

Comparative Statement of National Policy for Resettlement & Rehabilitation of Project Affected Families (NPRR-2003) & National Rehabilitation Policy (NRP-2006)

CHAPTER – I

1. Policy

Provision of NPRR-2003	Proposed Provision of NRP-2006
<p>PREAMBLE :</p> <p>1.1 Compulsory acquisition of land for public purpose including infrastructure projects displaces people, forcing them to give up their home, assets and means of livelihood. Apart from depriving them of their lands, livelihoods and resource-base, displacement has other traumatic psychological and socio-cultural consequences. The Government of India recognizes the need to minimize large-scale displacement to the extent possible and, where displacement is inevitable, the need to handle with utmost care and forethought issues relating to Resettlement and Rehabilitation of Project Affected Families. Such an approach is especially necessary in respect of tribals, small & marginal farmers and women.</p> <p>1.2 The system of extending cash compensation does not, by itself, in most cases, enable the affected families to obtain cultivable agricultural land, homestead and other resources which they have to surrender to the State. The difficulties are more acute for persons who are critically dependent on the acquired assets for their subsistence/ livelihoods, such as</p>	<p>PREAMBLE :</p> <p>1.1 Provision of public facilities or infrastructure sometimes requires the exercise of legal powers by the State under the principle of <i>eminent domain</i> for acquisition of private property which can lead to displacement of people, depriving them of their land, livelihood and shelter, restricting their access to traditional resource bases and uprooting them from their socio-cultural environment. These have traumatic, psychological and socio-cultural consequences on the displaced population which calls for affirmative State action for protecting their rights, in particular of the weaker sections of society like tribals, marginal farmers and women. Displacement of people may be caused by other factors also.</p> <p>1.2 There is imperative need to recognize resettlement and rehabilitation issues as intrinsic to the development process formulated with the active participation of affected persons, rather than as externally imposed requirements. Monetary compensation, in most cases, may not be adequate for affected land</p>

<p>landless agricultural workers, forest dwellers, tenants and artisans, as their distress and destitution is more severe, and, yet they are not eligible for cash compensation.</p> <p>1.3 Some States and Central Ministries/Departments have their own Policies and Guidelines for Resettlement and Rehabilitation. However, National Policy on Resettlement and Rehabilitation of Project Affected Families (PAFs) has not so far been enunciated. This Document aims at laying down basic norms and packages in the shape of a Policy which would, henceforth be referred to as the National Policy on the Resettlement and Rehabilitation of Project Affected Families - 2003 (NPRR-2003).</p> <p>1.4 The Policy essentially addresses the need to provide succour to the assetless rural poor, support the rehabilitation efforts of the resource poor sections, namely, small and marginal farmers, SCs/STs and women who have been displaced. Besides, it seeks to provide a broad canvas for an effective dialogue between the Project Affected Families and the Administration for Resettlement & Rehabilitation. Such a dialogue is expected to enable timely completion of projects with a sense of definiteness as regards costs and adequate attention being paid to the needs of the displaced persons especially the resource poor sections. The intention is to impart greater flexibility for interaction and negotiation so that the resultant Package gains all-round acceptability in the shape of a workable instrument</p>	<p>owners to seek land-based alternatives. The plight of those who do not have legal or recognized rights over the land on which they are critically dependent for their subsistence is even worse. This calls for a broader concerted effort on the part of planners to include in the displacement process framework not only those who directly lose land and other assets but all those who are affected by such acquisition of assets. The displacement process often poses problems that make it difficult for displaced persons to continue their old income-generating activities after resettlement. This calls for a careful assessment of the social impact of displacement and a holistic effort aimed at improving the living standards of the displaced population, covering rebuilding socio-cultural relationships, capacity building and provision of public health and community services.</p> <p>1.3 A National Policy on Resettlement and Rehabilitation for Project Affected Families was formulated in 2003 and it came into force w.e.f. February, 2004. Experience of implementation of this policy indicates that there are many issues addressed by the policy which require to be reviewed. There needs to be a clear perception, through a careful quantification of the costs and benefits that will accrue to society at large, of the desirability and justifiability of each project. The adverse impact on affected families – economic, environmental, social and cultural – needs to be assessed</p>
--	---

Comparative provisions of NPRR-2003 & NRP-2006

<p>providing satisfaction to all stakeholders/ Requiring Bodies.</p> <p>1.5 The National Policy on the Resettlement and Rehabilitation of Project Affected Families will be in the form of broad guidelines and executive instructions for guidance of all concerned and will be applicable to Projects displacing 500 families or more <i>enmasse</i>. It is expected that appropriate Government and Administrator for R&R shall implement this Policy in letter and spirit in order to ensure that the benefits envisaged under the Policy reaches the Project Affected Families, especially resource poor sections including SCs/STs.</p> <p>1.6 The rehabilitation grants and other monetary benefits proposed in the Policy would be minimum and applicable to all project affected families whether belonging to BPL or non-BPL families except in cases where an express provision has been made. States where R&R packages are higher than proposed in the Policy are free to adopt their own packages.</p>	<p>in a participatory and transparent manner. A national policy thus needs to be applied to all projects where displacement takes place. However, where large numbers of families are affected, it must be mandatory to do social impact assessments and provide all required infrastructural facilities and amenities in the resettlement zone. More particularly, where tribal populations are being displaced, a well thought out Tribal Development Plan must be put in place. Furthermore, such a policy must specify clear time frames both for implementation of the rehabilitation package as well as for utilization of the land. Also, it should lay down an effective grievance redressal and monitoring mechanism.</p> <p>1.4 The thrust of NPR-2006 is towards meaningful addressal of these issues. It is acknowledged that many State governments and Central public sector undertakings/agencies either have their own resettlement and rehabilitation (R&R) policies or are in the process of formulating them. The provisions of NRP-2006 provide the basic minimum that all projects leading to involuntary displacement must address. State governments and Central public sector undertakings/agencies are free to put in place greater benefit levels than those prescribed in NRP-2006. The principles of this policy may apply to the rehabilitation of persons displaced due to any reason.</p>
--	--

Chapter – II

2. Objectives of the Policy

Provision of NPRR-2003	Proposed Provisions of NRP-2006
<p>2.1 The objectives of the Policy are as follows:-</p> <p>(a) To minimize displacement and to identify non-displacing or least-displacing alternatives;</p> <p>(b) To plan the resettlement and rehabilitation of Project Affected Families, (PAFs) including special needs of Tribals and vulnerable sections;</p> <p>(c) To provide better standard of living to PAFs; and</p> <p>(d) To facilitate harmonious relationship between the Requiring Body and PAFs through mutual cooperation.</p>	<p>2.1 The objectives of the Policy are as follows:-</p> <p>a) To minimize displacement and to promote, as far as possible, non-displacing or least-displacing alternatives;</p> <p>b) To ensure adequate rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of displaced persons;</p> <p>c) 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 treatment with concern and sensitivity;</p> <p>d) To provide a better standard of living to displaced families;</p> <p>e) To integrate rehabilitation concerns into the development planning and implementation process; and</p> <p>f) Where displacement is on account of land acquisition, to facilitate harmonious relationship between the Requiring Body and displaced persons through mutual cooperation.</p>

Chapter – III**3. Definitions**

Provision of NPRR-2003	Proposed Provision of NRP-2006
<p>3.1 The Definition of various terms used in this Policy Document are as follows:</p> <p>(a) “Administrator for Resettlement and Rehabilitation” means an officer not below the rank of District Collector of the State Government appointed by it for the purpose of resettlement and rehabilitation of the Project Affected Families of the Project concerned provided that if the appropriate Government in respect of the project is the Central Government, such appointment shall be made in consultation with the Central Govt.</p> <p>(b) “affected zone”, in relation to a project, means declaration under para 5.1 of this Policy by the appropriate Government area of villages or locality under a project for which the land is being acquired under Land Acquisition Act, 1894 or any other Act in force or an area that comes under submergence due to impounding of water in the reservoir of the project;</p> <p>(c) “agricultural family” means a family whose primary mode of livelihood is agriculture and includes family of owners as well as sub-tenants of agricultural</p>	<p>3.1 The Definition of various terms used in this Policy are as follows:</p> <p>(a) “Administrator for Resettlement and Rehabilitation” means an officer not below the rank of District Collector of a State Government appointed for the purpose of resettlement and rehabilitation of displaced persons.</p> <p>(b) “affected zone”, means area of villages or locality notified by the Appropriate Government under para 6.1 of this policy;</p> <p>(c) Deleted</p> <p><i>(Nowhere used in either NPRR-2003 or NRP-2006)</i></p>

