Patwari and accordingly, an amount of Rs. _____/- has been disbursed to the claimant.

(Land Acquisition Collector, _____)

**Application Form -2 (Application
for payment of Annuity: Ref. Para 4)**

From:
(The Landowner)

To _____
(The Designated Officer of the Acquiring Department)

Applicant's
Photograph

Dated:

Subject: Application for Payment of Annuity as per the R&R Policy of the State Government.

Sir,

The Government has acquired my land situated in the Revenue Estate with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____:

Sr. No.	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. A Copy of the Jamabandi/Revenue Records in support of above is enclosed herewith for ready reference.

3. It is further submitted that I am entitled to receive the Annuity as per the R&R Policy of the State Government. I have opened my account with the Bank, particulars of which are as under:

Name of the Applicant	Account No.	Branch name	Bank

4. Further, the particulars of my nominee(s) to receive the Annuity amount, after my demise, are as under:

Sr. No.	Name(s) of Nominee(s)	Date of Birth	Relationship with the landowner/ applicant	Share of the Annuity

5. The Photographs of my nominee(s), duly attested, are also enclosed herewith. My above said nominee(s), unless changed by me before my death, will be submitting their Bank Account details at the appropriate time to the Authority disbursing the Annuity. Accordingly, you are requested to consider my claim and disburse the Annuity amount to me as per the Policy.

Yours faithfully,

Verification by the Revenue Patwari:

Countersigned by the Land Acquisition Collector:

**Application Form -3 [Application for payment of
Commutation Value of the Annuity: Ref. Para 4(vii)]**

From:
(The Landowner)

Applicant's
Photograph

To
(The Designated Officer of the Acquiring Department)

Dated:

Subject: Application for Payment of Commuted value of Annuity as per the R&R Policy of the State Government.

Sir,

The Government has acquired my land situated in the Revenue Estate with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____:

Sr. No.	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. A Copy of the Jamabandi/Revenue Records in support of above is enclosed herewith for ready reference.

3. It is submitted that my share in the land acquired by the Government works out to less than one acre. As such, I wish to exercise the option of availing the commuted value of the Annuity upfront. Accordingly, I request that the amount of Commuted value of the Annuity may kindly be paid to me as per the Policy at the earliest.

Yours faithfully,

Verification by the Revenue Patwari:

Countersigned by the Land Acquisition Collector:

Application Form-4
(Application for allotment of a Plot on account of acquisition of a Residential House)
(Ref. Para 5)

From: _____
 (The Landowner)

To _____
 (The Designated Officer of the Acquiring Department) | Applicant's
 Photograph

Dated:

Subject: Application for allotment of a Plot in lieu of acquisition of a Self-occupied House/ Residential Structure)

Sir,

The Government has acquired my land situated in the Revenue Estate _____ with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____:

Sr. No.	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. Our self-occupied residential house situated in Khasra No. _____ since before issue of Section 4, over an area of _____ sq. yards has also been acquired through the aforesaid Award. I certify that I have been staying in the said house since _____ and I have no other residential house in this Revenue Estate. This residential house is being used for our own bona-fide residence purposes and has been constructed on the land in our title/ ownership. The following documents are enclosed in support of the above claim:

- i) A Copy of the Jamabandi/ Revenue Records in support of above;
- ii) A photograph of the residential structure/ house.
- iii) A copy of the Ration card/ Electricity bill/ voter Identity Card indicating the above address as my place of residence.

3. Accordingly, I am entitled to the allotment of a residential plot measuring _____ in accordance with the R&R Policy of the Government. You are requested to consider my claim and allot a residential plot in accordance with the Policy. I undertake to make payment of the price of the plot on demand.

Yours faithfully,

Verification by the Revenue Patwari:

Countersigned by the Land Acquisition Collector:

**Application Form -5 (Application for Allotment of an
'Oustee Category' Residential Plot: Ref. Para 8)**

From:

(The Landowner)

To

(The Designated Officer of the Acquiring Department)

Applicant's
photograph

Dated:

**Subject: Application for allotment of an "Oustee Category Residential Plot" under
the R&R Policy of the State of Haryana**

Sir,

The Government has acquired my land situated in the Revenue Estate _____
with the following description vide Award No. _____ dated _____ announced by the
Land Acquisition Collector , _____:

Sr. No.	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. A Copy of the Jamabandi/Revenue Records in support of above is enclosed herewith
for ready reference.

