

RESETTLEMENT & REHABILITATION POLICY

3. Definitions:

3.1 Cut-of Date:

Cut-off date shall be the following:

(a) In the cases of land acquisition affecting legal title holders, the cut-off-date would be the date of issuing the notice u/s 4 of the L.A.A.

(b) In cases where the L.A.A., does not apply such as in relation to impacts on people who lack legal title, the cut-off-date shall be the date of start of the Socio-economic survey as defined in Section 5.1.2.

Note : The District Collector or the Project Authority shall, by issuing notice through Local newspapers and local bodies, advise the public and land owners of the project area not to enter into transaction (including division of property) or carry out development works till the first notification under section 4(1) of the land acquisition is published by the Government. Such notice shall be issued by the Collector / Project Authority not later than two weeks from the date of sanction of the project. First notification under section 4 of the L.A.A. shall be issued within 2 years of the sanction of the project.

3.2 Project Displaced Person:

Unless otherwise specified in this Policy Paper, a displaced person is a person (including a squatter or encroacher as defined here-in-after) who has been residing continuously at least one year prior to the cut-off date in the area to be acquired for the project, having economic interest in the said area and is displaced due to the Project.

3.3 Project Affected Person:

Unless otherwise specified in this Policy Paper, a project affected person is a person who has economic interest at least one year prior to the cut-off date in the area to be acquired for the project and whose livelihood by an objective assessment, is adversely affected by the project. Project affected person includes Project Displaced Persons. The types of economic interests of project affected persons can be seen from Annexure I.

3.4 Definition Of Family :

i) A "Family" shall mean Karta, spouse (Husband/Wife) and minor children and other persons such as parents , dependent on the Karta of the family.

ii) Every son or unmarried daughter who has attained the age of 18 years on or before the cut off date , will be treated as separate family.

iii) Every divorced or widowed daughter living independently or with the family prior to cut off date will be treated as separate family.

3.5 Landless Agriculturist :

A person who whether individually or jointly with members of his family does not hold any agricultural land and who has been deriving his main income by working on the lands of others as sub-tenant or as an agricultural labourer prior to cut off date .

3.6 Encroacher:

A person trespassing public land to which he/ she is not entitled, and deriving his livelihood there-from prior to the cut-off date provided he / she has no other source of livelihood. Onus of proof of these conditions shall lie on the Encroacher. Alternatively land records and findings of the Socio-economic survey may be relied upon for verification of these conditions.

3.7 Squatter:

A person settled on publicly owned land without permission and has no other land to settle upon, or occupying publicly owned building without authority prior to the cut-off date and has no other building to occupy.

3.8 Small Farmer:

A farmer having an unirrigated land holding ranging from 1 ha. to 2 ha. or irrigated land holding ranging from 0.5 Ha. to 1 Ha. shall be treated as a small farmer.

3.9 Marginal Farmer:

A marginal farmer is a cultivator having unirrigated land holding upto 1 Ha. or less or irrigated land holding of 0.5 Ha. or less.

3.10 Minimum Economic Holding (MEH)

MEH is a holding equal to 6 acres of un-irrigated land or 3 acres of irrigated for land in stage-II areas of IGNP. For anywhere else in the state MEH is a holding equal to 4 acres of un-irrigated land and 2 acres of irrigated land.

3.11 Income:

Income of a P.A.P. shall mean the amount of income as shown in his Income Tax Return prior to the cut-off date. In absence of such a return, the income of a P.A.P. shall be taken as the maximum income upto which no income tax is payable or the income calculated by an objective

assessment which-ever is lower. For objective assessment, the method as adopted by the Govt agencies for identifying B.P.L. families shall be applied.