

**Chapter
12**

REHABILITATION AND RESETTLEMENT PLAN

12.1 INTRODUCTION

Jammu and Kashmir Power Development Corporation plans to set up 1856 MW Sawalkote HEP over Chenab River in Ramban district of Jammu and Kashmir. The project has a proposed installed capacity of 1856 MW (1406 MW in stage 1 and 450 MW in stage 2). The diversion structure is located near Tangar village, around 40 km from Ramban town. An underground powerhouse and a tail race system are proposed on the left bank of Chenab River (Refer **Figure 12.1** for Project Layout). The construction and operation of Sawalkote HEP will result in a range of impacts to the social and human environments of the project area. One of major impact of such development requiring land acquisition is loss of land/households and displacement of population. Such impacts can not be fully mitigated, however, R&R Plan is prepared to ensure that all PAPs are adequately compensated for loss of assets and assisted to re-establish their livelihoods.

12.2 OBJECTIVES OF R&R PLAN

It is envisaged that the proposed project shall play a positive role in their socio-economic upliftment and also for betterment of quality of life of people living in the area. At the same time the land acquisition for the project have social impacts especially for land owners whose land would be acquired and those who would lose sources of livelihood. The broad adverse impacts envisaged due to the implementation of the project are as follows:

- Loss of agriculture land coming under acquisition
- Loss of structures coming under acquisition - residential, commercial, and other purposes impacting owners and dependents
- Loss of common property resources such as religious places, graveyard, cremation places, water resources, etc; impacting community
- Severance of social network due to difficulty in accessibility etc.

As is typical of any hydropower project, land would be required for construction of dam, powerhouse and other structures; submergence area, muck dumping, quarrying, colony and construction camps, etc. Land acquisition impacts the families/communities that have ownership of land and are using the same for agriculture and other purposes. Therefore, the Rehabilitation and Resettlement Plan has been prepared to comprehensively address the issues arising out of land acquisition, assessment of land/house/asset coming under acquisition, estimation of extent of loss and compensation to be offered in line with The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCT_LARR). The R&R plan has been prepared keeping in view the following objectives:

- To compensate families whose lands are acquired for the project.
- To create better living conditions and to improve the quality of life of Project Affected Families in particular and also of other people residing in the project area.

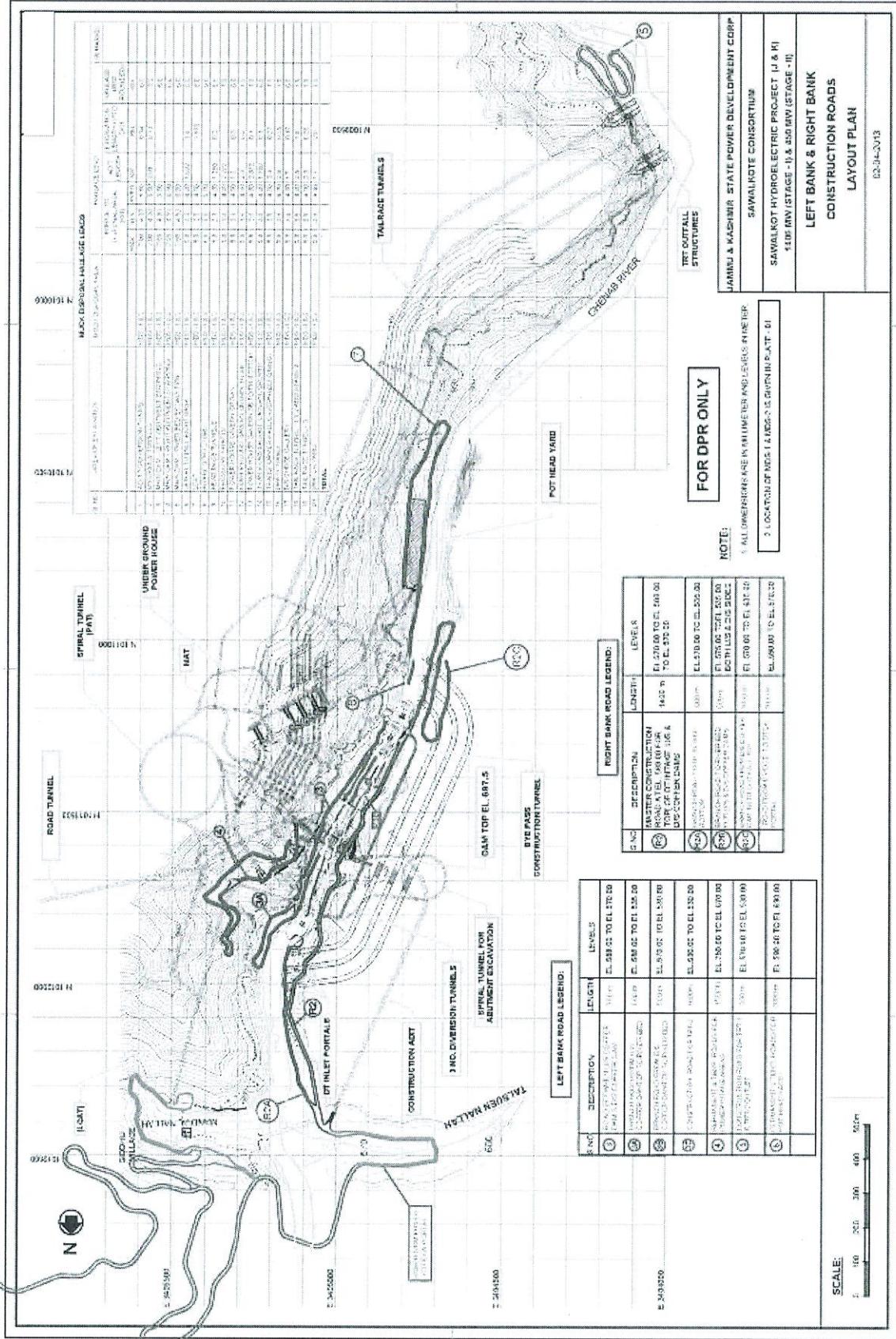


Figure 12.1: Layout map of Sawalkote H.E. Project (Source: DPR Sawalkote HEP)

