

6. The Government shall ensure that the proposals for land acquisition and Social Impact Assessment prepared by appropriate Government.—(1) The appropriate Government shall ensure that—

- there is a legitimate and bona fide public purpose for the proposed acquisition which necessitates the acquisition of the land identified;
- the potential benefits and the public purpose referred to in clause (a) shall outweigh the social costs and adverse social impact as determined by the Social Impact Assessment that has been carried out,

(2) Only the minimum area of land required for the project is proposed to be acquired,

(3) There is no unutilized land which has been previously acquired in the area;

(4) The land, if any, acquired earlier and remained unutilized, is used for such public purpose and make recommendations in respect thereof.

(5) The appropriate Government shall examine the report of the Collector, if any, and the report of the Expert Group on the Social Impact Assessment study and after considering all the reports, recommend such area for acquisition which would ensure minimum displacement of people, minimum disturbance to the infrastructure, ecology and minimum adverse impact on the individuals affected.

(6) The decision of the appropriate Government shall be made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be, and the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil, and shall be published in the affected areas, in such manner as may be prescribed, and uploaded on the website of the appropriate Government:

(a) Provided that where land is sought to be acquired for the purposes as specified in sub-section (2) of Section 2, the appropriate Government shall also ascertain as to whether the prior consent of the affected families as required under the proviso to sub-section (2) of Section 2, has been obtained in the manner as may be prescribed.

(b) Where land is proposed to be acquired for the purposes as specified in sub-section (2) of Section 2, the appropriate Government may exempt undertaking of the Social Impact Assessment study.

CHAPTER III

Special provisions to safeguard Food Security

10. **Special provision to safeguard food security.**—(1) Save as otherwise provided in sub-section (2), no irrigated multi-cropped land shall be acquired under this Act.

(2) Where such land is being acquired under this Act, it shall be subject to the condition that it is being done under such special circumstances, as a demonstrable last resort, where the

8. समुचित सरकार द्वारा भूमि अर्जन संबंधी प्रस्थापनाओं की और सामाजिक समाघात निर्धारण रिपोर्ट की परीक्षा.—(1) समुचित सरकार यह सुनिश्चित करेगी कि,—

(क) प्रस्तावित अर्जन का ऐसा विधिसम्मत और सहायक लोक प्रयोजन है जिसके कारण पहचान की गई भूमि का अर्जन आवश्यक हो गया है;

(ख) खंड (क) में निर्दिष्ट संभाव्य फायदों और लोक प्रयोजन का सामाजिक लाभ और ऐसे प्रतिकूल सामाजिक समाघात की तुलना में अधिक प्रभाव होगा, जिसे सामाजिक समाघात निर्धारण, जो किया गया है, द्वारा अवधारित किया जाए;

(3) भूयोजना के लिए अर्जित भूमि के केवल न्यूनतम क्षेत्र के अर्जन की प्रस्थापना की जाए;

(घ) ऐसी कोई अनुपयोजित भूमि नहीं है, जिसका उस क्षेत्र में पूर्व में अर्जन किया गया है;

(ङ) पूर्व में अर्जित और अनुपयोजित पड़ी रही भूमि, यदि कोई हो, का उपयोग उस लोक प्रयोजन के लिए किया जाए और वह उसकी बाबत सिफारिशें करेगी।

(2) समुचित सरकार, कलक्टर की रिपोर्ट पर, यदि कोई हो तथा सामाजिक समाघात निर्धारण अध्ययन संबंधी विशेषज्ञ समूह की रिपोर्ट पर विचार करेगी और सभी रिपोर्टों पर विचार करने के पश्चात् अर्जन के लिए ऐसे क्षेत्र की सिफारिश करेगी जिससे लोगों का न्यूनतम विस्थापन अवसंरचना, पारिस्थितिकी में कम से कम विघ्न और प्रभावित व्यक्तियों पर न्यूनतम प्रतिकूल समाघात सुनिश्चित होता हो।

(3) समुचित सरकार का विनिश्चय, यथास्थिति, पंचायत, नगरपालिका या नगर निगम को तब जिला कलक्टर, उपखंड मजिस्ट्रेट तथा तहसील कार्यालयों में स्थानीय भाषा में उपलब्ध कराया जाएगा और प्रभावित क्षेत्रों में ऐसी रीति में, जो विहित की जाए, प्रकाशित किया जाएगा और समुचित सरकार की वेबसाइट पर अपलोड किया जाएगा :

