PROCEEDINGS OF THE GOVERNMENT OF KARNATAKA

Subject: UKP, Stage I - Phase I & II - Rehabilitation and Resettlement Policy - Clarifications and Removal of Doubts - regarding.

READ:
1) Staff Appraisal Report of the World Bank dated 12-4-1989 in respect of Phase II of the Upper Krishna Irrigation Project (Stage I).
2) a) Project Agreement dated 16-6-1989 between the IDA (International Development Association) and the World Bank and the Government of Karnataka (GOK);
   b) Development Credit Agreement dated 16-6-1989 between IDA and GOK;
   c) Loan Agreement dated 16-6-1989 between the World Bank and GOK;
3) G.O.NO. RWD 274 WBM 89 dated 2-3-1990.

PREAMBLE:

Upper Krishna Irrigation Project - Stage I, Phase I consisted of the construction of a Dam at Narayanapur across the river Krishna and the developing of an irrigation system. Phase-II of Stage-I of that Project consists, inter-alia of construction of a Dam across the same river at Almatti upto a height of EL 509.25m. The Staff Appraisal Report, read at (1) above, defines the Rehabilitation and Resettlement (R&R) policies to be adopted in respect of Project Displaced Families (P.D.Fs) of Upper Krishna Project Stage I - Phase I & II. The Development Credit Agreement dated 16-6-1989 entered into between the International Development Association and the State of Karnataka (hereinafter called the Agreement), provides definitions of the terms 'Displaced Person', 'Displaced Family' etc. It also deals with the R&R packages to be made available to the P.D.Fs as agreed to between the contracting parties.

The first comprehensive Government Order on the R&R policy in respect of this project issued subsequent to the above Agreement dated 16-6-1989, is the Government Order dated 2-3-1990.
read at (3) above. Subsequently, four other Government Orders read at (3) to (6) above have been issued laying down and conveying changes in the R&R policy and package.

In the working of the R&R schemes, as described by the various Government Orders, it has been found that some of the Government Orders issued from time to time are not in consonance with the Agreement dated 16-6-1989. Certain lack of consistency and clarity and even some errors have crept in the Government Orders issued from 2-3-1990 onwards due to inadequate appreciation and faulty understanding of the terms of the agreement. In some cases typographical errors have also occurred.

Further, words and phrases used in the various Government Orders are being interpreted variously by different Consultants, which have been currently carrying out detailed Socio-Economic Surveys of the P.D.Fs (Project Displaced Families). The Engineer-in-Chief and Ex-Officio Special Secretary to Government, UKP and the General Manager (R&R), UKP have raised certain issues in the context of these surveys and at several meetings with the officers at the Government level during the recent months.

Thus, it has become necessary to correct errors that have crept in the Government Orders and to clarify certain doubts so that the R&R policy is in tune with the letter and spirit of the Agreement and other specific commitments made with the World Bank and its affiliate, the International Development Association.

Hence the following Order:


1. It would be useful to set out the most crucial definitions. These are as follows:

1) "displaced person" means any person, either land owning or landless, who for at least one year prior to the date of publication of any notification under Section 4 of the Land Acquisition Act 1944 as amended, for the purpose of acquiring any land for phase I or for the project, has ordinarily been residing in, or cultivating land, or carrying on any trade.
OCCUPATION, OR CALLING OR WORKING FOR GAIN IN THE PROJECT
AREA OR THE AREA IN WHICH PHASE I IS CARRIED OUT AND WHO WOULD BE, OR HAS BEEN, INVOLUNTARILY DISPLACED FROM HIS OR HER USUAL PLACE OF RESIDENCE OR WORK DUE TO SUCH LAND ACQUISITION (INCLUDING FOR ROAD CONSTRUCTION OR INSTALLATION OF MAIN CANALS AND DISTRIBUTORIES).