- To contribute to the overall development of the project affected areas.
- To create good rapport with the local people for long-term relationship and mutual benefits

12.3 LAND REQUIREMENT

For the development of Sawalkote Hydroelectric Project, land would be acquired for construction of project components, submergence area, muck dumping, quarrying, construction camps and colony, etc. Based on the final project layout, land requirement has been finalized as 1401.35 ha. Land plan showing various types of lands required for the project is given at **Figure 12.2**. Total land required for the project is spread over 3 districts as per the break up given in **Table 12.1**. Out of 1401.35 ha of total land requirement, 175.65 ha of private land proposed to be acquired for the project falls in Ramban district only.

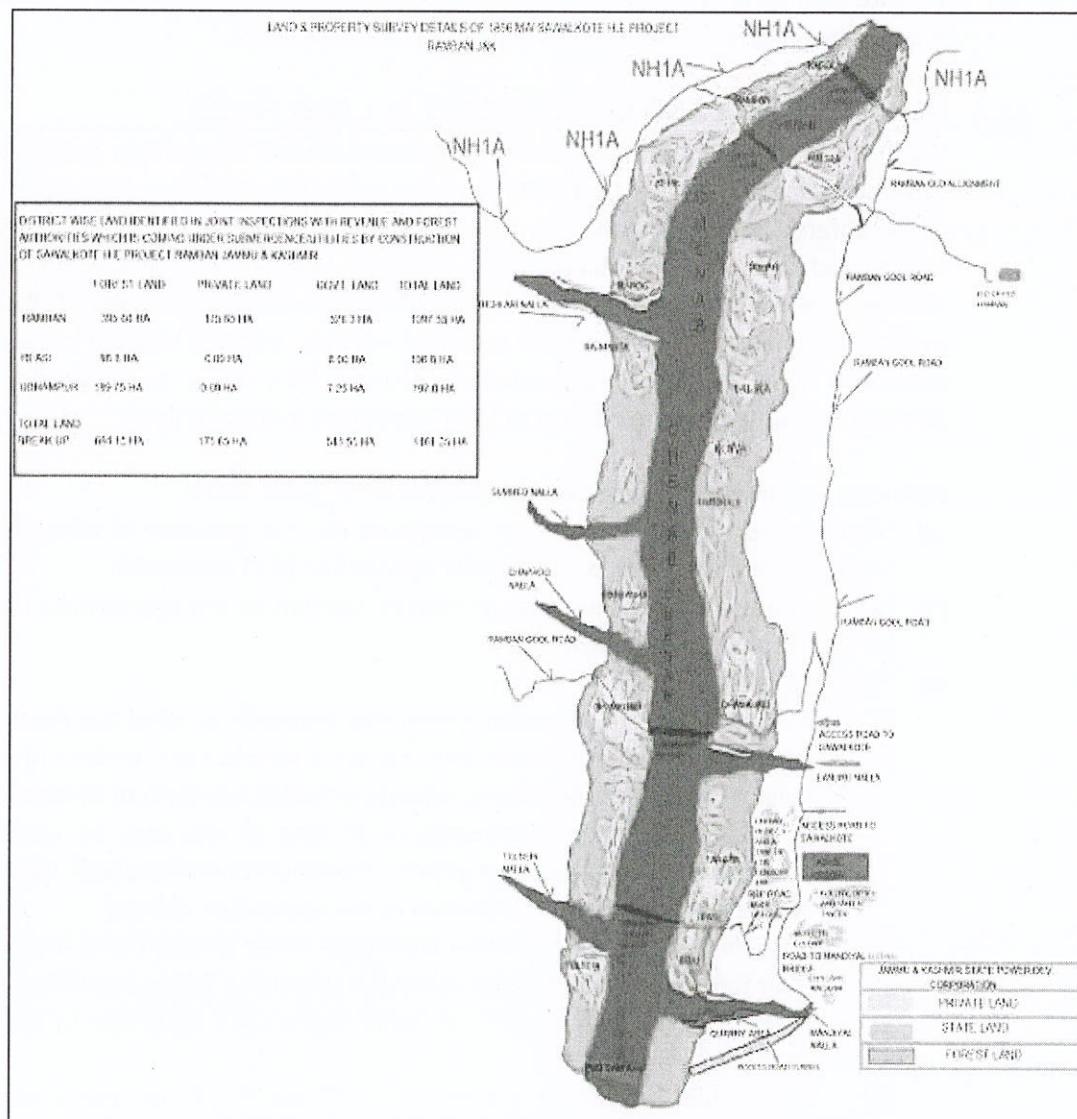


Figure 12.2: Land Plan Showing Types of Land Required

Table 12.1: District Wise Land Requirement of Sawalkote H.E. Project

S. No	District	Description	Forest Land (Ha)	Private Land (Ha)	Govt. Land (Ha)	Total Area (Ha)
1	Ramban	Submergence	386.6	136.65	507.3	1030.55
		Utilities	9	39	19	67
2	Udhampur	Submergence	55.75	-	7.25	63
		Utilities	134	-	-	134
3	Reasi	Submergence	57.2	-	8	65.2
		Utilities	41.6	-	-	41.6
Total Land Break Up			684.15	175.65	541.55	1401.35

Land would be required for locating the permanent works as well as for setting up the infrastructural and job facilities necessary for constructing the project in an expeditious and optimal manner. Of the total extent of area of land required, some areas would be acquired permanently while the balance can be obtained on lease from the owners for a definite time period and returned to them after the project is completed. In the latter case, it would be restored to its original condition as far as possible.