Comparative provisions of NPRR-2003 & NRP-2006

<p>land, agricultural labourers, occupiers of forest lands and of collectors of minor forest produce;</p> <p>(d) “agricultural labourer” means a person normally resident in the affected zone for a period of not less than three years immediately before the declaration of the affected zone who does not hold any land in the affected zone but who earns his livelihood principally by manual labour on agricultural land therein immediately before such declaration and who has been deprived of his livelihood;</p> <p>(e) “agricultural land” includes lands used or capable of being used for the purpose of-</p> <p>(i) agriculture or horticulture;</p> <p>(ii) dairy farming, poultry farming, pisciculture, breeding or livestock and nursery growing medical herbs;</p> <p>(iii) raising of crops, grass or garden produce; and</p> <p>(iv) land used by an agriculturist for the grazing of cattle, but does not include land used for the cutting of wood only;</p> <p>(f) “appropriate Government” means,-</p> <p>(i) in relation to acquisition of land for the purposes of the Union, the Central Government;</p> <p>(ii) in relation to a project which is executed by Central Government agency/Central Government undertaking or by any other agency on the orders/directions of Central Government, the Central Government, otherwise the</p>	<p>NRP-2006)</p> <p>(c) “agricultural labourer” means a person normally resident in the affected zone for a period of not less than three years immediately before the declaration of the affected zone who does not hold any land in the affected zone but who earns his livelihood principally by manual labour on agricultural land therein immediately before such declaration and who has been deprived of his livelihood;</p> <p>(d) “<i>agricultural land</i>” includes lands used or capable of being used for the purpose of-</p> <p>(i) agriculture or horticulture;</p> <p>(ii) dairy farming, poultry farming, pisciculture, breeding or livestock and nursery growing medical herbs;</p> <p>(iii) raising of crops, grass or garden produce; and</p> <p>(iv) land used by an agriculturist for the grazing of cattle, but does not include land used for the cutting of wood only;</p> <p>(e) “<i>Appropriate Government</i>” means,-</p> <p>(i) in relation to acquisition of land for the purposes of the Union, the Central Government;</p> <p>(ii) in relation to a project which is executed by Central Government agency/Central Government undertaking or by any other agency on the orders/directions of Central Government,</p>
--	---

Comparative provisions of NPRR-2003 & NRP-2006

<p>State Government and</p> <p>(iii) in relation to acquisition of land for other purposes, the State Government.</p> <p>(g) 'BPL Family': The Below Poverty Line Families shall be those as defined by the Planning Commission of India from time to time.</p> <p>(h) "Commissioner for Resettlement and Rehabilitation", in relation to a project, means the Commissioner for Resettlement and Rehabilitation appointed by the State Government not below the rank of Commissioner/Secretary of that Government.</p> <p>(i) "Displaced family" means any tenure holder, tenant, Government lessee or owner of other property, who on account of acquisition of his land including plot in the abadi or other property in the affected zone for the purpose of the project, has been displaced from such land or other property;</p> <p>(j) "family" means Project Affected Family consisting of such persons, his or</p>	<p>the Central Government, otherwise the State Government and</p> <p>(iii) in relation to acquisition of land for other purposes, the State Government;</p> <p>(iv) in relation to rehabilitation of persons displaced due to any other reason, the State Government.</p> <p>(f) 'BPL Family': The Below Poverty Line families shall be those as defined by the Planning Commission of India from time to time.</p> <p>(g) "<i>Commissioner for Resettlement and Rehabilitation</i>" means the Commissioner for Resettlement and Rehabilitation appointed by the State Government not below the rank of Commissioner/Secretary of that Government.</p> <p>(h) "DDP block" means a block identified under the Desert Development Programme of Government of India.</p> <p>(i) "<i>Displaced person</i>" means any tenure holder, tenant, Government lessee or owner of other property, who on account of acquisition of his land including plot in the abadi or other property in the affected zone for the purpose of the project or otherwise, has been displaced from such land or other property;</p> <p>(j) "<i>family</i>" means a person, his or her spouse, minor sons, unmarried</p>
--	---

Comparative provisions of NPRR-2003 & NRP-2006

<p>her spouse, minor sons, unmarried daughters, minor brothers or unmarried sisters, father, mother and other members residing with him and dependent on him for their livelihood.</p> <p>(k) “holding” means the total land held by a person as an occupant or tenant or as both;</p> <p>(l) “marginal farmer” means a cultivator with an unirrigated land holding upto one hectare or irrigated land holding upto half hectare;</p> <p>(m) “non-agricultural labourer” means a person who is not an agricultural labourer but is normally residing in the affected zone for a period of not less than three years immediately before the declaration of the affected zone and who does not hold any land under the affected zone but who earns his livelihood principally by manual labour or as a rural artisan immediately before such declaration and who has been deprived of earning his livelihood principally by manual labour or as such artisan in the affected zone;</p>	<p>daughters, minor brothers or unmarried sisters, father, mother and other members residing with him/her and dependent on him/her for their livelihood.</p> <p>(k) “nuclear family” means a person, his/her spouse and minor children;</p> <p>(l) “holding” means the total land held by a person as an occupant or tenant or as both;</p> <p>(m) “khatedar” means a person whose name is included in the record of right of the parcel of land under reference;</p> <p>(n) “marginal farmer” means a cultivator with an unirrigated land holding upto one hectare or irrigated land holding upto half hectare;</p> <p>(o) “non-agricultural labourer” means a person who is not an agricultural labourer but is normally residing in the affected zone for a period of not less than three years immediately before the declaration of the affected zone and who does not hold any land under the affected zone but who earns his livelihood principally by manual labour or as a rural artisan immediately before such declaration and who has been deprived of earning his livelihood principally by manual labour or as such artisan in the affected zone;</p>
--	--

Comparative provisions of NPRR-2003 & NRP-2006

<p>(n) "notification" means a notification published in the Official Gazette;</p> <p>(o) "occupiers" means members of Scheduled Tribe community in possession of forest land prior to 25th October, 1980;</p> <p>(p) "project" means a project displacing 500 families or more enmasse in plain areas and 250 families or more enmasse in hilly areas, DDP blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India as a result of acquisition of land for any project.</p> <p>(q) "project affected family" means a family/person whose place of residence or other properties or source of livelihood are substantially affected by the process of acquisition of land for the project 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.</p> <p>(r) "Resettlement zone", in relation to a project, means the declaration of any area under para 5.12 of this Policy by the appropriate Government acquired or proposed to be acquired for resettlement and rehabilitation of Project Affected Families as a resettlement zone.</p>	<p>(p) "<i>notification</i>" means a notification published in the Official Gazette;</p> <p>(q) "<i>occupiers</i>" means members of Scheduled Tribe community in possession of forest land prior to 25th October, 1980;</p> <p>(r) "<i>project</i>" means a project displacing people, irrespective of the number of persons affected;</p> <p>(s) "<i>affected family</i>" means a family whose place of residence or other properties 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;</p> <p>(t) "<i>Resettlement zone</i>" means any area so declared under para 6.12 of this policy by the Appropriate Government;</p>
--	--

Comparative provisions of NPRR-2003 & NRP-2006

<p>Families as a resettlement zone;</p> <p>(s) "Requiring Body" shall mean any company, a body corporate, an institution, or any other organization 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 allotment of such land in public interest to a body corporate, institution, or any other organization or to any company under lease, license or through any other system of transfer of land to such company, as the case may be.'</p> <p>(t) "small farmer" means a cultivator with an unirrigated land holding up to two hectares or with an irrigated land holding up to one hectare.</p>	<p>(u) "<i>Requiring Body</i>" shall mean any company, a body corporate, an institution, or any other organization 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 allotment of such land in public interest to a body corporate, institution, or any other organization or to any company under lease, license or through any other system of transfer of land to such company, as the case may be;</p> <p>(v) "<i>small farmer</i>" means a cultivator with an unirrigated land holding up to two hectares or with an irrigated land holding up to one hectare.</p>
--	---

