RESETTLEMENT & REHABILITATION POLICY

4. Broad Principles :

4.1 Basic Approach

i) During project design and preparation, every effort should be made to minimise acquisition of land & other assets & reduce negative environmental and socio-economic impacts. Alternative project designs should be explored & screening exercise addressing these issues should be undertaken as part of project feasibility studies, in close coordination with environmental, technical, economic & other design criteria. There should be realistic assessment of land to be acquired.

ii) Copies of resettlement norms/rehabilitation policy for displaced or affected persons of a project & also information of its salient features or its official Executive Summary, will be provided to the local self-governing bodies, Village Panchayats, Panchayat Samities and Zila Parishads & full project report made available at least at Tehsil level unless it is classified information, free of cost within 15 days of the first notification regarding taking up the project or the first notification under Section 4 of the Land Acquisition Act. Information about the Act, Rules, procedures, project organisation, resettlement norms/policy will be further disseminated to the PDPs, PAPs and NGOs through local organisations and voluntary agencies.

iii) After their-relocation and resettlement, all displaced families, as defined hereinafter, as well as families who are affected, but not physically displaced, should regain at least their previous standard of living within a reasonable / specific time.

iv) Special care should be taken of the more disadvantaged families of Scheduled Castes, Scheduled Tribes, marginal farmers and small farmers as well as women, children & vulnerable persons like the old, disabled, handicapped, orphans & destitutes.

v) Re-settlement should include Rehabilitation.

vi) Both PDPs and PAPs defined hereinafter, shall be treated at par in matters of rehabilitation.

vii) The hardship of the displaced families involved in moving out from their present habitat to a new place and way of living should be avoided.

ix) There should be a link between the pace of implementation of the Resettlement Action Plan and the project implementation. Construction work will be taken up only in those portions of the project area where PAPs are compensated and provided benefits as per the provisions of this policy.

4.2 Compensation and R & R

i) All P.A.Ps as defined in para 3.3 shall be entitled to resettlement and rehabilitation besides compensation as stipulated hereinafter. Those PAPs who are not entitled for compensation will

get R&R benefits if they are resident as prescribed under para 3.2 & 3.3 The PDPs/ PAPs shall be given an identification code / identity card which will establish proof of status. It shall be made clear to PDPs / PAPs that if in the final design or choice of the alignment his / her lands and properties are not required by the project, no compensation will be given.

ii) The compensation shall be provided within the ambit of the LAA which together with resettlement & rehabilitation benefits will provide replacement costs of the assets lost over and above the support during the transition period.

iii) All losses, including loss of income, will be compensated within the overall R&R package.

iv) The value of the houses, buildings and other immovable properties of the PAPs including the PDPs shall be determined for the purpose of payment of compensation at the relevant B.S.R. from which no deductions shall be made on account of any depreciation so that the PAPs get compensation at par with replacement cost of their houses, buildings and other immovable properties.

v) Before taking possession of the acquired lands and properties, compensation must be paid in accordance with this policy. If relocation of affected people is required, new housing arrangements must be made available before land acquisition takes place. If affected persons are eligible for additional rehabilitation & assistance, this shall take place without undue delay following land acquisition.

vi) While resettling, it shall be ensured that economically viable units of land are given to the families entitled for allotment of land. All efforts will be made to allot land to an eligible P.A.P. at one place.

vii) Suitability of agricultural land for normal agriculture should be ascertained prior to allotment of these lands to such persons.

viii) Necessary counselling shall be provided by the Rehabilitation organisation of the project in case of displaced persons who wish to purchase land/houses in the private land market and in such cases registration fee and stamp duty payable to the Govt. shall be borne by the project concerned subject to limit of entitlement of a P.A.P.

ix) If a project affected business owner wants to shift, he will be allotted shop-cum-residence land in resettlement centres to be developed by the project.

4.3 Re-Settlement Centres (New Centres), host population.

i) As far as possible, displaced families shall be resettled, in accordance with their preferences, maintaining the existing structure of social groups, in the command areas or near the periphery of the affected areas.

ii) Adequate physical and social infrastructure and community services including conservancy service and common properties should be provided at the new sites. Where the population does

not get displaced but loses a community asset like school etc., such community assets shall be made good by the project.

iii) Resettlement centre will be established around or in the vicinity of existing human habitations.

iv) To ensure good quality of construction of rehabilitation works, participatory committees with representatives of affected and displaced persons will be constituted to oversee the construction of such works.

v) In order to motivate the PDPs to move to their new place of settlement/rehabilitation, the resettlement centres and works should be brought to such a stage, prior to asking the displaced and affected persons to move, so that they can start living and working at the new place without any material inconvenience.

vi) There should be no / or minimum adverse social, economic and environmental effects of displacement on the host communities.

vii) Where the displaced persons are resettled among already settled communities, they must be resettled as far as possible in such a manner that they are integrated with the host community on the basis of equality, mutual respect and understanding.

viii) Efforts shall be made by the rehabilitation organisation of the relevant project to set up co-operative Societies, adult education or literacy centres etc. at the new rehabilitation centres with forums for interaction between displaced and affected persons and the host population.

4.4 General Assistance to P.A.Ps & P.D.Ps.

i) The shifted population shall be assisted in getting their names included in voters list of the area of their resettlement.

ii) PAPs carrying on traditional professions such as ferrying, fisheries etc. prior to the project should be given preference in case opportunities in the respective traditional profession's work arise due to the project.