12.4 REHABILITATION AND RESETTLEMENT ACT AND POLICY

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCT_LARR) has been made effective from January 01, 2014. As per Chapter 1, para 1(2) of the Act, the Act extends to whole of India except the State of Jammu and Kashmir. Applicability of the procedure of land acquisition as per the new Act will be decided by the state government, however, for the purpose of R&R awards, provisions/compensations as per the new Act have been adopted keeping in view that such provisions supersede those suggested in National R&R Policy of 2007 and are more relevant and are also in the interest of local population in today's time.

Following key definitions have been taken from RFCT_LARR, 2013:

- (a) "Administrator" means an officer appointed for the purpose of rehabilitation and resettlement of affected families under sub-section (I) of section 43;
- (b) "affected area" means such area as may be notified by the appropriate Government for the purposes of land acquisition;
- (c) "affected family" includes-
 - (i) a family whose land or other immovable property has been acquired;
 - (ii) a family which does not own any land but a member or members of such family may be agricultural labourers, tenants including any form of tenancy or holding of usufruct right, share-croppers or artisans or who may be working in the affected area for three years prior to the acquisition of the land, whose primary source of livelihood stand affected by the acquisition of land;
 - (iii) the Scheduled Tribes and other traditional forest dwellers who have lost any of their forest rights recognized under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 due to acquisition of land;
 - (iv) family whose primary source of livelihood for three years prior to the acquisition of the land is dependent on forests or water bodies and includes

gatherers of forest produce, hunters, fisher folk and boatmen and such livelihood is affected due to acquisition of land;

(v) a member of the family who has been assigned land by the State Government or the Central Government under any of its schemes and such land is under acquisition;

(vi) a family residing on any land in the urban areas for preceding three years or more prior to the acquisition of the land or whose primary source of livelihood for three years prior to the acquisition of the land is affected by the acquisition of such land;

(d) "agricultural land" means land used for the purpose of--

- (i) agriculture or horticulture;
- (ii) dairy farming, poultry farming, pisciculture, sericulture, seed farming breeding of livestock or nursery growing medicinal herbs;
- (iii) raising of crops, trees, grass or garden produce; and
- (iv) land used for the grazing of cattle;

(e) "appropriate Government" means,-

- (i) in relation to acquisition of land situated within the territory of, a State, the State Government;
- (ii) in relation to acquisition of land situated within a Union territory (except Puducherry), the Central Government;
- (iii) in relation to acquisition of land situated within the Union territory of Puducherry, the Government of Union territory of Puducherry;
- (iv) in relation to acquisition of land for public purpose in more than one State, the Central Government, in consultation with the concerned State Governments or Union territories; and
- (v) in relation to the acquisition of land for the purpose of the Union as may be specified by notification, the Central Government:

Provided that in respect of a public purpose in a District for an area not exceeding such as may be notified by the appropriate Government, the Collector of such District shall be deemed to be the appropriate Government;

(f) "Authority" means the Land Acquisition and Rehabilitation and Resettlement Authority established under section 51;

(g) "Collector" means the Collector of a revenue district, and includes a Deputy Commissioner and any officer specially designated by the appropriate Government to perform the functions of a Collector under this Act;

(h) "Commissioner" means the Commissioner for Rehabilitation and Resettlement appointed under sub-section (l) of section 44;

(i) "cost of acquisition" includes-

- (i) amount of compensation which includes solatium, any enhanced compensation ordered by the Land Acquisition and Rehabilitation and Resettlement Authority or the Court and interest payable thereon and any other amount determined as payable to the affected families by such Authority or Court;
- (ii) demurrage to be paid for damages caused to the land and standing crops in the process of acquisition;
- (iii) cost of acquisition of land and building for settlement of displaced or adversely affected families;
- (iv) cost of development of infrastructure and amenities at the resettlement areas;

(v) cost of rehabilitation and resettlement as determined in accordance with the provisions of this Act;

(vi) administrative cost,-

(A) for acquisition of land, including both in the project site and out of project area lands, not exceeding such percentage of the cost of compensation as may be specified by the appropriate Government;

(B) for rehabilitation and resettlement of the owners of the land and other affected families whose land has been acquired or proposed to be acquired or other families affected by such acquisition;

(vii) cost of undertaking 'Social Impact Assessment study';

(j) "company" means-

(i) a company as defined in section 3 of the Companies Act, 1956. Other than a Government company;

(ii) a society registered under the Societies Registration Act, 1860 or under any corresponding law for the time being in force in a State;

(k) "displaced family" means any family, who on account of acquisition of land has to be relocated and resettled from the affected area to the resettlement area;

(l) "entitled to act" in relation to a person, shall be deemed to include the following persons, namely:

(i) trustees for other persons beneficially interested with reference to any such case, and that to the same extent as the person beneficially interested could have acted if free from disability;

(ii) the guardians of minors and the committees or managers of lunatics to the same extent as the minors, lunatics or other persons of unsound mind themselves, if free from disability, could have acted:

Provided that the provisions of Order XXXII of the First Schedule to the Code of Civil Procedure, 1908 shall, mutatis mutandis, apply in the case of persons interested appearing before a Collector or Authority by a next friend, or by a guardian for the case, in proceedings under this Act:

(m) "family" includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on him:

Provided that widows, divorcees and women deserted by families shall be considered separate families:

*Explanation.-*An adult of either gender with or without spouse or children or dependents shall be considered as a separate family for the purposes of this Act.

