

झारखण्ड सरकार
राजस्व एवं भूमि सुधार विभाग।

संकल्पः


सं०-16/डी.एल.ए./एन.टी.पी.सी. (को.) पुन-16/09 /रा., राँची, दिनांक-

राजस्व एवं भूमि सुधार विभाग, झारखण्ड, राँची के संकल्प सं०-630/रा. दिनांक-23.07.08 द्वारा स्वीकृत 'झारखण्ड पुनर्स्थापन एवं पुनर्वास नीति-2008' राज्य गजट के प्रकाशन की तिथि-25.07.08 से झारखण्ड में लागू है। एन.टी.पी.सी. लि० द्वारा हजारीबाग जिलान्तर्गत पकरी बरवाडीह कोल माईन्स प्रोजेक्ट में non coal Bearing Area में पड़ने वाली रैयती भूमि के भू-अर्जन हेतु झारखण्ड सरकार के साथ दिनांक-12.05.2011 को एकरारनामा किया गया। उक्त एकरारनामा में एन.टी.पी.सी. लि० द्वारा भू-अर्जन से प्रभावित परिवारों/व्यक्तियों के पुनर्वास हेतु बचनबद्धता दी गई है।

2. झारखण्ड पुनर्स्थापन एवं पुनर्वास नीति-2008 के अध्याय-IV के आलोक में एन.टी.पी.सी. लि० द्वारा पकरी बरवाडीह कोल माईन्स प्रोजेक्ट के नन कोल बीयरिंग एरिया एवं कोल बीयरिंग एरिया में भू-अर्जन से प्रभावित परिवारों का सामाजिक-आर्थिक सर्वे (Socio-Economic Survey) I.I.T., खड़गपुर एवं क्षेत्रीय NGO 'अभिज्ञान' से कराया गया है। समर्पित प्रतिवेदन के अनुसार सर्वेक्षण का सार निम्नवत् है :-

क्र.	विवरण	भू-अर्जन अधिनियम से प्रभावित	C.B. Act से प्रभावित	कुल प्रभावित
(i)	Homestead oustees (HSO's)	0	4276	4276
(ii)	Project Affected families (PAF's)			
	(क) अनुसूचित जन जाति	0	0	0
	(ख) अनुसूचित जाति	191	648	839
	(ग) ओ.बी.सी.	699	5886	6585
	(घ) सामान्य श्रेणी	178	737	915
	कुल-	1068	7271	8339
(iii)	BPL Families	303	1993	2296
(iv)	विधवा	53	21	74
(v)	अविवाहित पुरुष	2	1	3
(vi)	अविवाहित महिला	0	0	0
(vii)	विकलांग	2	1	3
(viii)	नाबालिग अनाथ	0	0	0
(ix)	Vulnerable Person	0	0	0
(x)	कृषि मजदूर	4	4	8
(xi)	गैर कृषि मजदूर	0	0	0
(xii)	Artisons	0	5	5

Scd/Dsd/Inchha/R&B 23.07.2013 (1st)


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3. सर्वेक्षण प्रतिवेदन के अनुसार इस परियोजना में अनुसूचित जन जाति का कोई भी परिवार HSO's अथवा PAF's के अन्तर्गत नहीं है।

4. परियोजना से प्रभावित होनेवाली जन सुविधाओं और सरकारी भवनों की सूची जो प्रभावित है अथवा जिनके प्रभावित होने की संभावना है, निम्नवत है :-

1. सरकारी विद्यालय - 24
2. पंचायत भवन - 03
3. प्राथमिक स्वास्थ्य केन्द्र - 01
4. आँगनवाड़ी केन्द्र - 19
5. उप डाकघर - 01
6. महिला प्रशिक्षण केन्द्र - 01
7. कृषि उत्पाद हेतु भंडारगृह - 01

5. परियोजना से प्रभावित होनेवाली सार्वजनिक एवं सामुदायिक संपत्तियों परिसंपत्तियों और संरचनाओं का विवरण, जो प्रभावित हो रही है, निम्नवत है :-

1. मंदिर - 32
2. मस्जिद - 06
3. खेल मैदान - 02
4. तालाब - 15
5. कुँआ - 08
6. कब्रगाह - 19
7. हाट बाजार - 02
8. पहुँच पथ - 03

