

Provisions of Rehabilitation Policy

RESETTLEMENT & REHABILITATION OF NARMADA PROJECTS UNDER THE AEGIS OF NVDA.

There are 29 Major, 135 Medium and 3000 small Projects of Narmada Valley which are in different stages of either completion or nearing completion or at lanning stage. The Resettlement and Rehabilitation (R&R) of all these ongoing Intra State Projects is being governed by the provisions of R&R Policy of the State formulated for Narmada Projects except for Sardar Sarovar Project in which the whole gamut of R&R is being governed by the provisions of Narmada Water Disputes Tribunal; (NWDT) Award and R&R Policy of the State Govt. being an Inter-State Project.

APPLICABILTY OF DIFFERENT PROVISIONS OF R&R POLICY OF THE STATE FOR OUSTEE OF NARMADA PROJECT / NPRR - 2003 / NWDT AWARD

S. No.	Name of the Project	Applicability of the provisions of the policy/NWDT Award	Remarks
1	Indira Sagar, Omkareshwar, Man, Jobat, Upper Beda	Rehabilitation Policy for the Oustees of narmada Projects as formulated by Government of Madhya Pradesh	This policy is being implemented to all ongoing projects of Narmada Valley.
2	Sardar Sarovar Project	Provisions of NWDT Award and Policy of the State. All directives of Hon'ble Supreme Court regarding SSP.	Directives of Hon'ble Supreme Court in WP(C) 319/94 & 328/2002 being implemented.
3	Upper Narmada, Halon, Lower Goi, Hoshangabad, Handia & Boras Projects.	National Policy on R&R for Projected Affected Families – 2003 (NPRR- 2003)	To be implemented for all up coming projects of Narmada Valley.

R&R POLICY OF THE STATE OF GOVT. OF MADHYA PRADESH FOR OUSTEE OF NARMADA PROJECT.

1. Objectives and Principles of R&R Policy of the State for oustee of Narmada Project are as follows :--

- Improve the standard of living or at least regain the standard of living the PAFs had been enjoying prior to their displacement

- Be relocated as village units, village sections, or families in accordance with the oustees preference;
- Be fully integrated in the community in which they are resettled;
- Be provided with appropriate compensation and adequate social and physical rehabilitation infrastructure including community services and facilities
- Ensure adequate participation by the PAFs in their R & R.

PROVISIONS OF THE POLICIES APPLICABLE ON DIFFERENT ONGOING NARMADA PROJECTS i.e. INDIRA SAGAR / OMKARESHWAR/MAN/JOBAT & UPER-BEDA PROJECTS.

Provisions of the policy	As per State Policy for Narmada Projects.
Compensation of Agricultural land	Agricultural land will be compensated as per sec. 23 of Land Acquisition Act (market value of the Land Compensation of wells, pipelines & trees as per valuation report given by PHE, forest and Horticulture Deptts. + 30% solatium+12% interest (Interest payable from date of notification of section 4).
Compensation of houses and Properties.	Compensation of houses and other immovable properties will be paid as per section 23 of Land Acquisition Act (as per CSR) + 30% solatium + 12% interest (Interest payable from date of notification of section 4).
Rehabilitation Grant	(1) Agricultural landless labourers families, SC/ST/Small and marginal farmers families = Rs.18,700/- (2) Other families Rs 9350/-
Employment Resources Grant for Productive Assets to Landless Persons	(1) Rs. 49,300/- to landless agricultural labourers, landless SC&ST families (2) Rs 33,150/- to other landless families
Other provisions Land for Land	Eligible Families will be allotted land for land as far as possible (minimum 2 ha. and maximum 8 ha.). As per provisions of Para 3 & 5 of the policy, the oustee shall be paid 50% of compensation of his acquired land and after adjusting the remaining 50% compensation and the amount of S.R.G., the cost of the land allotted shall be recovered in 20 interest free installments. Till the repayment, the land shall be mortgaged in favour of the State Govt.
Transportation Grant	Free transportation or Rs. 5,000/- for transportation of their house hold goods to new R&R site

Residential Plots	90' X 60' = 5400 Sq. ft. plot or Rs 20000/- to each family in rural area. For urban R&R site of New Harsood the plot size of 2400 Sq. ft., 1500 Sq. ft. & 540 Sq. ft. or Rs. 20,000/- grant in lieu of plot.
Stamp/Registration fee	For purchase of Agriculture land or immovable property within M.P. up to the limit of amount paid to PAFs (excluding transportation grant)
Special Provisions	(i) Option of acquiring total agriculture land if 75% of land holdings are acquired (ii) Compensation of encroached land if encroachment is prior to 13th April 1987. (iii) Major sons & major unmarried daughters will be treated as separate family if they were major on the date of section 4 notification.