ii) "DISPLACED FAMILY" INCLUDES EACH ADULT DISPLACED PERSON, HIS OR HER SPOUSE, MINOR CHILDREN AND OTHER DEPENDANTS WHO HABITUALLY RESIDED IN ONE HOUSEHOLD FOR AT LEAST ONE YEAR PRIOR TO THE DATE OF PUBLICATION OF ANY NOTIFICATION UNDER SECTION 4 OF THE LAND ACQUISITION ACT 1894, AS AMENDED, FOR THE PURPOSE OF ACQUIRING ANY LAND FOR PHASE I OR FOR THE PROJECT, OR PRIOR TO THE DISPLACEMENT OF SUCH FAMILY, AS THE CASE MAY BE;

iii) "LAND OWNING DISPLACED PERSON" OR "LAND OWNING DISPLACED FAMILY" MEANS DISPLACED PERSON OR A DISPLACED FAMILY, AS THE CASE MAY BE, OWNING NOT MORE THAN 10 HA BUT AT LEAST 0.25 HA OF LAND IN THE PROJECT AREA OR PHASE I WHICH, OR A PART OF WHICH, IS ACQUIRED FOR THE PURPOSES OF THE PROJECT;

iv) "LANDLESS DISPLACED PERSON" OR "LANDLESS DISPLACED FAMILY" MEANS A DISPLACED PERSON OR A DISPLACED FAMILY, AS THE CASE MAY BE, OWNING LESS THAN 0.25 HA OF LAND IN THE PROJECT AREA OR PHASE I WHICH, OR A PART OF WHICH, IS ACQUIRED FOR THE PURPOSES OF THE PROJECT.

2. (a) THE PROVISIONS REGARDING THE CATEGORISATION OF PDPs/PDFs AND THE ELIGIBILITY OF THE DIFFERENT CATEGORIES OF PDPs/PDFs AS LAID DOWN IN THE AGREEMENT AND AMENDED FROM TIME TO TIME ARE AS FOLLOWS:

i) PROVISION OF AN EX-GRATIA AMOUNT FOR ACQUIRING AGRICULTURAL LAND UPTO 1.5 H.A.S OF IRRIGATED LAND IN THE COMMAND AREA OR 3 H.A.S OF NON-IRRIGATED LAND NOT EXCEEDING ₹60,000/- IN THE GRADED MANNER AS EXPLAINED BELOW TO EACH LAND-OWNING PROJECT DISPLACED FAMILY (P.D.F.), ALL OF WHOM LAND HAS BEEN ACQUIRED FOR THE PURPOSE OF THE PROJECT OR PHASE I.

...4/-
Agricultural Land holding (irrigated or unirrigated) lost under the project.

Amount payable in addition to compensation under the LAQ Act to make up for the loss of land (not exceeding the amounts mentioned below).

<table>
<thead>
<tr>
<th>More than 10 hectares</th>
<th>Nil</th>
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<tbody>
<tr>
<td>6.76 to 10</td>
<td>Rs. 20,000/-</td>
</tr>
<tr>
<td>3.51 to 6.75</td>
<td>Rs. 40,000/-</td>
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<tr>
<td>0.25 to 3.50</td>
<td>Rs. 60,000/-</td>
</tr>
</tbody>
</table>

ii) Provision of an Income Generating Scheme costing not more than Rs. 20,000/- to each P.D.F. which has lost some of its land and is left with less than 1.5 ha of irrigated land in the Command area or 3 hectares of non-irrigated land.

iii) Provision to each land owning P.D.F. which does not fall under (i) and (ii) above and which has lost a part of its land, but which is left with more than 1.5 ha of irrigated land or 3 hectares of non-irrigated land after acquisition of land for the Project, of an ex-gratia payment not exceeding Rs. 500/- to meet up to 25% of the unit cost of an appropriate income generating scheme and a Bank loan not exceeding Rs. 7500/- and Rs. 7500/- of his own seed capital amount to meet up to 75% of the unit cost of such scheme.

iv) Provision to each landless P.D.F. whose work, trade or business has been adversely affected as a result of the Project or Phase I, at its option, of either (i) 0.5 ha of irrigated land in the command area or 1 ha of non-irrigated land (not exceeding Rs. 20,000/- in value); or (ii) an ex-gratia grant not exceeding Rs. 20,000/- for an appropriate income generating scheme.

v) Provision of a house plot of upto 400 square meters (in a graded manner as explained in para 9(b) below) at the site of resettlement, free of cost of Rs. 2,500/- in lieu thereof to each P.D.F. which has lost, or will lose its house as a result of acquisition of land for the Project.
b) In addition to the above eligibility, the Project Authority shall make:-