Chapter - IV

4. Social Impact Assessment (SIA) of Projects

Provision of NPRR-2003	Proposed Provision of NRP-2006
	<p data-bbox="797 495 1443 1339">4.1 Any Requiring Body who desires to undertake a new project or expansion of an existing project, (except linear projects referred to in para 7.15) which involves physical displacement of 400 or more families <i>en masse</i> in plain areas, or 200 or more families <i>en masse</i> in tribal or hilly areas, DDP blocks and areas mentioned in Schedule V and Schedule VI of the Constitution of India, which is required as per existing laws, rules and guidelines to undertake environment impact assessment shall prepare a Social Impact Assessment (SIA) Report in the proforma to be prescribed simultaneously with the Environmental Impact Assessment (EIA) Report and submit it to the agency prescribed in respect of environmental impact assessment by the Ministry of Environment & Forests.</p> <p data-bbox="797 1430 1443 1591">4.2 The Requiring Body shall prepare the above SIA report, considering various alternatives, and using agencies accredited in the manner prescribed by government.</p> <p data-bbox="797 1661 1443 1862">4.3 In cases to which the above procedure is applicable, the SIA report will be examined concurrently with the EIA report by the multi-disciplinary expert group which considers the EIA report. Two non-</p>

	<p>official social science and rehabilitation experts shall be nominated by the Central Government to serve on this expert group. The Secretary/Secretaries of the departments concerned with the welfare of Scheduled Castes and Scheduled Tribes of the Central Government or his (their) representative(s) shall also be nominated as a member/members of the above expert group, in cases of physical displacement arising out of projects undertaken by the Central Government or its agencies. In all other cases, the Secretary/Secretaries of the department(s) concerned with the welfare of Scheduled Castes and Scheduled Tribes of the State Government in which the displacement will occur shall be nominated as a member/members of the expert group. The above expert group shall examine the EIA and SIA reports and accord clearance as per procedure and within the time limits prescribed under applicable EIA notifications.</p> <p>4.4 In cases where there is no requirement of obtaining EIA clearance, the SIA report will be placed before a multi-disciplinary expert group constituted by the Requiring Body, if displacement is due to projects involving land acquisition, and in all other cases, by the concerned State Government. The above expert group shall examine the SIA report and accord clearance as per procedure and within time limits prescribed under para 4.2 above.</p> <p>4.5 Where both SIA and EIA are undertaken, the public hearing (to be</p>
--	---

	<p>organized by the State Government) done in the project affected area for EIA shall also cover issues related to SIA. Where there is no requirement for EIA, the SIA report shall be made available to the public through public hearing before it is placed before the expert group indicated at paras 4.3 & 4.4.</p> <p>4.6 The Ministry of Defence in respect of projects involving emergency acquisition of minimum area of land in connection with national security and Requiring Bodies implementing projects involving linear acquisitions governed by para 7.15 of this policy will, however, be exempt from the provisions of this Chapter.</p> <p>4.7 Conditions laid down during SIA clearance shall be duly taken into account by the Administrator for R&R while preparing and implementing the R&R plan.</p>
--	---

Chapter – V**5. Appointment of Administrator and Commissioner for Resettlement and Rehabilitation and their powers & functions**

Provision of NPRR-2003	Proposed Provision of NRP-2006
<p>4.1 Where the appropriate Government is satisfied that acquisition of land for any project involves displacement of 500 families or more enmasse in plain areas and 250 families or more enmasse in hilly areas, DDP blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India as a result of acquisition of land for any project, it shall, by notification, appoint in respect of that project, an officer not below the rank of District Collector of the State Government to be the Administrator for R&R in respect of that project.</p> <p>Provided that if the appropriate Government in respect of the project is the Central Government, such appointment shall be made in consultation with the Central Government.</p> <p>4.2 The Administrator for Resettlement & Rehabilitation shall be assisted by such officers and employees as the appropriate Government may provide.</p>	<p>5.1 Where the Appropriate Government is satisfied that there is likely to be displacement of large number of persons due to acquisition of land for any project or due to any other reason, it may; and where the Appropriate Government is satisfied that there is likely to be displacement of 400 or more families en masse in plain areas, or 200 or more families en masse in tribal or hilly areas, DDP blocks or areas mentioned in Schedule V and Schedule VI of the Constitution of India due to acquisition of land for any project or due to any other reason, it shall, appoint, by notification, by the State Government(s) concerned, in respect of that project, an officer not below the rank of District Collector of the State Government to be the Administrator for R&R.</p> <p>Provided that if the Appropriate Government in respect of the project is the Central Government, such appointment shall be made in consultation with the Central Government.</p> <p>5.2 The Administrator for Resettlement & Rehabilitation shall be assisted by such officers and employees as the Appropriate Government may provide.</p>

Comparative provisions of NPRR-2003 & NRP-2006

<p>4.3 Subject to the superintendence, directions and control of the appropriate Government and Commissioner for R&R, the Administrator for Resettlement & Rehabilitation shall take all measures for the rehabilitation and resettlement of all project affected families (PAF) in respect of that project.</p> <p>4.4. The overall control and superintendence of the formulation of resettlement and rehabilitation plan and execution of the same shall vest in the Administrator, Resettlement & Rehabilitation.</p> <p>4.5 Subject to any general or special order of the appropriate Government, the Administrator for Resettlement & Rehabilitation shall perform the following functions/duties:</p> <p>(i) minimize displacement of persons and to identify non-displacing or least displacing alternatives in consultation with the requiring body ;</p> <p>(ii) hold consultation with the project affected families while preparing a resettlement and rehabilitation scheme/ plan;</p> <p>(iii) ensure that interest of the adversely project affected families of Scheduled Tribes and weaker sections are protected.</p> <p>(iv) prepare a draft plan/ scheme of resettlement and rehabilitation as required under Chapter V of this Policy.</p>	<p>5.3 Subject to the superintendence, directions and control of the Appropriate Government and Commissioner for R&R, the Administrator for Resettlement & Rehabilitation shall take all measures for the resettlement and rehabilitation of the affected families (AF).</p> <p>5.4. The overall control and superintendence of the formulation, execution and monitoring of the resettlement and rehabilitation plan shall vest in the Administrator, Resettlement & Rehabilitation.</p> <p>5.5 Subject to any general or special order of the Appropriate Government, the Administrator for Resettlement & Rehabilitation shall perform the following functions/duties:</p> <p>(i) minimize displacement of persons and to identify non-displacing or least displacing alternatives in consultation with the Requiring Body ;</p> <p>(ii) hold consultation with the affected persons while preparing a resettlement and rehabilitation scheme/ plan;</p> <p>(iii) ensure that interests of the adversely affected persons of Scheduled Tribes and weaker sections are protected.</p> <p>(iv) prepare a draft plan/ scheme of resettlement and rehabilitation as required under Chapter VI of this Policy;</p>
--	--

Comparative provisions of NPRR-2003 & NRP-2006

<p>Policy;</p> <p>(v) prepare a budget including estimated expenditure of various components of acquisition of land, resettlement and rehabilitation activities or programmes in consultation with representatives of the project affected families and requiring body for whom the land is acquired;</p> <p>(vi) acquire adequate land for the project as also for settling the project affected families;</p> <p>(vii) allot land and sanction the benefit to project affected families;</p> <p>(viii) perform such other functions as the appropriate Government may, from time to time, by order in writing, assign.</p> <p>4.6 Administrator for Resettlement & Rehabilitation may, by order in writing, delegate such of the administrative powers conferred and duties imposed on him by or under this Policy to any officer not below the rank of Tehsildar or equivalent.</p> <p>4.7 All officers and staff appointed by the appropriate Government under this Policy shall be subordinate to the Administrator for Resettlement & Rehabilitation.</p> <p>4.8 The State Government shall appoint an officer of the rank of Commissioner/ Secretary of that Government for resettlement and rehabilitation in respect of such projects to which this Policy applies to be called the Commissioner for Resettlement & Rehabilitation.</p>	<p>(v) prepare a budget including estimated expenditure of various components of acquisition of land, resettlement and rehabilitation activities or programmes in consultation with representatives of the affected families and the Requiring Body, where applicable, for whom the land is acquired;</p> <p>(vi) acquire adequate land for the project as also for settling the affected families;</p> <p>(vii) allot land and sanction the benefit to affected families;</p> <p>(viii) perform such other functions as the Appropriate Government may, from time to time, by order in writing, assign.</p> <p>5.6 The Administrator for Resettlement & Rehabilitation may, by order in writing, delegate such of the administrative powers conferred and duties imposed on him by or under this Policy to any officer not below the rank of Tehsildar or equivalent.</p> <p>5.7 All officers and staff appointed by the Appropriate Government under this Policy shall be subordinate to the Administrator for Resettlement & Rehabilitation.</p> <p>5.8 The State Government shall appoint an officer of the rank of Commissioner/Secretary of that Government for resettlement and rehabilitation in respect of such cases to which this policy applies to be called the Commissioner for Resettlement &</p>
--	--