(n) "holding of land" means the total land held by a person as an owner, occupant or tenant or otherwise;

(o) "infrastructure project" shall include any one or more of the items specified in clause (b) of sub-section (/) of section 2;

(p) "land" includes benefits to arise out of land, and things attached to the earth or permanently fastened to anything attached to the earth:

(q) "landless" means such persons or class of persons who may be,-

(i) considered or specified as such under any State law for the time being in force; or
(ii) in a case of landless not being specified under sub-clause (i), as may be specified by the appropriate Government;

(r) "land owner" includes any person,-

- (i) whose name is recorded as the owner of the land or building or part thereof, in the records of the authority concerned; or
- (ii) any person who is granted forest rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 or under any other law for the time being in force; or
- (iii) who is entitled to be granted Patta rights on the land under any law of the State including assigned lands: or
- (iv) any person who has been declared as such by an order of the court or Authority;
- (s) "local authority" includes a town planning authority (by whatever name called) set up under any law for the time being in force, a Panchayat as defined in article 243 and a Municipality as defined in article 243P, of the Constitution;
- (t) "marginal farmer" means a cultivator with an un-irrigated land holding up to one hectare or irrigated land holding up to one-half hectare;
- (u) "market value" means the value of land determined in accordance with section 26;
- (v) "notification" means a notification published in the Gazette of India or, as the case may be, the Gazette of a State and the expression "notify" shall be construed accordingly;
- (w) "patta" shall have the same meaning as assigned to it in the relevant Central or State Acts or rules or regulations made thereunder;
- (x) "person interested" means-
 - (i) all persons claiming an interest in compensation to be made on account of the acquisition of land under this Act;
 - (ii) the Scheduled Tribes and other traditional forest dwellers, who have lost any forest rights recognized under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006;
 - (iii) a person interested in an easement affecting the land;
 - (iv) persons having tenancy rights under the relevant State laws including share-croppers by whatever name they may be called; and
 - (v) any person whose primary source of livelihood is likely to be adversely affected;
- (y) "prescribed" means prescribed by rules made under this Act;
- (z) "project" means a project for which land is being acquired, irrespective of the number of persons affected;
- (za) "public purpose" means the activities specified under sub-section (l) of section 2;
- (zb) "Requiring Body" means a company, a body corporate, an institution, or any other organisation or person for whom land is to be acquired by the appropriate Government, and includes the appropriate Government, if the acquisition of land is for such Government either for its own use or for subsequent transfer of such land is for public purpose to a company, body corporate, an institution, or any other organisation, as the case may be, under lease, license or through any other mode of transfer of land;
- (zc) "Resettlement Area" means an area where the affected families who have been displaced as a result of land acquisition are resettled by the appropriate Government;
- (zd) "Scheduled Areas" means the Scheduled Areas as defined in section 2 of the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996;
- (ze) "small farmer" means a cultivator with an un-irrigated land holding up to two hectares or with an irrigated land holding up to one hectare, but more than the holding of a marginal farmer.

12.5 IDENTIFICATION OF PROJECT AFFECTED VILLAGES AND FAMILIES

DPR consultant along with project authorities has finalized the layout and identified the land required for the project. Also they have got a survey conducted for the purpose and established the ownership of the land required for the project. Out of total land requirement of 1401.35 ha, 175.65 ha of private land will come under acquisition. Remaining is forest and government land. Project authorities have made an attempt through surveys to identify the private landowners and structures coming under acquisition.

Door to door socio-economic survey of the project-affected families/owner was conducted to collect the base line data. Survey was based on the questionnaire drafted for the purpose (Refer Annexure IIA&B). Data was collected on various parameters of Quality of life, Income patterns, Land holdings, Amount of land loss due to project, etc. These details have been used in preparation of the R&R plan. The existing socio-economic profile of the project-affected area has been given in the EIA report. Discussions were held with all project affected families/persons, who have expressed their willingness to accept project.

1477 PAFs belonging to 575 households with a total population of 3977 have been identified as affected families by the project authorities and same list have been used for socio-economic survey and preparation of R&R Plan. During the survey 28 persons have been identified as vulnerable persons i.e. widow and disabled.

12.5.1 Demographic Profile of the Project Affected Villages

As discussed above, 175.65 ha of private land required for the project is from Ramban district only and is spread over two tehsils viz. Ramban and Gool Sangaldhan. The villages where the families whose land and structures are likely to be affected by the proposed project activities have been categorized as project affected villages. A map showing some of the project affected villages is given at Figure 12.3. Detailed list of PAFs is given at Annexure-III.

Total affected population of 3977 persons is divided into 2145 males and 1832 females with average sex ratio of 854. According to the classification, 38% of the households are living in urban areas (Ramban and Metra), 47% in road side villages (Kundi, Seri, Haroog, Kanga) and 15% in rural areas (Marog, Famroot, Tangar, Pari, Gandri, Parnote, Sangaldan) (Refer Figure 12.4). Village wise number of affected families, affected persons and sex ratio is shown in the Table 12.2.