1) Provision of monetary assistance for transportation, to all Project displaced families for the relocation of themselves, their livestock, salvaged housing materials and other belongings from their original habitats to the sites of Resettlement Centres on the following scale:

<table>
<thead>
<tr>
<th>Distance from the original Village (habitat) to the RC</th>
<th>Eligibility for Monetary assistance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upto 2 Kms</td>
<td>₹. 250/-</td>
</tr>
<tr>
<td>Above 2 Kms and upto 5 Kms</td>
<td>₹. 500/-</td>
</tr>
<tr>
<td>Beyond 5 Kms</td>
<td>₹. 1000/-</td>
</tr>
</tbody>
</table>

For those PDFs who relocate themselves to places other than the RCs, a fixed amount of ₹.2,500/- for similar purposes will be provided.

However, in special circumstances at the request of a PDF, the Project authorities may arrange for free transportation of these materials, provided the PDF makes the request in writing for such assistance at least 15 days in advance and forgoes the monetary assistance, eligibility for which is described above.

ii) Provision to all Project displaced families relocating at a Resettlement Centre/a location of his choice, other than the same village which has been affected by the Project, a subsistence allowance of a fixed sum of ₹.2,800/- only to defray the cost of food, medical care, fuelwood and fodder in the new location in the first six months following relocation.

3. In the above context, the following clarifications, in supersession of all previous Government Orders on these matters, are done...
a) The adult brothers of the land-owning displaced
person of such a P.D.F. who may have attained the age of
18 years as on 1.1.1984 in respect of Narayangarh Dam and
associated canals and, as on 1.1.1993, in respect of Almatti
Dam and associated canals, and who on specified dates were
residing in the same house as the P.D.F. may be treated as
not dependent (only for the purpose of R&R housing package)
on the project Displaced Person, if such brothers conclusively
establish that they had actually separate kitchens though
living in the same household. Such assertion should be supported
by evidence, e.g., inter alia, by possession by such a brother of
an independent ration card;

Provided where such adult brother is not alive at the
time of making available the benefit of this G.O. his widow
shall get the benefit for which her deceased husband was
entitled to, provided she had not remarried, as on the date
of sanction of benefit in favour of her, under these
provisions.

On such evidence being made available, each such
major brother, only in cases where the P.D.F. and such adult
brothers or their widow lose the house in which they live,
for the project, shall be eligible for a residential site
with an area not exceeding 100 (one hundred) square meters in
the rehabilitation centre, or a cash payment not exceeding
Rs.2,000/- in lieu of such site, at the option of such a
major brother/his widow, and a housing grant of Rs.22,000/-
(Rupees twenty two thousand only) for constructing a house on
the site granted to him or acquired by him.

If a P.D.F. loses one or more houses for the project,
none of which was actually being used for its residence, it
shall not be treated as a P.D.F. for the purpose of the housing
package under R&R. Habitual seasonal migration during a part of
the year by such a P.D.F. to a place outside the affected village
for the purpose of employment, shall not, however, operate as
a disability for getting that benefit.

4. Notwithstanding that the agreement provides for
treating all dependent major members of a P.D.F as constituting
one P.D.F. the government order No. 177/1
31.12.1992 specifying... dependent major members.
P.D.Fs as being eligible for a house site in the Resettlement Centre and a housing grant. This has been done in agreement with the World Bank. The cut-off dates of 1.1.1984 in respect of Narayanapur Dam and connected main canals; distributory and road construction and 1.1.1993 in respect of Almatti Dam and connected main canals distributory and road construction have been adopted. It is clarified further that in respect of a land-owning P.D.F., the above housing package shall not be extended to more than two major sons, the choice of these two major sons being exercised by the main Project Displaced Person whose sons are so concerned, failing which the first two major sons shall be chosen by the R&R authorities for this purpose.

5. Since only the major brothers of a land-owning P.D.F. living in the same household and losing that joint residence are eligible for the specific purpose of the housing package described above, major sons of such major brothers, shall not get the benefits of this Government order meant for major sons.

6. Major sons of a P.D.F., eligible for the benefits of the Government Order, as described above, shall be entitled, in addition to a housing grant of Rs.2,000/-, to a site free of cost in the Rehabilitation Centre, the area of which shall not exceed 100 (one hundred) square meters or to a cash grant not exceeding Rs.2,500/- in lieu of such a free site. Where the major son opts for the cash grant in lieu of a free site, he shall be bound to construct a house using the housing grant on the site of his choice. Similarly, all the never-married major daughters of a P.D.F. who have attained the age of 35 years as on the cut-off dates mentioned above, will be eligible for the housing facilities described in this paragraph.

