

M/s BIRLA CORPORATION LTD.

**RESETTLEMENT & REHABILITATION PLAN
FOR
BIKRAM COAL BLOCK
SOHAGPUR COALFIELD
DISTRICT SHAHDOL, MADHYA PRADESH
(Area : 239.00 Ha within ML)**

JUNE, 2012
(Issue 1, Rev. 1)

Prepared by:



MIN MEC CONSULTANCY PVT. LTD.

A-121, Paryavaran Complex, IGNOU Road, New Delhi – 110 030

Ph : 29534777, 29532238, 29535891 ; Fax: +91-11-29532588

Email : min_mec@vsnl.com; Web site : <http://www.minmec.co.in>



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approved company

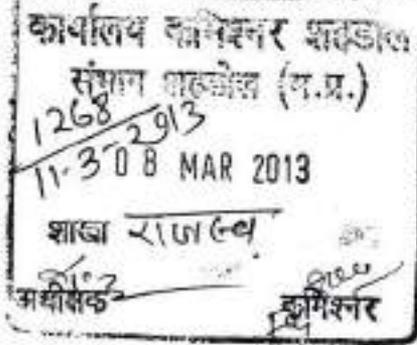
कार्यालय कलेक्टर, जिला शहडोल मध्य प्रदेश

क्रमांक/दस/भू-अर्जन/फा.556/2012/ 1420

शहडोल, दिनांक 07/03/2013

प्रति,

प्रमुख राजस्व आयुक्त,
मध्य प्रदेश भोपाल



द्वारा -

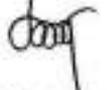
कमिश्नर,
शहडोल संभाग, शहडोल म.प्र.

विषय : मेसर्स बिरला कार्पोरेशन लिमिटेड को विक्रम कोल ब्लॉक शहडोल हेतु प्रस्तुत पुनर्वास प्रस्ताव के सम्बंध में।

वाईस प्रेसीडेंट, बिरला कार्पोरेशन लिमिटेड विक्रम कोल ब्लॉक शहडोल द्वारा दिनांक 02.03.2013 को कोल ब्लॉक की पर्यावरण की स्वीकृति हेतु पर्यावरण मंत्रालय नई दिल्ली में राज्य सरकार द्वारा स्वीकृत पुनर्वास नीति की मांग की गई है। अतः मध्य प्रदेश की आदर्श पुनर्वास नीति वर्ष 2002 के अनुरूप प्रस्तुत पुनर्वास प्रस्ताव दिनांक 14.06.2012 की अनुसंशा कर राज्य सरकार को भेजने हेतु अनुरोध किया गया है।

अतः बिरला कार्पोरेशन लिमिटेड विक्रम कोल ब्लॉक शहडोल द्वारा प्रस्तुत पुनर्वास प्रस्ताव अवलोकनार्थ एवं अग्रोत्तर कार्यवाही हेतु मूलतः संलग्न कर सादर प्रेषित है।

संलग्न : उपरोक्तानुसार


(डॉ.अशोक कुमार भार्गव)
कलेक्टर,
जिला शहडोल म.प्र.

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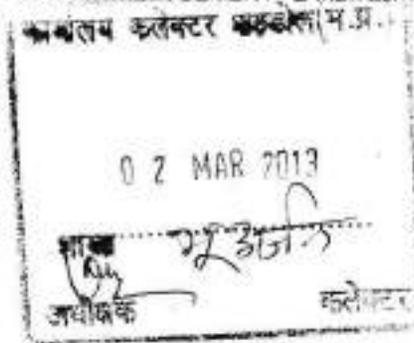


BIRLA CORPORATION LIMITED

Unit : SATNA CEMENT WORKS, SATNA

P.O. Birla Vikas, Satna - 485 005, Madhya Pradesh, Phone : 07672 - 412000 - 01

Fax : (07672) 257455 - 257576, Gram : CEMENT, E-mail: admin@satnacement.com



02.03.2013

To,
The Collector
District Shahdol (MP)

Kind Attn: The Joint Collector (Revenue Department)

Sub: Approval of Re-settlement and Re-habitation plans of Bikram Coal Mining Project District-Shahdol (MP).

Dear Sir

This is to bring to your kind attention that we have earlier submitted R&R plan of Bikram Coal Mining Project District-Shahdol (MP) vide letter dated 14.06.12, copy of which is enclosed herewith for your ready reference.

The same is to be forwarded to State Government for their approval.

This may kindly be noted that while our environment clearance is under process at MOEF level at New Delhi, as per Minutes of the Meeting of EAC Committee held on 28.10.12, the same is required to be submitted to the Ministry after getting approval of R & R Plan from State Government, Bhopal as shown in the point No.XVII of the Minutes. (copy of which is enclosed).

It is requested to kindly see and arrange to forward the R&R plan to the State Government, Bhopal for their approval.

Thanking you,

Yours faithfully,
For Birla Corporation Limited
Unit: Satna Cement Works, Satna

(SS Dang)
Sr. Vice President (Coal Mines)

Encl: As above



REGISTERED & PRINCIPAL OFFICE:
Birla Building, 9/1 R.N. Mukherjee Road, Kolkata 700 001
Website: www.birlacorporation.com





BIRLA CORPORATION LIMITED

Unit : SATNA CEMENT WORKS, SATNA

P.O. Birla Works, Satna - 485 005, Madhya Pradesh, Phone : 07672 - 412000 - 01
Fax : 07672 - 257439 - 257576, Gram: CEMENT, E-mail: admin@satnacement.com

Date 14.06.12

To,
The Collector,
Shahdol

Sub: Approval of Resettlement & Rehabilitation plan of Bikram Coal Mining Project District Shahdol.

Sir,

This is to bring to your kind notice that we have prepared the R&R plan of Bikram Coal Mining Project, Shahdol through the Consultant con by M/s. Min Mec consultancy Pvt. Ltd.

The report has been prepared on the basis of M.P. R&R. Policy 2002 and the performa of socio economic survey the copies of which are incorporated in this said report.

The R&R report is being enclosed herewith for your kind approval.

Thanking You,
Regards,

Yours faithfully,
for Birla Corporation Limited, Satna

(S.S. Dang)
Sr Vice President (Coal Mines)

Handwritten signature and date: 14/6/12
Stamp: 14/6/12
Text: 14/6/12



REGISTERED & PRINCIPAL OFFICE :
Birla Building, 9/1 R.N. Mukherjee Road, Kolkata 700 001
Website : www.birlacorporation.com



more evacuation of people in comparison to UG mining. Therefore, the committee recommended for a mix of OC -CUM-UG mining option.

5. The Committee, after discussions, recommended for the grant of TOR with the standard TOR as per Annexure 6 and 7.

14. **Bikram Coalmine Project (OC and UG for max. 0.36 MTPA in an ML area of 239 ha) of M/s Birla Corp. Ltd., dist. Shahdol, M.P. (EC based on TOR granted on 28.10.2010).**

- The proponent made a presentation. It was informed that the proposal is for opening of a new opencast-cum-underground coalmine project of a maximum rated capacity of 0.36 MTPA (0.16 MTPA OC and 0.20 MTPA UG) in an ML area of 239 ha. Of the total ML area, 142.075 ha is forest land, 76.841 ha is agriculture land, 4.167 ha is barren land, 9.020 ha is revenue forest land, 6.521 ha is Govt. land, and 0.376 ha is boundary land. Of the total lease area, 118.60 ha is OC excavation/quarry area, 0.20 ha is for explosive magazine, 1.60 ha for settling pond, 3.0 for road, 2.0 ha for surface facilities and the balance would be undisturbed.

Land Use Within ML Area At 5th Year & End Of Mining

Sl. No.	Description	Area (Ha.)	
		5th year	End of Mine
1	Mining / Excavation	41.54	118.60
2	Surface dump	8.23	00**
3	Top soil dump	3.00	0.00
4	Magazine	0.20	0.20
5	Road	3.00	3.00
6	Water reservoir (settling pond)*	1.60	1.60
7	Facility	2.00	2.00
	Sub Total Disturbed	59.57	125.4
8	Peripheral green belt	6.890	6.890
9	Undisturbed	172.54	106.71
	Total	239.00	239.00

It was also informed that the geological reserve is 20.975 MT (20.072 MT proved). Total mineable reserves are 18.078 MT (3.874 MT by OC and 14.204 MT by UG). The extractable Reserves 9.44 MT (3.758 MT by OC & 5.682 MT by UG) (45%). Coal Grades 26.5% C, 34.7% D, 24.5% F and rest A, B, E & G. The total mineable seams are IX IICL (Hard Cover Line), VIII, VII, VII T, VII B, VI Bot (B) & VI Bot (Comb). Mining method for OC is mechanized by Shovel dumper with hydraulic excavators & UG mining by Board and Pillar system. In the OC mining the OB Coal ratio (cum/te) would be 9.8: 1. The ultimate working depth of OC mining will be 60 m and 190 m by UG mining. The total OB generated in the life of mine would be 36.10 Mm³. The external OB dump will be 50 mt. height with 1.78 Mm³OB. concurrent backfilling will be started in 2nd year. It was informed that a distance of 50m would be maintained from the quarry floor and the roof of the UG seam to be worked below the quarry floor. Subsidence is expected. The maximum subsidence will be 1566.6 mm and maximum tensile strain will be 7.17 mm/m. It was informed that the OC mining

For

Signature
Bikram Coal Project
 Birla Corporation Ltd.
 Shahdol (M.P.)

would be for the upper seams at the depth of 60m and requires to be carried out before the UG mining in the deeper seams. Surface transport of coal from OC by coal tippers, transport of OB will be done by dumpers and transport of coal from UG to surface will be done by Conveyor. Coal will be transported by road to Satna cement plant via Shahdol. Subsequently, the company intends to transport coal by railways by taking a siding at Burhar. The total water requirement would be 444 cum/day (potable 244 cum/day and 200 cum/day industrial). Source of water would be potable water obtained from Bore well, Industrial water obtained from Mine sump and surface reservoir. The mining activity shall intersect the water table resulting in mine seepage both in opencast as well as underground stage. The Banish nala is 1.5 km. in south-west flowing through the western part of the block and Nargara nalas from the eastern side. There are 24 PF and RF in the study area Major forest type- northern dry mixed deciduous forest Burhar forest RF is within the block. Mainly Sal forest falling under the Shahdol Forest Division. There are 3 reserve & 1 protected forest area in the study area. No National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Reserve or Corridor is within the study area. The major tree species reported in the study area including buffer zone are Sal (*Shorea robusta*), Salai (*Boswellia serrata*), Saja (*Terminalia tomentosa*), Kusum (*Scheuchzeria oleosa*), Tendu (*Diospyros melanoxylon*), Char (*Buchnania lanzan*), Dhaura (*Anogeissus latifolia*), Saliha (*Boswellia serrata*), Janti (*Eugenia heyneana*) and Bhilwa (*Semicarpus amarcordium*). Bamboo (*Dendrocalamus strictus*) is also seen in some of the areas. Fauna eg. Barking Deer, Spotted Deer, Common Langur, Jackal, Five striped Squirrel, Indian Hare etc. are also reported in the area. R&R involves 703 persons who are expected to be displaced and rehabilitated as per M.P. Govt. R&R policy. It was informed that the Tribal Development Action Plan has been prepared with the provision of Rs. 403.13 lakhs. The total cost of R&R will be Rs.1627.49 lakhs. Proponent proposed residential colony for their work force at the distance of 4 km. from project boundary. Life of OC-cum-UG mine is 31 years, of which OC mine will be 23 years. Public hearing held on 16.2.2012 and the issues raised during public hearing eg. Land acquisition, R&R, employment, pollution & others have been presented before the committee. EMP Capital Cost are Rs. 469.88 lakhs and Recurring Annual Cost Rs. 76.13 lakhs. Cost of the project is Rs. 60 crores.

2. Based on the presentation and deliberations, the Committee was of the view that (i) Committee desired that a social cost-benefit analysis vis-à-vis choice of Under ground mining methods should be got carried out; (ii) It was observed that the thickness of seam, as reported by proponent, is 35.85. This appears not be correct and this need to be checked and details be provided; (iii) The mode of coal transportation should be by Rail; (iv) The native plant species should be taken for plantation for the benefit of the tribals; (v) Crown dump should be rehandled and the OB dump in void and reduce the depth of final void depth to 40-60 mt; (vi) Mine closure Plan should be prepared and stress should be given on progressive & time bound rehabilitation of the area so as to bring back the area for future generation; (vii) Detailed presentation on mining closure activity should be done in future; (ix) Proponent should make reclamation of abandoned mines; (x) A separate discussion /presentation on Mine Closure is required.; (xi) Change in Post-mining stage by reducing the depth of mine void is required to be done; (xii) The proponent should go for under ground mining option; (xiii) The mode of road Transportation of coal should be by mechanically covered trucks so as to prevent spillage and dust pollution; (xiv) The water level has been informed to be at 5m bgl. The proponent may therefore, intercept the water table in the first year; (xv) There are isolated patches of sal forest. A study be carried out by Indian Institute of Forest Management, Bhopal in this regard; (xvi) There are 15 mines are already operating in the area so most of the fauna have been vanished. Therefore the Ecological Restoration of the area is necessary; (xvii) The Committee has noted that R&R Plan is yet to be approved by State Govt. Therefore, the approved R&R Plan from State Govt. should be submitted to Ministry for record; (xix) The provision of the fund for the CSR should be Rs.35 Crores; (xx) The proponent should explore the possibility of providing share to local people in the company; (xxi) Social Scientist should be included in CSR the Committee; (xxii) Committee

desired that issues raised during Public Hearing should be provided in tabular form and each issue along with budgetary provision be addressed; (xxiii) The Forest Clearance is required for granting the EC.

4. The Committee had decided to further consider the proposal upon receipt of the aforesaid details.

15 Letter dated 02.08.2012 of M/s Radhikapur West regarding MOEF letter dated 20.07.2012 on the consideration of Radhikapur (West) Coal Mine Project (6 MTPA in ML area of 1047.99 ha) and Coal Washery of 6 MTPA in EAC (T&C) meeting held on 18th-19th June 2012.

1. The project was earlier considered in the EAC (T&C) meeting held on 18th-19th June 2012 for further consideration of EC. The Ministry, vide letter no. J-11015/30/2011-IA.II(M) dated 20.07.2012, informed the decision of Committee to proponent. The Committee suggested that as companies are operating in Talcher Coalfield should make joint effort to protect Singhara Jore. The embankment along Singhara jore should be protected and strengthened and no mining should be carried out below the Singhara jore. It was also desired that MOEF to write to State Government for restoration of jore and carry out monthly monitoring. The exercise to be funded by the project proponent. The Committee also desired that an assimilation study be carried out by the project proponent.

2. The Proponent made presentation. It was informed that all stipulations of MOEF are accepted by them. However, the last stipulation is not feasible to complete due to reasons stated in subsequent slides. Thus, proponent seek exemption from the condition that "Assimilation study be carried out by the project proponent"

3. The proponent informed that there are 18 coal mines are situated on the north and south bank of Singhara jore, which is a tributary of Brahmini River. The status of same are given below:

Sl.No	Name of the block	Company	Status
1	Kalinga	MCL	In operation
2	Hingula	MCL	In operation
3	Gopal Prasad (west)	MCL	Pending Govt. Clearances
4	Utkal -A	MCL, JSL, JSESL, SDRIL	Pending Govt. Clearances
5	UTKAL -B-1	JSPIL	Pending Govt. Clearances
6	UTKAL -B-2	MIEL	Pending Govt. Clearances
7	UTKAL -C	UCL	Pending Govt. Clearances
8	UTKAL -D	OMC	Pending Govt. Clearances
9	UTKAL -E	NALCO	Pending Govt. Clearances
10	Radhikapur (East)	Tata, SIL, SPSSIL	Pending Govt. Clearances
11	Radhikapur (west)	RML,OCL,Ocean	Pending Govt. Clearances
12	Konark	MCL	Not explored

No 3804 1/2/2007-CA-1
Government of India
Ministry of Coal

.....
New Delhi, dated the 12th August, 2008.

To

✓ M/s. Birla Corporation Ltd.,
9/1, R.N. Mukherjee Road,
Kolkata - 700 001.

Subject: Allocation of Bikram coal block in the State of Madhya Pradesh for captive mining of coal by M/s. Birla Corporation Ltd. for their 11.8 mtpa Cement Plants in Dist. Satna (MP), Dist. Chandernagore (Rajasthan), Dist. Durgapur (WB).

Sir,

I am directed to refer to the application of M/s. Birla Corporation Ltd. for allocation of coal block in the State of Madhya Pradesh and to state that this has been considered by the Central Government and it has been decided to allot Bikram coal block in the command area of Western Coalfields Ltd. to M/s. Birla Corporation Ltd., to meet the coal requirement for 11.8-mtpa of capacity in their Cement Plants in Dist. Satna (MP), Dist. Chandernagore (Rajasthan), Dist. Durgapur (WB). The allocation of Bikram coal block to M/s. Birla Corporation Ltd., is in pursuance of the provisions contained in Section 3(3)(a)(iii) of the Coal Mines (Nationalization) Act, 1973 and subject to the following conditions :-

- I. The allocation of Bikram coal block to M/s. Birla Corporation Ltd., has been made to meet the coal requirement of 11.8 mtpa of capacity in their Cement Plants in Dist. Satna (MP), Dist. Chandernagore (Rajasthan), Dist. Durgapur (WB).
- II. The block is meant for captive use in their own specified and use project i.e. cement.
- III. The coal produced from the block shall not replace any coal linkages given to M/s. Birla Corporation Ltd., by the Coal India Ltd. / its subsidiary and/or by the Singareni Collieries Company Ltd., without prior permission of this Ministry.
- IV. Middlings generated in the process of washing the coal shall be used for power generation in their own power plant i.e., the useable middlings/rejects generated during beneficiation shall be used captively by the allocatee. The modalities of disposal of surplus coal/middlings/rejects, if any, would be as per the prevailing policy/instruction of the government at the relevant point in time and could also include handing over such surplus coal/middling/rejects to the local CIL subsidiary or to any person designated by it at a transfer price to be determined by the Government.

- v. Coal production from the captive block shall commence within 36 months in case the area is in forest land) in case of open cast mine and in 54 months (54 months in case the area falls under forest land) in case of UC mine from the date of preparation of CR. The end-use project schedule and the coal mine development schedule should be modified accordingly and submitted to the Ministry within 6 months from the date of this letter. A copy of the indicative milestone chart is enclosed.
- vi. The company shall submit a bank guarantee for Rs. 4.43 crores (equal to one year's royalty amount based on mine capacity of 0.36 mtpa assessed by CMPDIL, grade of coal of C to D and the weighted average royalty @ Rs. 123.11 per tonne) within three months from the date of issue of this letter. Subsequently, upon approval of mining plan, the Bank Guarantee amount will be modified based on the final peak/rated capacity of the mine.
- (a) 50% of the bank guarantee shall be linked to the milestones (time schedule) set for development of captive block, and the remaining 50% to the guaranteed production. The bank guarantee shall be liable to be encashed in the following eventuality:
- (b) There shall be an annual review of progress achieved by an allottee company. In the event of lapses, if any, in the achievements vis-à-vis the milestones set for that year, a proportionate amount shall be encashed and deducted from the bank guarantee.
- (c) Once production commences, in case of any lag in the production of coal, a percentage of the bank guarantee amount will be deducted for the year. This percentage will be equal to the percentage of deficit in production for the year with respect to the rated/peak capacity of the mine, e.g., if rated/peak capacity is 100, production as per the approved mining plan for the relevant year is 50 and actual production is 35, then $(50-35)/100 \times 100 = 15\%$ will lead to deduction of 15% of the original bank guarantee amount for that year. Upon exhaustion of the bank guarantee amount, the block shall be liable for de-allocation/cancellation of mining lease.
- (d) The allottee shall ensure that the bank guarantee remains valid at all times till the mine reaches its rated capacity or till the bank guarantee is exhausted. Any lapses on this count shall lead to de-allocation/cancellation of mining lease.
- vii. The company shall submit a mining plan for approval by the competent authority under the Central Government within six months from the date of this letter.
- viii. The company shall be required to comply with the guidelines/rules laid down by the Central Government from time to time relating to mine closure (both progressive and final). The company shall be required to submit mine closure plan alongwith the mining plan as per the guidelines issued in this regard.
- ix. No coal shall be sold, delivered, transferred or disposed of except for the stated captive mining purposes, and except with the previous approval of the Central Government.

Mining of coal from the allocated captive coal block shall be carried out in accordance with the applicable Statutes/Rules/Orders/Directions governing the mining of coal in the country.

- xi. Those of the above conditions relevant at the time of grant of mining lease shall be included as additional conditions in the mining lease in addition to any further conditions imposed by or agreed to by the Central Government.
- xii. The State Government at the time of seeking previous approval for the grant of mining lease shall submit a draft of the mining lease containing the above relevant conditions for vetting by the Central Government. The final mining lease shall be as vetted/modified by the Central Government. Any deviation from the vetted/modified draft shall render the mining lease deed *ab-initio* null and void and without effect.

2. Allocation / mining lease of the coal block may be cancelled, inter-alia, on the following grounds :-

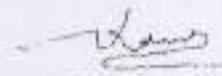
- a. Unsatisfactory progress of implementation of their end use sponge iron plant / power plant/cement plant.
- b. Unsatisfactory progress in the development of coal mining project.
- c. For breach of any of the conditions of allocation mentioned above.

3. The de-allocation/cancellation of mining lease shall be without any liability to the Government or its agencies, whatsoever. Any expenses incurred by the allocatee or any right or liability arising on the allocatee out of the measures taken by him shall solely be to his account and in no way be transferred to or borne by the Government or its agencies.

4. The company may approach CMPDIL for geological report and contact the State Government authorities concerned for necessary permissions/clearances etc. for attaining mining rights and related matters.

5. The arrangement of transport of coal will have to be worked out by the company in consultation with the Ministry of Railways / Ministry of Surface Transport depending on the mode of transport.

Yours faithfully,


(V. S. Rao)

Under Secretary to the Govt. of India.

Encls. As above.

1. Secretary, Ministry of Commerce & Industry (Deptt. of Industrial Policy & Promotion), Udyog Bhawan, New Delhi.
2. The Chief Secretary, Government of Madhya Pradesh, Secretariat, Bhopal.
3. The Chairman, Coal India Ltd., 10-Netaji Subash Marg, Kolkata-700001
4. Chairman-cum-Mng.-Director, Central Mine Planning and Design Institute Ltd., Gondwana Place, Kanke Road, Ranohi, Jharkhand.
5. Chairman-cum-Mng.-Director, Western Coalfields Limited, Coal Estate, Civil Lines, Nagpur.
6. The Coal Controller, Office of the Coal Controller, 1, Council Street, Kolkata - 700 001.
7. OPAM Section.


(V.S. Rama)

Under Secretary to the Govt. of India.

NL 13016/60/2008-CA-1
 Government of India
 Ministry of Coal

New Delhi, dated 16th July, 2010.

✓ To
 M/s Birla Corporation Ltd.,
 (Cement Division)
 P.O. Birla Vikas,
 Satna-485005,
 Madhya Pradesh.

Subject: Approval of Mining Plan of Bikram Coal Block allocated to M/s Birla Corporation Ltd.

Sir,

I am directed to refer to your letter dated 13th August, 2009 submitting Mining Plan of Bikram Coal Block for approval of the Central Government (to be read alongwith company's letter/clarifications dated 08.01.2010) and to state that the mining plan (December, 2009) for Bikram coal block in the command area of Western Coalfields Limited has been considered in this Ministry and the approval of the Central Government thereon is hereby conveyed under Section 5 (2) (b) of the Mines & Minerals (Development & Regulation) Act, 1957 subject to the following condition :-

- i) The mining company shall take all necessary precautions regarding safety of mine workings, persons deployed therein.
- ii) Mining lease to be acquired shall not encroach into any other coal block.
- (iii) The approval of the mining plan is without prejudice to the requirement of approvals from competent/prescribed authority under the relevant rules/regulations etc.