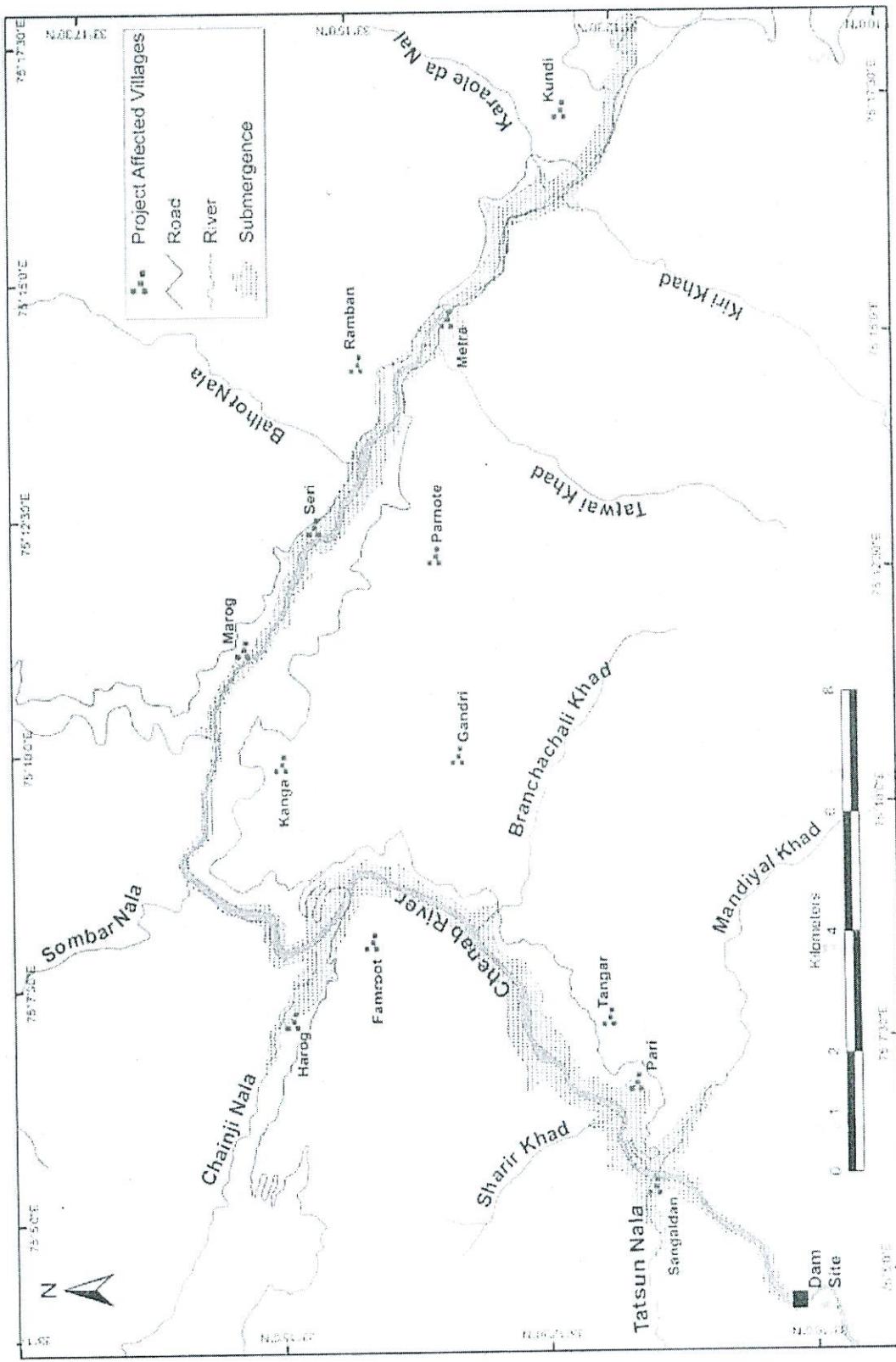


Figure 12.3: Project Affected Villages

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Table 12.2: Profile of Project Affected Families

Village	Block/MC	HH	PAF	PAP	Male	Female	Sex Ratio
Famroot	Gool	25	71	169	95	74	779
Gandri	Ramban	1	3	11	3	8	2667
Harog	Gool	61	136	401	211	190	900
Kanga	Ramban	79	215	602	333	269	808
Kundi	Ramban	9	28	52	28	24	857
Metra	Ramban	101	283	670	356	314	882
Marog	Ramban	15	31	104	57	47	825
Pari	Ramban	8	12	55	32	23	719
Parnote	Ramban	14	37	115	60	55	917
Ramban	MC	118	322	892	483	409	847
Sangaldan	Gool	12	36	92	48	44	917
Seri	Ramban	121	279	749	403	346	859
Tangar	Ramban	11	24	65	36	29	806
Total		575	1477	3977	2145	1832	854

M.C- Municipal Committee/Council

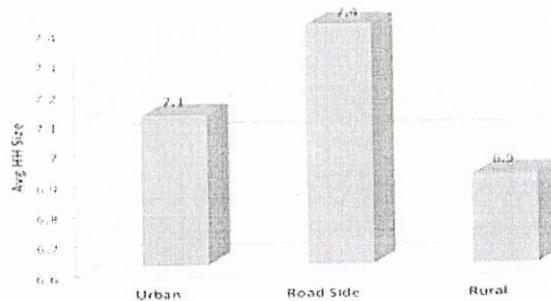


Figure 12.4: Classification of Households

12.5.2 Loss of Land/Structures

1112 number of residential, commercial community and religious properties are identified as affected structures. Out of total 1112 structures, 633 are residential, 225 are shops, 213 are cattle sheds, 19 water mills and 22 common property resources including religious structure, educational institutes, etc. Village-wise list of impacted properties under various categories are shown in Table 12.3.

Table 12.3: Village wise no. of project affected structures

Sl. No.	Village	House	Cattle Shed	Shop	Water Mills	CPR				
						Temple	Musjid	School	Dargah	Shamshan
1	Famroot	40	13							
2	Gandri	1	1		2					
3	Harog	74	35	4	11					
4	Kanga	81	42	26		3	1	1		
5	Kundi	13	4	2						
6	Metra	103	16	74		5		1		1
7	Marog	20	16		2	2		1		
8	Pari	10	7	2	1					
9	Parnote	14								
10	Ramban	126	16	61		2	1	2	1	
11	Sangaldan	11	9							
12	Seri	130	49	56	3					
13	Tangar	10	5							
Total		633	213	225	19	12	2	5	1	2

CPR= Common Property Resource

12.5.3 Social Categories of PAFs

The social stratification of the project affected families show that only 10% of the families belongs to scheduled caste/tribe and OBC categories and remaining 90% falls under general category. The detail of social grouping in the project area is presented in the Table 12.4 and Figure 12.5.