7. As defined in the agreement, it is clarified that any person/family which is affected by the project and who/which held 10 hectares or more of agricultural land, one year prior to the date of publication of any notification under Section 4 of the Land Acquisition Act, 1894 shall not be treated as a Land-owning Project Displaced Family, "Project Affected Family", for the purpose of extending any part of the R&R package meant for such Land-owning P.D.Fs. For the purpose of computing land holding as above, the land holding of every member of a joint family, which live in one household, including each adult person, his spouse...
dependents shall be aggregated provided that such land holdings are not entered as separate holdings in separate RORs since at least one year prior to the publication of the notification under Section 4 of the Land Acquisition Act;

Provided further that lands held by the spouses and their minor children within a P.D.F. shall necessarily be aggregated even if such land holdings are under separate Records of Rights.

8. Para 1.06 of the Government Order No. RD 253 RGH 92 dated 13.1.1993 read at (6) above is being interpreted to mean that each P.D.F. whether he/she loses his house or not for the Project shall be provided a site free of cost in the Rehabilitation Centre and a housing grant of Rs. 22,000/- per P.D.F. This is not a logical interpretation. If the house in which the P.D.F. lives is not acquired for the project, there is no question of resettling the P.D.F. in the Rehabilitation Centre.

Thus P.D.Fs, who do not lose their houses in which they have been living shall neither be eligible for a residential site in the Rehabilitation Centre or elsewhere nor for the housing grant for construction of a house thereon. However, where the overwhelming part of the village and the houses in Gramathana (village site) therein has been acquired/submerged under the project and only a few houses, ordinarily not more than 10% of the total number of houses prior to such acquisition/submergence remain unaffected, the claims for the housing package in respect of the persons living in such unaffected houses may have to be treated on a case-to-case basis.

9. Other matters relating to the housing component of the R&P package are dealt with below:

a) A landless Project Displaced Family and also major sons of landless families shall be eligible for a free house site not exceeding 100 square metres in the Resettlement Centre and an ex gratia housing grant of Rs. 22,000/-;

b) A land-owning Project Displaced Family, which has lost one or more houses, owned by it under the project and in at least one of which houses it had been living, shall be eligible for a house-site not exceeding 400 square metres at the following scale and a housing grant not exceeding Rs. 22,000/-. 
Extent of pre-project agricultural land-holding of the Site for which the P.D.F. is eligible

<table>
<thead>
<tr>
<th>Size of the Site</th>
<th>Less than 0.25 hct.</th>
<th>Between 0.25 hct. and 3.50 hct.</th>
<th>Between 3.51 hct. and 6.75 hct.</th>
<th>Between 6.75 hct. and 10 hct.</th>
</tr>
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(This benefit is in consideration of the loss of the residence by the P.D.F.)

c) Where a PDF loses more than one house for the Project, such PDF shall be provided only one site in the Rehabilitation Centre and only one housing grant of ₹22000/- for construction of a house thereon; provided that at least one of the houses so lost by the PDF was the house in which the PDF actually lived.

d) In cases where agricultural lands lost for the Project area were held jointly by the major members of the PDFs; but each or some of the major members of the PDF owned independent houses as reflected in the house property records, each such person losing the separate house where he lived shall be eligible for a residential site in the Rehabilitation Centre and a housing grant of ₹22,000/- for construction of a house thereon. His eligibility for the site not exceeding 400 Sq. meters in extent will be according to the scale prescribed in sub-para (b) above based on his share in the joint holding of the agricultural land.

e) Where a PDF owned one or more houses separately in his name; and one or more houses jointly with others, and such houses are acquired for the Project, he shall be eligible only for one site in the Rehabilitation Centre and one housing grant provided the house held by him in his own name and lost for the project was the house in which he and his family were living. His eligibility for the site not exceeding 400 Sq. meters in extent in the Resettlement Centre will be according to the scale prescribed in sub-para (b) above.