Comparative provisions of NPRR-2003 & NRP-2006

<p>Rehabilitation.</p> <p>4.9 For the purposes of this Policy, the Administrator for Resettlement & Rehabilitation and other officers and employees appointed for the purposes of resettlement and rehabilitation of PAF shall be subordinate to the Commissioner for Resettlement and Rehabilitation.</p> <p>4.10 The Commissioner shall be responsible for supervising the formulation of resettlement and rehabilitation plans/ schemes, proper implementation of such plans/schemes and redressal of grievances as mentioned in Chapter VII of this Policy.</p>	<p>Rehabilitation.</p> <p>5.9 For the purposes of this policy, the Administrator for Resettlement & Rehabilitation and other officers and employees appointed for the purposes of resettlement and rehabilitation of AFs shall be subordinate to the Commissioner for Resettlement and Rehabilitation.</p> <p>5.10 The Commissioner shall be responsible for supervising the formulation of resettlement and rehabilitation plans/ schemes, proper implementation of such plans/schemes and redressal of grievances as mentioned in Chapter VIII of this Policy.</p>
---	--

Chapter – VI**6. Resettlement and Rehabilitation Plan**

Provision of NPRR-2003	Proposed Provision of NRP-2006
<p>The procedure mentioned in this Chapter shall be followed for declaration of Affected Zone, carrying out survey & census of Project Affected Families, Assessment of Government land available, land to be acquired for the purpose of Resettlement and Rehabilitation, preparation of draft scheme/plan for R&R and its final publication.</p> <p>5.1 The appropriate Government may, if it is of the opinion that acquisition of land for a project is likely to displace 500 families or more enmasse in plain areas and 250 families or more enmasse in hilly areas, DDP blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India declare, by notification in the Official Gazette, area of villages or localities as an affected zone of the project and thereupon the contents of this Policy shall apply to the project involved.</p> <p>5.2 Every declaration made under Para 5.1 of the Policy shall be published in at least two daily newspapers one of them should be in the local vernacular having circulation in villages or areas which are likely to be affected and also by affixing a copy of the notification on the Notice Board of the concerned Gram Panchayats and other prominent place or places in the affected zone.</p>	<p>The procedure mentioned in this chapter shall be followed for declaration of affected zone, carrying out survey and census of affected persons, assessment of government land available and to be acquired under the Land Acquisition Act, 1894 for resettlement and rehabilitation, preparation of draft R&R plan and its final publication.</p> <p>6.1 Where the Appropriate Government is of the opinion that there is likely to be displacement of 400 or more families <i>en masse</i> in plain areas, or 200 or more families <i>en masse</i> in tribal or hilly areas, DDP blocks or areas mentioned in Schedule V and Schedule VI of the Constitution of India due to acquisition of land for any project or due to any other reason, it shall, declare, by notification in the Official Gazette, area of villages or localities as an affected zone of the project.</p> <p>6.2 Every declaration made under para 6.1 of the policy shall be published in at least two daily newspapers one of them should be in the local vernacular having circulation in villages or areas which are likely to be affected and also by affixing a copy of the notification on the Notice Board of the concerned Gram Panchayats and other prominent place or places in the</p>

Comparative provisions of NPRR-2003 & NRP-2006

<p>5.3 Once the declaration is made under para 5.1 of the Policy, the Administrator for Resettlement and Rehabilitation shall undertake a survey for identification of the persons and their families likely to be affected by the project.</p> <p>5.4 Every survey shall contain the following village-wise information of the project affected families:-</p> <p>(i) members of the family who are permanently residing, practicing any trade, occupation or vocation in the project affected area;</p> <p>(ii) Project Affected Families who are likely to lose their house, agricultural land, employment or are alienated wholly or substantially from the main source of their trade occupation or vocation.</p> <p>(iii) Agricultural labourers and non-agriculture labourers.</p> <p>(iv) Project Affected Families who are having possession of forest lands prior to the 25th October, 1980, that is prior to the commencement of the Forest (Conservation) Act, 1980.</p> <p>5.5 Every survey undertaken under Para 5.4 shall be completed within a period of ninety days from the date of declaration made under para 5.1.</p>	<p>affected zone and the resettlement zone.</p> <p>6.3 Once the declaration is made under para 6.1 of the policy, the Administrator for Resettlement and Rehabilitation shall undertake a survey for identification of the persons and their families likely to be affected.</p> <p>6.4 Every survey shall contain the following village-wise information of the affected families:-</p> <p>(i) members of the family who are permanently residing, practising any trade, occupation or vocation in the project affected area;</p> <p>(ii) affected families who are likely to lose, or have lost, their house, agricultural land, employment or are alienated wholly or substantially from the main source of their trade occupation or vocation.</p> <p>(iii) agricultural labourers and non-agricultural labourers.</p> <p>(iv) affected families who are/were having possession of forest lands prior to the 25th October, 1980, that is prior to the commencement of the Forest (Conservation) Act, 1980.</p> <p>6.5 Every survey undertaken under para 6.4 shall be completed expeditiously and within a period of ninety days from the date of declaration made under para 6.1.</p>
---	---

Comparative provisions of NPRR-2003 & NRP-2006

<p>5.6 On the expiry of the period of ninety days as aforesaid, the Administrator for Resettlement and Rehabilitation shall, by notification, and also in such other manner so as to reach all persons likely to be affected, publish a draft of the details of the findings of the survey conducted by him for inviting objections and suggestions from all persons likely to be affected thereby.</p> <p>5.7 On the expiry of thirty days from the date of publication of the draft of the details of survey and after considering the objections and suggestions received by him in this behalf, the Administrator for Resettlement and Rehabilitation shall submit the final details of survey with his recommendations to the State Government.</p> <p>5.8 Within forty-five days from the date of receipt of the recommendations of the Administrator for Resettlement & Rehabilitation, the State Government shall publish the final details of survey in the Official Gazette.</p> <p>5.9 The Administrator for Resettlement & Rehabilitation shall ensure that the Project Affected Families may be settled preferably in group or groups and such sites should form a part of existing gram panchayat as far as possible. However, it has to be ensured that the PAFs may be resettled with the host community on the basis of</p>	<p>6.6 On completion of the above survey or on expiry of a period of ninety days, whichever is earlier, the Administrator for Resettlement and Rehabilitation shall, by notification, and also in such other manner so as to reach all persons likely to be affected, publish a draft of the details of the findings of the survey conducted by him for inviting objections and suggestions from all persons likely to be affected thereby. This draft shall be made known locally by wide publicity in the affected zone.</p> <p>6.7 On the expiry of thirty days from the date of publication of the draft of the details of survey and after considering the objections and suggestions received by him in this behalf, the Administrator for Resettlement and Rehabilitation shall submit the final details of survey with his recommendations to the State Government.</p> <p>6.8 Within forty-five days from the date of receipt of the recommendations of the Administrator for Resettlement & Rehabilitation, the State Government shall publish the final details of survey in the Official Gazette.</p> <p>6.9 The Administrator for Resettlement & Rehabilitation shall ensure that the affected families may be settled preferably in group or groups and such sites should form a part of existing gram panchayat as far as possible. However, it has to be ensured that the AFs may be resettled with the host community on the basis of equality and</p>
--	---