Table 12.4: Social Categories

Village	General	SC	ST	OBC
Famroot	71			
Gandri	3			
Harog	107	21	8	
Kanga	156	29	30	
Kundi	26			2
Metra	272	8	3	
Marog		29	2	
Pari	12			
Parnote	36		1	
Ramban	309		10	3
Sangaldan	36			
Seri	279			
Tangar	22		2	
Total	1329	87	56	5

(Source: Socio Economic Survey)

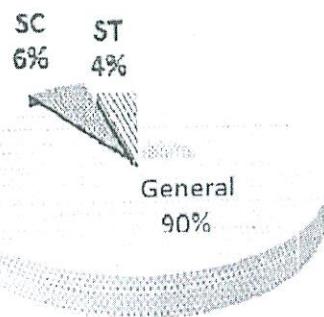


Figure 12.5: Social Categories

12.5.4 Religious Categories of PAFs

Muslims and Hindus are two religious group among the PAPs, with Muslim forming 57.6% and Hindu forming 42.4% of PAFs. The religious categories of PAFs are presented in the Table 12.5 and Figure 12.6.

Table 12.5: Religious categories

Village	Hindu	Muslim
Famroot	13	58
Gandri		3
Harog	64	72
Kanga	131	84
Kundi	9	19
Metra	115	168
Marog	28	3
Pari	8	4
Parnote	36	1
Ramban	84	238
Sangaldan		36
Seri	129	150
Tangar	9	15
Total	626	851

(Source: Socio Economic Survey)



Figure 12.6: Religious Categories

12.5.5 Income Pattern

37% of the households have monthly income less than Rs. 5000; 47% of the households have monthly income between Rs. 5000-25000; 11% of the households have monthly income between Rs. 25000-50000 and 3.8% of the households have monthly income between Rs. 50000-100000. The details of the distribution of income are given in Table 12.6 and Figure 12.7.

Table 12.6: Income levels Household wise (per month)

Village	Less than Rs. 5,000	Rs. 5,000 to 25,000	Rs. 25,000 to 50,000	Rs. 50,000 to 1,00,000	Above Rs. 1,00,000
Famroot	5	5		1	
Gandri	7	2			
Harog	28	30	3	1	
Kanga	32	38	6	1	
Kundi	6	4	1		
Metra	27	53	15	5	2
Marog	6	3			
Pari	6	3			
Parnote	9	6	1		
Ramban	33	53	22	10	
Sangaldan	1	6	4	1	
Seri	39	57	14	2	
Tangar	7	2			
Total	206	262	66	21	2

(Source: Socio Economic Survey)

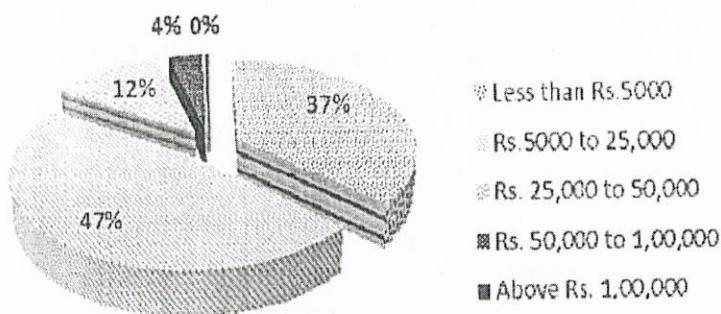


Figure 12.7: Income Pattern

12.6 R&R PACKAGE FOR PROJECT AFFECTED FAMILIES

Rehabilitation and Resettlement benefits to be given to the project affected families have been discussed in Schedule I, II and III of RFCT_LARR. Applicability of the provision of the Act for R&R benefits is briefly discussed below:

12.6.1 Compensation for Land Owners

The following components shall constitute the minimum compensation package to be given to those whose land is acquired and to tenants referred to in clause (c) of Section 3 in a proportion to be decided by the appropriate Government.

Sl. No.	Component of compensation package in respect of land acquired under the Act	Manner of determination of value
1	Market value of land	To be determined as provided under section 26.
2	Factor by which the market value is to be multiplied in the case of rural areas	1.00 (one) to 2.00 (Two) based on the distance of project from urban area, as may be notified by the appropriate Government
3	Factor by which the market value is to be multiplied in the case of urban areas	1 (One)
4	Value of assets attached to land or building	To be determined as provided under section 29
5	Solatium	Equivalent to one hundred per cent of the market value of land mentioned against serial number 1 multiplied by the factor specified against serial

Sl. No.	Component of compensation package in respect of land acquired under the Act	Manner of determination of value
		number 2 for rural areas pot serial number 3 for urban areas plus value of assets attached to land or building against serial number 4 under column (2)
6	Final award in rural areas	Market value of land mentioned against serial number 1 multiplied by the factor specified against serial number 2 plus value of assets attached to land or building mentioned against serial number 4 under column (2) plus solatium mentioned against serial number 5 under column (2).
7	Final award in urban areas	Market value of land mentioned against serial number 1 multiplied by the factor specified against serial number 3 plus value of assets attached to land or building mentioned against serial number 4 under column (2) plus solatium mentioned against serial number 5 under column (2).
8	Other component, if any, to be included	

12.6.2 Elements of Rehabilitation and Resettlement

In addition to compensation for land, the second schedule provides following elements of rehabilitation and resettlement entitlements for all the affected families (both land owners and families whose livelihood is primarily dependent on land acquired).