II. The R&R authorities have expressed apprehension about the proper utilisation of the housing grant in the absence of any specifications prescribed by the competent authorities in this...
directed that the Engineer-in-Chief & Ex-officio Special Secretary to Government, UK, and the General Manager (r.r.), UK, shall jointly decide upon the broad specifications of the house to be constructed by the PDFs out of the housing grant with a view to ensuring that adequate, safe and hygienic housing is actually realised. It shall be incumbent upon the PDFs to construct the house as per such broad specifications. However, the PDF shall have the full freedom to choose his own design for the house.

12. With regard to the payment of ex-gratia in respect of families losing agricultural land for the project, the following further clarifications are issued:

(a) Where agricultural property held jointly by every person belonging to a family has been lost for the project; and the compensation for acquisition of such land has been paid jointly in the form of a cheque drawn in favour of all the joint-holders, the ex-gratia payable for purchase of agricultural land shall also be paid jointly in the name of all such joint holders. Only one ex-gratia shall be admissible.

(b) For the purpose of classification of such joint holdings of agricultural land into Category I, II and III, the entire joint-holding shall be treated as belonging to one Project Displaced Family. In no case, such joint-holding shall first be notionally divided amongst the joint-holders and the categorisation of P.D.F. be done on the basis of such a notionial division.

(c) In cases where the PDFs owned agricultural land acquired for the project both jointly and separately, the actual extent of land lost by each such PDF, shall be computed with reference to the separate individual holding of each such PDF as reflected in the then land records with the addition of his proportionate share in the joint-holding, subject to the condition that in no case, more than one ex-gratia becomes payable to any of these joint-holders who also hold separate holdings.

(d) Where agricultural lands were held by the PDF jointly, but the members of the PDF held houses separately; and all such lands and houses have been acquired for the project, ex-gratia for the purpose of purchase of land/income generating scheme, shall be paid jointly to all the joint-holders of the agricultural lands lost for the project. Only one ex-gratia payment shall be
permissible to all such joint-holders. They will, however, eligible for separate grants of house sites and ex-gratia housing grants to the extent that they separately owned and lived in different houses, which have been acquired for the Project, in the manner and according to the scale prescribed above.

13. Clause (i) of Section 1.02 of Article I of the Agreement refers to persons losing their trade or occupation on account of being involuntarily displaced from their usual place of residence or work, due to acquisition of land for the project. If such a trader or professional lost his house where he had been living for the project, he would be resettled in the Rehabilitation Centre in the manner and according to the scale prescribed above. Thus, he can continue to practice the same trade or profession in the Rehabilitation Centre as he was carrying on in the village acquired for the project. Therefore, such a PDF shall not be eligible for ex-gratia for taking up separately an income generating scheme.

14. However, if such trader/professional is not resettled in the Rehabilitation Centre, then the case of such PDF could be considered for payment of ex-gratia for starting an I.G.S, provided such a PDF swears to a simple affidavit to help establish the date from which he had been living in the Project Affected Area; the profession that he was carrying on there; the house in which he was residing; his neighbours; the circumstances under which he can no more carry on his trade or profession in any other place, including the Resettlement Centre, etc. Only in such cases, where Project authority is satisfied that a PDF not resettled in the Rehabilitation Centre has been disabled from carrying on the trade/profession, which it was practicing in the village that is acquired for the project, in any other part of the country, without the assistance of an Income Generating Scheme (I.G.S), the case for payment of ex-gratia for I.G.S scheme should be considered. Tailors/Cobblers/Barbers/Government employees are examples of PDFs, who do not normally lose their profession on account of involuntary resettlement. Where ex-gratia is paid for I.G.S, proper utilisation certificate from an Independent and recognised agency like an NGO, where the PDF professed to be carrying on his trade/profession etc., along with photographs of the house should be insisted upon.
15. However, all adult landless agricultural labourers (the cut-off dates for such adulthood being the same as mentioned above in respect of the major sons) whether resettled in the Rehabilitation Centre or not shall be eligible for an ex-gratia not exceeding ₹20,000/- for starting an IGS, provided that at least 51% of the agricultural land in the village where they were living are either acquired or submerged and provided further that when they request for an IGS it is established to the satisfaction of the Project authority that such landless agricultural labourers are not actually engaged as agricultural labourers for at least 240 days in a year and they therefore seek the assistance in the shape of an IGS. In other cases the provisions of the preceding para 14 will apply.