2. Two copies of the approved mining plans duly signed by the competent authority are returned herewith with the request that a copy of the approved mining plan may be submitted to the concerned State Government for necessary action and also a photocopy of the approved mining plan may be sent to the Coal Controller for monitoring the block.

Encls As above

Yours faithfully,



Copy to :-

1. Under Secretary, CPAM-Section, Ministry of Coal for information and record.
2. The Coal Controller, Office of the Coal Controller, 1-Council House Street, Kolkata.

BY SPEED POST

No. 13016/60/2008-CA-1
Government of India
Ministry of Coal

New Delhi, the 26th March 2012

To
The Secretary,
Mineral Resources Department,
Government of Madhya Pradesh,
Mantralaya, Bhopal

Subject: Administrative approval of the Central Government under Section 5(1) of the MM(DR) Act, 1957 for granting of mining lease in favour of M/s Birla Corporation Limited over an area of 239.00 Hectares in respect of Bikram coal mining block.

Sir,

I am directed to refer to your letters No. F 3-5/11/12/1 dated 24.09.2011 & No. F 3-5/2011/12/1 dated 13.01.2012 on the subject mentioned above and to state that the request of the State Government has been considered and it has been decided to accord previous approval of the Central Government under Section 5(1) of the Mines & Mineral (Development & Regulation) Act, 1957 to the grant of mining lease by the Government of Madhya Pradesh over an area of 239.00 hectares of coal bearing area in respect of Bikram coal mining block for the period of 30 (thirty) years subject to the following conditions:-

- (i) The allocation of Bikram coal block to M/s Birla Corporation Limited has been made to meet the coal requirement of 11.8 million tonnes per annum (MTPA) capacity in their cement plants in Dist. Satna (MP), Dist. Chandernagore (Rajasthan), Dist. Durgapur (West Bengal)
- (ii) The block is meant for captive use in their own specified end use project i.e. cement.
- (iii) The coal produced from the block shall not replace any coal linkages given to M/s Birla Corporation Ltd., by the Coal India Ltd./its subsidiary and/or by the Singareen Collieries Company Ltd., without prior permission of this Ministry.
- (iv) Middlings generated in the process of washing the coal shall be used for power generation in their own power plant i.e. the useable middlings/rejects generated during beneficiation shall be used captive by the allocate. The modalities of disposal of surplus coal/middlings/rejects, if any, would be as per the prevailing policy/instruction of the government at the relevant point in time and could also include handing over such surplus coal/middling/rejects to the local CIL subsidiary or to any person designated by it at a transfer price to be determined by the Government.

(v) No coal shall be sold, delivered, transferred or disposed off except for the stated captive mining purpose, and except with the previous approval of the Central Government in writing.

(vi) Mining of coal from the allocated captive coal block shall be carried out in accordance with the applicable Statutes/Rules/Orders/Directions governing the mining of coal in the country.

(vii) The company would do mining of coal from the allocated block in accordance with the mining plan approved by the Central Government, vide letter of even no. dated 18.04.2011.

(viii) The boundaries as per the approved mining plan, as defined as under has to be incorporated in the mining lease (Form K).

As per approved Revised Mine Plan the Bieram coal block is located approximately 7 Km SW of Buhar town in the western part of Sohagpur Coalfield in Shahdol district of Madhya Pradesh (p. 1-1 of Mine Plan). The Block is bounded by latitude N 23 11 5.6 to N 23 11 29.9 and longitude E 81 28 44.12 to E 81 31 5.32. The area of the block is 2.39 sq. Km (239.00 Ha). The area for mining lease is as under:

Village	Forest land	Revenue land	Private/ Revenue land	Total area applied
Bartara	50.835 compartment Sl. No. 827	11.205	57.889	119.929
Gopalpur	91.240 compartment Sl. No. 828	4.336	23.495	119.071
Total	142.075	15.541	81.384	239.00

The State Government of Madhya Pradesh has considered the block boundaries which may be considered while granting the mining lease. The block boundaries are as below:

All that tract of lands situated at Villages Gopalpur & Bartara (Description of area) 239 Hectare in (Pargana) in Sohagpur the Registration Dist. Shahdol, Thana Buhar bear Cadastral Survey Nos. Khasra No. Enclosed containing an area of 2.39 Sq. km. or there about delineated on the plan here to annexed and thereon colour Red and bounded as follows:

- On the North by - Village Chithala and Ahirgaon
- On the South by - Village Karkan and part of Bartara
- On the East by - Village Sarai Kapa
- And
- On the West by - Part of Bartara

(ix) Terms and conditions as proposed in allocation letter No. 38011/2/2007-CA-I dated 12th August, 2008 and also approval of mining plan vide letter of even number dated 18.04.2011 have to be incorporated in Form 'K' of the mining lease before the same is executed between the State Government and the allocatee company. The draft form 'K' submitted by the State Government vide letter No. F-3-2011-1211 dated 13.01.2012 is enclosed herewith.

(x) The mining company shall take all necessary precautions regarding safety of mine workings, persons deployed therein.

(xi) Mining Lease area to be acquired shall not encroach on any other coal block.

(xii) The mining company shall obtain permission from the Forest Department under Forest Conservation Act, 1980, before the mining operation are processed out in the approved area.

2. The above conditions be incorporated in the mining lease deed in addition to the terms and conditions stipulated in allocation letter No. 38011/2/2007-CA-I dated 12th August, 2008 and also approval of mining plan vide letter of even number dated 18.04.2011 when the same is executed between the State Government and M/s Birla Corporation Ltd. and a copy of lease deed be sent invariably to the Ministry of Coal for information and necessary record.

Yours faithfully,



(Sandeep Gupta)

Under Secretary to the Government of India

Encl: As above.

Copy to:

1. M/s Birla Corporation Ltd., P.O. Birla Vikas, Saina - 485005, Madhya Pradesh
2. The Coal Controller Organisation, Ministry of Coal, 1- Council House Street, Kolkata.



BIRLA CORPORATION LIMITED

Unit : SATNA CEMENT WORKS, SATNA

P.O. Birla Vikas, Satna - 485 035, Madhya Pradesh. Phone : 07672 - 412000 - 01
Fax : (07672) 257456 / 257576. Gram : CEMENT. E-mail: admin@satnacement.com

Date 14.06.12

To,
The Collector,
Shahdol

Handwritten signature and scribbles

Sub: Approved^{al} of Resettlement & Rehabilitation plan of Bikram Coal Mining Project District Shahdol.

Sir,

This is to bring to your kind notice that we have prepared the R&R plan of Bikram Coal Mining Project, Shahdol through the Consultant con by M/s. Min Mec consultancy Pvt. Ltd.

The report has been prepared on the basis of M.P. R&R. Policy 2002 and the performa of socio economic survey the copies of which are incorporated in this said report.

The R&R report is being enclosed herewith for your kind approval.

Thanking You,
Regards,

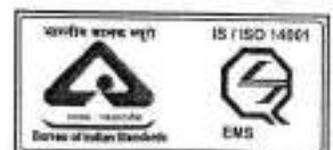
Yours faithfully,
for Birla Corporation Limited, Satna

(S.S. Dang)
Sr Vice President (Coal Mines)

Handwritten notes:
D318
14/6/12



REGISTERED & PRINCIPAL OFFICE :
Birla Building, 9/1 R.N. Mukherjee Road, Kolkata 700 001
Website : www. birlacorporation.com





BIRLA CORPORATION LIMITED

Unit : SATNA CEMENT WORKS, SATNA

P.O. Birla Works Satna - 487005, Madhya Pradesh. Phone : 07672-412000 - 31

Fax : [07672] 257433/257576. Email : admin@satnaceml.com

कार्यालय कमिश्नर शहडोल
 संभाग शहडोल (म.प्र.)
 2013
 10-5-2013
 9 MAY 2013
 जवाबदा
 कमिश्नर

08.05.2013

प्रति,
 आयुक्त महोदय,
 संभाग शहडोल (म.प्र.)

विषय: दिनांक 04.05.2013 को सम्पन्न हुई बैठक में विक्रम कोल ब्लॉक की पुनर्वास योजना के संबंध में।

सन्दर्भ: आपका पत्र क्रमांक फा0 03-13/कोलवेल्ट पुनर्वास प्रस्ताव 12013/1792ए शहडोल दिनांक 02.05.13.

महोदय जी,

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कंपनी द्वारा मध्य प्रदेश शासन की पुनर्वास नीति 2002 का पालन करते हुए पुनर्वास योजना बनाई गई है जो कि पूर्व में ही प्रेषित की जा चुकी है।

अतः आपसे निवेदन है कि अग्रिम कार्यवाही किये जाने की कृपा की जाए।

धन्यवाद,

भवदीय,
 वास्ते बिरला कॉर्पोरेशन लिमिटेड
 विक्रम कोल परियोजना, शहडोल

(एस.एस.एम) Project
 सीनियर वाइस प्रेसिडेंट (कोल मोइन्स)
 Birla Corporation Ltd.
 Satna



REGISTERED & PRINCIPAL OFFICE :
 Birla Building, 9/1 R.N. Mukherjee Road, Kolkata 700 001
 Website : www.birlacorporation.com



BIRLA CORPORATION LIMITED
Bikram Coal Project, Shahdol

04.05.2013

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The leasehold area of the coal block is 239 ha. out of which about 81 ha. is a private land and there are 119 houses in the leasehold area which have to be rehabilitated. Accordingly, Rehabilitation & Resettlement plan has been prepared following the Madhya Adarsh Punarvas Niti, 2002 and submitted.

Some important points are given as below:-

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2. Employment

One person from each affected family whose land shall be acquired and who is a owner of the acquired land atleast three years before the date of notification Section - 4 of LA Act shall be given employment in the project or at their plant at Satna subject to his eligibility, medical fitness and police verification. Those who are interested in open a shop or in self employment necessary assistance such as providing loans from the bank, training etc. shall be given to them.

3. Budget provision has made for CSR activities such as health education, infrastructure, sports facilities, pension, scholarship, training etc. @ Rs.5/ ton of coal production as revenue budget, in addition to one time capital budget of 18 lacs.

4. Further details are given in R&R plan submitted earlier.

The above shall be applicable after the start of mining operations.


(S.S. Pang) Project
Sr Vice President (Coal Mines)
Bhilai, Chh. Pr.
2013.05.04



BIRLA CORPORATION LIMITED

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P.O. Birla Vikas Satna - 485 005, Madhya Pradesh. Phone : 07672-412000 - 31
Fax : (07672) 257468 / 257576. Gram : CEMENT. E-mail: admin@satnacement.com

08.05.2013

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आयुक्त महोदय,
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(एस.एस.सी. प्रोजेक्ट)
सांनियर सिटी
Birla Corporation Ltd
Shahdol (M.P.) माइन्स)



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(S. S. Dang) Ltd.
Sr Vice President (Coal Mines)



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P.O. Birla Vihar, Satna - 485 005, Madhya Pradesh, Phone : 07672-412000-71

Fax : (07672) 257456/257576 Gram : CEMENT, E-mail: admin@satnacement.com

08.05.2013

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बिक्रम कोल परियोजना, शहडोल

(एस. एस. इंग्र) Project
सीनियर इंजीनियर (कोल) (म.प्र.)
Birla Corporation Limited
Shahdol (M.P.)



REGISTERED & PRINCIPAL OFFICE :
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Bikram Coal Project, Shahdol

04.05.2013

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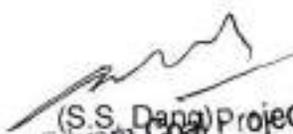
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(S.S. Dang) Project
Sr Vice President (Coal Mines)
Birla Corporation Ltd
Shahdol (M.P.)

M/s BIRLA CORPORATION LTD.

**RESETTLEMENT & REHABILITATION PLAN
FOR
BIKRAM COAL BLOCK
SOHAGPUR COALFIELD
DISTRICT SHAHDOL, MADHYA PRADESH
(Area : 239.00 Ha within ML)**

JUNE, 2012
(Issue 1, Rev. 1)

Prepared by:



MIN MEC CONSULTANCY PVT. LTD.

A-121, Paryavaran Complex, IGNOU Road, New Delhi - 110 030
Ph : 29534777, 29532236, 29535891 ; Fax: +91-11-29532568
Email : min_mec@vsnl.com; Web site : <http://www.minmec.co.in>



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CHAPTER 1

PROJECT INTRODUCTION

1.1 PROJECT BACKGROUND

The Bikram Block represents the northern contiguous area of the Karkati Sector of the Sohagpur Coalfield. The exploratory drilling was undertaken to find out the continuity of workable coal horizons proved to occur in the adjacent Karkati Sector. Drilling in the area was initiated by the CMPDI in April'88 and completed in October'94 in two spells. A total of 57 boreholes were drilled by the CMPDL. The DGM (MP) drilled 4 Nos. of boreholes during the period Oct.'93 to April'94. Out of these total boreholes drilled in the area, only 36 boreholes are falling within Bikram Block boundary and 25 Nos. of boreholes were falling outside the block boundary. The data generated by the aforesaid boreholes did not indicate the area to be very promising; hence a small portion in the southern part of the total area was identified for detailed proving and geological report preparation. The area of the block is 2.39 sq km. The Bikram block has been allotted to M/s Birla Corporation Limited along vide allotment letter no 38011/2/2007-CA-1 dt 12th August, 2008. The allotment letter specifies that the annual production of the mine is proposed as about 0.36 MT of grade C to D.

1.2 PROJECT LOCATION

The Bikram coal block covering an area of 239 Ha represents the northern contiguous area of the Karkati Sector of the Sohagpur Coalfield. The Bikram Block lies to the immediate north of the working Navgaon and Rajendra Mines of Sohagpur Area, SECL. Bikram block is virgin. The block is covered in the Survey of India Toposheet no. 64 E/12, 8 (R. F. 1:50,000) and is bound by Latitude 23°11'5.6" N to 23°11'29.9" N and Longitudes 81°28'44.12" E to 81°31'6.12" E. The perimeter of the block is 9.2 km. The extent of ML area and the present landuse is given in Table 1.1.

TABLE 1.1
AREA DETAILS FOR MINING LEASE (ML) APPLIED (HECTARES)

Land use (Hectares)	Gopalpur	Bartara	Reserve Forest	Total
Agriculture	20.570	56.271		76.841
Barren	2.549	1.618		4.167
Judpi Jungle (Revenue Forest)	3.514	5.506		9.020
Pond, Road, School etc (Govt. Land)	0.822	5.699		6.521
Boundary (Merh)	0.376	-		0.376
Sub-Total	27.831	69.094		96.925
Reserve Forest	50.835	91.240	142.075	142.075
Total Area				239.000

1.3 REPORT STRUCTURE

The report has been organized into 8 chapters. These include:

Chapter 1: Project Introduction

Chapter 2: Legal and Policy Framework

Chapter 3: Entitlement Framework

Chapter 4: Baseline Socio-Economic Profile

Chapter 5: Community Consultations

Chapter 6: Social Impact Assessment

Chapter 7: Issues for Tribal Development and Tribal Action Plan

Chapter 8: Resettlement and Rehabilitation Plan

CHAPTER 2

LEGAL AND POLICY FRAMEWORK

2.1 INTRODUCTION

This chapter discusses the legal and policy framework that would be applicable to this project. Specific acts that deal with Land Acquisition and Resettlement and Rehabilitation (Central and State). The detailing of the policy and legal framework is necessary as the present Resettlement and Rehabilitation plan derives its rationale from them. A brief description of each of these acts and policies has been given below.

2.2 POLICY FRAMEWORK

2.2.1 Land Acquisition Act, 1894

The District Collector would be responsible for acquiring all land required for the projects and provide for transfer of the land ownership to the client free of all encumbrances. Acquisition of the following would be involved:

- Private land holdings;
- Encroachments;
- Land belonging to institutions;
- Land belonging to Government departments;
- Common property resources such as hand pumps, bus shelters, etc;
- Cultural property including temples, churches and mosques.

At the outset, notification as per the LA Act, Section 4 is given with the purpose defined for the land acquisition. It is important to notify cut off date in order to stop further encroachments. In the cases of acquisition of properties, the cut-off date would be the date of issuing the notice under section 4(i) of the Land Acquisition Act, 1894 (amended 1984).

After the notification is provided, the people whose land is to be acquired are allowed for a minimum of 30 days to file any objections against land acquisition notification. If any objections are filed, then there is a public hearing (public hearing for the project would be done), the concerned revenue officials and the local administration organize and solve any of the petitions that has been filed against the acquisition of the land. After this the acquisition shall be carried out and possession of the land shall be taken.

2.2.2 National Policy on Resettlement and Rehabilitation for Project Affected Families, 2007

The policy is applicable to projects that are likely to physically displace 400 families or more en masse in plain areas and 200 families or more en masse in tribal or hilly areas, DDP blocks, or areas mentioned in Schedule

V and Schedule VI of the Constitution of India. The objectives of the Policy are:

- To minimize displacement and to promote as far as possible, non-displacing or least displacing alternatives;
- To ensure adequate rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of displaced persons;
- To ensure that special care is taken for protecting the rights of, and ensuring affirmative state action for weaker segments of society, especially members of SCs and STs and to create obligations on the state for their mitigation of impacts on them with concern and sensitivity;
- To provide a better standard of living to displaced families;
- To integrate rehabilitation concerns into the development planning and implementation process; and
- Where displacement is on account of land acquisition, to facilitate harmonious relationship between the requiring body and displaced persons through mutual cooperation.

2.2.3 Madhya Pradesh Adarsh Punarvas Niti, 2002

The policy provides for adequate compensation, resettlement and restoration of livelihood for those persons/families that have been impacted by land acquisition process. Being a mineral rich state, land acquisition for mining of minerals is common in the state. The policy therefore, provides for suitable measures for resettlement and rehabilitation of the affected and displaced persons. Specifically, the policy provides for:

- Resettlement and relocation of the project affected persons to the extent of restoration of previous living standards of those who are displaced;
- Compensation for agricultural land, house, private property and assets (movable and immovable) to be given in a timely manner;
- Compensation and replacement of common property resources;
- Provision of employment to those losing livelihood due to displacement;
- Shifting of cultural properties to the new relocation area;
- As far as possible, ensure that the new relocation area does not result in alienation of the people;
- Establishment of monitoring agencies for relocation activities;
- Integration of displaced persons with the host communities.

In case of mining projects, the following provisions have been made:

- Restoration of mined area;
- Arranging alternate sources of water for irrigation as water table falls down.

Appendix 2.1 gives the Model Resettlement Policy 2002.

CHAPTER 3

ENTITLEMENT FRAMEWORK

3.1 INTRODUCTION

The National Policy for Resettlement and Rehabilitation clearly lays down entitlements for the project affected families. Apart from this, the Madhya Pradesh Adarsh Punarvas Niti, 2002 provides the guidelines for giving resettlement and compensation. The same has been put in the form of an entitlement framework and has been detailed out in the following section.

3.2 ENTITLEMENT FRAMEWORK

An entitlement framework has been prepared to aid in giving of compensation and assistance to the project affected and displaced people. The proposed entitlements have been arrived at after a detailed comparison with the National Policy on Resettlement and Rehabilitation, 2007 and the Madhya Pradesh Adarsh Punarvas Niti, 2002. Table 3.1 presents the detailed entitlement matrix. The same table also presents a comparison between the provisions under the NRRP 2007, the Madhya Pradesh Adarsh Punarvas Niti, 2002 and the entitlements proposed by M/s Birla Corporation Limited, Madhya Pradesh for this project.

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**TABLE 3.1
DETAILED ENTITLEMENT MATRIX**

Category	Type of Loss	Unit of Entitlement	NRRP2007		Model Resettlement Policy, 2002, Government of Madhya Pradesh		Entitlements Proposed by M/s Birla Corporation Ltd.	
			Entitlement	Details	Entitlement	Details	Entitlement	Details
1	Agricultural Land and Assets	Household	<p>Compensation by land for land (if land is available) or Compensation at "replacement cost" or "actual market value".</p>	<p>Compensation</p> <ul style="list-style-type: none"> Each AF¹ owning agricultural land in the affected zone and whose entire land has been acquired may be allotted in the name of the khatedar(s) in the AF, on replacement cost basis, agricultural land or cultivable wasteland to the extent of actual land loss by the khatedar(s) in the AF subject to a maximum of one hectare of irrigated land or two hectares of un-irrigated land/cultivable wasteland, if government land is available. This benefit will also be available to AFs who have, as a consequence of acquisition, been reduced to the status of marginal farmers. In case of projects involving land acquisition on behalf of a Requiring Body, stamp duty and other fees payable for registration shall be borne by the Requiring Body. Land allotted under para 7.4 shall be free from all encumbrances. The land allotted may be in the joint names of wife and husband of 	<p>Compensation at "actual market value".</p> <p>Compensation to be provided at market value. Assistance</p> <ul style="list-style-type: none"> The Project Affected Families will be offered an ex-gratia amount of Rs. 11000 per family. Each AF shall get financial assistance as transportation cost for shifting of building materials, belongings and cattle etc of Rs. 1000. 	<p>Compensation to be at "actual market value".</p>	<p>Compensation</p> <ul style="list-style-type: none"> The compensation for the land shall be given to the titleholder as decided by the District Revenue Department (the latest land acquisition rate would be taken into account). Stamp duty and other fees payable for registration shall be borne by the company. Assistance The Project Affected Families will be offered an ex-gratia amount of Rs. 11000 per family. Each AF shall get financial assistance as transportation cost for shifting of building materials, belongings and cattle etc of Rs. 1000. 	

¹ "affected family" means a family whose place of residence or source of livelihood are substantially affected by the process of acquisition of land for a project or otherwise, and who has been residing continuously for a period of not less than three years preceding the date of declaration of the affected zone or practicing any trade, occupation or vocation continuously for a period of not less than three years in the affected zone, preceding the date of declaration of the affected zone.

Category	Type of Loss	Unit of Entitlement	NRRP2007		Model Resettlement Policy, 2002, Government of Madhya Pradesh		Entitlements Proposed by M/s Birla Corporation Ltd.	
			Entitlement	Details	Entitlement	Details	Entitlement	Details
				<p>AF.</p> <ul style="list-style-type: none"> In case of allotment of wasteland/degraded land in lieu of acquired land, each allottee shall get a one-time financial assistance of Rs.10,000/- per hectare for land development. In case of allotment of agricultural land, a one-time financial assistance of Rs.5,000/- per AF for agricultural production shall be given. <p>Assistance</p> <ul style="list-style-type: none"> The Project Affected Families will be offered an ex-gratia amount of Rs. 10,000 per family Each AF shall get financial assistance as transportation cost for shifting of building materials, belongings and cattle etc. from the affected zone to the resettlement zone on actual cost basis. 				
2	Non-agricultural land and assets	Household	<p>Compensation by house (if land is available) or Compensation at "replacement cost" or "actual market value".</p>	<p>Compensation Any affected family (AF) 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 150 sq. mt. of land in rural areas and 75 sq. mt. of land in urban areas. However, every nuclear family of adult husband/wife and minor children within this definition of a family would be entitled to an additional entitlement of 10 sq. mt.</p>	<p>Compensation at "replacement cost" or "actual market value".</p> <p>In addition to the land, amount for construction of house shall also be given. This amount shall be equivalent to the present value for house construction specified in the Indira Awas Yojana (IAY). For BPL families, amount equivalent to IAY</p>	<p>House for each affected family.</p>	<ul style="list-style-type: none"> Each affected family shall be given constructed house for an area of 502 sq mts/0.1 Acres. All common utility and facilities shall be developed at the resettlement site. 	