Serial No	Elements of Rehabilitation and Resettlement Entitlements	Entitlement/ provision
1.	Provisions of housing units in case of displacement	<p>(1) If a house is lost in rural areas, a constructed house shall be provided as per the Indira Awas Yojana specifications. If a house is lost in urban areas, a constructed house shall be provided, which will be not less than 50 sq mtrs in plinth area.</p> <p>(2) The benefits listed above shall also be extended to any affected family which is without homestead land and which has been residing in the area continuously for a period of not less than three years preceding the date of notification of the affected area and which has been involuntarily displaced from such area:</p> <p>Provided that any such family in urban areas which opts not to take the house offered, shall get a one-time financial assistance for house construction, which shall not be less than one lakh fifty thousand rupees:</p> <p>Provided further that if any affected family in rural areas so prefers, the equivalent cost of the house may be offered in lieu of the constructed house:</p> <p>Provided also that no family affected by acquisition shall be given more than one house under the provisions of this Act.</p> <p>Explanation- The houses in urban areas may, if necessary, be provided in multi-storied building complexes.</p>
2.	Land for Land	In the case of irrigation project, as far as possible and in lieu of compensation to be paid for the land acquired, each affected family owning agricultural land in the affected area and whose land has been acquired or lost, or who has, as a consequence of the acquisition or loss of land, been reduced

Serial No	Elements of Rehabilitation and Resettlement Entitlements	Entitlement/ provision
		<p>to the status of a marginal farmer or landless, shall be allotted, in the name of each person included in the records of rights with regard to the affected family, a minimum of one acre of land in the command area of the project for which the land is acquired:</p> <p>Provided that in every project those persons losing land and belonging to the Scheduled Castes or the Scheduled Tribes will be provided land equivalent to land acquired or two and a one-half acres, whichever is lower.</p>
3	Offer for Developed Land	<p>In case the land is acquired for urbanization purposes, twenty per cent of the developed land will be reserved and offered to land owning project affected families, in proportion to the area of their land acquired and at a price equal to the cost of acquisition and the cost of development.</p> <p>Provided that in case the land owning project affected family wishes to avail of this offer, an equivalent amount will be deducted from the land acquisition compensation package payable to it.</p>
4	Choice of Annuity or Employment	<p>The appropriate Government shall ensure that the affected families are provided with the following options:</p> <p>(a) Where jobs are created through the project, after providing suitable training and skill development in the required field, make provision for employment at a rate not lower than the minimum wages provided for in any other law for the time being in force, to at least one member per affected family in the project or arrange for a job in such other project as may be required; or</p> <p>(b) One time payment of 5 lakh rupees per affected family; or</p> <p>(c) Annuity policies that shall pay not less than 2000 rupees per month per family for 20 years, with appropriate indexation to the consumer price index for agricultural labourers</p>
5	Subsistence grant for displaced families for a period of one year	<p>Each affected family which is displaced from the land acquired shall be given a monthly subsistence allowance equivalent to 3000 rupees per month for a period of one year from the date of award.</p> <p>In addition to this amount, the schedule castes and the scheduled tribes displaced from scheduled areas shall receive an amount equivalent to 50000 rupees.</p> <p>In cases of displacement from the scheduled areas, as far as possible, the affected families shall be relocated in a similar ecological zone, so as to preserve the economic opportunities, language, culture and community life of the tribal communities.</p>
6	Transportation cost for displaced families	Each affected family which is displaced shall get a one time financial assistance of 50000 rupees as transportation cost for shifting of the family, building materials, belongings and cattle.
7	Cattle shed / Petty shops cost	Each affected family having cattle or having a petty shop shall get one time financial assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of 25000 rupees for construction of cattle shed or petty shop as the case may be.
8	One time grant to artisan, small traders and certain	Each affected family of an artisan, small traders or self employed person or an affected family which owned non

Serial No	Elements of Rehabilitation and Resettlement Entitlements	Entitlement/ provision
	others	agricultural land or commercial, industrial or institutional structure in the affected area, and which has been involuntarily displaced from the affected area due to land acquisition, shall get one time assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of 25000 rupees
9	Fishing rights	In cases of irrigation or hydel projects, the affected families may be allowed fishing rights in the reservoirs, in such manner as may be prescribed by the appropriate Government
10	One time Resettlement Allowance	Each affected family shall be given a onetime "Resettlement Allowance" of 50000 rupees only
11	Stamp duty and registration fee	<p>(1) The stamp duty and other fees payable for registration of the land or house allotted to the affected families shall be borne by the Requiring Body.</p> <p>(2) The land for house allotted to the affected families shall be free from all encumbrances.</p> <p>(3) The land or house allotted may be in the joint names of wife and husband of the affected family.</p>

Keeping in view the above provisions, R&R Package has been developed for Project Affected Families, in consultation with district administration and local representatives; and same is given at Table 12.7.

