

CHAPTER – III

Definitions

3.0 DEFINITIONS

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

- 3.1 **“Administrator for Resettlement and Rehabilitation”** means an officer not below the rank of Joint 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.
- 3.2 **“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 for the following areas:
 - (a) Area falling under FRL contour
 - (b) Dwelling House (S) falling within 100 meters of surface distance from FRL water line.
- 3.3 **“Agricultural family”** means a family whose primary mode of livelihood is agriculture and includes family of owners as well as tenants / sub-tenants of agricultural land, agricultural labourers, occupiers of forest lands and of Collectors of minor forest produce;
- 3.4 **“Agricultural Labourers”** 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 as ascertained through enquiry in the Gram Sabha;
- 3.5 **“Agricultural Land”** includes lands used or capable of being used for the purpose of
 - a) agriculture or horticulture;
 - b) dairy farming, poultry farming, pisciculture, breeding or livestock and nursery growing medical herbs;
 - c) raising of crops, grass or garden produce; and
 - d) Land used by an agriculturist for the grazing of cattle, but does not include land used for the cutting of wood only;
- 3.6 **“Appropriate Government”** means;
 - a) in relation to acquisition of land for the purposes of the Union, the Central Government;
 - b) 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
 - c) in relation to acquisition of land for other purposes, the State Government.
- 3.7 **“BPL Family”:** The Below Poverty Line Families shall be those as defined by the Planning Commission of India from time to time.
- 3.8 **“Project”** means the project(s) notified under this Policy and displacing
 - (a) 100 or more families en- mass in plain areas or
 - (b) 25 or more families en- mass in Tribal areas or in areas mentioned in Schedule V of the Constitution of India from their Lands and or houses.

- 3.9 **“Commissioner for Resettlement & Rehabilitation”**, means the Commissioner for Resettlement & Rehabilitation appointed by the State Government not below the rank of Commissioner/ Secretary of that Government.
- 3.10 a) **“Family** includes a person, his or her spouse, minor sons, minor daughters, minor brothers or minor sisters and other members residing with him and dependent on him for their livelihood. Further each major son and major daughter residing with such person will be treated as a separate family and the cut off date for calculating their age of 18 years will be the date of notification issued under Section 4(i) of Land Acquisition Act, 1894 for acquisition of the village as notified under Pata 5.1 of this G.O. ¹.
- 3.10 b) **2”Vulnerable persons”** means the disabled, destitute, orphans, Widows, major unmarried daughter, abandoned/ divorced women or Persons above fifty years of age, who are not provided or can not immediately be provided with alternative livelihood, and who are not otherwise covered as part of a family ²
- 3.11 **“Holding”** means the total land held by a person as an occupant or tenant or as both;
- 3.12 **“Marginal farmer”** means a cultivator with an un-irrigated land holding up to one hectare or irrigated land holding up to half hectare or combination of both on same principle;
- 3.13 **“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;
- 3.14 **“Notification”** means a notification published in the Official Gazette;
- 3.15 **“Occupiers”** means members of the Scheduled Tribes/other Traditional forest dwellers in possession of forest land prior to the 13th Day of December, 2005. ³
- 3.15 a) **“Other traditional forest dweller”** means any member of community who has for at least three generations (generation means a period of 25 years) prior to the 13th day of Dec'2005 primarily resided in and who depend on the forest or forests land for bonafide livelihood needs.
- 3.16 **“Project Affected Family”** means
- a) a family whose 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, regardless of the fact whether they owned land or not.
 - b) family whose more than 50% of land is acquired and left over land after acquisition is below Ac.5.0 dry or Ac. 2.5 wet or combination of both on above principle.

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1. Added by vide G.O.Ms.No.88,I&CAD(PW-LA-IV,R&R.I) Dept. dt:26-8-2010.
 2. Added to Para 3.10 as 3.10(b) vide G.O.Ms.No.46 I & CAD (PW: LA-IV-R&R) Dept., DT: 28-2-2009 and G.O.MS.No 77 I & CAD (PW-LA-IV, R&R.I) Dept., DT: 10-7-2009. & Para 3.10 shall be treated as Para 3.10(a).
 3. Substituted in place of para 3.15 vide G.O.Ms.No.134, I & CAD (PW:LA-IV-R&R)Dept., dt:13-11-2009

- c) A Project Displaced Family
 - d) any tenure holder, tenant, lessee or owner of other property, who on account of acquisition of land (including plot in the abadi or other property) in the affected area or otherwise, has been involuntarily displaced from such land or other property .¹
- 3.17 **"Project Displaced Family"** means any family, who on account of acquisition of his dwelling house in the village in the affected zone for the purpose of the project, has been displaced from such dwelling house.
- 3.18 **"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 of Project Displaced Families as a resettlement zone:
- 3.19 **"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;
- 3.20 **"Small farmer"** means a cultivator with an un-irrigated land holding of more than one hectare and up to two hectares or with an irrigated land holding of more than half hectare and up to one hectare or combination of both on same principle.
- 3.21 **"Substantially affected"** means where average annual income of PAF is likely to be reduced by more than 50% and is likely to become BPL family due to acquisition of his land or other's land for the project, as compared to his average annual income in last three years preceding the date of notification, from land and or other sources of incomes.
- 3.22 **"Tribal Areas"** means areas as declared so by the Tribal Welfare Department, Government of Andhra Pradesh from time to time.
- 3.23 **"Ombudsman"** means the person appointed under Para 7.5 of this policy ²

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1. Added to para 3.16 vide G.O.Ms.No.134, I & CAD(PW:LA-IV-R&R)Dept., dt:13-11-2009
2. Added after para 3.22 vide G.O.Ms.No.134, I & CAD (PW: LA-IV-R&R)Dept. dt:13-11-2009