Category	Type of Loss	Unit of Entitlement	NRRP2007		Model Resettlement Policy, 2002, Government of Madhya Pradesh		Entitlements Proposed by M/s Birla Corporation Ltd.	
			Entitlement	Details	Entitlement	Details	Entitlement	Details
3	Wage earning	Individual	Income Restoration	<p>floor area.</p> <p>The compensation for the land and structure at replacement cost shall be given to the titleholder as per the jariri value.</p> <p>Assistance</p> <p>The Project Affected Families will be offered an ex-gratia amount of Rs. 10,000 per family*.</p> <p>Each AF shall get financial assistance as transportation cost for shifting of building materials, belongings and cattle etc. from the affected zone to the resettlement zone on actual cost basis.</p> <ul style="list-style-type: none"> Each affected person who is a rural artisan, small trader or self-employed person shall get a one-time financial assistance of Rs.10,000/- for construction of working shed/shop. In case of projects involving land acquisition on behalf of a Requiring Body, <ul style="list-style-type: none"> (a) The RB shall provide employment to affected persons who lose their employment due to the project, subject to availability of vacancies and suitability of the affected person for the employment (will apply only to the extent of one person per nuclear family of adult husband/wife and their minor children); (b) The RB will give preference to groups and cooperatives of 	Income Restoration	<p>provisions shall be given for house construction within the resettlement colony.</p>	Income Restoration	<ul style="list-style-type: none"> At least one person from each displaced families, whose land has been acquired for the project and who is the owner of the acquired land in the last 3 years (from the date of publication of the notification for I.A under section 4) subject to his/her suitability to age, medical fitness, police verification would be given employment in mines. Preference will be given in employment to families who have lost agricultural land. Relaxation in the age for employment for a), 5 years in case of SC/ST and b) 2 years in

Category	Type of Loss	Unit of Entitlement	NRRP2007		Model Resettlement Policy, 2002, Government of Madhya Pradesh		Entitlements Proposed by M/s Birla Corporation Ltd.	
			Entitlement	Details	Entitlement	Details	Entitlement	Details
				<p>affected persons in outsourced contracts;</p> <p>(c) The RB will give preference to willing landless labourers and unemployed affected persons while engaging labour in the project during the construction phase.</p> <ul style="list-style-type: none"> In case of projects involving land acquisition on behalf of a Requiring Body. (a) affected families who have not been provided agricultural land or employment shall be entitled to a rehabilitation grant equivalent to 750 days minimum agricultural wages; if the Requiring Body is a corporate organization/company, such PAFs, in addition, shall be given 20% of this amount in the form of shares in the Requiring Body at book value as per guidelines to be notified by the Central Government; (c) in all cases where loss of agricultural land or displacement takes place on account of land development projects, in lieu of land-for-land or employment, such AFs would be given a site or apartment within the development project Assistance Each affected person shall get a monthly subsistence allowance equivalent to 20 				<p>the case of employment for Class III posts with candidates having ITI, engineering diploma and holders Graduate/PG in science/commerce qualifications.</p> <ul style="list-style-type: none"> Training for educated youth will be provided through Government agencies like ITI or any other institution of Government.

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Category	Type of Loss	Unit of Entitlement	NRRP2007		Model Resettlement Policy, 2002, Government of Madhya Pradesh		Entitlements Proposed by M/s Birla Corporation Ltd.	
			Entitlement	Details	Entitlement	Details	Entitlement	Details
4	Non-perennial crops	Household	Compensation and Assistance	<ul style="list-style-type: none"> days minimum agricultural wages per month for a period of one year. Affected persons shall be provided necessary training facilities for development of entrepreneurship skills to take up self-employment projects at the resettlement zone as part of R&R benefits. Notice to harvest standing crops. Compensation for replacement of next year's seeds. Compensation as per market value. 	Compensation and Assistance	<ul style="list-style-type: none"> Assistance to farmers for preparing for LA. 	Compensation and Assistance	<ul style="list-style-type: none"> Notice to harvest standing crops.
5	Perennial crops such as fruit trees	Household	Compensation	<ul style="list-style-type: none"> Compensation as per market value. 	Compensation	<ul style="list-style-type: none"> The yearly return of the produce and the value of the wood of the tree shall be given. 	Compensation	<ul style="list-style-type: none"> Compensation for trees as per market value according to type of tree and value of fruit produce shall be given.
6	Encroachers and Squatters	Household	Assistance	<ul style="list-style-type: none"> Will receive no compensation for land but assistance for assets to the vulnerable groups such as SC, ST, Women Headed Households and the poor; Encroachers and Squatters will be notified a time in which to remove their assets; Right to salvage materials from the demolished structure. 	Assistance	<ul style="list-style-type: none"> Will receive no compensation for land but assistance for assets to the vulnerable groups such as SC, ST, Women Headed Households and the poor; Encroachers will be notified a time in which to remove their assets; Right to salvage materials from the demolished structure. 	Assistance	<ul style="list-style-type: none"> Will receive no compensation for land but assistance for shifting assets to the vulnerable groups such as SC, ST, Women Headed Households and the poor. Such assistance shall be given only to residential and commercial properties; Encroachers and Squatters will be notified a time in which to remove their

Category	Type of Loss	Unit of Entitlement	NRRP2007		Model Resettlement Policy, 2002, Government of Madhya Pradesh		Entitlements Proposed by M/s Birla Corporation Ltd.	
			Entitlement	Details	Entitlement	Details	Entitlement	Details
7	Additional support to vulnerable groups.	Household	Assistance	<ul style="list-style-type: none"> In case of projects involving land acquisition on behalf of a Requiring Body displacing 200 or more tribal families (except projects involving only linear acquisitions referred to in para 7.15), a Tribal Development Plan shall be prepared (in form to 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-tilber forest produce (NTFP) resources on non-forest lands within five years sufficient to meet requirements of tribal communities who are denied access to forests. Concerned Gram Sabha(s) shall be consulted in all cases 	Assistance	<ul style="list-style-type: none"> Specific attention to displaced families who belong to SC/SC and BPL. Each affected family of SC/ST and BPL would get Rs. 11000 as rehabilitation grant. Support to BPL families for construction of house as per IAY provisions. 	Assistance	<ul style="list-style-type: none"> Right to salvage materials from the demolished structure. If the encroachers belong to the vulnerable group (BPL/SC/ST), then they shall get a onetime financial assistance of Rs. 11,000. Each affected family of SC/ST and BPL would get Rs. 11000 as rehabilitation grant. Every family affected would be provided constructed house.

Category	Type of Loss	Unit of Entitlement	NRRP2007		Model Resettlement Policy, 2002, Government of Madhya Pradesh		Entitlements Proposed by M/s Birla Corporation Ltd.	
			Entitlement	Details	Entitlement	Details	Entitlement	Details
				<p>of acquisition in Schedule V areas, including acquisition under the emergency clause, before issue of section 4(1) notification under the Land Acquisition Act, 1894.</p> <ul style="list-style-type: none"> Each affected family of ST followed by SC categories shall be given preference in allotment of land-for-land, if available. In case of projects involving land acquisition on behalf of a Requiring Body, each tribal AF shall get an additional one-time financial assistance equivalent to 500 days minimum agricultural wages for loss of customary rights/usages of forest produce. Tribal AFs will be re-settled 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 projects involving land acquisition, or the State Government in other cases of displacement; is unable to offer such land due to reasons beyond its control. Settlements predominantly inhabited by tribals shall get land free of cost for community and religious gatherings. 				

Category	Type of Loss	Unit of Entitlement	NRRP2007		Model Resettlement Policy, 2002, Government of Madhya Pradesh		Entitlements Proposed by M/s Birla Corporation Ltd.	
			Entitlement	Details	Entitlement	Details	Entitlement	Details
8	Community infrastructure, cohesion and amenities	Community	Replacement/Relocation/Enhancement	<p>Replacement/Relocation</p> <p>The common property resources and the community infrastructure shall be relocated in consultation with the community/gram panchayat.</p>	<p>Replacement/Relocation/Enhancement</p> <p>The common property resources and the community infrastructure shall be relocated in consultation with the community/gram</p>	<p>Replacement/Relocation/Enhancement</p> <p>The common property resources and the community infrastructure shall be relocated in consultation with the community/gram</p>	<p>Replacement/Relocation/Enhancement</p> <p>The common property resources and the community infrastructure shall be relocated in consultation with the community/gram</p>	<p>Community facilities such as community hall, school building, health care centre, vocational training institute, road, etc would be developed in the resettlement site.</p>

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Category	Type of Loss	Unit of Entitlement	NRRP2007		Model Resettlement Policy, 2002, Government of Madhya Pradesh		Entitlements Proposed by M/s Birla Corporation Ltd.	
			Entitlement	Details	Entitlement	Details	Entitlement	Details
9	Temporary construction related impacts	Community		Not Specified	Community	Compensation area due to impacted area due to mining activities. Ensure that the land after mining shall be filled and to the extent possible cause least harm to environment. Provide alternate sources of water as ground water will be used for mining activities which may deplete the ground water source.	Community	The EMP provides for: a) filling of the mined area, b) Creation of a water reservoir for future use for the villagers.
10	Any other impact not yet identified whether loss of asset or livelihood	Community		Unforeseen impacts shall be documented and mitigated based on the principles agreed upon in this policy framework.	Community	Unforeseen impacts shall be documented and mitigated based on the principles agreed upon in this policy framework.	Community	Unforeseen impacts shall be documented and mitigated based on the principles agreed upon in this policy framework.

CHAPTER 4

BASELINE SOCIO-ECONOMIC PROFILE

4.1 INTRODUCTION

This chapter presents the baseline socio-economic profile of the project area. The objective of doing this profile is to understand the socio-economic and development issues in the project area. For this purpose, a larger area viz., the district and the block have been studied with respect to key socio-economic indicators. An assessment of the villages that are likely to be impacted has also been done. The analysis is based on database obtained from Census of India and the socio-economic survey carried out by the consultants. The project impacted villages viz., Bartara and Gopalpur fall within the Sohagpur CD Block.

4.2 DISTRICT PROFILE

Shahdol District is situated in the North-Eastern part of Madhya Pradesh. The district was re organized in 2003, when the Anuppur sub-division was separated and was made into a separate district. The present area of the district is 5671 Sq. Kms. It is surrounded by Anuppur district in the South-East, Satna & Sidhi in the North and Umaria in the West. The district extends 110 Kms. from East to West and 170 Kms. from North to South. This district is situated between 22°38' N latitude to 24°20'N latitude and 30°28' E Longitude to 82°12' E longitude.

The administrative divisions of the district are given in Table 4.1. Table 4.2 gives the total population in the district. According to 2001 Census, the total population of Shahdol district is 908148, out of which 391027 (43% of total population) are Scheduled Tribes and 67528 (7%) are Scheduled Castes. Shahdol district is therefore, a Tribal dominated district. A detailed study on the characteristics of Scheduled Tribes, the impacts of the proposed project on them and the provisions for the development of the tribals have been given in Chapter 7.

TABLE 4.1
ADMINISTRATIVE DIVISIONS-SHAHDOL DISTRICT

Divisions	Tehsils	Blocks	Municipalities	Nagar Panchayats
Beohari	Beohari	Beohari	-	Beohari
Jaisinghnagar	Jaisinghnagar	Jaisinghnagar	-	Jaisinghnagar Khand
Sohagpur	Sohagpur	Sohagpur Gohparu	Shahdol	-
Jaitpur	Jaitpur	Burhar	Dhanpuri	Burhar

Source: www.shadol.nic.in

TABLE 4.2
SHAHDOL DISTRICT-POPULATION-2001

Sl. No	Name of the Tehsil	Population (Total)	Male	Female
1	Sohagpur	469242	241433	227809
2	Beohari	168334	86444	81890
3	Jaisinghnagar	161717	82093	79624
4	Jaitpur	108855	54814	54041
	Total	908148	464784	443364

Source: www.shadol.nic.in

The literacy rate in the district is quite low at 48%. Male literacy is at 58% (Table 4.3). Female literacy is very low at 36%. The high proportion of tribal population in the district could be one of the reasons for poor literacy rates.

TABLE 4.3
SHAHDOL DISTRICT-LITERACY RATE (2001)

Tehsil	Total Literates	% Literates to Total Population	Male	% Literates to Total Male Population	Female	% Literates to Total Female Population
Sohagpur	242043	51.58	148109	61.35	93934	41.23
Beohari	83561	49.64	52765	61.04	30796	37.61
Jaisinghnagar	63712	39.4	41524	50.58	22188	27.87
Jaitpur	42563	39.1	28032	51.14	14531	26.89
Total	431879	47.56	270430	58.18	161449	36.41

Source: www.shadol.nic.in

68% of the population comprises non workers (Table 4.4). Out of the total main workers, about 66% are involved in activities other than agriculture and household industries. The district is backward in agricultural development. The tribals practice traditional cultivation practices. The sizes of the fields are very small and most of the tribals are marginal farmers. The yearly yield of the products from the fields is not enough for their survival. Hence, for the rest of the year they work on daily wages. The irrigated area in the district is very less owing to its hilly topography.

TABLE 4.4
POPULATION OF STUDY AREA-SOCIO-ECONOMIC CHARACTERISTICS

Occupation	Population	%
Main Workers	39623	22.5
Marginal workers	16974	9.6
Total workers	56597	32.1
Non workers	119861	67.9
Break-up of main workers		
Cultivators	7167	18.1
Agriculture labour	5408	13.7
Household industry	948	2.4
Others	26100	65.8
Total	39623	100

Source: Census of India, 2001. Note: This data is for the undivided district Shahdol and includes the Anuppur District.

4.3 SOCIO-ECONOMIC PROFILE OF PROJECT AFFECTED VILLAGES

4.3.1 Demographic Characteristics

Two villages, viz., Bartara and Gopalpur are impacted by the project. The key characteristics were assessed with the help of data collected during socio-survey. Appendix 5.1 and Appendix 5.2 give the household survey questionnaire format and the village level socio-economic survey format respectively. The important demographic characteristics include:

- i) The total population living in these villages is 4031 (2612 in Bartara and 1419 in Gopalpur).
- ii) The sex ratio is 917 females per thousand males (Table 4.5). Sex ratio is comparatively higher in Bartara.

TABLE 4.5
SOCIO-ECONOMIC CHARACTERISTICS OF AFFECTED VILLAGES

Village	Female	Male	Total	Sex Ratio
Bartara	1230	1382	2612	890
Gopalpur	699	720	1419	970
Total (A)	1929	2102	4031	917

Source: Socio-Economic Survey by M/s Birla Corporation Ltd, January-April 2011

4.3.2 Socio-economic characteristics

Vulnerable Population

The vulnerable population comprises Scheduled Tribes, Scheduled Castes, destitute and disabled persons in the village. 37.9% of the population comprises Scheduled Tribes. This is a large number and hence, adequate action plan for mitigating adverse impacts on them needs to be formulated (Table 4.6). The same has been detailed out in Chapter 7. Table 4.7 gives the number of destitute and dependents in the villages. Bartara has a large number of unsupported destitute/widows.

TABLE 4.6
VULNERABLE POPULATION IN PROJECT AFFECTED VILLAGES

Village	Others		SC Population		ST Population		Total	
	Number	%	Number	%	Number	%	Number	%
Bartara	959	36.7	909	34.8	744	28.5	2612	100
Gopalpur	490	35	0	0	929	6.5	1419	100
Total	1449	36.3	909	26	1673	37.9	4031	100

Source: Socio-Economic Survey by M/s Birla Corporation Ltd, January-April 2011

TABLE 4.7
NUMBER OF DESTITUATES AND DEPENDANTS

Type of Vulnerability	Bartara	Gopalpur
Unsupported destitutes/ widows	80	29
Disabled / infirm	15	5
Beggars	12	6

Source: Group Discussions with villagers by M/s Birla Corporation Ltd, January-April 2011

Occupational Profile

Around 12% of the working age group population comprises main workers (who work for more than 180 days in a year). The proportion of marginal workers is high at nearly 31% (Table 4.8). 47.5% of the workers are engaged in other services which include trade and commerce, and other service industry. Another 47% of the workers are dependent on agriculture. Of this, 19.7% of the workers are engaged as agricultural labour. Thus, services and agriculture are the most important occupations in the study area. Two crop cultivation is practiced in these villages. Cultivation is done in both the seasons i.e. Rabi and Kharif and is subject to availability of rainwater or irrigation water. Besides, Zaid cultivation is also practiced in the villages. A detailed description of the cultivation practices is given in the Resettlement and Rehabilitation Plan. Household industries account for only 5% of the main workers.

TABLE 4.8
OCCUPATIONAL PROFILE OF STUDY AREA

Occupation	Population	%
Main workers	401	12.41
Marginal workers	997	30.87
Total workers	1398	43.28
Non workers	1832	56.72
Break-up of main workers		
Cultivators	111	27.68
Agriculture labour	79	19.70
Household industry	20	4.99
Others	191	47.63
Total	401	28.68

Source: Socio-economic Survey by M/s Birla Corporation Ltd, January-April 2011

Income

The average income earned by the villagers is very low. As can be seen from Table 4.9, most of the families in Bartara earn approximately Rs. 2501-5000 / month. The expenditure is close to the same amount leaving no scope for saving. Seasonal nature of all occupation is the primary reason for such low incomes. In Gopalpur, the income of the villagers is lower with more than 50% of the households earning only between Rs. 1001-2500/month.

TABLE 4.9
INCOME PROFILE OF STUDY AREA

Monthly Income (Rs.)	Bartara	Gopalpur	Total
Rs.500 & above upto Rs. 1000	95	50	145
Rs. 1001 & above upto 2500	190	100	290
Rs 2501&above upto 5000	392	20	412
Rs. 5001 & above upto 10000	68	15	83
Rs. 10001 & above upto 20000	17	9	26
Rs 20001& above upto 50000	8	1	9
Total	770	195	965

Source: Socio-Economic Survey by M/s Birla Corporation Ltd, January-April 2011

Other small activities are practiced in the villages that supplement the existing income sources. Such activities include:

- Collection of leaves for pattal making;
- Livestock rearing for sale of eggs, chicken, meat and milk;
- Sale of Mahua flowers (Rs. 5-6/kg) (sold in haat);
- Sale of Sal seed (Rs 5-6/kg) (hot weather only) Rs12-15 /Kg-during season (sold in haat);
- Basket making;
- Rope making.

Health Issues

In the past two years, Malaria & Kalazar are the major diseases prevalent in the project-impacted villages. Besides water borne diseases like Typhoid, Diarrhea & Jaundice disease are also seen in the villages. It is also one of the major causes of deaths. Allopathic, Homeopathy & ayurvedic treatments are available. Block level hospital & primary health center is available in Bartara Village.

4.3.3 Infrastructure accessibility for project affected people

Table 4.10 gives a brief description of the physical infrastructure situation in the project impacted villages.

TABLE 4.10
PHYSICAL INFRASTRUCTURE SITUATION

Infrastructure	Characteristics
Water Supply	There are no tapped water facilities. Hand pumps and wells are the major source of water supply. In all villages well and hand pump are the source of water supply.
Sanitation	In Bartara and Gopalpur villages, there is negligible number of toilets and open defecation is practiced by majority of people. Majority of water sealed toilets is practiced in Bartara village.
Health infrastructure	There is no Government hospital and, primary health center, animal husbandry department in Gopalpur but only a primary health center is Bartara village.

Infrastructure	Characteristics
Educational infrastructure	Both the villages have a primary and middle school to cater to their needs independently. The children of all two villages have to go to Burhar and Shahdol for their higher education, technical and vocational training.

The villagers of Bartara and Gopalpur have to travel to the nearest village Burhar and Saraikapa for most of the facilities. There is no animal husbandry department and higher education center (college) in these villages (Table 4.11).

TABLE 4.11
SOCIAL INFRASTRUCTURE AVAILABILITY OF
PROJECT IMPACTED VILLAGES

Aspects	Bartara		Distance (km) out side village		Gopalpur		Distance (km) out side village
	With in village				With in village		
	Yes	No	Yes	No			
Nearest Village market		√	Burhar 7 km		√	Burhar 4 Km	
Regulated market		√	Burhar 7 km		√	Burhar 4 Km	
Weekly Hat (Bazaar)		√	Burhar 7 km		√	Burhar 4 Km	
Communication		√			√	Burhar 4 Km	
Post office	√				√	Burhar 4 Km	
Telegraph Office		√	Saraikapa 03 Km		√	Saraikapa 03 Km	
Pucca Road	√			√			
Kachcha Road	√			√			
Financial Institutions	√				√		
Primary Co-operative Society		√	Saraikapa 04 Km		√	Saraikapa 03 Km	
Commercial/ Co-operative Bank		√	Burhar 7km		√	Burhar 4 Km	
Others		√			√	Burhar 4 Km	
Community Centre		√	Saraikapa 04 Km		√	Saraikapa 03 Km	
Seed/ Fertilizer Outlet		√	Burhar 7km		√	Burhar 4 Km	
Agri. Implement outlet/ repair		√	Burhar 7km		√	Burhar 4 Km	
Fair Price Shop	√		Nil		√	NIL	
Ware House	√		Nil		√	NIL	
Flour Mill	√		Burhar 7km	√			

* Figures given in brackets are approximate distance to nearest facility in km
Source: Group Discussions with villagers by M/s Birla Corporation Ltd, January-April 2011

Key issues-project affected villages

The major issues related to development in the project affected villages include:

First, low educational levels accompanied with no specialized skill development. Due to the likely loss of livelihood of the villagers due to the project, their economic situation is likely to be further adversely affected (either temporarily or permanently). Provision of adequate training so as to make them capable for employment in mines or other self employment mechanisms is therefore, a necessity for their economic upliftment.

Second, majority of the villagers do not have a permanent source of income. The agricultural operations are rain fed and therefore, the yield is low and not steady. Also, a large proportion of population is engaged as agricultural labour, whose income is not permanent. There are no occupational diversifications. Subsidiary occupations such as collection of leaves from forest areas are the only available options. Dependency on community resources is therefore, very high.

Third, the proportion of Scheduled Tribe population in the villages is high. Development of the tribals would be an important agenda during Resettlement and Rehabilitation.

Fourth the status of women is very poor. Since these villages are likely to be relocated away from their existing settlements, women are likely to feel the impact of relocation adversely. Due to relocation they are likely to lose their community resources and any income from it. Therefore, adequate mitigation measures are required to address this issue.

Fifth, the existing availability and accessibility to infrastructure (physical and social) is poor. Most of the houses are kuchha and there are minimal or no sanitary provisions. Also, the source of water supply is not safe. Provision of infrastructure is therefore, a critical element as part of resettlement planning.

CHAPTER 5

COMMUNITY CONSULTATIONS

5.1 INTRODUCTION

Community consultations are the most important mechanisms for ensuring that the resettlement and rehabilitation plans are developed and implemented in a participatory manner. While our overall objective is economic development, the social costs for those benefits usually accrue to a very small section of the population who get displaced due to projects. It is therefore, important to include these people as stakeholders in the development process. Community consultations are therefore, necessary in every stage of the projects. This chapter discusses the consultations conducted during the preparation of this plan, the issues raised by the community and their addressal in the plan.

5.2 COMMUNITY CONSULTATION MECHANISMS ADOPTED

Two main mechanisms adopted for community consultations in this project include:

- a) Focus Group Discussions; and
- b) Socio-Economic Survey.

The focus group discussions were necessary to understand the several aspects of the village life that are not captured in either the census data or the sample socio-economic survey conducted. These discussions resulted in understanding the economic issues of the people. Also, the social life of the villagers was captured with the help of such discussions. Another major aspect that has been covered in these surveys/discussions is the options for resettlement and rehabilitation that the affected people would choose. This helped in the design of appropriate R&R plan for the affected people.