Table 12.7: Rehabilitation & Resettlement package for Affected Families

Clause No. as per II Schedule	Provision as per "LA, R&R Act, 2013"	No. of Eligible families	Rate as per LA R&R Act, 2013	Cost (for eligible families) as per guidelines / policies	Remarks
Provision of housing units in case of displacement					
1	<p>(1) If a house lost in rural areas, a constructed house shall be provided as per the Indira Awas Yojana specifications. If a house is lost in urban areas, a constructed house shall be provided, which will be not less than 50 sq mts in plinth area.</p> <p>(2) The benefits listed above shall also be extended to any affected family which is without homestead land and which has been residing in the area continuously for a period of not less than three years preceding the date of notification of the affected area and which has been involuntarily displaced from such area:</p>	1477	1,50,000.00	22,15,50,000.00	As willingness of the families to take house or compensation in lieu of is not known at this stage; housing compensation of Rs. 1.5 lakh per family has been taken for the purpose of preparation of R&R Plan

Clause No. as per II Schedule	Provision as per "LA, R&R Act, 2013"	No. of Eligible families	Rate as per LA R&R Act, 2013	Cost (for eligible families) as per guidelines / policies	Remarks
	<p>Provided that any such family in urban areas which opts not to take the house offered, shall get a one-time financial assistance for house construction, which shall not be less than one lakh fifty thousand rupees:</p> <p>Provided further that if any affected family in rural areas so prefers, the equivalent cost of the house may be offered in lieu of the constructed house:</p>				
4	Choice of Annuity or Employment				
	<p>The appropriate Government shall ensure that the affected families are provided with the following options:</p> <p>(a) where jobs are created through the project, after providing suitable training and skill development in the required field, make provision for employment at a rate not lower than the minimum wages provided for in any other law for the time being in force, to at least one member per affected family in the project or arrange for a job in such other project as may be required; or</p> <p>(b) one time payment of five lakhs rupees per affected family; or</p> <p>(c) annuity policies that shall pay not less than two thousand rupees per month per family for twenty years, with appropriate indexation to the Consumer Price Index for Agricultural Laborers.</p>	1477	<p>Rs5,00,000/- per family (option-b)</p>	73,85,00,000.00	Again for the purpose of budgeting, a one time cost of Rs. 500,000.00 per family has been taken as preferred option.
5	Subsistence grant for displaced families for a Period of one year				
	Each affected family which is displaced from the land acquired shall be given a monthly subsistence allowance equivalent to three thousand rupees per month for a period of one year from	1477	<p>Rs 3,000/- per month per family for one year from date of award</p>	5,31,72,000.00	--

Clause No. as per II Schedule	Provision as per "LA, R&R Act, 2013"	No. of Eligible families	Rate as per LA R&R Act, 2013	Cost (for eligible families) as per guidelines / policies	Remarks
	the date of award.				
6	Transportation cost for displaced families				
	Each affected family which is displaced shall get a one-time financial assistance of fifty thousand rupees as transportation cost for shifting of the family, building materials, belongings and cattle.	1477	50,000.00	7,38,50,000.00	--
7	Cattle shed/petty shops/water mills cost				
	Each affected family having cattle or having a petty shop or water mills shall get one-time financial assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of twenty-five thousand rupees for construction of cattle shed or petty shop as the case may be.	232	25,000.00	58,00,000.00	--
	Each PAF (including tenants) losing their shop shall be given a shop of equivalent size in the resettlement area or a one time financial assistance @ Rs. 50,000.00 per shop	225	50,000.00	1,12,50,000.00	
8	One time Grant to artisan, small traders and certain others				
	Each affected family of an artisan, small traders or self employed person or an affected family which owned non agricultural land or commercial, industrial or institutional structure in the affected area, and which has been involuntarily displaced from the affected area due to land acquisition, shall get one time assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of 25000 rupees	10	25,000.00	2,50,000.00	
10	One-time Resettlement Allowance				
	Each affected family shall be given a one-time	1477	50,000.00	7,38,50,000.00	--

Clause No. as per II Schedule	Provision as per "LA, R&R Act, 2013"	No. of Eligible families	Rate as per LA R&R Act, 2013	Cost (for eligible families) as per guidelines / policies	Remarks
	"Resettlement Allowance" of fifty thousand rupees only.				
	Special onetime grant for Vulnerable Persons @ Rs.50,000.00	28	50,000.00	14,00,000.00	
Total				1,17,96,22,000.00	Say 118.00 crore

12.7 DEVELOPMENT OF RESETTLEMENT AREA

There are 1477 displaced families requiring resettlement. There is a need to identify land to develop resettlement colony with adequate infrastructure facilities. RFCT_LARR, 2013, has discussed the resettlement process in section 32, 38(I) and 105 (3) along with provision of Infrastructure Facilities in the Third Schedule. The Act requires for hydel project, rehabilitation and resettlement process to be completed at least six months prior to submergence of the land acquired.

Keeping in view that displaced population is of the order of 3977 persons; an area of 50 hectares is suggested to be acquired for development of resettlement colony. This would give a population density of about 80 persons per hectares, which is considered adequate for hilly areas. For development of colony in the hilly area, generally following land use percentages are adopted - Residential (50%), Commercial (2%), Public & Semi Public Facilities (8%), Recreational (10%), Transport & Communication (20%) and Ecological Parks and Green Areas (10%). However, these are illustrative percentages and actual will depend upon topography, requirement, connectivity needs, etc. and therefore these can be suitably modified during detailed planning.

It is important to budget for the infrastructure facilities to be provided in the resettlement area. It would be desirable that provision of drinking water, electricity, schools, dispensaries, and access to the resettlement sites, amongst others, be included in the resettlement plan approved by the appropriate Government and following should be kept in view while planning for resettlement:

- 1) If relocation takes place in an existing settlement area, the same infrastructure shall also be extended to the host community
- 2) While shifting the population of the affected area to the resettlement area, the Administrator for Rehabilitation and Resettlement shall, as far as possible, ensure that:
 - a) In case the entire population of the village or area to be shifted belongs to a particular community, such population or families may, as far as possible, be resettled en masse in a compact area, so that socio-cultural relations and social harmony amongst the shifted families are not disturbed.
 - b) In the case of resettlement of the Scheduled Caste affected families, it may, as far as possible, be ensured that such families are resettled in the areas close to the villages.