Comparative provisions of NPRR-2003 & NRP-2006

<p>equality and mutual understanding, consistent with the desire of each group to preserve its own identity and culture.</p> <p>5.10 For the purposes of para 5.9 above, the Administrator for Resettlement & Rehabilitation shall draw up a list of lands which may be available in any existing Gram Panchayats for resettlement and rehabilitation of project affected families.</p> <p>5.11 The lands drawn up under para 5.10 shall consist of :-</p> <p>(a) Government waste lands and any other land vesting in the Government available for allotment to project affected families.</p> <p>(b) If sufficient Government land is not available there, then land to be acquired for the purposes of resettlement and rehabilitation scheme/plan. However, the Administrator for R&R should ensure that such acquisition of land should not lead to another list of affected families.</p> <p>5.12 The appropriate Government shall, by notification, declare any area acquired <i>or proposed to be acquired</i> for resettlement and rehabilitation of project affected families, as a resettlement zone.</p> <p>5.13 The Administrator for R&R, on behalf of the appropriate government, may either compulsorily acquire keeping in view the contents of Para 5.11(b) above any land under the Land Acquisition Act 1894 or purchase land</p>	<p>mutual understanding, consistent with the desire of each group to preserve its own identity and culture.</p> <p>6.10 For the purposes of para 6.9 above, the Administrator for Resettlement & Rehabilitation shall draw up a list of lands which may be available for resettlement and rehabilitation of affected families.</p> <p>6.11 The lands drawn up under para 6.10 shall consist of :-</p> <p>(a) Government wastelands and any other land vesting in the Government available for allotment to affected families.</p> <p>(b) If sufficient Government land is not available there, then land may be purchased or acquired under the Land Acquisition Act, 1894 for the purposes of resettlement and rehabilitation scheme/plan.</p> <p>6.12 The Appropriate Government shall, by notification, declare any area as a resettlement zone for resettlement and rehabilitation of affected families.</p> <p>6.13 The Administrator for R&R, on behalf of the Appropriate Government, may either compulsorily acquire any land under the Land Acquisition Act, 1894 keeping in view the contents of Para 6.11(b) above or purchase land from any person</p>
---	---

Comparative provisions of NPRR-2003 & NRP-2006

<p>from any person through consent award and may enter into an agreement for this purpose.</p> <p>5.14 After completion of base line survey and census of Project Affected Families and assessment of requirement of land for resettlement as mentioned in Paras 5.3 & 5.11, the Administrator for R&R shall prepare a draft scheme/plan for the Resettlement & Rehabilitation of the Project Affected Families in consultation with representatives of Project Affected Families including women, Chairpersons of elected Panchayati Raj Institutions within which the Project area is situated.</p> <p>5.15 While preparing a draft scheme/Plan, the Administrator for R&R shall ensure that the cost of R&R scheme/Plan should be an integral part of the cost of the Project for which the land is being acquired and the entire expenditure of R&R benefits and other expenditure for resettlement and rehabilitation of PAFs are to be borne by the requiring body for which the area is being acquired.</p> <p>5.16 It shall be the responsibility of the requiring body to provide sufficient funds to the Administrator for R&R for proper implementation of resettlement &</p>	<p>through consent award and may enter into an agreement for this purpose.</p> <p>6.14 After completion of baseline survey and census of affected families and assessment of State-wise requirement of land for resettlement as mentioned in paras 6.3 and 6.11, the Administrator for R&R shall prepare a draft scheme/plan for the Resettlement & Rehabilitation of the affected families in consultation with representatives of the affected families including women. The draft R&R scheme/plan shall also be discussed in Gram Sabhas in rural areas and in public hearings in urban and rural areas where Gram Sabhas don't exist.</p> <p>6.15 In case of projects involving land acquisition on behalf of a Requiring Body, while preparing a draft scheme/plan, the Administrator for R&R shall ensure that the cost of R&R scheme/plan should be an integral part of the cost of the project for which the land is being acquired and the entire expenditure of R&R benefits and other expenditure for resettlement and rehabilitation of AFs are to be borne by the Requiring Body for which the area is being acquired. The Administrator for R&R shall ensure that the entire cost of R&R benefits and other expenditure for resettlement and rehabilitation of AFs is communicated to the Requiring Body for incorporation in the project cost.</p> <p>6.16 It shall be the responsibility of the Requiring Body to provide sufficient funds to the Administrator for R&R for proper</p>
--	---

<p>proper implementation of resettlement & Rehabilitation scheme/plan of Project Affected Families.</p> <p>5.17 The Administrator for R&R shall keep proper books of accounts and records of the funds placed at his disposal and submit periodical returns to the Appropriate Government in this behalf.</p> <p>5.18 Every draft scheme/Plan of resettlement and rehabilitation prepared shall contain the following particulars, namely:-</p> <p>(a) the extent of area to be acquired for the project and the name(s) of the corresponding village(s).</p> <p>(b) a village-wise list of project affected families and likely number of displaced persons, family-wise and the extent and nature of land and immovable property in their possession indicating the survey numbers thereof held by such persons in the affected zone;</p> <p>(c) a list of agricultural labourers in such area and the names of such persons whose livelihood depend on agricultural activities;</p> <p>(d) a list of persons who have lost or are likely to lose their employment or livelihood or who have been alienated wholly and substantially from their main sources of occupation or vocation consequent to the acquisition of land for the project;</p> <p>(e) a list of occupiers, if any,</p> <p>(f) a list of public utilities and</p>	<p>implementation of the resettlement & rehabilitation scheme/plan of AFs.</p> <p>6.17 The Administrator for R&R shall keep proper books of accounts and records of the funds placed at his disposal and submit periodical returns to the Appropriate Government in this behalf.</p> <p>6.18 The draft R&R plan shall contain the following particulars, namely:-</p> <p>(a) the extent of area to be acquired under the Land Acquisition Act, 1894 for the project and the name(s) of the affected village(s);</p> <p>(b) a village-wise list of displaced persons, family-wise, affected persons and likely number of and the extent and nature of land and immovable property in their possession indicating the survey numbers thereof held by such persons in the affected zone;</p> <p>(c) a list of agricultural labourers in such area and the names of such persons whose livelihood depend on agricultural activities;</p> <p>(d) a list of persons who have lost or are likely to lose their employment or livelihood or who have been alienated wholly or substantially from their main sources of occupation or vocation consequent to the acquisition of land for the project or displacement due to any other cause;</p> <p>(e) a list of occupiers, if any;</p> <p>(f) a list of public utilities and government buildings which are</p>
---	--

Comparative provisions of NPRR-2003 & NRP-2006

<p>Government buildings which are likely to be affected;</p> <p>(g) a comprehensive list of benefits and packages which are to be provided to project affected families;</p> <p>(h) details of the extent of land available which may be acquired in settlement area for resettling and for allotment of land to the project affected families;</p> <p>(i) details of the basic amenities and infrastructure facilities which are to be provided for resettlement;</p> <p>(j) the time schedule for shifting and resettling the displaced families in resettlement zones;</p> <p>(k) such other particulars as the Administrator for Resettlement & Rehabilitation may think fit to include for the information of the displaced persons.</p> <p>5.19 The Administrator for Resettlement & Rehabilitation shall submit the draft scheme/plan for R&R to the State Government for its approval. It will be the responsibility of the State Government to obtain the consent of requiring body before approving the same. The draft scheme/plan may be published in the <i>Official Gazette to give wide publicity to the same in the affected zone.</i></p>	<p>affected/likely to be affected;</p> <p>(g) a comprehensive list of benefits and packages which are to be provided to affected persons;</p> <p>(h) details of the extent of land available which may be acquired in the settlement area for resettling and for allotment of land to project affected families;</p> <p>(i) details of the basic amenities and infrastructure facilities which are to be provided for resettlement;</p> <p>(j) the time schedule for shifting and resettling displaced persons in resettlement zones;</p> <p>(k) such other particulars as the Administrator for Resettlement & Rehabilitation may think fit to include for the information of the displaced persons.</p> <p>6.19 The Administrator for Resettlement & Rehabilitation shall submit the draft scheme/plan for R&R to the State Government for its approval. In case of projects involving land acquisition on behalf of a Requiring Body, it will be the responsibility of the State Government to obtain the consent of the Requiring Body and to ensure that the Requiring Body has obtained the necessary approvals as required under this policy and has agreed to bear the entire cost of R&R benefits and other expenditure for resettlement and rehabilitation of AFs as</p>
--	--