5.3 MECHANISM IN R&R PLAN FOR CONTINUED CONSULTATION AND PARTICIPATION

The mechanism for continued participation has been given in Table 5.1.

TABLE 5.1
PARTICIPATION IN STAGES OF R&R

Stages	Participation in R&R
Information dissemination regarding project, LA and inviting objections and concerns	Public hearing would be conducted.
Communication of Grievances for LA	Along with the Project Survey Officer/ Liaison officer in consultation with District Collector; Hear the grievances, find the lacunae, if any,

Stages	Participation in R&R
	coordinate with concerned departments for redressal and put up the case for approval to GM, communicate the decision to the PAP.
Identification of Land for relocation	Tehsildar He will provide inventory of Government land and its current usage available in surrounding areas.
Shifting to relocation site	Committed of Affected Persons He will represent for ensuring that the displaced persons reach the correct house for relocation.
Grievance Redressal	Airing of grievances at all stages of acquisition, resettlement and rehabilitation.
Economic Rehabilitation	Committee of Affected Persons to coordinate with the company for: a) Identification of potential employees from family of displacees, ensuring their training at the company's Vocational Training Centre and ITI, whichever applicable and deploy on work. b) Identify the institution where PAP can get training of interest, write recommendation letter and get signed by Mines Manager, sponsorship to special cases. c) To find training opportunities and finance sources and facilitate interaction with bank officials, dovetailing with government schemes, facilitating market access, grievance redressal.

CHAPTER 6

SOCIAL IMPACT ASSESSMENT

6.1 INTRODUCTION

This chapter assesses the type and magnitude of social impacts caused to the proposed project. The first section conceptualizes the likely social impacts (both adverse and positive) due to the project. The second section assesses the extent and magnitude of adverse social impacts due to the project.

6.2 LIKELY SOCIAL IMPACTS DUE TO PROJECTS

The major adverse impacts due to the proposed project include:

- Displacement and alienation of people from their homes;
- Loss of agricultural land and livelihoods;
- Loss of known sources of livelihood;
- Loss of community and cultural assets;
- Loss of existing social set up.

The magnitude of these impacts has been discussed in the next section. Appropriate mitigation measures for mitigating these impacts have been taken as per the Madhya Pradesh model rehabilitation policy, 2002 and National Resettlement and Rehabilitation policy, 2007.

6.2.1 Positive Impacts

The project also has several positive impacts on the state and regional economy. Also, the rehabilitation and social development measures seek to improve not only the existing quality of life of the people but also increase their opportunities to seek better employment and avenues for growth.

6.2.2 Magnitude of adverse impacts

Loss of Land

Both agricultural and non-agricultural land is being impacted due to the project. Table 6.1 gives the extent of land loss in each village. Private agriculture land, Govt. land and forestland would be impacted. The details of the private agricultural land to be acquired are given in Appendix 6.1. The details of the land under habitation to be acquired are given in Appendix 6.2. The details of the government land to be acquired are given in Appendix 6.3.

TABLE 6.1
ABSTRACT OF LAND TO BE ACQUIRED

Land use (Hectares)	Gopalpur (Ha.)	Bartara (Ha.)	Total
Agriculture	20.570	56.271	76.841
Barren	2.549	1.618	4.167
Judpi Jungle (Revenue Forest)	3.514	5.506	9.020
Pond, Road, School etc (Govt. Land)	0.822	5.699	6.521
Boundary (Merh)	0.376	Nil	0.376
Sub-Total	27.831	69.094	96.925
House	3 Numbers	112 Numbers	115
Well	1 Numbers	85 Numbers	86

Source: Land Survey by M/s Birla Corporation Ltd, 2011

6.2.3 Loss of private structures and natural resources

The number of private structures that would be impacted is given in Table 6.2. The total number of structures likely to be impacted is 115. Of this, 96 structures are kuchcha.

TABLE 6.2
LOSS OF THE PRIVATE STRUCTURES

Type of Structure	Gopalpur	Bartra	Total
Kuchha	2	94	96
Pukka	0	3	3
Semi-Pukka	1	4	5
Both	0	11	11
Total	3	112	115

Source: Socio-Economic Survey by M/s Birla Corporation Ltd, January-April 2011

Apart from loss of private structures, other natural and private assets such as trees, wells, ponds will also be lost. Trees such as Jamun, Bamboo, Kendu, Aonla, Gamhar, Lemon, Imlı, Mahua, Munga, Sal, Mango, Kathal, Ber and other tree falling within the mining lease will also be lost. Table 6.3 gives the number of such private natural assets that would be impacted due to the project.

TABLE 6.3
LOSS OF PRIVATE NATURAL ASSETS

Private Natural Asset	Bartara	Gopalpur	Total
Jamun	43	0	43
Bamboo	75	1	76
Kurdo	1	0	1

Private Natural Asset	Bartara	Gopalpur	Total
Onla	12	0	12
Bija	8	0	8
Khamhar	6	0	6
Imli	5	0	5
Mahua	45	1	46
Sal	1	0	1
Aam	67	1	68
Neem	22	0	22
Drumstik	1	0	1
Nilgiri	52	0	52
Karanj	1	0	1
Sesham	16	0	16
Monkey jck	0	0	0
Guava	0	0	0
Jackfruit	35	0	35
Char	0	0	0
Other tree	84	1	85

Source: Socio-Economic Survey by M/s Birla Corporation Ltd, January-April 2011

6.2.4 Displacement of population

The "families" are as per the existing structure in the society during survey. The number of sub families impacted has been estimated based on the definition of sub family by the Model Resettlement and Rehabilitation Policy of Madhya Pradesh State Government. Table 6.4 gives the total number of persons impacted in the villages due to the proposed project. The total numbers of people losing land and/or homesteads are 1469 as estimated from the survey during 2010 of which 706 will be displacees.

TABLE 6.4
PROJECT DISPLACED PERSONS AND LAND LOSERS

Village		No. of Persons	No. of families	No. of Sub families
Bartara	Displacees	689	112	244
	Only land losers	514	67	126
	Total	1203	179	370
Gopalpur	Displacees	17	03	06
	Only land losers	249	30	60
	Total	266	33	66
Total Displacees		706	115	250
Only land losers		763	97	186
Total		1469	212	436
Common land losers in both villages		14	03	02

• Sub families as per policy i.e. sons > 18 years to be counted as separate family

Source: Socio-Economic Survey by M/s Birla Corporation Ltd, January-April 2011

6.2.5 Loss of livelihood

The villagers are likely to lose their livelihood due to loss of land. Few villagers have permanent employment. Most of them are dependent on cultivation. Several others are engaged in labour or are providing services such as blacksmith, small businesses, etc. Loss of land and displacement would therefore, result in loss of livelihood for such villagers. The villagers of both villages i.e Bartara and Gopalpur whose land is being acquired and are dependent on cultivation would lose their source of livelihood.

TABLE 6.5
CLASSIFICATION OF LAND LOSERS (KHATEDARS) BY EXTENT OF LOSS

Extent of Loss of Land	Bartara	Gopalpur	Total
100%	06	01	07
75% and above	08	08	16
50% and above but less than 75%	12	09	21
25% and above but less than 50%	24	04	28
Less than 25%	51	08	59
Total	101	30	131

Source: Socio-Economic Survey by M/s Birla Corporation Ltd, January-April 2011

6.2.6 Loss of other community assets

Apart from loss of private structures, other community assets such as school, vocational center, adult literacy center, college, worship places, anganbari, community hall, Yatri Pratikshalaya, hospital, primary health center, Ayurvedic dispensary, Panchayat Bhawan, etc. within not our the mining lease area. Table 6.6 gives the number of such community assets that would be impacted due to the project.

TABLE 6.6
SUMMARY OF EXISTING AND AFFECTED COMMUNITY ASSETS

Type of Community Structure	Gopalpur		Bartara		Total	
	Existing	Affected	Existing	Affected	Existing	Affected
Primary School	1	0	1	1	2	1
Middle School	1	0	1	0	2	0
Adult Literacy Centre	0	0	1	0	1	0
Anganwadi	1	0	0	1	1	1
Primary Health Centre	0	0	1	0	1	0
Panchayat Bhawan	1	0	1	0	2	0

Note: Estimates based on group discussion with villagers and survey by M/s Birla Corp. Ltd.

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Adult Literacy Centre	0	0	1	0	1	0
Anganwadi	1	0	0	1	1	1
Primary Health Centre	0	0	1	0	1	0
Panchayat Bhawan	1	0	1	0	2	0

Note: Estimates based on group discussion with villagers and survey by M/s Birla Corp. Ltd.

6.2.7 Impact on Vulnerable Social Groups

A total of 78 vulnerable (land losers) families belonging to SC and ST communities have been impacted in the project area (61 in Bartara and 17 in Gopalpur). Adequate provisions have been made separately in the R&R budget for providing entitlements and assistances to the Scheduled Tribe families. Chapter 7 discusses the issues for tribal development and the assistances provided to them for resettlement and rehabilitation.

TABLE 6.7
NUMBER OF AFFECTED SCHEDULED TRIBE SCHEDULED CASTE FAMILIES

Village	S.T. Families			S.C. Families			Total		
	Affected houses	Land loser	Total	Affected houses	Land loser	Total	Affected houses	Land loser	Total
Bartara	24	14	38	62	47	109	86	61	147
Gopalpur	1	16	17	1	1	2	2	17	19
Total	25	30	55	63	48	111	88	78	166

Source: Socio-Economic Survey by M/s Birla Corporation Ltd, January-April 2011

CHAPTER 7

ISSUES FOR TRIBAL DEVELOPMENT AND ACTION PLAN

7.1 INTRODUCTION

This chapter presents the development profile of the Scheduled Tribes in the project area. The likely adverse impacts on the Scheduled Tribes due to the proposed project have also been assessed. The focus is to address the issues for their development to the extent possible through the preparation of an action plan and allocation of budgetary provisions for the same. The following sections discuss the tribal development situation in Madhya Pradesh state, the extent and magnitude of impacts on the Scheduled tribes due to the project, the special provisions made for them under the resettlement and rehabilitation entitlement framework and budgetary allocations for the tribal families.

7.2 TRIBAL DEVELOPMENT IN MADHYA PRADESH

Madhya Pradesh has a high proportion of tribal population. Nearly 20% of its population is Scheduled Tribe. In terms of concentration, the state houses 14.5% of the total Scheduled Tribe population of India. In the project district Shahdol, 43% of the population belongs to Scheduled Tribes. The level of economic and social development of Scheduled Tribes in the country and in Madhya Pradesh is lower than the rest of the population. For instance, the literacy rates in the state for ST population are much lower at 41% than the total literacy rate of 64% (Table 7.1).

TABLE 7.1
LITERACY PERCENTAGE IN MADHYA PRADESH

	Total	Male	Female
Scheduled Tribe	41.20	53.50	28.40
Total	64.11	76.80	50.28

In order to improve the development of STs, the Government of India has adopted the Tribal Sub Plan approach. In Madhya Pradesh, the Directorate of Tribal Area and Development and Planning has been established for preparation of Tribal Sub-Plan and monitoring the schemes implemented through various departments and Integrated Tribal Development Projects. A separate post of Director, Primitive Tribes has also been created for having effective control over schemes implemented through Primitive Tribal Development Agencies. The Director T.A.D.P. has been assigned this Responsibility in addition to his/her work of Tribal Area Development. Madhya Pradesh has three primitive tribal groups. Table 7.2 shows these tribal groups. As can be seen, in Shahdol district, the Baiga tribal group is present.

TABLE 7.2
PRIMITIVE TRIBAL GROUPS POPULATION IN MADHYA PRADESH
(SOURCE - SURVEY 92-93)

Sl. No.	Name of the Group	Population	Villages	Dev. Block	District	Area of Habitation
1	Baiga	131425	1143	22	6	Mandla, Dindori, Umaria, Shahdol, Anuppur & Balaghat
2	Saharia	417171	1159	26	8	Gwalior & Chambal division
3	Bharia	2012	12	1	1	Patakot (Chhindwara dist.)
4	Total	550608	2314	49	15	

Source: Directorate of Tribal Area and Development and Planning, Government of Madhya Pradesh.
Note: Data very old and based on survey conducted in 1992-93. This has been given to show the type of tribal group found in Shahdol district.

At present the Tribal Sub-Plan area of the State is 0.93 lakh Sq.Kms. which is 30.19% of the total 3.08 lakh Sq.Kms area of State. The Tribal Sub-Plan area is divided into 26 major & 5 medium Integrated Tribal Development Projects (I.T.D.P.), 30 MADA Pockets, & 6 Clusters. After the formation of new districts in the State, Tribal Sub-Plan area falls in 33 districts (4 full and 29 part). The TSP area is dispersed in 89 TD blocks & 92 CD Blocks. **Shahdol District is in ITDP cluster. Beohari CD Block is in MADA.**

The Primitive Tribal Group Development Agencies have been reorganized and set up at district head quarters, linking them with adjoining Integrated Tribal Development Projects. The Baiga Development Agency has been formed for management of projects in Shahdol & Ashoknagar district. The funds flow to Tribal Sub-Plans from the following sources:

1. State Plan.
2. Special Central Assistance.
3. Centrally sponsored and central sector schemes.
4. Externally Aided Projects.
5. Finance Commission.

7.3 IMPACT ON SCHEDULED TRIBES

Table 7.3 shows the number of affected ST families. The total number of ST families impacted is 63, which is around 26% of the total affected families. In Gopalpur, although the total number of families impacted is less as compared to Bartara, the proportion of STs impacted is high. The proportion of STs is higher in the category of land losers.

**TABLE 7.3
NUMBER OF AFFECTED SCHEDULED TRIBE FAMILIES**

Village	S.T. Families			Total			ST Percent to Total Affected Families		
	Affected houses	Land looser	Total	Affected houses	Land looser	Total	Affected houses	Land looser	Total
Bartara	24	14	38	115	67	182	20.9	20.9	20.9
Gopalpur	1	16	17	3	30	33	33.3	53.3	51.5
Total	25	30	55	118	97	215	21.2	30.9	25.6

Source: Socio-economic Survey by M/s Birla Corporation Ltd, January-April 2011

7.4 SPECIAL PROVISIONS FOR ST FAMILIES IN ENTITLEMENT FRAMEWORK

In order to adequately mitigate the adverse impacts on the ST communities, a separate budget has been allocated for their Resettlement and Rehabilitation. All the benefits would be given to them as per the entitlement provisions. A onetime financial assistance of Rs. 11000 has been provided for the encroachers who belong to SC/ST families.

7.5 RESETTLEMENT AND REHABILITATION BUDGET PROVISIONS FOR ST FAMILIES

The R&R provisions for the tribal families are the same as the rest of the population and includes provision of cost of LA, provision of housing, development of resettlement site, grant for rehabilitation and transportation of assets, compensation of fixed assets (natural and others), provision for training and skill development for employment in mines and for self employment. Table 7.4 gives the R&R budget for tribal families.

**TABLE 7.4
R&R BUDGET FOR TRIBAL FAMILIES**

Sl. No.	Head of Budget	Total Units	Unit	Rate (Rs)	Total Cost	Total Cost in Lakhs
1	Acquisition of Agricultural Land					
	Cash compensation against acquired land agricultural land ^(B)	18.51	Hectare	Variable Rates as per land type/Village, provided in Part A	7503600.00	75.04
	Solatium@30%				2251080.00	22.51
	Sub Total 1				9754680.00	97.55
2	Housing and Site Development					
	Purchase of Relocation Site (6.5% added for Stamp Duty and Registration)	9.45	Acre	213000	2012850	20.1285
	Cost of construction of house in lieu of house for displaced families	63	Family Number	600	22680000	226.8
	Sub Total 2				24692850	246.9285

Sl. No.	Head of Budget	Total Units	Unit	Rate (Rs)	Total Cost	Total Cost in Lakhs
3	Grants and Assistances					
	Rehabilitation Grant	63	Family Number	11000	693000	6.93
	Transportation Grant	63	Family Number	1000	63000	0.63
	Sub Total 3				756000	7.56
4	Compensation of Fixed Assets (Natural and Man Made)					
	Trees					6.37
	Fixed Asset- Well	21	nos.	25000	525000	5.25
	Fixed Assets- Tubewell	6	nos.	50000	300000	3
	Sub Total 4				825000	8.25
5	Training and Skill Development					
	One Time Training for Employment in Mine	80% Displacees		5000		4.96
	One Time Training for Self employment	20% Displacees		50000		1.24
	Sub Total 5					6.2
	Sub Total 1 to 5					366.49
	Contingency Amount @10% added to Total (Addition of Sub total 1 to 5)					36.64853
	GRAND TOTAL					403.13

Note: (1) The land rates, construction costs are based on the present value obtained from the District Collector Office. However, if there is an escalation at the time of acquisition of these rates, the budget would then be accordingly revised. (2) If there is a delay in the payment of compensation to the PAPs, then they would be given additional interest on the compensation amount @ 12% per year. (3) The tribal family budget is included within the overall budget also. The common utilities would be for the entire affected population and not separately for tribal and non-tribal. The costs for the same are included in the overall budget.

CHAPTER 8

RESETTLEMENT AND REHABILITATION ACTION PLAN

8.1 INTRODUCTION

While the adverse social impacts caused due to the project are irreversible, appropriate mitigation measures can reduce the extent of impacts. Mitigation measures as envisaged for the project include resettlement at a new site for the displaced people and their economic rehabilitation through provision of jobs (wherever possible) and through training for self-employment. Also, the R&R plan includes the institutional arrangements for implementation of the plan, the implementation schedule and the budget for carrying out the R&R activities.

8.2 RELOCATION AND RESETTLEMENT

8.2.1 Selection of Relocation Site

The project impacted persons are being compensated for their loss of land at the market rate as given by the District revenue department, which is in turn based on the latest sale of land in the villages. While the compensation is being given for agricultural land, loss of house/dwelling is being compensated by providing plot and house constructed on the same. The proposed relocation site is at Dhanpura Village (Fig. 8.1 shows the location of the relocation site). Several considerations were involved in the choice of relocation site. These include:

(a) Presence of coal reserves

Being a coal mine area, the primary consideration for selecting a relocation site, is to make sure that there are no coal seams and deposits lying in the identified relocation area. This will take care that no re-displacement of the displacees shall take place in near future. Given this, maps of coals seams have been superimposed to identify a relocation site. The relocation site is in Dhanpura village (Fig 8.1) which is at about 2.5km NW from Bartara village. This village lies in a non coal bearing area as per the Block Plan.

(b) Availability of land

Availability of land is a major criterion for selection of relocation site. Hence, land in nearby villages has been identified as a suitable relocation site, at a distance of about 2.5 km from the proposed mine boundary.

(c) Access to roads and other infrastructure

During group discussions, the villagers expressed that they would prefer to be relocated closer to a road or highway. In other words, accessibility is a primary concern for them. After the selection and acquisition of relocation

site, the process of site development would begin. Dwellings for each of the displaced family are to be constructed.

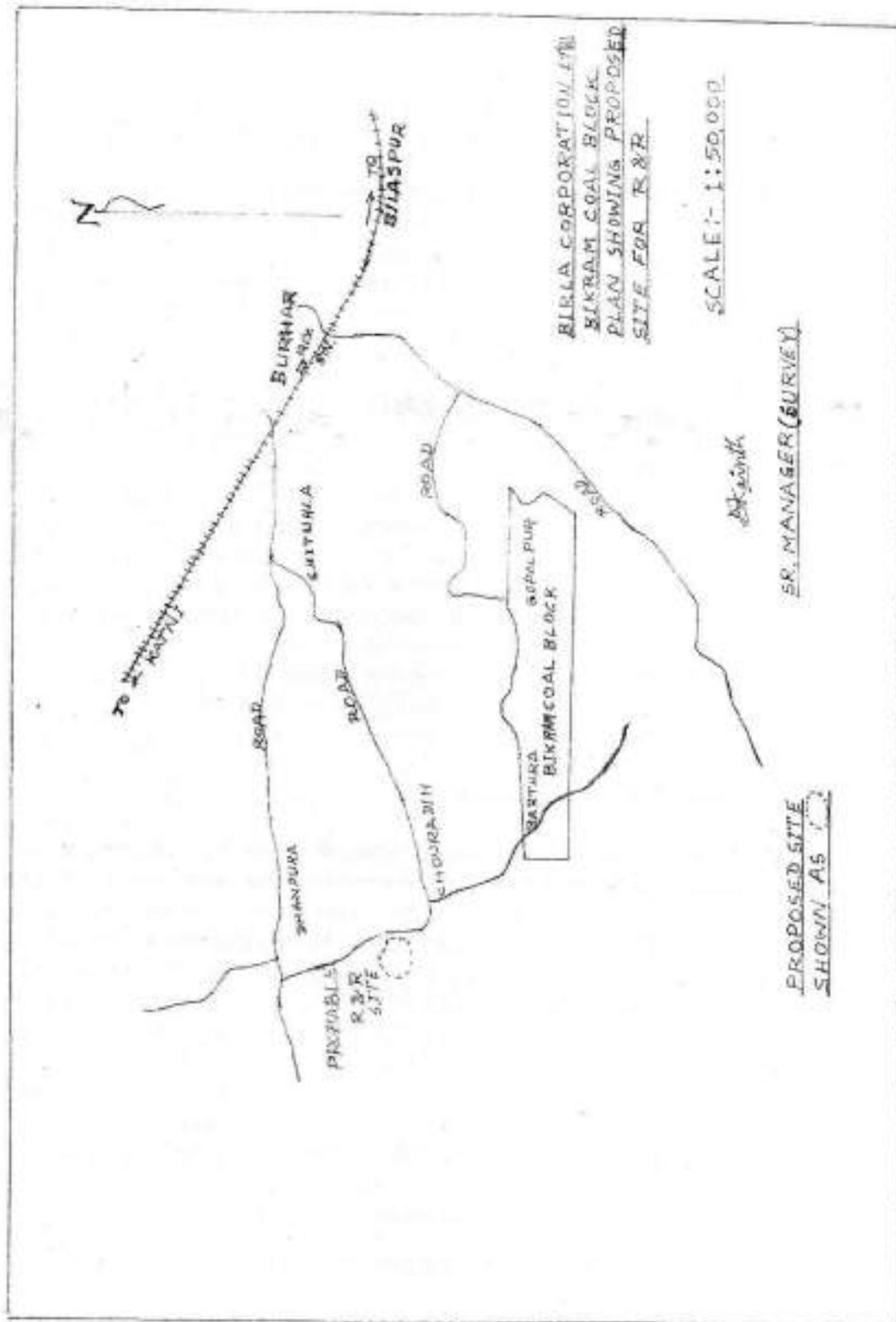


Fig. 8.1 Map showing coal block and proposed relocation site

8.2.2 Relocation site development

The characteristics of the proposed relocation include:

- a) The land proposed for Resettlement Colony (2.5 km) from block boundary near Dhanpura village;
- b) The total land required for the resettlement colony is 37.35 acres(@ 500 sq metres/0.1 Acres per family plus additional 1.5 for provision of utilities;
- c) Government land will be preferred, in absence of which private land will be purchased;
- d) No house will be affected in the area of the Resettlement Colony;
- e) No public building will be affected due to acquisition of private land in the area of Resettlement Colony; and
- f) The proposed resettlement Colony can accommodate all displaced families.

8.2.3 Site development and development of facilities

M/s Birla Corporation Limited, apart from being responsible for the development of the relocation site will also provide the infrastructure facilities in resettlement colony. Resettlement colony for displaced families is being designed in such a way that displaced families would get better living standards in comparison to the present. Facilities like water, road, electricity, community development places/public buildings are provided. Apart from this, school and health care centre would also be constructed. The Resettlement and Rehabilitation Budget incorporates these facilities.