परंतु जहां धारा 2 की उपधारा (2) में यथा विनिर्दिष्ट प्रयोजनों के लिए भूमि का अर्जन किया जाने की इच्छा की जाती है, वहां समुचित सरकार यह भी अभिनिश्चित करेगी कि क्या प्रभावित कुटुंबों की पूर्व सहमति, जैसी धारा 2 की उपधारा (2) के परंतुक के अधीन अपेक्षित है, ऐसी रीति में, जो विहित की जाए, अधिप्राप्त कर ली गई है।

9. सामाजिक समाघात निर्धारण से छूट.—जहां धारा 40 के अधीन अत्यावश्यकता संकेत उपबंधों का अवलंब लेते हुए भूमि का अर्जन किए जाने की प्रस्थापना है वहां समुचित सरकार सामाजिक समाघात निर्धारण अध्ययन कराने से छूट दे सकेगी।

अध्याय 3

खाद्य सुरक्षा के रक्षोपाय के लिए विशेष उपबंध

10. खाद्य सुरक्षा के रक्षोपाय के लिए विशेष उपबंध.—(1) उपधारा (2) में जैसा अन्यत्र उपबंधित है, उसके सिवाय, इस अधिनियम के अधीन सिंचित बहु-फसली भूमि का अर्जन प्रकाशित किया जाएगा।

(2) ऐसी भूमि का इस शर्त के अधीन रहते हुए अर्जन किया जा सकेगा कि ऐसा आपवादित अर्जन के लिए विशेष उपबंध (1) में निर्धारित है वहां गठना (1) में निर्धारित शर्त

**Jharkhand Right to Fair Compensation
and
Transparency in Land Acquisition,
Rehabilitation and Resettlement Rules, 2015**


DEEPAK LENKA
Unit Head
Hindalco Industries Ltd.
Chakia Coal Mines Chandwa

**SCHEDULE
FORM-I
(See rule-3)**

From:

Name and/or Designation of the requiring body

To:

The Deputy Commissioner

District _____

I request you to acquireacres of land for project/purpose, details of which is shown in Appendix I, II, III, IV and V along with three copies of trace map. I am ready to deposit requisite cost of acquisition including social impact assessment study (SIA) cost in your office as provided under provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act-2013.

D.P.R. of the project or Administrative approval or sanction order and budgetary provision of the project along with certified copies of khatian of the lands, that is to be acquired, are enclosed herewith.

I undertake to demarcate the land to be acquired on the spot and to furnish all necessary information and assistance on the date appointed by you.

Yours Faithfully

Requiring Body

Appendix-I

Name of Village/Town	Thana No/Ward No.	Revenue Thana	P.S.	Ancal	District	Khata No.	Plot No.	Total Khatiyan i area	Area to be acquired	Boundaries of land to be acquired N/S/E/W
1	2	3	4	5	6	7	8	9	10	11

Classification of land	Name of Khatiyani raiyat	Name of present raiyat with full address	Jamabandi no.	No. of residential house	No. of commercial building	No. of trees	Tank	Pond	Boring	any other structure / Remarks
12	13	14	15	16	17	18	19	20	21	22


DEEPAK LENKA
 Unit Head
 Hindalco Industries Ltd.
 Chakla Coal Mines Chandwa

Appendix-V

Name of the project:-

1. Certified that proposal paper has been scrutinised thoroughly.
2. The project is a legitimate and of bonafide public purpose.
3. Only the minimum area of land required for the project has been proposed for acquisition.
4. There is no unutilised land which has been previously acquired in the area.
5. The land under acquisition has been selected after considering all alternatives.
6. The project is of linear type/non-linear type.
7. The land under acquisition is barren/uncultivable/agricultural/irrigated multi-cropped/residential/commercial.
8. Total area under acquisition is not in excess of the limit prescribed and fixed by the Government for acquisition of irrigated multi-cropped in a district.
9. The potential benefits of the project far outweigh the social costs and adverse social impact.
10. The land after taking possession would be utilised for the same acquisition purpose.
11. The requiring body is able to bear cost of acquisition including Rehabilitation and Resettlement expenditure.
12. There is no government land under acquisition.
13. There is no special opposition to this land acquisition proceeding.
14. The requiring body shall ensure Rehabilitation & Resettlement works and other admissible benefits to the affected families/persons.

Requiring Body


DEEPAK LENKA
Unit Head
Hindalco Industries Ltd.
Chakla Coal Mines Chandwa