<p>5.20 Upon notification of a scheme/plan, the same shall come into force.</p>	<p>communicated by the Administrator, before approving it. The draft scheme/plan may be published in the district and State Gazettes and be made known locally by wide publicity in the affected zone.</p> <p>6.20 Upon final notification of a scheme/plan, it shall come into force.</p> <p>6.21 In case of projects involving land acquisition on behalf of a Requiring Body, a fast-track exercise for updating land records, clarification regarding tenure, survey and standardization of land and property values shall be undertaken concurrently with the land acquisition proceedings. Owners who have acquired rights prior to notification u/s 4(1) of the Land Acquisition Act, 1894 as per updated records shall have the same right to compensation as original land owners referred to in section 4(1) of the Land Acquisition Act, 1894. An encumbrance-free certificate shall be issued before land is handed over to the Requiring Body in stages as required.</p> <p>6.22 The compensation award should be declared well in time before ouster of AFs. Full payment of compensation as well as adequate resettlement will be done in advance of ouster of AFs.</p> <p>6.23 Emergency provisions under section 17 of the Land Acquisition Act, 1894 should be used rarely. A decision regarding invoking section 17 should be taken after recording the full justification</p>
---	--

Comparative provisions of NPRR-2003 & NRP-2006

	<p>for taking recourse to this provision.</p> <p>6.24 Land compulsorily acquired for a project for public purpose cannot be transferred to any other purpose without consent of the oustees. If such a land, or part thereof, remains unutilized for the project after a period of ten years from taking over possession, the same shall be offered back to the displaced families at nominal cost.</p>
--	--

Chapter – VII

7. R&R Benefits for Affected Families

Provision of NPRR-2003	Proposed Provision of NRP-2006
<p>6.1 The resettlement and rehabilitation (R&R) benefits shall be extended to all the Project Affected Families (PAF).</p> <p>6.2. Any Project Affected Family (PAF) owning house and whose house has been acquired 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.m. of land in rural areas and 75 sq.meter. of land in urban areas.</p> <p>6.3 Each PAF of BPL category shall get a one-time financial assistance of Rs. 25000/- for house construction. Non-BPL families shall not be entitled to receive this assistance.</p> <p>6.4 Each PAF owning agricultural land in the affected zone and whose entire land has been acquired may be allotted agricultural land or cultivable waste land to the extent of actual land loss subject to a maximum of one hectare of irrigated land or two hectares of un-irrigated land/cultivable waste land subject to availability.</p>	<p>7.1 The resettlement and rehabilitation (R&R) benefits shall be extended to all the affected families (AFs).</p> <p>7.2 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. floor area.</p> <p>7.3 Each AF of BPL category shall get one-time financial assistance which is not less than what is given under any programme of house construction by the Government of India.</p> <p>7.4 Each AF 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</p>

<p>6.5 Stamp duty and other fees payable for registration shall be borne by the requiring body.</p> <p>6.6 The Land allotted under para 6.5 shall be free from all encumbrances. The Land allotted may be in the joint names of wife and husband of PAF.</p> <p>6.7 In case of allotment of wasteland/degraded land in lieu of acquired land, each tenure holder shall get financial assistance of Rs. 10000/- per hectare for land development. In case of allotment of agricultural land, a one-time financial assistance of Rs. 5000/- per PAF for agricultural production shall be given.</p> <p>6.8 Each PAF having cattle shall get financial assistance of Rs. 3000/- for construction of cattle shed.</p> <p>6.9 Each PAF shall get financial assistance of Rs. 5000/- as transportation cost for shifting of building materials, belongings and cattle etc. from the affected zone to the resettlement zone.</p>	<p>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.</p> <p>7.5 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.</p> <p>7.6 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 AF.</p> <p>7.7 In case of allotment of wasteland/degraded land in lieu of acquired land, each <i>khatedar</i> 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> <p>7.8 Each AF having cattle shall get financial assistance of Rs.3000/- for construction of cattle shed.</p> <p>7.9 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>
---	---

Comparative provisions of NPRR-2003 & NRP-2006

<p>6.10 Each PAF comprising of rural artisan/small trader and self employed person shall get one-time financial assistance of Rs.10,000/- for construction of working shed/shop.</p>	<p>7.10 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.</p> <p>7.11 In case of projects involving land acquisition on behalf of a Requiring Body, (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; (b) the obligation at Para 7.11 (a) will apply only to the extent of one person per nuclear family of adult husband/wife and their minor children; (c) the RB will give preference to groups and cooperatives of affected persons in outsourced contracts; (d) the RB will give preference to willing landless labourers and unemployed affected persons while engaging labour in the project during the construction phase.</p>
<p>6.11 Each PAF owning agricultural land in the affected zone and whose entire land has been acquired shall get one-time financial assistance equivalent to 750 days minimum agricultural wages for "loss of livelihood" where neither agricultural land nor regular employment to one member of the PAF has been provided.</p>	<p>7.12.1 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; (b) 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</p>

Comparative provisions of NPRR-2003 & NRP-2006

<p>6.12 Each PAF owning agricultural land in the affected zone and whose entire land has not been acquired and consequently he becomes a marginal farmer shall get one time financial assistance equivalent to 500 days minimum agricultural wages.</p> <p>6.13 Each PAF owning agriculture land in the affected zone and consequently he becomes a small farmer shall get one time financial assistance equivalent to 375 days minimum agricultural wages.</p> <p>6.14 Each PAF belonging to the category of 'agricultural labourer', or 'non-agricultural labourer' shall be provided a one time financial assistance equivalent to 625 days of the minimum agricultural wages.</p> <p>6.15 Each displaced PAF shall get a monthly subsistence allowance equivalent to 20 days of minimum</p>	<p>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.</p> <p>7.12.2 (a) in the case of irrigation projects, fishing rights in the reservoirs shall be given to the oustees, if such rights were enjoyed by them in the affected zone; (b) In other cases also, unless there are special reasons, fishing rights shall be given to displaced persons only.</p> <p>-Deleted-</p> <p>-Deleted-</p> <p>-Deleted-</p> <p>7.13 In case of projects involving land acquisition on behalf of a Requiring Body,</p>
---	--

Comparative provisions of NPRR-2003 & NRP-2006

<p>agricultural wages per month for a period of one year.</p> <p>6.16 In the case of acquisition of land in emergent situation such as under Section 17 of the Land Acquisition Act 1894 or similar provision of other Act in force, each PAF shall be provided with transit accommodation, pending resettlement and rehabilitation scheme. Such families shall also get R&R benefits as mentioned in above paras under the Policy.</p> <p>6.17 In case of linear acquisitions, of Long Stretches of Land: In case of projects relating to Railway Lines, Highways, Transmission Lines and laying pipelines wherein only a narrow stretch of land extending over several kilometers is being acquired, the Project Affected Families will be offered an ex-gratia amount of Rs. 10,000/- per family, no other Resettlement & Rehabilitation benefits shall be available to them.</p> <p>6.18 The Project Affected Families shall be provided necessary training facilities for development of entrepreneurship to take up self-employment projects at the resettlement zone as part of R&R benefits.</p> <p>6.19. The Project Affected Families who were in possession of forest lands prior to 25th October, 1980 shall get all the benefits of R & R as given in above paras under the Policy.</p>	<p>each displaced AF shall get a monthly subsistence allowance equivalent to 20 days minimum agricultural wages per month for a period of one year.</p> <p>7.14 In the case of acquisition of land in emergent situation such as under section 17 of the Land Acquisition Act, 1894 or similar provision of other Act in force, each AF shall be provided with transit accommodation, pending resettlement and rehabilitation scheme. Such families shall also get R&R benefits as mentioned in above paras under the policy.</p> <p>7.15 In case of linear acquisitions, in projects relating to Railway lines, highways, transmission lines, laying pipelines and other such projects wherein only a narrow stretch of land is being acquired, each <i>khatedar</i> will be offered an ex-gratia amount of Rs.10,000/- ; no other resettlement & rehabilitation benefits shall be available to them.</p> <p>7.16 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.</p> <p>7.17 Affected families who were in possession of forest lands prior to 25th October, 1980 shall get all the benefits of R&R as given in the above paras under the Policy.</p>
---	--