PROVISIONS OF THE POLICIES APPLICABLE IN SARDAR SAROVAR PROJECT.

Provisions of the policy	As per NWDT Award & State Policy for Narmada Projects.
Compensation of Agricultural land	Agricultural land will be compensated as per sec. 23 of Land Acquisition Act (market value of the Land Compensation of wells, pipelines & trees as per valuation report given by PHE, forest and Horticulture Deptts. + 30% solatium+12% interest (Interest payable from date of notification of section 4).
Compensation of houses and Properties.	Compensation of houses and other immovable properties will be paid as per section 23 of Land Acquisition Act (as per CSR) + 30% solatium + 12% interest (Interest payable from date of notification of section 4).
Rehabilitation Grant	(1) Agricultural landless labourers families, SC/ST/Small and marginal farmers families = Rs.18,700/- (2) Other families Rs 9350/-
Employment Resources Grant for Productive Assets to Landless Persons	(1) Rs. 49,300/- to landless agricultural labourers, landless SC&ST families (2) Rs 33,150/- to other landless families
Other provisions- Land for Land	Eligible Families losing 25% or more agricultural land will be allotted land for land (minimum 2 ha. and maximum 8 ha.). The major sons of such families will also be allotted minimum 2 ha. of land or amount of SRP for purchasing of land.
Transportation Grant	Free transportation or Rs. 5,000/- for transportation of their house hold goods to new R&R site

Residential Plots	90' X 60'= 5400 Sq. ft. plot or Rs.50000/- to each family in rural area. For urban R&R site of Dharmपुरi the plot size of 40' X 60'= 2400 Sq. ft. or Rs.50,000/- Joint Families refusing the residential plot will have to take at least 1 plot minimum.
Stamp/Registration fee	For purchase of Agriculture land or immovable property within M.P. up to the limits of amount paid to PAFs (excluding transportation grant)
Special Provisions	(i) Option of acquiring total agriculture land if 75% of land holdings are acquired (ii) Compensation of encroached land if encroachment is prior to 13th April 1987. (iii) Major sons & major unmarried daughters will be treated as separate family if they were major on the date of section 4 notification.

National Policy on R&R for Project Affected Families - 2003 (NPRR- 2003)–To be implemented for all upcoming Narmada Projects

The Govt. of India, Ministry of Rural Development (Gramin Vikas Mantralaya), Department of Land Resources (Bhumi Sansadhan Vibhag), has formulated a National Policy on Resettlement and Rehabilitation for Project Affected Families-2003. Narmada Control Board (NCB) in its 29th meeting held on 9th March 2006 took a decision to follow the provisions of NPRR-2003 for all upcoming projects (e.g. Halon, Upper Narmada, Lower Goi, Boras, Hoshangabad, Handia etc.) of Narmada Valley.

Objectives of NPRR-2003

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 R&R of 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.

R&R Benefits for Project Affected Families.

- The resettlement and rehabilitation (R&R benefits shall be extended to all the PAF whether belonging to below poverty line (BPL) or non-BPL.
- Any 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.
- 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.
- 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.
- Stamp duty and other fees payable for registration shall be borne by the requiring body.
- The land allotted shall be free from all encumbrances. The land allotted may be in the joint names of wife and husband of PAF.
- 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.
- Each PAF having cattle shall get financial assistance of Rs. 3000/- for construction of cattle shed.
- 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.
- Each PAF comprising of rural artisan/small trader and self employed person shall get one-time financial assistance of Rs. 10000/- for construction of working shed/shop.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

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

- Each Project Affected Family of ST category shall be given preference in allotment of land.
- Each tribal PAF shall be entitled to get R&R benefits mentioned in above Paras under the Policy.
- Each Tribal PAF shall get additional financial assistance equivalent to 500 days minimum agriculture wages for loss of customary rights/usages of forest produce.
- 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.
- Tribal PAFs shall get land free of cost for community & religious gathering.
- Tribal PAFs resettled out of the district/taluka & will get 25% higher R&R benefits in monetary terms.
- 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:
- 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.
- Tribal PAFs enjoying reservation benefits in the affected zone shall be entitled to get the reservation benefits at the resettlement zone.

BASIC AMENITIES TO BE PROVIDED AT RESETTLEMENT ZONE:

- 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.

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.