16. The amount of ex-gratia for starting an IGS specified in this Government Order, indicate the ceiling for the P.D.F. In all such cases, what is payable is the actual amount required by the P.D.Fs to invest in an IGS, or the ceiling of ex-gratia prescribed, whichever is less.

17. In case of Category III P.D.Fs, the ex-gratia payment of ₹5,001/- is linked with the bank loan of ₹7,500/- and the seed capital of ₹7,500/- to be brought in by the P.D.F. The entire scheme should be implemented as a whole and in no case only the ex-gratia amount should be sanctioned without ensuring that the bank sanctions the loan and the P.D.F. brings in the said capital.

18. In respect of any of the benefits for which a P.D.F is eligible under this Government Order, it shall be in the joint names of both the spouses in conformity with the general policy of the Government of Karnataka.

19. In respect of a beneficiary under this G.O. where such a beneficiary has never been admitted to a school or his/her birth has not been registered or his/her approximate age is not entered in the Voters' list or in the Ration Card, as on the cut-off dates mentioned above, and is therefore unable to produce any credible proof of his/her age, a Certificate issued by a Registered Medical Practitioner evidencing the age of such a person (as on the date of the Certificate) will have to be furnished to the satisfaction of the Project authority.
20. The cut-off dates for eligibility of various categories of persons like Adult brothers, Major sons, and Never-married daughters mentioned in this G.O. refer to the cases where Section 4(1) Notifications for acquisition of the lands and houses concerned under the project were published prior to these cut-off dates. Similar cut-off dates determining eligibility for such persons in the cases involving future acquisition of lands and houses under the project will be the dates of publication of Section 4(1) Notification for such future acquisitions.

21. All these clarifications shall have prospective effect. In cases where the FDPs have already utilised the benefits as per the past interpretations of earlier Government Orders, the benefits already utilised shall not be withdrawn. However, where only sanctions have been made but the amounts are yet not actually utilised, such sanctions may be withdrawn. Similarly, where amounts are only deposited in the bank accounts and not utilised, such deposits may be withdrawn, even though the first instalment has been utilised and the subsequent instalments have not been utilised.

22. This order is applicable only in respect of Stage I (Phases I & II) of the Upper Krishna Project.

23. This order issues with the concurrence of Finance Department vide its U.O. No. 134 KC-1/95 dated 16-3-1995.

By Order and in the name of the Governor of Karnataka,

[Signature]

Deputy Secretary to Government, Revenue Department.

To:
1. The Compiler, Karnataka Gazette, Bangalore, for publication in the next issue of Gazette and to supply 500 copies to Revenue Department.
2. Mr. Ridley Nelson, Chief Agricultural Unit, P.B.No.416, New Delhi 110 003.
3. The Accountant General, Karnataka (A&F), Bangalore.
4. The Chief Secretary to Government of Karnataka, Bangalore.
5. The Additional Chief Secretary to Government, Bangalore.
PREAMBLE:

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.

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 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.

1.3 Some States and Central Ministries/Departments have their own Policies and Guidelines for Resettlement and Rehabilitation. However, a 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).
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 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 providing satisfaction to all stakeholders/ Requiring Bodies.

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 enmasse in plain areas and 250 families enmasse in hilly areas, Desert Development Programme (DDP) blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India. It is expected that the 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.

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. States where R&R packages are higher than proposed in the Policy are free to adopt their own packages.
2. OBJECTIVES OF THE POLICY

2.1 The objectives of the Policy are as follows:-

(a) To minimize displacement and to identify non-displacing or least-displacing alternatives;

(b) To plan the resettlement and rehabilitation of Project Affected Families, (PAFs) including special needs of Tribals and vulnerable sections;

(c) To provide better standard of living to PAFs; and

(d) To facilitate harmonious relationship between the Requiring Body and PAFs through mutual cooperation.
3. DEFINITIONS

3.1 The Definition of various terms used in this Policy Document are as follows:

(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.

(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;

(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 land, agricultural labourers, occupiers of forest lands and of collectors of minor forest produce;

(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;

(e) "agricultural land" includes lands used or capable of being used for the purpose of-

(i) agriculture or horticulture;

(ii) dairy farming, poultry farming, pisciculture, breeding or livestock and nursery growing medical herbs;
(iii) raising of crops, grass or garden produce; and

(iv) land used by an agriculturist for the grazing of cattle, but does not include land used for the cutting of wood only;

(f) "appropriate Government" means,-

(i) in relation to acquisition of land for the purposes of the Union, the Central Government;

(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 State Government and

(iii) in relation to acquisition of land for other purposes, the State Government.