6. परियोजना से प्रभावित भूमि एवं PAF's की विवरण निम्नवत है :-

मौजो की संख्या	क्षेत्र (रियती एकड़ में)	PAF's की संख्या	अव्युक्ति
7	1711	2221	पूर्ण सर्वे के अनुसार DLAO, कार्यालय में रक्षित अभिलेख के आधार पर
10	2360	5050	
13	690	1068	
कुल- 30	4761	8339	

7. उपर्युक्त प्रभावित परिवारों/व्यक्तियों को पुनर्वासित करने हेतु पुनर्स्थापन क्षेत्र के रूप में अर्जित की जा रही भूमि की विस्तृत विवरणी निम्नवत है :-

अंचल का नाम	ग्राम/मौजा	थाना नं.	रकबा (एकड़ में)		
			रियती	गैरसजराआ	कुल
बड़कागाँव	ढेंगा	127	170.14	4.140	214.24
बड़कागाँव	लकूरा	128	9.52	1.77	11.29
			179.66	42.87	222.53

8. एन.टी.पी.सी. लि० द्वारा कोल बियरिंग एरिया एवं नैन कोल बियरिंग एरिया दोनों के भू-अर्जन से प्रभावित विस्थापितों के लिये एक संयुक्त 'पुनर्स्थापन एवं पुनर्वास योजना' समर्पित की गई है।

9. झारखण्ड पुनर्स्थापन एवं पुनर्वास नीति की कड़िका-4.4.1 के अनुसार स्वतंत्र बहुमिद्य विशेषज्ञ समूह का वर्तमान में अस्तित्व में नहीं होने के फलस्वरूप एन.टी.पी.सी. लि० द्वारा समर्पित 'पुनर्स्थापन एवं पुनर्वास योजना' को परामर्शी परिषद् के समक्ष उपस्थापित किया गया। परामर्शी परिषद् द्वारा गहन समीक्षोपरान्त दिनांक-12.02.2013 को मद संख्या-12 में स्वीकृति प्रदान की गई है जो कि निम्नवत् है :-

Sl No.	Jharkhand R&R Policy Clause	Jharkhand R&R Policy Provisions	Proposed R&R Package to be given by NTPC
1	2	3	4
1	Land compensation	As per circle rate varying from 1.4 to 3.6 lacs per acre plus solatium and interest etc. Financial implication: 3.81 Rs lacs/acres	Land compensation @ Rs. 15 lacs/acre inclusive of award amount of the land (value of land + solatium + statutory interest) + cash value of 300 days minimum assured wages for a year + cash value of 600 days minimum wages as subsistence allowance in lieu of employment + cash value of 1/10th of the land acquired from the land looser (maximum 50 decimal).
2	7.1	R&R benefit shall be extended to all the affected families on the date of publication of the declaration, any division of assets in the family after said date may not be taken into account	NTPC will comply the provisions of Jharkhand R & R
3	7.2	Any PAP who losses his/her house due to LA will be allocated house site equivalent to the actual area of house lost limited to maximum of 10 decimal in rural area and 5 decimal in urban area a pucca house of 100 sqm carpet area on the allotted site shall be constructed by acquiring body which should consists of 2 bedrooms, 1 Drawing room, 1 kitchen & 1 toilet.	A:-NTPC shall allocate house site equivalent to the actual area of house lost limited to maximum of 10 decimal which is equivalent to 400sqmt land. NTPC shall construct a house of 100 sqm carpet area on the said plot of 400 sqm consisting of 2 bedrooms, 1 Drawing room, 1 kitchen & 1 toilet with the roof right