<p>6.20 The PAFs of Scheduled Caste category enjoying reservation benefits in the affected zone shall be entitled to get the reservation benefits at the resettlement zone.</p> <p>6.21 R&R BENEFITS FOR PROJECT AFFECTED FAMILIES OF SCHEDULED TRIBES CATEGORY.</p> <p>6.21.1 Each Project Affected Family of ST category shall be given preference in allotment of land for land, if available.</p>	<p style="text-align: center;">-Deleted- (covered under para 7.18.11)</p> <p>7.18 R&R BENEFITS FOR PROJECT AFFECTED FAMILIES BELONGING TO SCHEDULED TRIBES <u>AND SCHEDULED CASTES</u></p> <p>7.18.1 In case of projects involving land acquisition on behalf of a Requiring Body displacing 200 or more tribal families (<i>except projects involving only linear acquisitions referred to in para 7.15</i>), 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-timber forest produce (NTFP) resources on non-forest lands within five years sufficient to meet requirements of tribal communities who are denied access to forests.</p> <p>7.18.2 Concerned Gram Sabha(s) shall be consulted in all cases 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> <p>7.18.3 Each affected family of ST followed</p>
--	---

Comparative provisions of NPRR-2003 & NRP-2006

<p>in allotment of land for land, if available.</p> <p>6.21.2 Each tribal PAF shall be entitled to get R&R benefits mentioned in above Paras under the Policy.</p> <p>6.21.3 Each Tribal PAF shall get additional financial assistance equivalent to 500 days minimum agriculture wages for loss of customary rights/usages of forest produce.</p> <p>6.21.4 Tribal PAFs will be re-settled close to their natural habitat in a compact block so that they can retain their ethnic linguistic and cultural identity.</p> <p>6.21.5 Tribal PAFs shall get land free of cost for community & religious gathering.</p> <p>6.21.6 Tribal PAFs resettled out of the district/taluka will get 25% higher R&R benefits in monetary terms.</p>	<p>by SC categories shall be given preference in allotment of land-for-land, if available.</p> <p>7.18.4 Each tribal AF shall be entitled to get R&R benefits mentioned in above paras under the policy.</p> <p>7.18.5 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.</p> <p>7.18.6 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.</p> <p>7.18.7 Settlements predominantly inhabited by tribals shall get land free of cost for community and religious gatherings.</p> <p>7.18.8 In case of projects involving land acquisition on behalf of a Requiring Body, tribal AFs resettled out of the district will get 25% higher R&R benefits in monetary terms.</p>
--	---

<p>6.21.7 The Tribal Land Alienated in violation of the laws and regulations in force on the subject would be treated as null and void and the R&R benefits would be available only to the original tribal land owner.</p> <p>6.21.8 The Tribals families residing in the Project Affected Areas having fishing rights in the river/pond/dam such tribals shall be given fishing rights in the reservoir area.</p> <p>6.21.9 Tribal PAFs enjoying reservation benefits in the affected zone shall be entitled to get the reservation benefits at the resettlement zone.</p> <p>6.22 INFRASTRUCTURE FACILITIES AND BASIC AMENITIES TO BE PROVIDED AT RESETTLEMENT ZONE:</p>	<p>terms.</p> <p>7.18.9 Tribal land alienated in violation of the laws and regulations in force on the subject would be treated as null and void. R&R benefits would be available only to the original tribal land owner.</p> <p>7.18.10 Tribal and Scheduled Caste families residing in the affected areas having fishing rights in the river/pond/dam shall be given fishing rights in the reservoir area of irrigation projects.</p> <p>7.18.11 Tribal and Scheduled Caste AFs enjoying reservation benefits in the affected zone shall be entitled to get the reservation benefits at the resettlement zone.</p> <p>7.19 INFRASTRUCTURE FACILITIES AND BASIC AMENITIES TO BE PROVIDED AT RESETTLEMENT ZONE:</p> <p>7.19.1 In all cases involving displacement of 400 families or more <i>en masse</i> in plain areas, or 200 families or more <i>en masse</i> in tribal or hilly areas or DDP blocks or areas mentioned in Schedules V and VI of the Constitution of India, comprehensive infrastructural facilities and amenities notified by the Appropriate Government will be provided. If relocation takes place in an existing settlement, the same infrastructure will also be extended to the host community.</p>
---	---

Comparative provisions of NPRR-2003 & NRP-2006

<p>6.22.1 While shifting the population of the Affected Zone to the Resettlement Zone, the Administrator for R&R may as far as possible, ensure that:</p> <p>a) In case the entire population of the village/area to be shifted belongs to a particular community, such population/families may be resettled <i>en masse</i> in a compact area so that socio-cultural relations (social harmony) amongst shifted families are not disturbed</p> <p>b) In case of resettlement of Scheduled Castes PAFs, it may be ensured that they are resettled in sites close to the villages.</p> <p>6.22.2 The Project Affected Families shall be provided the basic amenities and infrastructural facilities at the resettlement site as per norms specified by the Appropriate Govt. It is desirable that provision of drinking water, electricity, schools, dispensaries and access to the resettlement sites amongst others be included in the resettlement plan formulated by the Administrator for R&R.</p>	<p>7.19.2 While shifting the population of the affected zone to the resettlement zone, the Administrator for R&R may as far as possible, ensure that:</p> <p>a) In case the entire population of the village/area to be shifted belongs to a particular community, such population/families may be resettled <i>en masse</i> in a compact area so that socio-cultural relations (social harmony) amongst shifted families are not disturbed.</p> <p>b) In the case of resettlement of Scheduled Caste AFs, it may be ensured that they are resettled in sites close to the villages.</p> <p>7. 19.3 Affected Families shall be provided basic infrastructural facilities and amenities at the resettlement site as per norms specified by the Appropriate Govt. It is desirable that provision of drinking water, electricity, schools, dispensaries and access to the resettlement sites amongst others be included in the resettlement plan formulated by the Administrator for R&R.</p>
--	--

CHAPTER-VIII**8. Dispute Redressal Mechanism**

Provision of NPRR-2003	Proposed Provision of NRP-2006
<p>7.1 R&R COMMITTEE AT PROJECT LEVEL</p> <p>7.1.1 In respect of every project to which this Policy applies, the State Government shall constitute a Committee under the Chairmanship of the Administrator of that Project to be called the Resettlement and Rehabilitation Committee to monitor and review the progress of implementation of scheme/ plan of resettlement and rehabilitation of the Project Affected Families.</p> <p>7.1.2 The Resettlement & Rehabilitation Committee constituted as above shall inter-alia include as one of its members:-</p> <ul style="list-style-type: none"> • a representative of women residing in the affected zone; • a representative each of the Scheduled Castes and Scheduled Tribes residing in the affected zone; • a representative of a voluntary organization; • a representative of the lead bank; • Chairman or his nominee of the PRIs located in the affected zone • MPs/MLAs of the area included in the affected zone 	<p>8.1 R&R Committee at Project Level</p> <p>8.1.1 In all cases where this policy applies, the State Government shall constitute a Committee under the Chairpersonship of the Administrator of that project to be called the Resettlement and Rehabilitation Committee to monitor and review the progress of implementation of scheme/ plan of resettlement and rehabilitation of the affected families.</p> <p>8.1.2 The Resettlement & Rehabilitation Committee constituted as above shall inter alia include as one of its members:-</p> <ul style="list-style-type: none"> • a representative of women residing in the affected zone; • a representative each of the Scheduled Castes and Scheduled Tribes residing in the affected zone; • a representative of a voluntary organization; • a representative of the lead bank; • Chairperson (or his/her nominee) of the <i>Panchayat Raj Institutions</i> (PRIs) located in the affected zone • MPs/MLAs of the area included in the affected zone