(g) 'BPL Family': The Below Poverty Line Families shall be those as defined by the Planning Commission of India from time to time.

(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.

(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;

(j) "family" means Project Affected Family consisting of such persons, his or 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.

(k) "holding" means the total land held by a person as an occupant or tenant or as both;

(l) "marginal farmer" means a cultivator with an unirrigated land holding upto one hectare or irrigated land holding upto half hectare;
(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;

(n) "notification" means a notification published in the Official Gazette;

(o) "occupiers" means members of Scheduled Tribe community in possession of forest land prior to 25th October, 1980;

(p) "project" means a project displacing 500 families or more en masse in plain areas and 250 families or more en masse 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.

(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.

(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;

(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.;

(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.
4. APPPOINTMENT OF ADMINISTRATOR AND COMMISSIONER FOR RESETTLEMENT AND REHABILITATION AND THEIR POWERS & FUNCTIONS

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.

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.

4.2 The Administrator for Resettlement & Rehabilitation shall be assisted by such officers and employees as the appropriate Government may provide.

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.

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.

4.5 Subject to any general or special order of the appropriate Government, the Administrator for Resettlement & Rehabilitation shall perform the following functions/duties:-

(i) minimize displacement of persons and identify non-displacing or least displacing alternatives in consultation with the requiring body;
(ii) hold consultation with the project affected families while preparing a resettlement and rehabilitation scheme/ plan;
(iii) ensure that interest of the adversely project affected families of Scheduled Tribes and weaker sections are protected.
(iv) prepare a draft plan/ scheme of resettlement and rehabilitation as required under Chapter V of this Policy;
(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;
(vi) acquire adequate land for the project and also for settling the project affected families;
(vii) allot land and sanction benefits to project affected families;
(viii) perform such other functions as the appropriate Government may, from time to time, by order in writing, assign.

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.

4.7 All officers and staff appointed by the appropriate Government under this Policy shall be subordinate to the Administrator for Resettlement & Rehabilitation.

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.

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.

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.
5. SCHEMES/PLANS FOR RESETTLEMENT AND REHABILITATION:

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 and land to be acquired for the purpose of Resettlement and Rehabilitation, preparation of draft scheme/plan for R&R and its final publication.

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 en masse in plain areas and 250 families or more 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.

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 places or places in the affected zone.

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.

5.4 Every survey shall contain the following village-wise information of the project affected families:

(i) members of families who are permanently residing, practicing any trade, occupation or vocation in the project affected area;

(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.

(iii) Agricultural labourers and non-agriculture labourers.
(iv) Project Affected Families who are having possession of forest lands prior to 25th October, 1980, that is prior to the commencement of the Forest (Conservation) Act, 1980.

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.

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.

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.

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.

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 equality and mutual understanding, consistent with the desire of each group to preserve its own identity and culture.

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 Panchayat for resettlement and rehabilitation of project affected families.

5.11 The lands drawn up under para 5.10 shall consist of:-

(a) Government waste lands and any other land vesting in the Government available for allotment to project affected families.
(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.

5.12 The appropriate Government shall, by notification, declare any area acquired or proposed to be acquired for resettlement and rehabilitation of project affected families, as a resettlement zone.

5.13 The Administrator for R&R, on behalf of the 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 from any person through consent award and may enter into an agreement for this purpose.

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.

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.

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 & Rehabilitation scheme/plan of Project Affected Families.

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.

5.18 Every draft scheme/Plan of resettlement and rehabilitation prepared shall contain the following particulars, namely:-
(a) the extent of area to be acquired for the project and the name(s) of the corresponding village(s).
(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;
(c) a list of agricultural labourers in such area and the names of such persons whose livelihood depend on agricultural activities;
(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;
(e) a list of occupiers, if any,
(f) a list of public utilities and Government buildings which are likely to be affected;
(g) a comprehensive list of benefits and packages which are to be provided to project affected families;
(h) details of the extent of land available which may be acquired in settlement area for resettling and allotting of land to the project affected families;
(i) details of the basic amenities and infrastructure facilities which are to be provided for resettlement;
(j) the time schedule for shifting and resettling the displaced families in resettlement zones;
(k) such other particulars as the Administrator for Resettlement & Rehabilitation may think fit to include for the information of the displaced persons.