8.3 ECONOMIC REHABILITATION MEASURES

8.3.1 Employment in mine

Although the coal mines are the reason behind the displacement of the villagers, they are also an important source of employment to them. At least one person from each displaced families, whose land has been acquired for the project and who is the owner of the acquired land in last 3 years since the date of publication of notification under section 4(1) of land acquisition act will get a job in the project as per his/ her eligibility². Some preferences and relaxation and age limit will be given to affected families while giving employment. These are discussed as under:

(a) Preference in employment to land-loser families

One person from one Khatedar family will be given preference for employment in the following order of priority:

² Eligible persons include displaced persons who have been normally residing in the area, requisitioned for Project, minimum for three years prior to the publication of the Notification (Land Acquisition Legislation 1984, Sec.4 (1)) and has been doing some business or engaged in some profession for livelihood Or has been residing / doing farming at least for three years on personal or government land and whose land is acquired by M/S Birla Corporation Limited for development of Bikram Coal Block mine project at village Bartera, Gopalpur, District Shahdol, (Madhya Pradesh), for the acquisition of the land shall be eligible for employment, subject to his suitability as to Age, Medical Fitness, Police verification of character & antecedents, Educational qualifications, Training, Experience & skill required for the nature of job/ post. Employment will be provided depending on availability of positions in organization in order of priority as given below herewith in subsequent clauses. If none of the member of a family whose land has been acquired is eligible for employment as mentioned above, the Land owner can nominate a minor member of his family, not below 15 years of age for employment in future date.

- (i) Land-losers whose 100% agricultural land as well as house has been acquired shall be given preference over other land-losers.
- (ii) Land-losers whose 100% agricultural land has been acquired shall be given preference over other land-losers.
- (iii) Land-losers whose more than 75% agricultural land has been acquired shall be given preference over other land-losers.
- (iv) Land-losers whose more than 50% agricultural land has been acquired shall be given preference over other land-losers.
- (v) Land-losers whose more than 25% agricultural land has been acquired shall be given preference over other land-losers.
- (vi) Other land losers family.

Displaced/Project affected persons (including encroachers), will be offered alternate employment through Cooperative Societies formed by the remaining adult members of the affected/displaced persons, which not only will provide regular nature of jobs, but also provide additional income by way of profit sharing amongst the members of Cooperative Societies of displaced persons.

(b) Relaxation in age for employment

This will be in line with GOI norms as follows:

- a) 5 yrs in case of SC/ST;
- b) 2 yrs. in case of employment for Class III posts i.e. candidates having following qualifications:-
 - i) ITI (Fitter/Machinist/ Electrician/ Instrumentation/ Turner etc. Trades),
 - ii) Engineering Diploma holders in Mining/Mech./Electrical/Instrumentation /Civil etc.
 - iii) Graduate/Post Graduate in Science (PCM group) /Commerce/Social Science etc.

8.3.2 Alternative jobs and self employment opportunities

Displaced/Project affected persons (including encroachers), will be offered alternate employment through Cooperative Societies formed by the remaining adult members of the affected/displaced persons, which not only will provide regular nature of jobs, but also provide additional income by way of profit sharing amongst the members of Cooperative Societies of displaced persons. Following nature of jobs shall be offered to such Cooperative Societies of Project affected persons:

- a) **Lifting shifting & sorting of material, e.g.**
 - i) Lifting & shifting of other civil material.
 - ii) Small Plant construction material.
 - iii) Stores Material, etc.
 - iv) Lifting & shifting of Coal
 - v) Lifting shifting & sorting at coal yard.

b) Horticulture jobs, e.g.

- i) Plantation in mine & Township area.
- ii) Maintenance of Plants in mine & Township area.

c) Minor civil jobs, e.g.

- i) Removal & shifting of loose earth.
- ii) Construction of boundary wall drains etc.

d) Manpower supply to large contractors

- i) Clearing of sites in the Mine and Township area.
- ii) General cleaning in Plant & Township area.
- iii) Transportation of civil material for contractors.

8.3.3 Self employment opportunities

Several of the people are trained in activities such as basket making, small businesses, tailoring, etc. It is thus important that these people are able to re-establish their economic activities. Besides, lot of self-employment opportunities will be available to Project affected Persons, as given below.

- i) Supply of milk in Mines canteen & Township residents.
- ii) Supply of vegetables in Mines canteen & Township residents.
- iii) Supply of food materials to Mines Canteen & Township residents.
- iv) Supply of confectionary items, e.g. Bread, biscuits, eggs etc. to Mines Canteen & Township residents
- v) Hotel & Restaurant.
- vi) General Store.
- vii) Sweets Shop.
- viii) Flour mill.
- ix) Supply and transporting of sand
- x) Tailoring shop.
- xi) Operating of Taxies/Autos.
- xii) Small Workshop for repairing of machines parts.
- xiii) Herbal medicinal plants & Jetropha plantation.
- xiv) Poultry farming.
- xv) Mushroom farming.
- xvi) Basket & rope making.
- xvii) Processing of medicinal & herbal plants, e.g. Alo vera.
- xviii) Fruit growing.
- xix) Processing of Fruits, e.g. Jam, Jelly, Achar etc.
- xx) Plantation & marketing of Flowers.
- xxi) Supply of stationary items.
- xxii) Sheep, pigs, Bee keeping.
- xxiii) Sale & repair shop for electrical items.

- xxiv) Manufacturing of Bakery items.
- xxv) Supply of saplings for plantation.
- xxvi) Supply of manures for plants & garden.
- xxvii) Auto Repair shop.

8.3.4 Training & skill development of project affected persons

In order to provide maximum benefits to Project affected persons, it is proposed to provide them training and develop their skills in several areas as detailed below.

Training for employment in mines

Training would be given to members of PAFs who are offered employment in mines for undertaking the allotted work. The cost for the same has been included in the R&R budget.

Training for self employment

The villagers in the socio-economic survey also expressed their willingness to be trained in differed skills so that they either are self-employed or can be absorbed in other occupations. M/s Birla Corporation Limited will encourage self employment of the displaced families through training. M/s Birla Corporation Limited will arrange, wherever possible for training of interested persons for increasing their skills through government agencies like ITI or any other institution of Govt. of MP. The fields selected for self employment during survey they include:

- Dairy;
- Poultry;
- Mushroom Growing;
- Medicinal Plants growing;
- Fruit Planting;
- Vegetable Farming;
- Floriculture;
- Silviculture (Resham keet Paalan);
- Bee keeping;
- Achar, Jam, Jelly, Murabba, Paapar making;
- Growing & processing of spices;
- Rope, Basket, Chatai making;
- Bamboo crafting;
- Wood crafting;
- Agarbatti making;
- Horticulture, etc.

Training in other areas is also being coordinated through the State Departments, Government, wherein M/s Birla Corporation Limited shall provide financial assistance to the Project Affected People required for the training. Project Affected Persons shall also be provided training either in the M/s. Birla Corporation Limited training centre or in any other organization in the technical field, wherever necessary, to provide and develop their technical skill.

8.4 INSTITUTIONAL ARRANGEMENTS

8.4.1 Institutional set-up

The Madhya Pradesh Model Resettlement Policy provides for the formation of a district level committee for approval and periodic appraisal for small projects³. The committee comprises the following members.

1.	District collector	Chairman
2.	ADM	Member
3.	MP/MLA of affected area	Member
4.	District Panchayat president	Member

The functions of the committee include:

- Ensure that the R&R activities are as per schedule and the grievances are redressed.
- Monitor institutional roles and responsibilities.
- Conduct periodic meeting on progress of R&R activities.

In case of mining and industrial projects, economic rehabilitation plan for the workers shall also be formulated. Cooperative Committees shall be formed of the affected population. The following tasks will be done by these committees:

- All works done through contractor's shall now be done through these committees. This is to ensure that the displaced get the maximum benefit for employment.
- During shifting, assistance will be given to the affected families by these committees.

8.4.2 Roles and Responsibilities

Table 8.1 provides a brief description of the roles and responsibilities of various institutions for the implementation of Resettlement and Rehabilitation.

³ The policy does not clearly define the scale of small projects. Hence, like in other states, projects costing more than Rs. 100 crore are taken as large projects and those costing less than Rs. 100 crore are considered as small. The present project costs Rs. 60 Crore and hence is treated as a small project.

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TABLE 8.1
RESPONSIBILITIES OF THE KEY PLAYERS AT DIFFERENT STAGES OF R&R

Responsibility	Key Actors	Role
PROJECT		
Land Acquisition	Officer, Birla Corporation Limited	Field work at site, preparation of land schedule in consultation with concerned government department/district collector and the land owners. Negotiating the land price and payment of compensation.
Hearing of Grievances	District R&R Committee and Officer, Birla Corporation Limited.	Hear the grievances, find the lacunae, if any, coordinate with concerned departments for redressal and put up the case for approval to GM, communicate the decision to the PAP
Payment of Compensation	Birla Corporation Limited, Collector Office	Arrange to pay the requisite amount and arrange for disbursement of compensation directly to land losers and project affected people
RELOCATION		
Identification of Land for relocation	Tehsildar/Collector Office	He will provide inventory of Govt land and its current usage available in surrounding areas
	President of village committee	He will visit the site and communicate to the villagers, obtain consent for final selection and communicate to Birla Corporation Limited.
	General Manager, Land acquisition officer	Facilitate the selection of site, communicate to Collector and concerned department from whom the land has to be transferred. Alternatively, if private land is being acquired, enter into negotiation and settle the payment terms. Make payments directly to sellers.
Site Development	Project Survey Officer	To identify contractual agency, get approval, monitor and supervise the activities of the contractor
	DGM, Purchase	Purchase of material for construction, quality assurance and timely payments for speedy work
Construction of buildings/ roads	Project Civil Engineer	To identify the suitable contractors, required number of contractors to complete job in time, coordinate with purchase department and contractor, oversee the quality and speed of work

Responsibility	Key Actors	Role
	DGM, Purchase	Coordinate with Project Civil Engineer, Purchase of material for construction, quality assurance and timely payments for speedy work
Shifting to relocation site	Project Survey Officer	To ensure that persons shifts timely and the moment a house is emptied, to demolish the structure, to assist in getting transportation facilities for the PAPs to shift
	General Manager (Birla Corporation Limited)	Overall coordination
	President of village committee	He will represent for ensuring that the oustee reaches the correct house for relocation
	Village representative of the village that is being transferred	To maintain the interest of the villagers
Grievance Redressal	Project Survey Officer	Hear the grievances, find the lacunae, if any, coordinate with concerned departments for redressed and put up the case for approval to GM, communicate the decision to the PAP
	General Manager (Birla Corporation Limited)	Study the grievances and action taken on evaluation of grievance, finding there from and possible solutions. Give decision for redressed in appropriate manner.
	Civil Engineer	For civil repairs, to ensure that all civic services at the relocation site are in order.
REHABILITATION (ECONOMIC)		
Employment in Mine	General Manager (Birla Corporation Limited)	Identification of potential employees from family of oustees, ensuring their training at the company's Vocational Training Centre and ITI, whichever applicable and deploy on work
Self Employment	Welfare Officer	Identify the institution where PAP can get training of interest, write recommendation letter and get signed by Mines Manager, sponsorship to special cases
Facilitating self employment measures	Welfare Officer	Training opportunities will be found, finance sources will be identified, facilitate interaction with bank officials, dovetailing with government schemes, facilitating market access, grievance redressal.

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8.5 GRIEVANCE REDRESSAL MECHANISM

Grievance Redressal is an important component as it ensures that R&R benefits reach the affected population. The R&R committee would ensure that all the grievances of the PAPs are suitably addressed. An effort will be made that all petty grievances are sorted there itself when the grievance is submitted. A Land Acquisition Court shall be established to solve issues related to acquisition and avoid delays in normal courts.

8.6 IMPLEMENTATION SCHEDULE / EXECUTION TIME FRAME

A time schedule has been prepared spread over 3 years for the implementation of R&R activities. The R&R activities have been correlated with the mining activities. **Table 8.2** presents the implementation schedule for R&R activities.

TABLE 8.2
TIME SCHEDULE FOR IMPLEMENTATION OF RESETTLEMENT AND REHABILITATION PLAN
 (Time clock starts tentatively on 01.10.2011)

Activity	Y E A R 1												Y E A R 2												Y E A R 3																																														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36																																			
A LAND PURCHASE FOR PROJECT																																																																							
Identification of Land																																																																							
Negotiation for Purchase																																																																							
Hearing of Grievances and their solutions																																																																							
Payment of Compensation																																																																							
Possession of land																																																																							
B BEGINNING OF MINING																																																																							
C RELOCATION ACTIVITIES																																																																							
Identification of land for relocation site																																																																							
Purchase/ transfer of relocation site to Birla Corporation Limited																																																																							
Site Development																																																																							
Construction of buildings																																																																							
Shifting of inhabitants from village to relocation Site																																																																							
Grievance Redressal																																																																							

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Activity	Y E A R 1												Y E A R 2												Y E A R 3																																					
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36																										
D EMPLOYMENT AND LIVELIHOOD GENERATION																																																														
Identification of : - Employment at mine - training needs for mine - training needs for other - training mechanisms																																																														
Provision of training for Mine employees																																																														
Provision of training for Self employed & others																																																														
Facilitating self employment ventures																																																														
Grievance Redressal																																																														

8.7 R&R COSTS AND BUDGET

The costs for Resettlement and Rehabilitation estimated based on the entitlement framework are given in Table 8.3. The notes for estimating the same are given below. Appendix 8.1 gives the land rates in the two villages.

**TABLE 8.3
R&R BUDGET**

Sl. No.	Name of Building/ Construction	Total Units	Unit	Rate (Rs)	Total Cost	Total Cost in Lakhs	Reference
1 Acquisition of Agricultural Land							
	Cash compensation against acquired land agricultural land ^(a)	81.008	Hectare	Refer Notes Part A&B	262,13,000	262.13	Refer S.No. 1 in Notes below
	Solatium@30%				78,64,000	78.64	
	Sub Total 1				340,77,000	340.77	
2 Housing and Site Development							
	Purchase of Relocation Site (6.5% added for Stamp Duty and Registration)	37.5	Acre	213000	7987500	79.875	Refer S.No. 2 in Notes below
	Cost of construction of house in lieu of house for displaced families	250	Family Number	600	90000000	900	
	Community Hall	1 Unit for 670 Sq ft	sq.ft	800	536000	5.36	
	School Building (Primary)	1 Unit for 1000 Sq ft	sq.ft	600	600000	6	
	School Building (middle)	1 Unit for 1000 Sq ft	sq.ft	600	600000	6	
	School building (secondary)	1 Unit for 1500 Sq ft	sq.ft	600	900000	9	
	Health Care Centre	1 Unit for 381 Sq ft	sq.ft	8000	3048000	30.48	
	Road (Single lane)	2.91	m 14.57	as per S.No. 2	582000	5.82	
	Electrification cost	LS	LS	as per S.No. 2	291,000	2.91	
	Overhead tank + piped water supply	1	nos.	1675000	1675000	16.75	
	Sub Total 2				106219500	1062.2	
3 Grants and Assistances							
	Rehabilitation Grant	250	Family Number	11000	2750000	27.5	Refer S.No. 3 in Notes below
	Transportation Grant	250	Family Number	1000	250000	2.5	
	Sub Total 3				3000000	30	
4 Compensation of Fixed Assets (Natural and Man Made)							
	Trees					15.475	Refer S.No. 4 in Notes below
	Fixed Asset- Well	71	nos.	25000	1775000	17.75	
	Fixed Assets- Tubewell	12	nos.	50000	600000	6	
	Sub Total 4				2375000	23.75	

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Sl. No.	Name of Building/ Construction	Total Units	Unit	Rate (Rs)	Total Cost	Total Cost in Lakhs	Reference
5	Training and Skill Development						
	One Time Training for Employment in Mine	80% Displacees		5000		16.3	
	One Time Training for Self employment	20% Displacees		50000		8.52	
	Sub Total 5					22.82	
	Sub Total 1 to 5					1479.54	
	Contingency Amount @10% added to Total (Addition of Sub total 1 to 5)					147.95	
	GRAND TOTAL					1627.49	

Note: (1) The land rates, construction costs are based on the present value obtained from the District Collector Office. However, if there is an escalation at the time of acquisition of these rates, the budget would then be accordingly revised. (2) If there is a delay in the payment of compensation to the PAPs, then they would be given additional interest on the compensation amount @ 12% per year.

Notes for Calculation of R&R Budget

S. No. 1 Acquisition of Agricultural Land						
A	Gopalpur	Units	Total Area	Rate	Total Cost	Remark
	Irrigated	hectare	0.4114	6.9	2.79752	Based on Census Data, Irrigated Area taken as 2% of the total agricultural area
	Un Irrigated	hectare	20.1566	4	80.6344	
	Barren	hectare	2.549	2	5.098	
	Sub Total Agricultural Land	hectare	23.119		88.52992	
B	Barbara	hectare				
	Irrigated	hectare	1.12542	5.1	5.739642	Based on Census Data, Irrigated Area taken as 2% of the total agricultural area
	Un Irrigated	hectare	55.14558	3	165.43674	
	Barren	hectare	1.618	1.5	2.427	
	Sub Total Agricultural Land		57.889		173.603382	
S.No. 2 Housing and Site Development						
	Purchase of Resettlement Site	0.1 Acre as per MP Resettlement Policy per person plus addition 1.5 Acre taken to develop utilities				
	House Construction	Built Up is Assumed as 600 Sq ft. Cost of construction per house @ 600 Rs/sq ft would be 3.6 Lakhs				
	Construction of Utilities	Rates as per SoR				
	Roads	(d) 2.91 km will be WBM @Rs.2,00,000/km = Rs 582000 Road area is 20% of total site area required for resettlement colony (14.57 Ha.)				
	Electrification	(e) Electrification cost includes costs incurred on 1 nos. X 500 KVA of 2.91 km, conductors and poles as well as overheads and miscellaneous expenses.				

S.No. 3	Grants and Assistances	As specified in the MP Policy			
S.No. 4	Compensation of Fixed Assets				
	Wells and tubewells	As per rates in SoR			
	Trees				
	Trees	Nos.	Cost	Total	
	Jamun	43	3500	150500	
	Bamboo	78	200	15200	
	Aonla	12	1000	12000	
	Bija	8	600	4800	
	imli	5	5000	25000	
	seesam	16	8000	128000	
	Mahua	46	8000	368000	
	Sal	1	10000	10000	
	Mango	68	7000	476000	
	Drumstk	1	1000	1000	
	Nilgiri	52	800	41600	
	Karaj	1	800	800	
	kurdo	1	1000	1000	
	jackfruit	35	6000	210000	
	khamhar	6	3000	18000	
	Neem	22	800	17600	
	Other Trees	85	800	68000	
	TOTAL	478		1547500	

APPENDICES

पुनर्वास विभाग

मध्यप्रदेश शासन

मध्यप्रदेश की आदर्श पुनर्वास नीति वर्ष 2002



- ◆ परिचय
- ◆ विस्थापित परिवारों के लिये पुनर्वास के सिद्धान्त
- ◆ परिभाषाएं
- ◆ मुआवजा
- ◆ कृषि भूमि का आवंटन
- ◆ आवंटित भूमि की कीमत की यसूली
- ◆ पुनर्वास अनुदान
- ◆ ग्राम आबादी भू-खण्ड का आवंटन
- ◆ शहरी विस्थापितों के लिए पुनर्वास नीति
- ◆ भूमिहीन परिवार
- ◆ सलाहकार समितियां
- ◆ अपवाद रूप में ही अधिग्रहण
- ◆ मरौसेमंद खाद्यान्न व्यवस्था
- ◆ बदलाव के पहले की पूर्व शर्तें
- ◆ लोक प्रयोजन के बारे में प्राधिकृत करना
- ◆ परियोजना रूपरेखा
- ◆ कतिपय अमान्य दावे
- ◆ प्रभावित परिवार
- ◆ भूमि अर्जन और हस्तांतरण के लिए पूर्व शर्तें
- ◆ पुनर्बसाहट के लिए योजना
- ◆ विवादों का निपटारा
- ◆ अन्य प्रभावित हितों की क्षतिपूर्ति
- ◆ परियोजना इत्यादि के द्वारा उपयोग में नहीं ली जाने वाली भूमि का निकास
- ◆ बार-बार विस्थापन पर रोक
- ◆ कुछ विशिष्ट श्रेणियां
- ◆ नीति का दायरा
- ◆ विकास प्रभावित सहायता कोष
- ◆ विशेष भू-अर्जन न्यायालय की स्थापना
- ◆ अन्य सुविधाएं

परिचय

यह नीति मध्यप्रदेश राज्य के लिये आदर्श पुनर्वास नीति होगी। शासन के विभिन्न विभागों ने पूर्व से अपनी-अपनी परियोजनाओं को देखते हुए पुनर्वास नीति लागू की है। इसके अतिरिक्त भू-अर्जन अधिनियम 1894 के अंतर्गत भी अनिवार्य पुनर्वास के प्रावधान हैं। जब भी किसी परियोजना के लिये भू-अर्जन की कार्यवाही की जाती है, यह सुनिश्चित किया जाता है कि भू-अर्जन अधिनियम के द्वारा निर्धारित सिद्धान्तों के अनुसार पुनर्वास की कार्यवाही अवश्यमेव की जावे।

2. इस आदर्श नीति में ऐसे सभी सामाजिक पहलुओं को रखा गया है जो कि पूर्णरूपेण पुनर्वास के लिये आवश्यक है। पूर्ण रूपेण पुनर्वास से तात्पर्य है कि विस्थापित व्यक्ति को कुछ समय बाद यह महसूस ही न हो कि वह विस्थापित होकर अपने जाने पहचाने पर्यावरण से दूर हो गया है, या कट गया है।

3. यह नीति प्रदेश के लिये आदर्श नीति के रूप में रहेगी। विभिन्न विभाग अपनी-अपनी पुनर्वास नीति की समीक्षा इस नीति के परिपेक्ष्य में करेंगे। अगर उनकी नीति में विस्थापितों के लिये इस नीति से बेहतर प्रावधान है, तो उत्तम है अन्यथा इस नीति के प्रावधान अनिवार्यतः लागू होंगे। ऐसे प्रावधान जो केवल इसी नीति में किये गये हैं, एवं अन्य विभागीय नीतियों में नहीं हैं, वे सभी परियोजनाओं को लागू होंगे।

विस्थापित परिवारों के लिये पुनर्वास के सिद्धान्त

1.1 राज्य में पुनर्वास व्यवस्था का उद्देश्य यह होगा कि विस्थापित परिवार (जिनकी परिभाषा कडिका 2 में की जायेगी), शीघ्रतिशीघ्र नए स्थान पर अपना पूर्व जीवन स्तर प्राप्त कर लें, तथा उचित समय में उसमें सुधार भी करें।

1.2 पुनर्वासित परिवारों को, उनके नए स्थान पर जीवन यापन प्रारंभ करने में कठिनाई न हो, इसका यथासंभव हर प्रयास किया जायेगा।

1.3 अनुसूचित जाति एवं अनुसूचित जनजाति के विस्थापित परिवारों, तथा छोटे एवं सीमांत कृषकों के विस्थापित परिवारों के पुनर्वास पर विशेष ध्यान दिया जायेगा।

1.4 भूमि स्वामियों एवं पट्टाधारियों को यथासंभव निश्चित समय सीमा में मुआवजा भुगतान किया जायेगा। शासन की निर्धारित नीतियों के अंतर्गत पात्रता के अनुसार, उनको भूमि आवंटन करने पर भी यथा संभव विचार किया जायेगा।