Comparative provisions of NPRR-2003 & NRP-2006

<p>7.1.3 Procedure regulating the business of the Resettlement & Rehabilitation Committee, its meeting and other matters connected thereto shall be prescribed by the Appropriate Government.</p> <p>7.2. GRIEVANCE REDRESSAL CELL:</p> <p>7.2.1 In respect of every project to which this Policy applies, the State Government shall constitute a Grievance Redressal Cell under the Chairmanship of the Commissioner for Resettlement and Rehabilitation for redressal of grievances of the PAFs.</p> <p>7.2.2 The composition, powers, functions and other matters relating to the functioning of the Grievance Redressal Cell shall be such as may be prescribed by the Appropriate Government.</p> <p>7.2.3 Any Project Affected Family, if aggrieved, for not being offered the admissible R&R benefits as provided under this Policy, may move an appropriate petition for redressal of his grievances to the Grievance Redressal Cell.</p>	<p>8.1.3 Procedure regulating the business of the Resettlement & Rehabilitation Committee, its meetings and other matters connected thereto shall be prescribed by the Appropriate Government.</p> <p>8.2 Grievance Redressal Cell:</p> <p>8.2.1 In all cases where this policy applies, the State Government shall constitute a Grievance Redressal Cell under the chairpersonship of the Commissioner for Resettlement and Rehabilitation for redressal of grievances of AFs. The Grievance Redressal Cell shall also have an expert technical person. In case of projects involving land acquisition on behalf of a Requiring Body, the Cell would be funded by the Requiring Body. It would be ensured that the Cell functions efficiently and independently to ensure proper implementation of the R&R plan.</p> <p>8.2.2 The composition, powers, functions and other matters relating to the functioning of the Grievance Redressal Cell shall be such as may be prescribed by the Appropriate Government.</p> <p>8.2.3 Any affected person, if aggrieved, for not being offered the admissible R&R benefits as provided under this Policy, may move an appropriate petition for redressal of his/her grievances to the Grievance Redressal Cell.</p>
---	--

Comparative provisions of NPRR-2003 & NRP-2006

<p>7.2.4 The form and manner in which and the time within which complaints may be made to the Grievance Redressal Cell and disposed of shall be such as may be prescribed by the appropriate Government.</p> <p>7.2.5 The Grievance Redressal Cell shall have the power to consider and dispose of all complaints relating to resettlement and rehabilitation against the decision of the Administrator/R&R Committee at Project level for Resettlement & Rehabilitation and issue such directions to the Administrator for Resettlement & Rehabilitation as it may deem proper for the Redressal of such grievances.</p> <p>7.3 INTER-STATE PROJECTS:</p> <p>7.3.1 In case a project covers an area in more than one State or States or a Union territory where the project affected families are or had been residing, or proposed to be resettled, the Central Government in the Ministry of Rural Development (Department of Land Resources) shall in consultation with concerned States or Union territory, as the case may be, appoint the Administrator for Resettlement & Rehabilitation and the Commissioner for Resettlement and Rehabilitation for the purposes of this Policy.</p> <p>7.3.2 The method of implementation of plans/ schemes for resettlement and</p>	<p>8.2.4 The form and manner in which and the time within which complaints may be made to the Grievance Redressal Cell and disposed of shall be such as may be prescribed by the Appropriate Government.</p> <p>8.2.5 The Grievance Redressal Cell shall have the power to consider and dispose of all complaints relating to resettlement and rehabilitation against the decision of the Administrator/R&R Committee and issue such directions to the Administrator for Resettlement & Rehabilitation as it may deem proper for the redressal of such grievances.</p> <p>8.3 Inter-State Projects:</p> <p>In case of projects involving land acquisition on behalf of a Requiring Body:</p> <p>8.3.1 In case a project covers an area in more than one State or Union Territory where the project affected families are or had been residing, or proposed to be resettled, the Central Government in the Ministry of Rural Development (Department of Land Resources) shall in consultation with concerned States or Union Territory, as the case may be, appoint the Administrator for Resettlement & Rehabilitation and the Commissioner for Resettlement and Rehabilitation for the purposes of this Policy.</p> <p>8.3.2 The method of implementation of plans/ schemes for resettlement and</p>
--	---

Comparative provisions of NPRR-2003 & NRP-2006

<p>rehabilitation shall be mutually discussed by the State Governments and the Union territory administration and the common plan/ scheme shall be notified by the Administrator for Resettlement & Rehabilitation in the State or Union territory administration, as agreed to, in accordance with the procedure laid down in this Policy.</p> <p>7.3.4 If any difficulty arises in the implementation of the schemes/ plans, the matter shall be referred to the Central Government in the Ministry of Rural Development (Department of Land Resources) for its decision and the decision of the Central Government shall be binding on the concerned States and Union territory.</p>	<p>rehabilitation shall be mutually discussed by the State Governments and the Union Territory administration and the common plan/ scheme shall be notified by the Administrator for Resettlement & Rehabilitation in the States or Union Territory administration, as agreed to, in accordance with the procedure laid down in this Policy.</p> <p>8.3.4 If any difficulty arises in the implementation of the schemes/ plans, the matter shall be referred to the Central Government in the Ministry of Rural Development (Department of Land Resources) for its decision and the decision of the Central Government shall be binding on the concerned States and Union Territory.</p>
---	--

Chapter – IX

Govt. of India, Ministry of Rural Development, Department of Land Resources

☎ - 01123063927/ 01123062460/ 01124360946, 📠 - 01123062541/ 01124360946, ✉ - aslr@nic.in, jswd@nic.in

9. Monitoring mechanism

Provision of NPRR-2003	Proposed Provision of NRP-2006
<p>National Monitoring Committee</p> <p>8.1 The Central Government, Ministry of Rural Development, Department of Land Resources shall constitute a National Monitoring Committee, to be chaired by the Secretary, Department of Land Resources for reviewing and monitoring the progress of implementation of resettlement and rehabilitation scheme/plan relating to all projects to which this Policy applies. The Committee will have the following or his nominee not below the rank of Joint Secretary as its members: Secretary, Planning Commission; Secretary, M/o Social Justice & Empowerment; Secretary, M/o Water Resources; Secretary, M/o Tribal Affairs; Secretary, M/o Railways; Secretary, M/o Power; Secretary, M/o Coal</p> <p>Besides, the Secretary of the administrative Ministry/ Department of the project for which the land is to be acquired shall be invited as one of the Members. The functions and duties of this Committee shall be prescribed by this Ministry.</p>	<p>National Monitoring Committee</p> <p>9.1 The Central Government, Ministry of Rural Development, Department of Land Resources shall constitute a National Monitoring Committee, to be chaired by the Secretary, Department of Land Resources for reviewing and monitoring the progress of implementation of resettlement and rehabilitation scheme/plan relating to all cases to which this policy applies. The Committee will have the following or his nominee not below the rank of Joint Secretary as its members: Secretary, Planning Commission; Secretary, M/o Social Justice & Empowerment; Secretary, M/o Water Resources; Secretary, M/o Tribal Affairs; Secretary, M/o Railways; Secretary, M/o Power; Secretary, M/o Coal.</p> <p>Besides, in case of projects involving land acquisition on behalf of a Requiring Body, the Secretary of the administrative Ministry/Department of the project for which the land is to be acquired shall be invited as one of the members. The functions and duties of this Committee shall be prescribed by this</p>

<p>8.2 The National Monitoring Committee shall be serviced by the National Monitoring Cell to be constituted by the Department of Land Resources for reviewing and monitoring the progress of implementation of Resettlement and Rehabilitation scheme/plan relating to all projects to which this Policy applies.</p> <p>National Monitoring Cell</p> <p>8.3 National Monitoring Cell constituted under this Policy shall be headed by an officer not below the rank of Joint Secretary to the Government of India. The National Monitoring Cell as referred to above shall be assisted by the officers and staff as referred to in Annexure-I.</p> <p>Applicability</p> <p>8.4 The National Policy on the Resettlement and Rehabilitation of Project Affected Families (NPRR – 2003) shall come into effect from the date of its publication in the Gazette of India (Extraordinary).</p>	<p>Ministry.</p> <p>9.2 The National Monitoring Committee shall be serviced by the National Monitoring Cell to be constituted by the Department of Land Resources for reviewing and monitoring the progress of implementation of Resettlement and Rehabilitation scheme/plan relating to all cases to which this policy applies.</p> <p>National Monitoring Cell</p> <p>9.3 National Monitoring Cell constituted under this Policy shall be headed by an officer not below the rank of Joint Secretary to the Government of India. The National Monitoring Cell as referred to above shall be suitably staffed for efficient functioning.</p> <p>Commencement</p> <p>9.4 The National Rehabilitation Policy (NRP – 2006) shall come into effect from the date of its publication in the Gazette of India (Extraordinary).</p>
---	---