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4	7.2	Affected family losing house on land less than 10 decimal area in rural area & 5 decimal in urban area shall be allotted 150 sqm land for construction of house. pucca house of equal carpet area or carpet area of minimum 55 sqm which ever is more shall be constructed by acquiring body. it will be limited to a maximum of 100 sqm.	B:-In case of affected family losing house on land less than 10 decimal area in rural area NTPC shall allocate house site of 150 sqmt land. NTPC shall construct house of 55 sqm on said plot consisting of 1 bedrooms, 1 Drawing room, 1 kitchen & 1 toilet with the roof right.
5		If affected family opts not to take the house offered then the PAF shall get one time financial assistance for construction of house @ Rs 3.00 Lakhs	c:- NTPC shall allocate house to all the persons who loses their house.
6	7.3	Each BPL family residing in affected area for a period not less than 15 years in non scheduled area & 30 years in scheduled area shall be entitled to get a constructed house of 55sqm carpet area in rural as well as urban area.	NTPC will provide house in R&R Colony
7		If affected BPL family opts not to take the house offered then the BPL family shall get one time financial assistance for construction of house @ Rs 2.00 Lakhs	NTPC will comply the provisions of Jharkhand R & R
8	7.4	Each affected family to whom Govt land can not be settled or if they do not opt to get Govt land, they will be entitled to get 1/10th of land lost due to LA subject to a maximum of 50 decimal land in proposed township or at a place in the proximity. This will be calculated by deducting land allotted for homestead purpose.	not providing land the cost of the proposed land to be given is included in the consolidated package mentioned in SLNo 1.
9	7.5	Stamp duty and other fees payable for registration of land or house allotted to the affected family shall be borne by acquiring body	NTPC will bear the stamp duty & other fees for registration of allocated house site & constructed house.
10	7.6	land & houses allotted to PAF shall be free from all encumbrances	NTPC will comply the provisions of Jharkhand R & R
11	7.7	Land and house allotted to affected families shall be in joint name of wife and husband. monetary amount shall be disbursed through bank account opened in the joint name	NTPC will comply the provisions of Jharkhand R & R
12	7.8	Each displaced family having cattle shall get one time financial assistance of Rs 35000 for construction of cattle shed	Rs 35,000 as mentioned in Jharkhand R & R

13	7.9	Each displaced family shall get one time financial assistance of Rs 15000 for shifting of family, belongings, cattle & building materials	Rs 15,000 as mentioned in Jharkhand R & R
14	7.10	Each affected trader who has been displaced having pucca shop or gunti shall get one time financial assistance of Rs 50000	NTPC will comply the provisions of Jharkhand R & R
15	7.11.1(a)	Employment to one eligible persons from each nuclear family who has lost their agriculture land or homestead land due to LA. If more jobs are available then priority to be given to the displaced persons priority in the employment to be decided by Administrator (concerned DC) in consultation with gram sabha & requiring body	This will be largely taken care by NTPC by way of enhanced compensation mentioned in forgoing para 1 and enhanced annuity mentioned in para 26 below.
16	7.11.1(b)	Technical/vocational training to the affected persons to make them suitable for the jobs	NTPC will ensure completion & operation of ITI at Barkagaon immediately.
17	7.11.1(c)	requiring body to provide Scholarship and skill development opportunities to eligible persons from the affected families as per criteria fixed by State government	ITI training is being provided on NTPC cost to affected persons. Modular employable scheme course arranged for wards of PAP's
18	7.11.1(d)	requiring body to give preference to affected persons or their groups or cooperatives in allotment of outsourced contracts shops etc coming up in the project	NTPC will comply the provisions of Jharkhand R & R
19	7.11.1(e)	requiring body to give preference to willing landless labour & unemployed affected persons in labour jobs during construction phase	NTPC will comply the provisions of Jharkhand R & R
20	7.11.1(f)	Age of Nominees of the PAF for employment shall be relaxed by 10 years	not providing employment
21	7.11.1(g)	All unskilled and semi skilled direct employment created in the project shall be provided to the members of affected families subject to availability and suitability	NTPC will comply the provisions of Jharkhand R & R
22	7.11.1(h)	Preference to local people in all levels of employment as far as possible	not providing employment
23	7.11.1(i)	Each affected family will nominate one member for employment	not providing employment
24	7.11.1(j)	Demise of person of affected family during service his dependent will be provided employment on compassionate ground	not providing employment