1.5 शासन की निर्धारित नीति के अंतर्गत गैर पट्टाधारियों को भी, अगर भूमि उपलब्ध हो, तो भूमि आवंटन करने के लिये पात्रतानुसार विचार क्षेत्र में रखा जायेगा। बसाहट करते समय यह ध्यान रखा जायेगा कि जो परिवार सामाजिक समूह के आधार पर प्रभावित ग्राम में जिन समूहों में रहते हैं, यथासंभव उन्हें उसी प्रकार बसाया जाये। यह भी ध्यान रखा जायेगा कि विस्थापितों को कमान्ड एरिया में या डूब क्षेत्र के आस-पास अगर बसाया जा सकता है तो अवश्य बसाया जाये।

1.6 राजस्व भूमि से तथा वन भूमि से विस्थापित परिवारों के बीच पुनर्वास के समय कोई भेद भाव नहीं किया जायेगा।

1.7 नई बस्ती में पर्याप्त नागरिक सुविधाएं उपलब्ध कराई जायेगी। जहां तक हो सके, अत्यावश्यक भौतिक एवं सामाजिक संरचनाएं बसाहट के साथ-साथ प्रदाय करने का प्रयास किया जायेगा।

1.8 परियोजना के निर्माण कार्य एवं अन्य कार्यों में, विस्थापित परिवारों में

उपलब्ध कौशल प्रशिक्षण के आधार पर नौकरी देने में प्राथमिकता दी जायेगी।

1.9 कृषि मजदूर एवं गैर कृषि परिवारों के व्यक्तियों के लिये नए स्थान पर पुनर्वास हेतु अनुदान योजना तैयार की जायेगी जिसके तहत यह स्वरोजगार में लग सके।

1.10 निर्माणाधीन योजनाओं में कमान्ड एरिया में आने वाली कोई भी अतिशेष भूमि के आवंटन के लिये विस्थापितों को प्रथम प्राप्ति होगी। उनकी संख्या को देखते हुए भूमि को उनके लिये आरक्षित करने पर भी विचार किया जाना चाहिये।

1.11 कृषि भूमि, आबादी के प्लॉट एवं अन्य संपत्ति के लिए विस्थापितों को उचित मुआवजा दिया जायेगा। नए स्थान पर अगर भूमि आवंटित की जाती है तो विस्थापितों से उसकी उचित कीमत भी ली जायेगी।

1.12 यह प्रयास किया जायेगा कि विस्थापित परिवार नए स्थान पर पूर्व से बसे परिवारों के साथ एकीकृत हो जायें।

1.13 सिंचाई परियोजना बनाने के बाव अगर् कोई भवन आवि अतिशेष बचते हैं तो नई बसाहट के लिये ऐसे भवनों का उपयोग सामुदायिक प्रयोजनों के लिये किया जायेगा।

1.14 सिंचाई परियोजना बनाने के पश्चात उसमें मछली पालन एवं बिक्री का कार्य यथासंभव विस्थापितों की सहकारी समितियों को दिया जायेगा।

1.15 किसी भी परियोजना क्षेत्र के लिये जो टाउन-शिप बनती है उसमें दुकानों का वितरण/आवंटन आदि करते समय विस्थापितों के लिए एक निश्चित प्रतिशत रखा जायेगा।

1.16 भू-अर्जन एवं पुनर्वास का कार्य साथ-साथ होना चाहिये ताकि विस्थापितों को कम से कम असुविधा हो। भू-अर्जन फेज-वाइज किया जाना चाहिये तथा पहले केवल उसी क्षेत्र का अर्जन करना चाहिये जहां सबसे पहले आवश्यकता हो। किसी भी हालत में आवश्यकता से अधिक भूमि का अर्जन नहीं किया जाना चाहिये।

1.17 जिस समय नई बसाहट का कार्य शुरू हो जाये उस समय यह ध्यान रखा जाये कि पुराने स्थान एवं नए स्थान दोनों पर ही खाद्यान्न उपलब्धता की निश्चितता रहे।

1.18 परियोजना से संबंधित प्रशासकीय विभाग एवं परियोजना प्राधिकारी द्वारा परियोजना का समस्त व्यय वहन किया जायेगा तथा उन्हीं की जिम्मेदारी होगी कि पुनर्वास की कार्यवाही पूर्ण हो।

खनिज उत्खनन के संदर्भ में अतिरिक्त सिद्धान्त

1.19 खदानों के लिये भूमि अधिग्रहीत की जाने पर उसका मुआवजा प्रचलित विधि के अनुसार दिया जायेगा।

1.20 खुली खदान के स्थान पर खनिज निकालने के बाद निकाली गई भूमि का भराव और समतलीकरण का कार्य करने का दायित्व खनिज निकालने वाले का होगा। इस भूमि का क्षतिपूरक वनीकरण भी यथासंभव किया जाना चाहिये। भूमिगत खदानों से उत्खनन के दौरान एवं उत्खनन के बाद आस पास की भूमि में दरारें पड़ती हैं, एवं वे कमजोर हो जाती हैं जिससे जन-जीवन को खतरा होता है। अतः ऐसी भूमि को अधिग्रहित कर उसका भी मुआवजा दिया जाना चाहिये।

1.21 जहां खदानों में उत्खनन के पूर्व या दौरान जल निकाला जाता है जिसके कारण आस-पास के रहवासी/कृषि क्षेत्रों में भू-जल स्तर गिरने की संभावना उत्पन्न हो तो ऐसी स्थिति में इन क्षेत्रों के लिये पानी के अन्य स्रोतों की वैकल्पिक व्यवस्था खदान प्रबंधकों द्वारा की जानी चाहिये।

परिभाषाएं

2.1 (अ) विस्थापित व्यक्ति - कोई व्यक्ति, जो उस क्षेत्र में, जिसकी रथाई या अस्थाई रूप से परियोजना के कारण जल मग्न होने की संभावना है या जिसकी परियोजना के लिए आवश्यकता है, में भू-अर्जन अधिनियम की धारा-4 के अधीन अधिसूचना प्रकाशन की तारीख से कम से कम एक वर्ष पूर्व से साधारणतया रहता है, तथा कोई व्यापार धन्धा आजीविका के लिए कार्य करता है - या कम से कम तीन वर्ष पूर्व से भूमि की कारत करता रहा है।

(ब) विस्थापित परिवार -

(i) उपर्युक्त परिभाषित विस्थापित व्यक्तियों से बना परिवार जिसमें पति, पत्नी और नाबालिग बच्चे और परिवार के मुखिया पर आश्रित अन्य व्यक्ति उदाहरणार्थ विधवा माँ, विधवा बहन, अविवाहित बहन, अविवाहित पुत्री या वृद्ध पिता शामिल हैं।

(ii) विस्थापित परिवार के प्रत्येक बालिग पुत्र/पुत्री एवं भाई को, जो भू-अर्जन अधिनियम की धारा-4 के अंतर्गत अधिसूचना जारी करने के दिनांक को बालिग हो गया है, एक अलग परिवार के रूप में माना जायेगा।

2.2 (अ) भूमिहीन व्यक्ति - यह व्यक्ति जो अकेले या अपने परिवार के सदस्यों के साथ संयुक्त रूप से कोई कृषि भूमि धारण नहीं करता है या जिसके पास कृषि के लिए कोई अन्य भूमि नहीं है। ऐसे व्यक्ति जो किसी अन्य व्यक्ति की कृषि भूमि पर मजदूरी करते हों, उन्हें भी इसी श्रेणी में रखा जायेगा।

(ब) छोटा किसान - ऐसा किसान जिसके पास खाते की असिंचित 2 हेक्टर या सिंचित एक हेक्टर या उससे कम भूमि हो।

(स) सीमान्त किसान - ऐसा किसान जिसके पास खाते की असिंचित एक हेक्टर या सिंचित 1/2 हेक्टर या उससे कम भूमि हो।

2.3 पुनर्वास में पुनःस्थापन भी निहित है। पुनर्वास की व्यवस्था करते समय कृषि भूमि से विस्थापित परिवारों एवं वन भूमि से विस्थापित परिवारों में कोई विभेद नहीं किया जायेगा।

2.3.1 भूमि तथा सम्पत्ति का अधिग्रहण - विस्थापित व्यक्तियों को पर्याप्त मुआवजा तथा नये स्थान पर भूमि आवंटन सुनिश्चित करने हेतु, सभी

सम्बद्ध भू-अभिलेखों को अतिशीघ्र अद्यतन किया जावेगा अगर किसी वजह से वे पूर्णतः अद्यतन न हों। अतिक्रमकों को भी अतिक्रमण की गई भूमि के लिये मुआवजा दिया जायेगा। इस दृष्टि से उसे भूमि स्वामी माना जावेगा बशर्ते कि अतिक्रमण राजस्व भूमि, या वनभूमि पर हो। यह भी शर्त होगी कि उक्त अतिक्रमण, परियोजना को राज्य या भारत सरकार द्वारा स्वीकृति देने के कम से कम तीन वर्ष पूर्व का हो।

2.3.2 डूब से प्रभावित क्षेत्रों में जमीन की कीमतें अनेक वर्ष से दबी हुई हैं। परियोजना के अंतर्गत अधिग्रहण हेतु प्रस्तावित कृषि भूमि तथा ग्रामीण आबादी प्लाटों का मुआवजा निर्धारित करते समय समीपवर्ती सिंचाई क्षेत्र (कमान्ड) की जमीन की कीमतों को आधार माना जावेगा। नगरीय आबादी प्लाटों व अन्य भूमि का मुआवजा निर्धारित करने हेतु निकटवर्ती डूब क्षेत्र के बाहर के उसी आकार के नगर की भूमि की औसत बिक्री की दरों को आधार माना जावेगा।

2.3.3 ऐसे मामलों में, जहां किसी व्यक्ति की 75: भूमि अधिग्रहण की गई हो, या किसी ग्राम का अन्तः क्षेत्र पानी से घिर जाये, तो ऐसे क्षेत्रों की पूरी भूमि, गुणदोष के आधार पर, संबंधित विभाग अधिग्रहित करने का परीक्षण करेगा।

2.3.4 जब भी किसी योजना के डूब क्षेत्र की भूमि का अर्जन किया जाता है, तो इसके साथ ही कमान्ड एरिया की भूमि भी अर्जित की जानी चाहिए, जिसका अनुपात डूब में गई भूमि का कम से कम आधा हो, ताकि इस भूमि में डूब से प्रभावित लोगों को उनकी अर्जित भूमि के अनुपात में आधी भूमि उपलब्ध कराई जा सके।

2.3.5 डूब से विस्थापित होने वाले परिवारों को उनके निवास हेतु प्लाट या मकान कमान्ड क्षेत्र में दिया जाना चाहिए। इसके लिए आवश्यक भूमि का चयन विस्थापन के पहले किया जाना चाहिए।

2.3.6 परियोजना निर्मित होने पर डूब क्षेत्र की ऐसी जमीन जो वर्षा ऋतु उपरांत स्वतः पानी से खाली हो जाती है, उस भूमि को कृषि कार्य हेतु विस्थापित व्यक्तियों को 10 वर्ष के पट्टे पर दिया जाना चाहिये।

2.3.7 डूब क्षेत्र के लोगों को दी जा रही जमीन में अगर उस परियोजना की नहरों से सिंचाई नहीं की जा सकती है, तो उनकी भूमि की सिंचाई के लिए योजना तैयार कर सिंचाई की व्यवस्था की जायेगी।

2.3.8 भूमिहीन व्यक्तियों को भी यथासंभव कमान्ड क्षेत्र में ही बसाया जाना चाहिए ताकि वे कमान्ड एरिया के विकसित होने पर अपना जीवन यापन कर सकें।

मुआवजा

(अ) जमीन का मुआवजा - निजी कब्जे की जमीनों के मामले में संबंधित व्यक्ति को भूमि का संभावित बाजार मूल्य दिया जावेगा।

✓(ब) वृक्षों का मुआवजा - फलदार वृक्षों की कीमत उसके फलों से सालाना आमदनी और उसकी लकड़ी के मूल्य दोनों के ही आधार पर तय की जायेगी।

(स) मकान का मुआवजा - अन्य सभी सम्पत्तियों, जैसे मकान का मुआवजा, सम्पत्ति को वैसी ही हालत में फिर से लाने के लिए आवश्यक खर्च के बराबर आंका जायेगा। मकान का मुआवजा इंदिरा आवास के समतुल्य दिया जायेगा। इस समय इंदिरा आवास योजना के अंतर्गत निर्माण सहायता की अधिकतम सीमा निम्नानुसार है :-

	मैदानी क्षेत्र	पहाड़ी/दुर्गम क्षेत्र
(i) स्वच्छ शौचालय और सुआरहित चूल्हा सहित मकान का निर्माण	17,500 / -रु.	19,500 / -रु.
(ii) बांछागत और सामान्य सुविधाएं प्रदान करने की लागत	2,500 / -रु.	2,500 / -रु.
कुल	20,000 / -रु.	22,000 / -रु.

यदि मकानों का निर्माण समूहों/छोटी बस्ती के रूप में नहीं हुआ है, तो बांछागत और सामान्य सुविधाओं के लिए निर्धारित 2,500/- रु. अपने मकान के निर्माण के लिए लाभार्थी को दिया जाना चाहिए।

कृषि भूमि का आवंटन

4.1 विस्थापित कृषक परिवारों को नये स्थान पर जहाँ तक संभव हो संप्रदाय की इकाई में बसाया जावेगा। इस कार्य को योजनाबद्ध तरीके से किया जायेगा, तथा विस्थापितों से भी यथासंभव परामर्श किया जायेगा।

4.2 (अ) जिस विस्थापित परिवार की जोत की भूमि से 25 प्रतिशत से अधिक भूमि, राजस्व ग्रामों में या वन ग्रामों में, अधिग्रहित की जाती है, वह साधारणतः भूमि पाने का हकदार होगा। भूमि का ऐसा आवंटन, प्रदेश में भूमि की उपलब्धता के आधार पर होगा, तथा 8 हेक्टर से अधिक भूमि का आवंटन नहीं किया जा सकेगा।

(ब) आवंटित भूमि सिंचित नहीं हो तो, कुआ/नलकूप या अन्य साधनों से सिंचित करने के लिए विस्थापित परिवारों को शासन के द्वारा विद्यमान योजनाओं के तहत सहायता दी जायेगी। यदि नई भूमि ऐसे स्थान पर स्थित है जहां सिंचाई न होने के तथ्य को कृषि विभाग द्वारा प्रमाणित किया गया हो, वहां शासन की विद्यमान योजनाओं के तहत नगद अथवा अन्य सहायता दी जायेगी।

4.3 अतिक्रमकों को भूमि आवंटन हेतु पात्रता के संबंध में -

4.3.1 अतिक्रमकों को किसी भी भूमि आवंटन की पात्रता नहीं होगी।

5. सभी प्रकरणों में प्रचलित अधिनियमों के प्रावधानों के अनुसार भूमि अधिग्रहित की जायेगी।

आवंटित भूमि की कीमत की वसूली

6.1 विस्थापित परिवारों को उनकी भूमि की कीमत का एक मुश्त भुगतान किया जायेगा। परंतु यदि विस्थापित व्यक्ति अनुसूचित जाति या जनजाति वर्ग के हैं तो उनसे ली गई भूमि के बराबर भूमि दी जायेगी।

6.2 (अ) तथापि धारा 6.1 का प्रावधान होते हुए भी, विस्थापित परिवार यदि चाहें तो मुआवजे की 50 प्रतिशत से अधिक राशि का भुगतान आवंटित भूमि के

मूल्य के लिए कर सकता है।

(ब) यदि ब्याज मुक्त ऋण की सुविधा अनुसूचित जाति/अनुसूचित जनजाति वर्ग का विस्थापित परिवार नहीं प्राप्त करता है, तो, यदि वह चाहे तो 1000/- रुपये प्रति हेक्टर प्रतिवर्ष का सहायता अनुदान 2 वर्ष के लिए दिया जावेगा।

पुनर्वास अनुदान

7.1 विस्थापित परिवार को, निम्नानुसार पुनर्वास अनुदान, उचित किशतों में एक वर्ष में दिया जावेगा।

(अ)	भूमिहीन कृषि मजदूर परिवार	11,000/- रु.
(ब)	अनुसूचित जाति व अनुसूचित जनजाति के भूमि स्वामी या अन्य परिवार	11,000/- रु.
(स)	छोटे व सीमान्त किसान परिवार	11,000/- रु.
(द)	अन्य भूमि स्वामी या गैर भूमि स्वामी परिवार (अ से आधा)	5,500/- रु.

7.2 11,000/- रु. की राशि वर्तमान मूल्यों, तथा भारत शासन की गरीबी रेखा के नीचे होने की आय के अनुसार है। अगर भारत शासन इसे संशोधित करता है तो अनुदान की राशि भी (रूपर 7.1 में) तबनुसार संशोधित की जावेगी।

7.3 परिवहन के लिए सहायता

विस्थापित परिवारों को डूब के क्षेत्र में विस्तृत योजना अनुसार नई जगह पर ले जाने की जिम्मेदारी परियोजना प्राधिकारी की होगी, एवं इस पर होने वाला खर्च परियोजना द्वारा वहन किया जावेगा। परिवहन व्यय में परिवारों, उनके सामान, भवनों को तोड़कर प्राप्त सामग्री, मवेशी, कृषि पैदावार तथा कृषि औजारों को ढोने का व्यय सम्मिलित होगा। यदि परियोजना द्वारा किये जाने वाली परिवहन व्यवस्था का लाभ विस्थापित परिवार प्राप्त नहीं करता है, तो उसे रुपये 1,000/- का एक मुश्त अनुदान दिया जावेगा, जिसके लिए उसे लिखित में आवेदन करना होगा।

ग्राम आबादी भू-खण्ड का आवंटन

8.1 विस्थापित ग्रामीण परिवारों के लिए हर एक को 602 वर्ग मीटर (6400 वर्ग फीट 90ग60) का आबादी भू-खण्ड नि:शुल्क दिया जावेगा।

8.2 विस्थापित ग्रामीण परिवारों को भवन के मुआवजे के अतिरिक्त उतना अनुदान दिया जावेगा, जिससे वह वर्तमान इंदिरा आवास योजना के अंतर्गत पात्रता के अनुसार नई बस्ती में भवन की व्यवस्था कर सके।

8.3 गरीबी रेखा के नीचे जिनकी आय है, ऐसे विस्थापित ग्रामीण किरायेदार परिवारों को वर्तमान इंदिरा आवास योजना के अंतर्गत पात्रता अनुसार, नई बस्ती में भवन की व्यवस्था करने हेतु अनुदान दिया जावेगा। शासकीय अर्द्धशासकीय संस्थानों, स्थानीय निकायों, सहकारी संस्थाओं और संगठित क्षेत्र की पंजीकृत, सार्वजनिक या निजी कंपनियों के किरायेदार कर्मचारियों को इस अनुदान की

पात्रता नहीं होगी।

शहरी विस्थापितों के लिए पुनर्वास नीति

9.1 नगरीय विस्थापित परिवारों का पुनर्वास नये नियोजित नगरों में किया जावेगा। इस कार्य के पूर्व स्थानीय निकायों (नगर निगम, नगर पालिका, नगर पंचायत आदि) से परामर्श किया जायेगा।

9.2 जहां पर भी आवश्यकता होगी, मध्यप्रदेश गृह निर्माण मंडल या किसी और एजेन्सी से, भू-खण्डों के विकास एवं भवनों के निर्माण के लिए, स्थल के अनुरूप, समर्पित योजनाएं हाथ में ली जायेंगी।

9.3 (1) भू-खण्ड का आकार - नगरीय क्षेत्र में विस्थापित व्यक्तियों को नये स्थल पर भू-खण्ड प्राप्त करने की निम्नानुसार पात्रता होगी।

कम आय वर्ग -	95 वर्ग मीटर
अल्प आय वर्ग -	140 वर्ग मीटर
मध्यम आय वर्ग -	280 वर्ग मीटर
उच्च आय वर्ग -	420 वर्ग मीटर

(2) पात्रता की शर्तें -

(अ) आय के अनुसार विनिर्दिष्ट चार आकारों के भू-खण्डों में से किसी एक आकार के भू-खण्डों की पात्रता होगी, अथवा

(ब) उसके द्वारा वर्तमान में धारित भू-खण्ड के आकार के आधार पर भू-खण्ड की पात्रता होगी। इस अवधारणा के अंतर्गत विस्थापित व्यक्ति को उसके विद्यमान भू-खण्ड के आकार से बड़े आकार का वह भू-खण्ड पाने की पात्रता होगी, जो कि मानक (स्टेन्डर्ड) उपरोक्त चार प्रकार के भू-खण्डों में आता हो। उदाहरणार्थ यदि किसी व्यक्ति द्वारा धारित वर्तमान भू-खण्ड का आकार 200 वर्गमीटर है, तो उसे 280 वर्ग मीटर का भू-खण्ड नये स्थल पर पाने की पात्रता होगी। यदि कोई विस्थापित व्यक्ति उपरोक्त पात्रता के अनुसार मिलने वाले भू-खण्ड से बड़े आकार का भू-खण्ड चाहे तो उपलब्धता के आधार पर दिया जा सकता है, पर उसे उसकी अतिरिक्त कीमत चुकानी होगी।

9.4 सभी वर्गों के भू-खण्डों की कीमत निर्धारित करने की प्रक्रिया एक समान ही रहेगी। कीमत का निर्धारण वास्तविक व्यय के आधार पर होगा। यदि नये भू-खण्ड का दर, विस्थापितों से अधिग्रहित भू-खण्ड की मुआवजे की दर से अधिक हो, तब अन्तर राशि की रियासत सभी वर्गों को प्राप्त होगी और अन्तर की राशि परियोजना द्वारा दी जायेगी।

9.5 भू-खण्डों का आवंटन - नये नगरों में, एक परिवार - एक भू-खण्ड यह सिद्धान्त आवंटन हेतु माप दण्ड होगा। जो परिवार विस्थापित नहीं हुए हैं, उन्हें नगर तथा ग्राम निवेश अधिनियम के नियमों के अनुसार भू-खण्डों का आवंटन किया जावेगा। यदि कोई विस्थापित व्यक्ति पात्रतानुसार मिलने वाले भू-खण्ड से बड़े आकार का भू-खण्ड चाहता हो, तो उसे भू-खण्ड के अतिरिक्त आकार हेतु कीमत चुकानी पड़ेगी।

9.6 अतिक्रमणकर्ता - अतिक्रमित भूमि पर बने भवन का मुआवजा, भवन फिर

से बनाने हेतु लगने वाली कीमत के आधार पर तय किया जावेगा। अतिक्रमित भूमि के लिए कोई मुआवजा नहीं दिया जावेगा।

9.7 भवन निर्माण हेतु कर्ज - नये भवन के निर्माण हेतु हुडको व अन्य संस्थाओं से कर्ज दिलवाने हेतु हर संभव प्रयास परियोजना द्वारा किये जावेंगे।

9.8 औद्योगिक विकास केन्द्र - नयी बस्तियों की आवश्यकताओं को पूर्ण करने के लिये नये औद्योगिक विकास केन्द्रों की स्थापना की जावेगी, अगर ऐसा केन्द्र पूर्व से वहां नहीं है।

9.9 व्यवसायिक भू-खण्ड/दुकान - पुनर्स्थापित स्थलों पर दुकानों के प्रकार, स्थानीय मांग व उपयोगिता के आधार पर, व्यवसायिक भू-खण्डों व वाणिज्यिक केन्द्रों की व्यवस्था की जावेगी। वर्तमान दुकानदारों की आवश्यकता की पूर्ति प्राथमिकता पर की जावेगी। ऐसे परिवारों को जो विस्थापित वर्ग के नहीं हैं, व्यवसायिक भू-खण्ड एवं दुकान खुली नीलामी में खरीदने की पात्रता होगी। यदि नये आवंटित व्यवसायिक भू-खण्ड का दर, विस्थापितों को मिलने वाले मुआवजे के दर से अधिक हो, तो अंतर राशि की रियासत दी जावेगी, यह अन्तर राशि परियोजना द्वारा दी जायेगी।