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 Official Gazette to give wide publicity to the same in the affected zone.

5.20 Upon notification of a scheme/plan, the same shall come into force.
CHAPTER - VI

R&R BENEFITS FOR PROJECT AFFECTED FAMILIES

6.1 The resettlement and rehabilitation (R&R) benefits shall be extended to all the Project Affected Families (PAF) whether belonging to below poverty line (BPL) or non-BPL.

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.

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.

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 of Government land in the districts.

6.5 Stamp duty and other fees payable for registration shall be borne by the requiring body.

6.6 The Land allotted under para 6.4 shall be free from all encumbrances. The Land allotted may be in the joint names of wife and husband of PAF.

6.7 In case of allotment of wasteland/degraded land in lieu of acquired land, each PAF 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.

6.8 Each PAF having cattle shall get financial assistance of Rs. 3000/- for construction of cattle shed.
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.

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.

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.

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.

6.13 Each PAF owning agriculture land in the affected zone and who consequently becomes a small farmer shall get one time financial assistance equivalent to 375 days minimum agricultural wages.

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.

6.15 Each displaced PAF shall get a monthly subsistence allowance equivalent to 20 days of minimum agricultural wages per month for a period of one year upto 250 days of MAW.

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.

6.17 Acquisition 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, and no other Resettlement & Rehabilitation benefits shall be available to them.
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.

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.

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.

6.21 R&R BENEFITS FOR PROJECT AFFECTED FAMILIES OF SCHEDULED TRIBES.

6.21.1 Each Project Affected Family of ST category shall be given preference in allotment of land.

6.21.2 Each tribal PAF shall be entitled to get R&R benefits mentioned in above Paras under the Policy.

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.

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.

6.21.5 Tribal PAFs shall get land free of cost for community & religious gathering.

6.21.6 Tribal PAFs resettled out of the district/taluka will get 25% higher R&R benefits in monetary terms.

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.

6.21.8 The Tribals families residing in the Project Affected Areas having fishing rights in the river/pond/dam shall be given fishing rights in the reservoir area.

6.21.9 Tribal PAFs enjoying reservation benefits in the affected zone shall be entitled to get the reservation benefits at the resettlement zone.
6.22 BASIC AMENITIES TO BE PROVIDED AT RESETTLEMENT ZONE:

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:

a) In case the entire population of the village/area to be shifted belongs to a particular community, such population/families may be resettled enmasse in a compact area so that socio-cultural relations (social harmony) amongst shifted families are not disturbed.

b) In case of resettlement of Scheduled Castes PAFs, it may be ensured that they are resettled in sites close to the villages.

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.
CHAPTER - VII

7. DISPUTE REDRESSAL MECHANISM

7.1 R&R COMMITTEE AT PROJECT LEVEL

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.

7.1.2 The Resettlement & Rehabilitation Committee constituted as above shall inter-alia include as one of its members:-

(i) a representative of women residing in the affected zone;
(ii) a representative each of the Scheduled Castes and Scheduled Tribes residing in the affected zone;
(iii) a representative of a voluntary organization;
(iv) a representative of the lead bank;
(v) Chairman or his nominee of the PRIs located in the affected zone
(vi) MPs/MLAs of the area included in the affected zone

7.2.3 Procedure regulating the business of the Resettlement & Rehabilitation Committee, its meeting and other matters connected thereto shall be prescribed by the Appropriate Government.

7.2. GRIEVANCE REDRESSAL CELL:

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.

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.

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.
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.

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.

7.3 INTER-STATE PROJECTS:

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.

7.3.2 The method of implementation of plans/ schemes for resettlement and 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.

7.3.3 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.
CHAPTER - VIII

MONITORING MECHANISM

8. NATIONAL MONITORING COMMITTEE

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 and Empowerment
- Secretary, M/o Water Resources
- Secretary, M/o Tribal Affairs
- Secretary, M/o Railways
- Secretary, M/o Power
- Secretary, M/o Coal

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.

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.

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.

APPLICABILITY

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 (Extra-ordinary).