3. Accordingly, I am entitled to the allotment of a residential plot
measuring _____ in accordance with the R&R Policy of the Government. You are requested
to consider my claim and allot the residential plot in accordance with the Policy. I
undertake to make payment of the price of the plot on demand.

Yours faithfully,

Verification by the Revenue Patwari:

Countersigned by the Land Acquisition Collector:

**Application Form-6 (Application for Allotment of
a Commercial Site/ Industrial Plot: Ref. Para 9)**

From: _____
(The Landowner)

To _____
(The Designated Officer of the Acquiring Department)

Applicant's
Photograph

Dated:

**Subject: Application for allotment of a Commercial Site/ Industrial Plot under the
R&R Policy of the State of Haryana**

Sir,

The Government has acquired my land situated in the Revenue Estate _____ with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____:

Sr. No.	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. A Copy of the Jamabandi/ Revenue Records in support of above is enclosed herewith for ready reference.

3. It is further submitted that 75% of my land situated in this Revenue Estate, and the same being more than one acre, has been acquired by the Government. Accordingly, I am entitled to the allotment of a commercial site/ industrial plot (strike out which is not applicable) in accordance with the R&R Policy of the Government. You are requested to consider my claim and allot the commercial site/ industrial plot in accordance with the Policy. I undertake to make payment of the price of the plot on demand.

Yours faithfully,

Verification by the Revenue Patwari:

It is verified that 75% of the land in the name of the applicant/ in his share in this Revenue Estate as per the above details, has been acquired by the Government.

(Patwari)

Countersigned by the Land Acquisition Collector:

**Application Form-7 (Application
for Employment: Ref. Para 11)**

From: _____
(The Landowner)

To: _____
(The Designated Officer of the Acquiring Department)

Applicant's
Photograph

Dated: _____

Subject: Application for job under the R&R Policy of the State of Haryana on account of acquisition of land.

Sir,

The Government has acquired my land situated in the Revenue Estate _____ with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____:

Sr. No.	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. My total land-holding in the Revenue Estate is ___Acre___Kanal ___Marla___ and more than 75% of the same has been acquired by the Government for a public purpose i.e. _____. Further, my acquired land is more than 2 acres. We are the following co-sharers in the above-said land:

Sr. No.	Name of the Landowner/Applicant	Total Land-holding of the Applicant in the Revenue Estate			Land Acquired		
		Khasra No.	Kanal	Marla	Khasra No.	Kanal	Marla

3. I am enclosing a copy of the Jamabandi/revenue records in support of the above claim.

4. I would like to avail the opportunity of applying for a Job in Group 'C' / 'D' in the Government/ its PSUs for myself/ my son/ daughter as per the R&R Policy of the Government. The application for job, along with a copy of my/his/her educational qualifications/certificate is enclosed for ready reference. Accordingly, you are requested to consider this application for a job in the Government/ its PSUs as per the R&R Policy of the Government.

Yours faithfully,

(X Y Z)

Verification by the Revenue Patwari:

Countersigned by the Land Acquisition Collector:

Format for the Enclosure to Application Form- 7 (Ref. Para 11)

From:

To	(The Designated Officer of the Acquiring Department)	Applicant's Photograph

Dated:

Subject: Application for job under the R&R Policy of the State of Haryana on account of acquisition of land.

Sir,

Kindly refer to the application submitted by me/ my father/ mother for provision of employment for me under the R & R Policy of the Government. I am the real son/ daughter/ brother/ sister of the said landowner and dependent upon him.

2. I have studied up to _____ and my educational qualifications are as under:

Sr. No.	Board/ University	Name of School/ College from where studied	Examination Passed/ Year	Subjects	Marks	Division/ % of marks

3. A copy of my school/ college-leaving certificate, duly attested, is enclosed.

4. Sir, I am eligible for a post in Group 'C' / 'D' in the Organisation/ Department/ Government and as such I request that I may be provided a suitable job as per the R & R Policy of the Government.

Yours faithfully,

(X Y Z)

Certification by the Landowner:

I _____, son/ daughter of _____, resident of _____, certify that the above Applicant _____ is my son/ daughter/ brother/ sister and is dependent upon me and his name is recommended for the purposes of grant of employment under the R & R Policy of the Government. It is further certified that there would be no other claimant for this purpose from my family.

(Landowner)