वाणिज्यिक क्षेत्र - ऐसे विस्थापित, जो अपना व्यवसाय व्यापार वाणिज्यिक क्षेत्र में किराये के भवन में कर रहे हों, को नये नगरों में बनी दुकानों को किराये पर देने के लिए प्राथमिकता दी जायेगी। ग्रामीण क्षेत्रों से ऐसे विस्थापित व्यक्ति, जो व्यवसायिक भू-खण्ड पाने के इच्छुक हों, को संबंधित विभाग द्वारा निर्धारित शर्तों पर उचित भू-खण्ड/दुकान उपलब्ध कराया जावेगा।

9.10 औद्योगिक भू-खण्ड - नये नगरों के पास औद्योगिक विकास के लिए भू-खण्ड प्राप्त किये जावेंगे तथा वहां पर नये उद्योग स्थापित करने हेतु विस्थापितों को आवंटन में प्राथमिकता दी जावेगी। यदि नये आवंटित किये जाने वाले औद्योगिक भू-खण्ड की कीमत मुआवजे की कीमत से अधिक होगी तब अन्तर राशि की रियासत दी जावेगी। यह अन्तर राशि परियोजना द्वारा वहन की जावेगी।

9.11 अनौपचारिक प्रक्षेत्र - विभिन्न गतिविधियों के लिए नये नगरों में क्षेत्रों का आवंटन करते समय अनौपचारिक खण्डों के संयोजनों, यथा मांग, प्रकार सुविधा, उपयोगिता, दूरी एवं आवगमन के साधन आदि पर यथोचित ध्यान दिया जावेगा।

9.12 धार्मिक स्थल जैसे कि मंदिर, गुरुद्वारा, मस्जिद, चर्च आदि के लिये नये नगरों में प्रावधान रखा जावेगा।

9.13 नये नगरों में कब्रगाह व दाह संस्कार क्षेत्र के लिए प्रावधान सम्मिलित किया जावेगा।

भूमिहीन परिवार

10.1 परिवारों के प्रभावी पुनर्वास के लिए विशेष प्रयास किये जावेंगे। संबंधित विभाग द्वारा विद्यमान कौशल को उन्नत करने तथा नये कौशल प्रदान करने की पर्याप्त व्यवस्था की जावेगी। परियोजना के कारण जो नये अवसर उपलब्ध होंगे उनका विस्थापितों के लाभ के लिए पूर्ण रूप से सदुपयोग किया जावेगा। निविदा

के दस्तावेजों (लोकल काम्पीटिटिव बिडिंग तथा अन्य फार्म) में विस्थापितों को परियोजना के कार्य पर लगाना सुनिश्चित करने के लिए उचित प्रावधान किया जावेगा। संबंधित विभाग द्वारा इस संबंध में निर्धारित समय में उचित व्यवस्था करने के लिए आदेश प्रसारित किये जावेंगे।

10.2 अंतरिम अवधि में भूमिहीन विस्थापित परिवारों की आमदनी का भुगतान विशेष आधार के रूप में धनराशि के घटते क्रम में 3 वर्ष तक किया जावेगा, जो कड़िका 7.1 में दशांश अनुदान के अतिरिक्त होगा। 3 वर्ष की इस अवधि की गणना विस्थापित परिवार को कड़िका 7.1 में दशांश भुगतान करने के वर्ष के बाद आरंभ की जावेगी। तदनुसार एक विस्थापित परिवार को द्वितीय, तृतीय एवं चतुर्थ वर्ष क्रमशः 4800/-, 3200/- और 1600/- रुपये का भुगतान विशेष आधार के रूप में किया जावेगा। इसके अतिरिक्त प्रत्येक भूमिहीन परिवार के लिए 3200/- रुपये की धनराशि सुरक्षित रखी जावेगी तथा आजीविका अर्जन हेतु आर्थिक रूप से योग्य स्वतंत्र योजना के लिए उपलब्ध की जावेगी। उक्त विशेष आधार राशि, गरीबी रेखा की राशि की क्रमशः 75, 50, एवं 25 होगी एवं सुरक्षित रखी जाने वाली राशि गरीबी रेखा की राशि की 50 होगी। यदि गरीबी रेखा की राशि में वृद्धि होती है तो विशेष आधार राशि एवं सुरक्षित राशि में तदनुसार वृद्धि होगी। विशेष आधार राशि व सुरक्षित राशि केवल भूमिहीन कृषक मजदूर एवं भूमिहीन अनुसूचित जाति व अनुसूचित जनजाति के परिवारों को दी जावेगी।

सलाहकार समितियाँ

मध्यप्रदेश परियोजना के विस्थापित व्यक्ति (पुनर्स्थापन) अधिनियम 1985 में प्रावधानित राज्य स्तरीय सलाहकार समिति और परियोजना स्तरीय सलाहकार समिति के अधिकारों और उनके स्तर में वृद्धि की जाय। बड़ी परियोजनाओं के मामले में पुनर्वास योजना का अनुमोदन राज्य स्तरीय समिति द्वारा किया जाय, जिसमें निम्नलिखित सदस्य हों :-

11.1	माननीय मुख्यमंत्री जी	अध्यक्ष
11.2	नेता प्रतिपक्ष	सदस्य
11.3	पुनर्वास मंत्री	रावरय
11.4	राजस्व मंत्री	सदस्य
11.5	विधि मंत्री	सदस्य
11.6	विभागीय मंत्री	सदस्य
11.7	संबंधित जिलों के जिला पंचायत अध्यक्ष	सदस्य
11.8	सांसद/विधायक जो राज्य शासन द्वारा नामांकित किये जाएँ	
11.9	अर्थशास्त्री	
11.10	समाजशास्त्री	
11.11	परियोजना के प्रतिनिधि	

इस समिति को सहयोग/सेवा पुनर्वास विभाग द्वारा की जाये जिसके लिए इस विभाग को सुदृढ़ किया जावे।

पुनर्वास योजना के क्रियान्वयन की समय-समय पर समीक्षा उपरोक्त समिति द्वारा की जाए।

छोटी परियोजनाओं के लिए पुनर्वास योजना का अनुमोदन और उसकी समय-समय पर समीक्षा के लिए निम्नलिखित जिला/संभागीय समिति

गठित की जाये :-

- | | | | |
|-----|---|---|---------|
| (1) | प्रभारी मंत्री | - | अध्यक्ष |
| (2) | जिला पंचायत अध्यक्ष | - | सदस्य |
| (3) | प्रभावित क्षेत्र के सांसद / विधायक जो राज्य शासन द्वारा नामांकित किए जायें। | | |
| (4) | संबंधित क्षेत्र के जनपद पंचायत अध्यक्ष | | |

यदि छोटी परियोजना दो संभागों या जिलों में हों, वहां पर उपरोक्त समिति में संभागीय आयुक्त और जिले के कलेक्टर संबंधित अधिकारियों के साथ सदस्य होंगे। ऐसी स्थिति में उस जिले के कलेक्टर समिति के संयोजक होंगे जहां की ज्यादा जमीन परियोजना में आ रही है, और उसी जिले के प्रभारी मंत्री समिति के अध्यक्ष होंगे।

अपवाद रूप में ही अधिग्रहण

इस व्यवस्था में बदलाव, और विकास की सामान्य प्रक्रिया के तहत भू-अर्जन के कारण, या दूसरे किसी भी कारण से सामान्यतः विस्थापन नहीं होगा। ऐसे मामले विरल अपवाद ही होंगे जिनमें भूमि का अर्जन, लोगों का अपनी जगह से हटना और उनका पुनर्वास, उस परियोजना का अभिन्न अंग न हो और इन सबको उससे अलग प्रक्रिया के रूप में नियोजित किया जाये। रक्षा की परियोजनायें इस श्रेणी की परियोजनाओं का एक संभव उदाहरण है।

भरोसेमंद खाद्यान्न व्यवस्था

विकास के दीर्घकालीन आयोजन में इस बात पर खास तौर से ध्यान रखा जायेगा कि प्रदेश में कई इलाकों में, खास तौर से आदिवासी इलाकों में अभी जीवन निर्वाही अर्थ-व्यवस्था बनी हुई है। परंतु खाद्यान्न के मामले में ये इलाके अपेक्षाकृत करीब-करीब आत्मनिर्भर हैं। इसलिए पूरी व्यवस्था में एक ऐसा संतुलन है जिसमें आम आदमी अपने आप में और अपने परिवेश में सुरक्षित महसूस करता है। ऐसी हालत में एकाएक बदलाव की हालत में, यहां तक कि खेती के व्यवसायीकरण से भी यह संतुलन टूटने का जोखिम हो सकता है। इसलिए बदलाव के दौर में खाद्यान्नों की भरोसेमंद स्थिति बनाये रखने को उच्च प्राथमिकता दी जायेगी।

बदलाव के पहले की पूर्व शर्तें

14.1 किसी इलाके में किसी परियोजना की स्थापना के लिए या किसी दूसरे काम के लिए भूमि का अर्जन और/अथवा दूसरे संसाधनों के वैकल्पिक उपयोग के लिए ग्राम सभा से परामर्श किया जाय।

14.2 भू-अर्जन के संदर्भ में जन प्रयोजन के दायरे में राज्य सरकार द्वारा अधिसूचित किसी खास काम के अलावा पुनर्वास, रक्षा, रेल, आवागमन के साधन, स्वास्थ्य, शिक्षा, सिंचाई, बिजली उद्योग, उत्खनन इत्यादि शामिल होंगे।

14.3 सभी आर्थिक प्रतिष्ठानों को, खासतौर से उदारीकरण और खुले बाजार के नये ढांचे के संदर्भ में, अपने पक्ष को खुले मंच पर स्थापित करना जरूरी होगा। इसमें राज्य की भूमिका निर्णायक की होगी। उस भूमिका को अदा करते समय इस बात का पूरा ध्यान रखा जायेगा कि दोनों पक्षों की स्थिति में भारी असमानता के गंभीर परिणाम हो सकते हैं। राज्य की कमजोर वर्गों के पक्ष में खड़े होने और उनके हितों के संरक्षण की खास जिम्मेदारी है। राज्य की सत्ता या अधिकारियों के

दबदबे का किसी भी हालत में लोगों को जमीन देने के लिए राजी करने या सीधे हस्ताक्षर करके या छिपे तरीके से उन्हें प्रेरणा देकर समझौता कराने के लिए उपयोग नहीं किया जायेगा। आदिवासी लोगों के मामले में इस बात का खास ध्यान रखा जायेगा कि राज्य का कोई भी कदम, या संबंधित पक्षकारों की ऐसी कोई कार्यवाही न हो जिससे कुछ लोगों को परियोजना के पक्ष में मिलाकर समाज में दरार पड़ने की स्थिति बन जाय।

लोक प्रयोजन के बारे में प्राधिकृत करना

उन परियोजनाओं को बड़ी परियोजना माना जायेगा जिनके मामले में भू-अर्जन अथवा अन्य किसी कारण से एक सौ एकड़ या उससे अधिक भूमि के हस्तांतरण की जरूरत हो।

परियोजना रूपरेखा

16.1 हर व्यक्ति या प्राधिकरण प्रस्तावित परियोजना की एक रूपरेखा तैयार करेगा जिसमें परियोजना उसका उद्देश्य, उसके सामाजिक, आर्थिक और पर्यावरणीय प्रभाव, परियोजना से प्रभावित होने वाले संभावित क्षेत्र की जानकारी, उसके अंतर्गत संबंधित ग्राम सभाओं के द्वारा प्रमाणित भूमि का वर्तमान उपयोग, भू-अभिलेखों की स्थिति उसमें रहने वाले परिवारों की संख्या, उनके रोजगार की स्थिति इत्यादि का पूरा खुलासा किया जायेगा। इसमें यह विशेष रूप से स्पष्ट करना जरूरी होगा कि भूमि की जरूरत को न्यूनतम रखा गया है। इसके साथ-साथ इस रूपरेखा में यह खासतौर से स्पष्ट किया जायेगा कि प्रभावितों को उनकी जगह से बिना हटाये नई व्यवस्था में किस तरह समायोजित किया जायेगा। यदि कहीं विस्थापन अनिवार्य है, तो उसका कारण और आधार स्पष्ट किया जायेगा। (परिशिष्ट-1 एवं परिशिष्ट-2)

16.2 यह रूपरेखा सबसे पहले उसके आर्थिक एवं सामाजिक औचित्य के संदर्भ में, विहित अधिकारी के रूप में, संबंधित प्रशासकीय विभाग द्वारा अनुमोदित की जायेगी। उसके बाद उसे स्थानीय बोलियों में परियोजना के प्रभाव क्षेत्र में सर्व-साधारण की सूचना के लिए प्रकाशित किया जायेगा और संबंधित ग्राम सभाओं, और यदि कोई शहरी इकाईयां हैं तो उनके सामने उनकी जानकारी के लिए भी रखा जायेगा। यही व्यवस्था निजी योजनाओं के लिए भी लागू होगी। उदाहरणतः निजी कंपनी द्वारा बिजली परियोजना के लिए विहित प्राधिकारी, ऊर्जा विभाग होगा।

16.3 भूमि अर्जन अधिनियम की धारा-4 के तहत प्राथमिक अधिसूचना की प्रक्रिया चालू की जा सकेगी। इस पूरी प्रक्रिया में, और अन्यथा भी, लोगों और उनके संगठनों को किसी भी परियोजना के किसी भी पहलू पर जानकारी लेने का पूरा अधिकार होगा। यदि किसी खास कारण से उसको न देने का फैसला किया जायेगा तो उसके बारे में कारण बताते हुए अधिसूचना जारी की जायेगी।

16.4 नई जगह जाकर बसने के दौर में इस बात का खास ध्यान रखा जाएगा कि नई बसाहटों में लोग पहले के समाज के रूप में ही स्थापित हों न कि टुकड़े-टुकड़े होकर बिखर जायें। इसके साथ-साथ संपर्क पुनर्स्थापित बसाहटों को भी यथा संभव एकजाई रूप में एक ही पट्टी में बसाया जायेगा जिससे उन गांव समाजों के परस्पर संपर्क सूत्र वैसे ही बने रहें।

दबदबे का किसी भी हालत में लोगों को जमीन देने के लिए राजी करने या सीधे हस्ताक्षर करके या छिपे तरीके से उन्हें प्रेरणा देकर समझौता कराने के लिए उपयोग नहीं किया जायेगा। आदिवासी लोगों के मामले में इस बात का खास ध्यान रखा जायेगा कि राज्य का कोई भी कदम, या संबंधित पक्षकारों की ऐसी कोई कार्यवाही न हो जिससे कुछ लोगों को परियोजना के पक्ष में मिलाकर समाज में दरार पड़ने की स्थिति बन जाय।

लोक प्रयोजन के बारे में प्राधिकृत करना

उन परियोजनाओं को बड़ी परियोजना माना जायेगा जिनके मामले में भू-अर्जन अथवा अन्य किसी कारण से एक सौ एकड़ या उससे अधिक भूमि के हस्तांतरण की जरूरत हो।

परियोजना रूपरेखा

16.1 हर व्यक्ति या प्राधिकरण प्रस्तावित परियोजना की एक रूपरेखा तैयार करेगा जिसमें परियोजना उसका उद्देश्य, उसके सामाजिक, आर्थिक और पर्यावरणीय प्रभाव, परियोजना से प्रभावित होने वाले संभावित क्षेत्र की जानकारी, उसके अंतर्गत संबंधित ग्राम सभाओं के द्वारा प्रमाणित भूमि का वर्तमान उपयोग, भू-अभिलेखों की स्थिति उसमें रहने वाले परिवारों की संख्या, उनके रोजगार की स्थिति इत्यादि का पूरा खुलासा किया जायेगा। इसमें यह विशेष रूप से स्पष्ट करना जरूरी होगा कि भूमि की जरूरत को न्यूनतम रखा गया है। इसके साथ-साथ इस रूपरेखा में यह खासतौर से स्पष्ट किया जायेगा कि प्रभावितों को उनकी जगह से बिना हटाये नई व्यवस्था में किस तरह समायोजित किया जायेगा। यदि कहीं विस्थापन अनिवार्य है, तो उसका कारण और आधार स्पष्ट किया जायेगा। (परिशिष्ट-1 एवं परिशिष्ट-2)

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16.4 नई जगह जाकर बसने के दौर में इस बात का खास ध्यान रखा जाएगा कि नई बसाहटों में लोग पहले के समाज के रूप में ही स्थापित हों न कि टुकड़े-टुकड़े होकर बिखर जायें। इसके साथ-साथ संपर्क पुनर्स्थापित बसाहटों को भी यथा संभव एकजाई रूप में एक ही पट्टी में बसाया जायेगा जिससे उन गांव समाजों के परस्पर संपर्क सूत्र वैसे ही बने रहें।

16.5 नई बसाहट के लिए स्थान का चयन प्रभावितों और मेजबान समाज दोनों की सलाह से किया जायेगा। इस प्रक्रिया में सबसे पहले संभावित प्रभावितों को नये इलाके की अच्छी जानकारी एवं वहां के लोगों के साथ इतमीनान से बातचीत के लिए उनकी इच्छा के मुताबिक धीमी गति परिचय यात्रायें आयोजित की जायेगी। इसके बाद ही प्रत्येक बसाहट के बारे में संबंधित प्रभावितों और मेजबानों के स्पष्ट परामर्श के आधार पर ही कोई कार्यवाही की जायेगी।

16.6 वैकल्पिक व्यवस्था लोगों की जीवनशैली से संगत होगी, जिसमें मकान के साथ खुली जमीन और जहां संभव हो बाड़ी की भी व्यवस्था होगी। नगरीकरण से प्रभावित सभी गांवों के लिए एक विकास योजना की रूपरेखा भी तैयार की जायेगी।

16.7 इस विकास योजना में लोगों की वर्तमान स्थिति के समतुल्य स्थिति यानि उनके मकान, दूसरी संपत्तियाँ, आर्थिक लाभ और दूसरी सुविधाओं के बराबर ही दूसरे स्थान पर उपलब्ध हो, इस उद्देश्य से समुचित वित्तीय प्रावधान किया जावेगा।

16.8 संबंधित अंचल में किसी परियोजना द्वारा स्थापित या दूसरी शैक्षणिक और स्वास्थ्य संस्थानों को स्थानीय लोगों के लिए खुले रखने और उपलब्ध कराने के लिए खास तौर से व्यवस्था की जायेगी, और यदि जरूरी हो तो उनके लिए आरक्षण भी होगा।

टीप : यह उचित होगा कि बड़ी परियोजनाओं लिए गठित राज्य स्तरीय समिति के समक्ष उपरोक्त विकास योजना अनुमोदनार्थ प्रस्तुत की जाए और छोटी परियोजनाओं का अनुमोदन जिला पंचायत अध्यक्ष की अध्यक्षता में गठित समिति द्वारा किया जाए।

कतिपय अमान्य दावे

परियोजना के लाभों में भागीदारी की केवल उन्हीं को पात्रता होगी जो धारा-4 की अधिसूचना के कम से कम 3 वर्ष से उस स्थान पर अपना जीविकोपार्जन कर रहे हों। ग्राम सभा को केवल राय देने के अधिकार होंगे और उसको ध्यान में रखते हुए भू-अर्जन अधिकारी को निर्णय लेना होगा।

प्रभावित परिवार

किसी भी तरह के प्रभावित परिवार के सभी सदस्य जो विकास योजना में उल्लिखित एक निश्चित तिथि पर 18 साल या उससे अधिक उम्र के हों, उस परियोजना की आर्थिक गतिविधियों में हिस्सेदारी और पुनर्वास के लाभों के लिए एक स्वतंत्र परिवार के रूप में भागीदार माने जायेंगे।

भूमि अर्जन और हस्तांतरण के लिए पूर्व शर्त

राज्य अथवा संघ के किसी कानून के तहत कोई भूमि अथवा भूमियों के लोक प्रयोजन के लिए जरूरी होने की अंतिम घोषणा और भू-अर्जन की दूसरी कार्यवाहियां अथवा किसी दूसरी तरह से जमीन के हस्तांतरण की आवश्यकता के जरूरी विवरण के साथ विकास योजना की रूपरेखा ग्राम पंचायत सूचना पटल पर भी चर्चा की जाएगी।

पुनर्बसाहट के लिए योजना

पुनर्वास के उन मामलों में, जहां स्थान परिवर्तन जरूरी हों, विकास

योजना के अनुमोदन के तुरंत बाद प्रभावित लोगों के साथ मिलकर सलाह मशवरा करके पुनर्साइट और पुनर्वास के लिए विस्तृत क्रमबद्ध योजना तैयार की जायेगी। इसमें यह सुनिश्चित किया जायेगा कि परियोजना के द्वारा संबंधित क्षेत्र और संपत्ति के प्रभावित होने पर उपयोग योग्य न रहने के कम से कम एक साल पहले लोग अच्छी तरह से नयी जगह पर पुनर्वासित हो जाए। दूसरी ओर, लोगों को हटने-हटाने का कार्य यथासंभव नई जगह पुनर्वासित होने पर ही किया जाये।

विवादों का निपटारा

21.1 छोटी योजनाओं में जहां संबंधित लोग, खासतौर से अनुसूचित जाति एवं अनुसूचित जनजाति के सदस्यों में से एक धौधार्ई की, उनके लिए पेश की गयी योजना से सहमति नहीं है, तो इन मामलों पर जिला/संभागीय स्तर पर समिति द्वारा विचार किया जायेगा और उसका फैसला अंतिम होगा। बड़ी योजनाओं के बारे में भी इस प्रकार के विवाद पर विचार जिला/संभागीय स्तरीय समिति द्वारा किया जायेगा और उसके पश्चात भी यदि मामले में सहमति नहीं बन पाती है तो इस प्रकार के प्रकरण में राज्य स्तरीय समिति द्वारा विचार किया जायेगा और उसका फैसला अंतिम होगा।

21.2 किसी परियोजना के मामले में इस नीति के दायरे से संबंधित या अन्य कोई भी मामला, उसके क्रियान्वयन, जैसे हितधारी व्यक्तियों की पहचान, उनको मिलने वाले फायदे आदि, के बारे में विवादों का निपटारा यथासंभव जिला/संभागीय स्तरीय समिति द्वारा किया जायेगा। यदि आवश्यक होगा तो जिला/संभाग स्तरीय समिति, राज्य स्तरीय समिति से मार्गदर्शन प्राप्त कर सकेगी।

अन्य प्रभावित हितों की क्षतिपूर्ति

परियोजना से संबंधित किसी भी गतिविधि से सीधे या परोक्ष रूप में प्रभाव पड़ने के मामले में संबंधित परियोजना सभी व्ययों के लिए उत्तरदायी रहेगी।

परियोजना इत्यादि के द्वारा उपयोग में नहीं ली जाने वाली भूमि का निकास।

वे सभी भूमियां, जो किसी प्रयोजन के लिए भू-अर्जन के आधार पर लेने के बाद 10 साल तक उस उपयोग में नहीं लायी जाती है, सरकार को स्वमेव वापिस हो जायेगी या सरकार उन्हें बिना किसी अधिमूल्य दिये ले सकेगी। यदि शासन को अर्जित भूमि की आवश्यकता न हो तो उसे भूतपूर्व धारक को वापस करने का प्रावधान आर.बी.सी. में है।

बार-बार विस्थापन पर रोक

बार-बार विस्थापन यथासंभव नहीं किया जाना चाहिए और यदि करना पड़े तो यह अपवाद स्वरूप ही किया जाए तथा इसके पहले राज्य स्तरीय समिति का अनुमोदन प्राप्त किया जाए।