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25	7.11.2	affected persons to be offered the necessary training facilities for development of entrepreneurship, technical & professional skills for self development.	NTPC will comply the provisions of Jharkhand R & R
26	7.12	If employment is not provided by the requiring body to the PAFs then Annuity @ Rs.12000/- per acre per annum for 30 years which is to be escalated by Rs.500 /acre/annum every two years from the date of displacement maximum amount of annuity shall be limited to Rs 10000/- per month i.e. Rs.12000 per year for 30 years which is to be increased by Rs.500 in every two years. If PAF losses less the one acre of land then minimum Rs.1000 per month is to be paid.	In lieu of employment annuity @ Rs. 36,000 per acre per annum for 30 years for those losing one acre or more land which is to be escalated by Rs.1,000 every two years (Limited to maximum for 6 acres). Those losing land less than 1 acre then annuity @ Rs 30,000 per annum for 30 years which is to be escalated by Rs. 750 every two years
27	7.13.1	1% annual profit to be distributed in PAP's for companies other than PSU's	As per GOI policy for central PSUs engaged in mining
28	7.13.2	Distribution of profit	As per GOI policy for central PSUs engaged in mining
29	7.14	each affected family shall get Subsistence allowance equivalent to 25 minimum agriculture wages per month for one year i.e. 300 MAW	This benefit is included in land compensation at s. No. 1.
30		Affected families not getting employment from requiring body shall get amount equal to 600 days of agriculture wages.	This benefit is included in land compensation at s. No. 1.
31	7.15	Requiring body to pay Pension for life to vulnerable affected persons @ Rs 1500/- per month for life. Vulnerable means disabled, destitutes, orphans, widows, unmarried girls, abandoned women or persons above 50 yrs of age who are not provided or can not immediately be provided with alternative livelihood & who are not otherwise covered as part of a family. (clause 6.4.v)	As per the Jharkhand State R & R Policy comprehensive Re-survey will be conducted by DG Hazaribagh to ascertain such vulnerable persons.
32	7.16	Except Cl 7.13.1 and 7.15 other benefits can be paid in lumpsum	NTPC will comply the provisions of Jharkhand R & R
33	7.18.1	If project involves displacement of 100 STs then tribal development plan to be prepared.	not applicable in the instant case
34	7.18.2	1/3 of compensation amount due to be paid as first instalment rest at time of taking over possession	NTPC will comply the provisions of Jharkhand R & R

35	7.18.3	Schedule tribes to be resettled in same schedule area in the compact block	not applicable in the instant case
36	7.18.4	In the resettlement areas predominantly inhabited by STs and to be given for community and religious gatherings free of cost	not applicable in the instant case
37	7.18.5	If PAFs belonging to SC, ST, OBC categories are resettled outside the district then 25% higher R & R benefits of clause 7.8, 7.9 7.10 is to be paid	not applicable in the instant case
38	7.18.6	any alienation of tribal land in violation of laws of land then it will be treated as null & void. R & R benefits to be paid to the original tribal owner.	NTPC will comply the provisions of Jharkhand R & R
39	7.18.7	in hydel projects, PAFs to get fishing rights in the reservoirs	not applicable in the instant case
40	7.18.8	Affected ST/SC/other forest dweller families who are in possession of forest land in the affected area prior to 13th December, 2005 shall be eligible for R & R Benefits	NTPC will comply as per provisions of FRA 2006
41	7.19.1 to 7.19.6	Amenities and infrastructural facilities to be provided by the requiring body in the Resettlement areas	Roads, public Transport, drainage, sanitation, drinking water, community pond, plantation, public utilities (panchayat Ghar, electric supply, healthcare facilities, playground, community centre, school, place of worship, burial/cremation ground, grazing land etc. will be part of R&R colony
42	7.20	Indexation of Rehabilitation Grant and other benefits shall be indexed as per CPI (consumer price index) except annuity.	NTPC will comply the provisions of Jharkhand R & R
43	7.21	Periphery development: requiring body to earmark 1% of their annual net profit for development within 15 Km periphery commissioner to coordinate & State Govt. may frame rules & guidelines for this purpose.	NTPC will comply the provisions of Jharkhand R & R

उपर्युक्त वर्णित प्रावधानों के अतिरिक्त अन्य देय कोई भी लाभों/सुविधाओं का भुगतान/विवरण झारखण्ड पुनर्स्थापन एवं पुनर्वास नीति-2008 के आलोक में किया जायेगा।

झारखण्ड राज्यपाल के आदेश से,
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(ए0 के0 रस्तोगी)
सरकार के विशेष सचिव

क.प.उ.

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ज्ञापांक—

दिनांक—

प्रतिलिपि :- अधीक्षक, राजकीय मुद्रणालय, डोरण्डा, राँची को सूचना एवं
झारखण्ड राजपत्र के असाधारण अंक में प्रकाशनार्थ प्रेषित।

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सरकार के विशेष सचिव

ज्ञापांक—

116/रा० दिनांक— 27-2-13

प्रतिलिपि :- महामहिम राज्यपाल के प्रधान सचिव/मुख्य सचिव के
सचिव/विकास आयुक्त, झारखण्ड, राँची/सभी प्रधान सचिव/सचिव, झारखण्ड,
राँची/सभी विभागाध्यक्ष/सभी प्रमंडलीय आयुक्त/सभी उपायुक्त/महाप्रबंधक, एन.टी.
पी.सी. लि०, पकरी बरवाडीह कोल माइनिंग प्रोजेक्ट, हजारीबाग को सूचना एवं
आवश्यक कार्रवाई हेतु प्रेषित।


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सरकार के विशेष सचिव