कुछ विशिष्ट श्रेणियां

विभिन्न परियोजनाओं की विशिष्ट स्थितियों का ध्यान रखते हुए संरचनात्मक बदलाव की प्रक्रिया की दिशा के बारे में ऊपर बताये गये सिद्धान्तों और दूसरी कार्यवाही के दायरे को किसी भी रूप से प्रभावित किए बिना, कुछ विशिष्ट वर्गों में आने वाली परियोजनाओं और उनकी प्रक्रियाओं के संबंध में इस नीति के कुछ महत्वपूर्ण तत्वों को नीचे दिया जा रहा है।

(क) सिंचाई परियोजनाएं तथा

(ख) पनबिजली परियोजनाएं

सभी सिंचाई परियोजनाओं में उन सभी लोगों के लिए जो अपने परम्परागत इलाके से बाहर आकर बसने के लिए तैयार हों, संबंधित परियोजना के लाभ क्षेत्र में जमीन के अर्जन और बंटवारे के आधार जल, जंगल और जमीन सहित प्राकृतिक संसाधनों पर आधारित जीवन यापन के लिए वैकल्पिक व्यवस्था का प्रावधान किया जायेगा। लाभ क्षेत्र में यथा संभव चकबंदी करने के बाद उनके लिए नयी बसाहटें स्थापित कर समाज के रूप में पुनर्वास की व्यवस्था की जायेगी। जहां संभव होगा, वहां जलाशय और उससे लगे हुए क्षेत्र के सघन विकास की योजना बनायी जायेगी। इस योजना में उद्भवहन सिंचाई के आधार पर कृषि और वृक्ष खेती, मत्स्यआखेट, पशु पालन आदि तथा अन्य संसाधनों पर आधारित श्रम-मूलक गति-विधियां भी शामिल होंगी। इन कार्यक्रमों का एक मुख्य उद्देश्य उस अंचल की धारण क्षमता में बढ़ोत्तरी होगा। अंचल की धारण क्षमता बढ़ने से प्रभावित लोगों का उस नयी अर्थव्यवस्था में संतोषजनक रूप से शामिल होना संभव हो जाएगा। जमीन खोने वालों को पानी घटने पर जलाशयों से निकलने वाली जमीन व्यक्तिगत खेती के लिए प्राथमिकता के आधार पर दी जायेगी। प्रभावित व्यक्तियों की सहकारी समिति को मत्स्याखेट के मामले में प्राथमिकता व उचित रियायत दी जायेगी।

(ग) औद्योगिक और उत्खनन परियोजनायें -

(1) सभी औद्योगिक और उत्खनन परियोजनाओं में संबंधित परियोजना के प्रभाव क्षेत्र को रेखांकित किया जायेगा। परियोजना प्रस्तावित करने वालों के लिए यह जरूरी होगा कि वे प्रभाव क्षेत्र के लिए विकास योजना बनाये और क्षेत्र में स्थित संबंधित ग्राम सभाओं से परामर्श करें। इसके बाद ही परियोजना शुरू करने के लिए उन्हें पट्टा या अनुज्ञप्ति दी जायेगी।

(2) यदि कोई कंपनी अपने शेरर बेघ रही हो तो प्रभावित व्यक्तियों को शेरर खरीदने में प्राथमिकता प्राप्त होगी। धारा-4 के प्रकाशन के पहले विकास योजना बनायी जानी चाहिए।

(3) प्रभावित क्षेत्र के लोगों को नौकरियां देने के संबंध में एक्शन प्लान में उल्लेख होना चाहिए।

(4) आकस्मिक और हाथ की मजदूरी के काम-काज के अवसरों को, प्रभावित किसानों के मामले में जिंदगी बसर करने का वैकल्पिक आधार अथवा रोजगार का साधन नहीं माना जायेगा। ऐसे सभी अनियत मजदूरी के काम के अवसरों का इस उद्देश्य से सहकारीकरण किया जायेगा, जिससे उनमें शामिल होने वाले लोगों की प्रतिष्ठा का और स्वाभिमान की भावना का आदर हो सके। इसलिए परियोजना में उन सभी संभावित कार्यों को, जो अभी ठेकेदारों या बिचोलियों के माध्यम से कराये जाते हैं, मजदूरों की सहकारी समितियों को दिया जायेगा। परियोजना के तहत आने वाले सभी नियमित पदों के लिए ध्यान में परियोजना प्रभावित प्रभाव क्षेत्र के निवासी, जिला और राज्य के निवासियों को इसी क्रम में

प्राथमिकता दी जायेगी।

(5) सभी उत्खनन परियोजनाओं में पट्टे देने में उन संस्थानों को प्राथमिकता दी जायेगी जिनकी हिस्सेदारी में

- (1) संभावित प्रभावित क्षेत्रों की ग्राम सभायें
- (2) खनिज धारण करने वाली भूमियों के मालिक
- (3) कामगार
- (4) पूंजी और तकनीकी निवेश करने वाले उद्यमी शामिल होंगे।

(6) यह सुनिश्चित किया जायेगा कि लीज लेने वाला माईनिंग लीज समाप्त होने के पश्चात जमीन को उसकी पहले की हालत में वापिस लाया जायेगा। जहां तक कोयला खदानों का संबंध है, उनकी भूमि का अर्जन कोल बियरिंग एरियाज (एक्वीजीशन एण्ड डेक्लपमेंट) एक्ट, 1957 के तहत सीधे ही केन्द्र शासन द्वारा किया जाता है। अतः इनके विषय में पुनर्वास नीति बनाने के पश्चात यह उचित होगा कि राज्य शासन द्वारा केन्द्र शासन पर जोर डाला जाए कि वह कोयला कंपनियों के भूमि अर्जन के समय राज्य की पुनर्वास नीति के अनुरूप पुनर्वास की कार्यवाही करें अथवा अपने कानून में आवश्यक संशोधन करें। यदि संभव हो तो इस संबंध में राज्य को अपना कानून बनाना भी उचित होगा।

(घ) वानिकी और संबंधित परियोजनाएं

(1) अभ्यारणों और राष्ट्रीय उद्यानों के प्रबंधन सहित वन संसाधनों के विकास और उपयोग के नियोजन में, उन पर स्थानीय समाज की निर्भरता को, स्वासतौर से आदिवासी समाज के उनसे परस्पर पोषक संबंधों को, आधारभूत माना जायेगा। इस मामले में संबंधित लोगों और उनकी अर्थव्यवस्था के बारे में तथ्यों का लिखित रूप में उपलब्ध होना या न होना, उनकी औपचारिक मान्यता होना या न होना तथा उससे संबंधित अद्यतन कानूनी स्थिति से किसी तरह की विसंगति, इत्यादि का कोई असर नहीं होगा। इन परियोजनाओं में लोगों की परंपराओं के अनुरूप, सभी के लिए समुचित जीवन यापन के लिए पूरी व्यवस्था और पूरे साल भर के कामकाज के लिए योग्य सभी व्यक्तियों के लिए एक विशेष राजगार आश्वासन योजना बनाई जायेगी। इस योजना का यह उद्देश्य होगा कि वन में रहने वाले सभी लोगों के लिए वन संसाधन, राष्ट्रीय उद्देश्यों को ध्यान में रखते हुए तथा उसके पर्यावरणीय आधार को नुकसान पहुंचाये बिना बेहतर जीवन यापन की उनकी आकांक्षा पूरी करने के सक्षम आधार बन सकें।

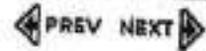
(2) अन्य मामलों में जहां राज्य के अलावा अन्य कोई अभिकरण विगड़े वनों के सुधार या पड़त भूमि बगैरह पर वृक्षोत्पादन जैसे कोई कार्यक्रम लेता है, तो संबंधित क्षेत्र में रहने वाले लोगों को उस अभिकरण में वरिष्ठ भागीदार माना जायेगा। यह भागीदारी परस्पर रहवास्त पर समाज के परंपरागत अधिकार की अभिस्वीकृति के प्रतीक के रूप में होगी। यदि शेरर दिये जा रहे हैं तो संबंधित

ग्राम सभाओं को कम से कम 50 प्रतिशत तक के शेयर मिलने की प्राथमिकता होगी।

(ड) सड़क और रेल

(1) जब किसी अंचल में सड़क या रेल लाइन बनाई जाती है तो उसमें यह सुनिश्चित करना जरूरी होगा कि अर्जित की गयी भूमि के लिए मुआवजा तय करने के मामले में नई संभावना का पूरा ध्यान रखा जाए।

(2) जो व्यक्ति मात्र कब्जेदार हैं उसे, पुनर्बासाहट की स्थिति में, नई बसाहट में आबादी जमीन दी जायेगी और साथ में पुनर्वास अनुदान भी दिया जायेगा। इसके अतिरिक्त कोई अन्य मुआवजा देना अव्यवहारिक होगा क्योंकि इसमें बहुत से फर्जी दावे हो जाएंगे, और मालिक और कब्जेदार के बीच मुआवजे का बंटवारा भी एक समस्या रहेगी।



नीति का दायरा

नई नीति आगे आने वाली योजनाओं के लिए लागू होगी और यदि किसी चालू परियोजना के लिए इसको लागू करना है तो इसका निर्णय राज्य/जिला स्तरीय सलाहकार समिति द्वारा लिया जा सकता है।

विकास प्रभावित सहायता कोष

विस्थापन से उत्पन्न या विस्थापन के कारण मुसीबत में पड़े उन लोगों की सहायता के लिए जिनके लिए साधारण प्रक्रिया के मुताबिक कोई सहायता संभव नहीं हो, 50 करोड़ रुपये की प्रारंभिक राशि के साथ एक विकास प्रभावित सहायता कोष के नाम से विशेष निधि का निर्माण किया जायेगा। सभी खनिजों, बिजली, वन-आधारित, भारी पूंजी निवेश वाले उद्योगों, आदि पर इसके लिए एक विशेष उपकर लगाया जायेगा। इस कोष का उपयोग, राज्य स्तरीय समिति की सलाह से पुनर्वास विभाग करेगा।

विशेष भू-अर्जन न्यायालय की स्थापना

भू-अर्जन के मामले निर्णित करने हेतु विशेष भू-अर्जन न्यायालय स्थापित किया जायेगा ताकि भू-अर्जन के मामले वर्षों तक न्यायालयीन प्रक्रिया में न उलझे रहें।

अन्य सुविधाएं

29.1 रोजगार

(अ) परियोजना के कार्यों पर नौकरी देते समय प्रभावित परिवारों को प्राथमिकता दी जावेगी।

(ब) शिक्षित नवयुवकों को काम में लगाने के विशेष प्रयास किये जायेंगे।

(स) शासन के श्रेणी-3 के पदों पर नियुक्ति हेतु आयु सीमा में 2 वर्ष की छूट दी जावेगी।

(द) विस्थापित परिवारों को लाभजनक कार्य उपलब्ध हो यह सुनिश्चित करने हेतु उन्हें ट्रेनिंग देने की अतिरिक्त व्यवस्था की जावेगी।

(इ) डूब से प्रभावित क्षेत्र के मछुआरों को ट्रेनिंग देने के लिए संबंधित विभाग आवश्यक कार्यवाही करेगा।

29.2 वाणिज्यिक भू-खण्ड, दुकानें इत्यादि के आवंटन में प्रभावित परिवारों, विशेषतः जनगणना में परिभाषित कृषि मजदूर परिवारों को प्रथमिकता दी जावेगी।

29.3 मुद्रांक व पंजीयन शुल्क से छूट :- विस्थापित परिवार, नये स्थान पर जहां उन्हें परियोजना की पुनर्वास व्यवस्था के अंतर्गत बसाया जावेगा, जो जमीनें खरीदेंगे, उन पर मुद्रांक एवं पंजीयन शुल्क की छूट अधिग्रहित क्षेत्रफल तक क्रय की गई भूमि का मूल्य अथवा मुआवजा जो भी अधिक हो, कि सीमा तक दी जायगी।

29.4 धार्मिक तथा पुरात्त्ववीय महत्व के स्थानों को डूब क्षेत्र के बाहर स्थापित किया जावेगा।

29.5 विस्थापित परिवारों तथा मवेशियों को अन्य स्थान पर सुरक्षित ले जाने हेतु आवश्यक सहायता उपलब्ध कराई जावेगी।

29.6 अनुसूचित जाति एवं अनुसूचित जनजाति के विस्थापित परिवारों को जो सुविधाएं फिलहाल अनुसूचित जाति एवं अनुसूचित जनजाति कल्याण विभागों के कार्यक्रमों के अंतर्गत मिल रही हैं, उन्हें नई जगह पर कायम रखा जावेगा।

परिशिष्ट-1

प्रस्तुत नीति के दायरे को किसी भी तरह प्रभावित किए बिना, अनुमोदन के लिए प्रस्तावित परियोजना की रूपरेखा में अन्य बातों के साथ नीचे लिखी बातें शामिल होंगी :-

(1) परियोजना की संक्षिप्त रूपरेखा, जिसमें उसके उद्देश्य, बुनियादी मान्यतायें और बुनियादी कारक और सीमा रेखायें स्पष्ट रूप से तय की जायेंगी।

(2) परियोजना क्षेत्र का रेखांकन और उसके प्रभाव क्षेत्र की पहचान।

(3) सरकारी अभिलेखों में दर्ज भूमि उपयोग की सर्वमान्य स्थिति, भू-अभिलेखों की हालत, समाज एवं उसके किसी वर्ग विशेष द्वारा संसाधनों के दूसरे उपयोग और तत्संबंधी औपचारिक एवं परम्परागत अधिकारों की प्रकृति और आज की स्थिति का खुलासा जिसमें अभिलेख तथा आम-लोगों अर्थात् ग्राम-सभाओं का मत शामिल हो।

(4) परियोजना के विशिष्ट संदर्भ में उससे सीधे और परोक्ष रूप से प्रभावित होने वाले लोगों की स्पष्ट परिभाषा, उनकी पहचान की प्रक्रिया और हर वर्ग में आने वाले के बारे में मोटे आंकड़े।

(5) नयी व्यवस्था में प्रभावितों के समायोजन के लिए स्पष्ट ढांचा।

यदि विस्थापन अनिवार्य है तो उसके लिए पूरे विवरण और कारण।

(6) ऐसे लोगों का विशेष उल्लेख, यदि कोई हो, जिनके बारे में फिर से विस्थापन की संभावना हो। उनके मामले में फिर से विस्थापन की अनिवार्यता के बारे में स्पष्ट वक्तव्य हो और उनके लिए ऐसे प्रस्तावित कार्यक्रम हो जिनमें उनके लिए नई स्थिति में अच्छे विकल्प का आश्वासन भी हो।

(7) पर्यावरण, खास तौर से उसकी जैविक विविधता, उसके जंगल, पानी और वायु के बारे में संभावित प्रभावों की प्रकृति।

(8) क्षेत्र में खेती तथा दूसरी गतिविधियों के लिए उसके निहतार्थ।

(9) संभावित प्रदूषण और उसकी रोकथाम के लिए विश्वसनीय उपाय, हर मामले में संभव जोखिमों का पूरा विवरण और उसके साथ ही सबसे बुरी दुर्घटना होने की स्थिति में उससे निपटने के लिए कारगर उपायों का पूरा ब्यौरा ऑन साइट, आफ साइट दोनों के लिये।

(10) परियोजना के गैर-आर्थिक निहितार्थों का ब्यौरा जैसे कि सामाजिक बिखराव, बदलते मूल्य, असमान स्थिति में दूसरे समाजों और व्यक्तियों से संपर्क और मुकाबला आदि।

(11) स्पष्ट समय-सीमा के दायरे में परियोजना संबंधी सीधी और परोक्ष आर्थिक लागत और लागों का ब्यौरा।

(12) प्रभावितों की स्थिति में सुधार और नये परिवेश में उनके लिए सम्मानपूर्ण स्थान सुनिश्चित करने के लिए उपाय और कार्यक्रमों का ब्यौरा।

(13) विस्थापन अनिवार्य होने की स्थिति में, लोगों के लिए वैकल्पिक व्यवस्था की रूपरेखा और उसके बारे में लोगों की प्राथमिक प्रतिक्रिया।

परिशिष्ट-2

प्रभावित परिवारों की क्षतिपूर्ति पुनर्साहट और पुनर्वास के लिए न्यूनतम व्यवस्था

1. संबंधित परियोजना की रूपरेखा या विकास योजना में तय की गई तारीख को प्रभावित परिवारों के अठारह साल या उससे अधिक उम्र वाले प्रत्येक सदस्य को पुनर्साहट और पुनर्वास के लिए स्वतंत्र परिवार माना जावेगा।

2. प्रस्तुत नीति के तहत प्रभावित व्यक्तियों, परिवारों या समाज के लिए निर्धारित हकदारियों के दायरों को किसी प्रकार भी प्रभावित किये बिना, प्रत्येक परिवार और समाज के लिए क्षतिपूर्ति, पुनर्साहट और पुनर्वास के लिए आगे दी गई व्यवस्था न्यूनतम होगी।

(क) आजीविका का साधन

वर्ग - 1 के लोग जो भूमिस्वामी हैं :-

निजी काश्त के लिए 2 हैक्टर जमीन दी जाये। यदि किसी व्यक्ति की 2 हैक्टर से कम जमीन अर्जित की गई है तब भी उसे 2 हैक्टर जमीन दी जायेगी और यदि 2 हैक्टर से अधिक जमीन अर्जित की गई है तब उतनी ही भूमि आवंटित की जावेगी जितनी अर्जित की गई है। लेकिन ऐसी आवंटित की जाने वाली भूमि की अधिकतम सीमा 8 हैक्टर होगी।

टीप : जो लोग शिकमी काश्तकार के रूप में भू-अभिलेख में अंकित हैं और उनको कानून के मुताबिक भूमिस्वामी अधिकार मिल जाते हैं तो उन्हें जमीन पाने की पात्रता होगी।

वर्ग - 2 एवं 3 ऐसे लोगों को स्वरोजगार देना उचित होगा जो अपनी आजीविका के लिए अंशतः अपने हाथ की मेहनत के आधार पर खेती और अंशतः बढ़ईगिरी, लुहारी जैसे दूसरे रोजगारों पर निर्भर हैं, और वे लोग जो अपने हाथ से खेती नहीं करते हैं और दूसरे रोजगार से अपनी आजीविका चलाते हैं। इन श्रेणियों के लोगों को जमीन देना व्यवहारिक नहीं होगा।

वर्ग - 4 वे लोग जो नियमित रोजगार में हैं :- कुछ नहीं।
नोट : 18 साल या उससे अधिक उम्र के वे प्रभावित जो दसवीं के आगे अध्ययन कर रहे हैं उन्हें विशेष वर्ग माना जायेगा उनके लिए आवश्यकता के अनुसार पढ़ाई के लिए बिना ब्याज ऋण की पात्रता होगी।

टीप : जहां भूमि क बदले भूमि दी जाती है वहां दी जाने वाली भूमि का मूल्य संबंधित व्यक्ति को देय मुआवजे में समायोजित किया जायेगा।
आवास

सभी वर्ग के व्यक्तियों को पात्रतानुसार आवासीय भूमि, अनुदान एवं पुरानी भवन सामग्री के परिवहन का व्यय दिया जायेगा।

(ख) नागरिक सुविधाएं -

1. नई आबादी को संबंधित लोगों की रिहाइश के परंपरागत तौर तरीके से उनकी सलाह से इस तरह से नियोजित किया जायेगा कि जिसमें बस्ती के और घरों के बीच खुली जगह हो। बस्ती में स्थानीय सामग्री का उपयोग करते हुए सड़क और गलियों को पक्का किया जायेगा, जिससे लोग खुद उनका रखरखाव कर सकें।

2. एक सौ घरों की सामान्य बसाहट और आदिवासी क्षेत्रों के मामलों में पचास घरों की बसाहट के लिए नीचे दिये अनुसार सुविधाएं दी जायेगी :-

- (1) प्राथमिक शाला, बालावाड़ी, कांजी हाऊस
- (2) सामुदायिक/पंचायत घर
- (3) सहकारी भण्डार

- | | | |
|---|---|--------------|
| (4) खेल का मैदान/खुला मंच | | |
| (5) धार्मिक स्थल | | |
| (6) पुस्तकालय, किताबें, अल्मारी इत्यादि | | |
| (7) चांपाकल/कुआ | | |
| (8) गोठान | 1 | |
| (9) चारागाह | | 1 |
| (10) श्मशान/कब्रस्तान | 1 | व्यय स्थानीय |
- स्थिति के अनुसार
- (11) निस्तारी तालाब, पचरी घाट 1

नोट : इन सुविधाओं के लिए राशि नई बसाहट में बसने के लिए तैयार लोगों की बसाहट-सभा को सामूहिक रूप से दी जायेगी। इस बाबत पूरी आयोजना सभा स्वयं करेगी और सरकार की ओर से कोई बंधनकारी शर्त नहीं होगी। जहां तक संभव होगा लोग अपने श्रम और स्थानीय निर्माण सामग्री का उपयोग करके निर्माण करेंगे। जब बरसात के बाद नये निर्माण के काम का समय शुरू होता है, नये साल में निर्माण सामग्री और मजदूरी की दरों को ध्यान में रखकर उती मान से पुनरीक्षित मानी जायेगी।

(ग) संक्रमण के दौर के प्रावधान -

1. प्रत्येक आबादी के लिए एक कृषि कर्मी सह-सामाजिक कार्यकर्ता की सेवाएं उपलब्ध कराई जायेगी। संक्रमण के दौर में वह लोगों के सहयोगी की भूमिका निभायेगा। वह न्यूनतम कृषि विस्तार सेवा, सहकारिता में सहयोग तथा अन्य सेवाएं मिलने में मदद करेगा। वह प्रशासन और स्थानीय समाज के बीच संवाद की कड़ी के रूप में काम करेगा।

2. बसाहट के सभी परिवार मिलकर एक सहकारी समिति के रूप में काम करेंगे। यह समिति सभी तरह के काम काज के लिए सदस्यों को ऋण के रूप में जरूरी सहायता देगी। इस ऋण की राशि, ब्याज की दर, अदायगी इत्यादि की शर्तें हर मामले में व्यक्ति विशेष की स्थिति को देखते हुए नई समिति की आमसभा तय करेगी। यह समिति सदस्यों के लिए खेती के लिए और साधारण उपयोग के लिए आवश्यक वस्तुओं का प्रदाय भी करेगी। परियोजना इस समिति को 2 लाख का ब्याज मुक्त ऋण देगी।

3. प्रभावित परिवारों के सभी सदस्यों के लिए एक विशेष रोजगार आश्वासन योजना बनाई जायेगी। इसके तहत संबंधित परिवार के अच्छी तरह पुनर्वसित हो जाने तक प्रति सदस्य साल में 250 दिन का काम मुहैया कराया जायेगा। इस योजना के तहत काम यथा संभव भूमि विकास, भूमि और जल

संरक्षण, पर्यावरण की पुनर्स्थापना इत्यादि के लिए उपयोग किया जायेगा। इसका उद्देश्य प्रभावितों के निजी और सामूहिक संसाधनों को इस तरह उन्नत करना होगा जिससे वे उनके लिए जिंदगी बसर करने के लिए पुख्ता आधार बन जाये।

4. प्रत्येक परिवार को आकस्मिक व्यय के लिए सहकारी समिति में जमा खाते के रूप में 2,000/- रुपये की राशि परियोजना द्वारा दी जायेगी।

5. प्रत्येक परिवार के लिए गंभीर बीमारी, दुर्घटना, फसल के नुकसान, जानवरों की बीमारी और मौत इत्यादि अवसरों के लिए बहुआयामी बीमा की योजना वर्तमान में मौजूद नहीं है, परंतु यह लक्ष्य अच्छा है, और इसको पाने का प्रयास परियोजनाओं द्वारा किया जाना चाहिए।