

## **CHAPTER – VI**

### **6.0 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's) and Project Displaced Families (PDF's) whether belonging to below poverty line (BPL) or non- BPL except to the extent where specifically restrictions mentioned in the policy.
- 6.2 **“Allotment of house site/ payment of exgratia**
- a) Any Project Displaced Family (PDF) holding up to an area of 5 Cents of village site and whose site has been acquired shall be allotted house site of an extent of 202 square meters (5 Cents) of land in rural areas or 75 square meters of land in Urban areas in the Resettlement zone besides payment of compensation for the structures if any therein;<sup>1</sup>
  - a1) Where any such PDF as defined above desires to migrate and settle at the place of his/her choice, cash of compensation in lieu of house site as applicable in the resettlement Zone shall be paid besides payment of compensation for the structures therein and in case the PDF belongs to BPL category, they shall be give suitable one time financial assistance for house construction including cost of sanitary latrine as fixed by the Government from time to time.<sup>2</sup>
  - b. In case if any Project Displaced Family (PDF) holds village site of more than 5 Cents, such holder shall be allotted village house site of an extent of 202 Square Meters (5 cents) of land in rural areas or 75 Square Meters of land in Urban areas in the Resettlement zone and also be paid exgratia for the site in excess of 5 Cents ( for example if a family holds village site of 20 Cents in Project Affected Zone and have two major sons, residing with such person in case, they take 3 house sites of 5 Cents each in Resettlement zone, they will get exgratia for the balance of 5 Cents (20 Cents – 3x5 cents = 15 cents); and<sup>1</sup>
  - c. The Compensation/ exgratia payable as above shall be on par with the package deal payable in case of acquisition of private/ patta lands<sup>2</sup>

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1. Substituted for Para 6.2 vide G.O.Ms.No.76, I & CAD (PW.LA.IV- R&R.I) Dept., DT: 13-4-2006.

2. Added after Para 6.2a as 6.2a (1) and Para 6.2(c) Substituted Vide G.O.Ms.No.134, I& CAD (PW.LA.IV- R&R.I) Dept., DT:13-11-2009.

- 6.3 **Grant for House construction:**  
Each PDF of BPL Category who has been allotted free house site under session 6.2 shall get a One time financial assistance of Rs.40,000/- (Rupees Forty thousand only) shall be increased to Rs.50,000/- (Rupees Fifty thousand only). This increase will have prospective effect. A sum of Rs.5,000/- (Rupees Five thousand only) is granted to those who have already shifted houses from 8-4-2005 to 10-12-2007. Apart from the above, a sum of Rs.3,000/- (Rupees Three thousand only) would be allowed in addition to the housing grant as per G.O.Ms.No.68, dt:8-4-2005. The above increase shall come into force with retrospective effect i.e., the date of issue of G.O.Ms.No.68, dt:8-4-2005. <sup>1</sup>
- 6.4 **Allotment of Government land to PAFs, who become Small, or Marginal farmers or Landless after acquisition in lieu of Acquired land:** in case of allotment of waste/ degraded or agricultural Government land, if available within the District, in lieu of acquired land and if agreed by PAF for allotment of such land, each such PAF shall also get financial assistance of Rs.10,000 per hectare or as fixed by Government from time to time for land development and in case of allotment of agricultural land, Rs.5,000 per PAF or as fixed by Government from time to time for agricultural production shall be given.  
  
However such allotment of Government land will be restricted to an extent of land acquired from PAF or 2.5 Ha of dry or 1.25Ha wet land whichever is lesser.  
  
Provided further that in such cases,
- (a) No compensation will be payable for the lands acquired from the PAF for the Project, to the extent of Government land is allotted.
  - (b) No ex-gratia will be payable for the lands resumed from PAF for the project, to the extent of Government land is allotted.
- Land Acquisition officer shall pass the award for the lands acquired or resumed from PAF accordingly.
- 6.5 **Allotment of land acquired by Government from the project benefited area to Scheduled Tribe PAFs, who become Small, or Marginal farmers or landless after acquisition, in lieu of Acquired land from them:** Government shall acquire land within the project benefited area, as per guidelines issued by the Government from time to time such that no person should become small or marginal farmer or land less due to such acquisition, for allotment of such land to ST PAFs(who become small or marginal farmers or landless due to acquisition of their land for the project), if such PAFs so desire, in lieu of lands acquired from them. <sup>2</sup>  
  
However such allotment will be restricted to the extent of land acquired from such PAFs or 2.5 Ha dry land or 1.25Ha wet land whichever is lower. Further provided that in such cases,
- a. no compensation will be payable for the lands acquired from the PAF for the project, to the extent of such land is allotted.
  - b. No ex-gratia will be payable for the lands resumed from PAF for the project, to the extent of such land is allotted.
- Land Acquisition officer shall pass the award for the lands acquired or resumed from PAF accordingly.

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1. Substituted for Para 6.3 vide G.O.MS.No.271, I & CAD (PW.LA.IV- R&R)Dept., DT: 11-12-2007.  
2. The word shall incorporated substituting the word may vide G.O.MS.No. 119, I & CAD (PW-LA-IV, R&R.II) Dept., DT: 26-6-2006.

- 6.6 The land allotted under Para 6.2, 6.4 and 6.5 shall be free from all encumbrances. The land allotted may be in the joint names of wife and husband of PAP.
- 6.7 **Grant for cattle shed:** Each affected family that is displaced and has cattle, shall get financial assistance of such amount as the appropriate Government may decide but not less than Rs.15,000/- (Rupees fifteen thousand only) for construction of cattle shed. <sup>1</sup>
- 6.8 **Grant for Transporting materials:** Each PAF shall get lump sum one time financial assistance of Rs.5000/- or as fixed by Government from time to time for transportation / shifting of his building materials, belongings and cattle etc. from the affected zone to the resettlement zone.
- 6.9 **Income Generating Scheme Grant:** Each PAF comprising of rural artisan/ small trader and self employed person shall get one time lump sum financial assistance of Rs.25, 000 or as fixed by Government from time to time for construction of working shed / shop.
- 6.9 a) The affected persons shall be offered the necessary training for development of entrepreneurship, technical & professional skills for self employment. <sup>2</sup>
- 6.10 **Wages if after acquisition land owner becomes land less:** 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 if no land is allotted in lieu of acquired land.

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1. Substituted for Para 6.7 vide G.O.Ms.No.134, I & CAD (PW.LA.IV-R&R.I)Dept., DT: 13-11-2009  
2. Added after Para 6.9 vide G.O.Ms.No.134, I & CAD (PW.LA.IV-R&R.I)Dept., dt:13-11-2009

- 6.11 **Wages if after acquisition land owner becomes marginal farmer "or continues to be a marginal farmer even after acquisition":** Each PAF owning agriculture land in the affected zone and who consequently becomes a marginal farmer or continues to be a marginal farmer even after acquisition shall get one time financial assistance equivalent to 500 days minimum agriculture wages if no land is allotted in lieu of acquired land.<sup>1</sup>
- 6.12 **Wages if after acquisition land owner becomes small farmer "or continues to be a small farmer even after acquisition":** Each PAF owning agriculture land in this affected zone and who consequently becomes a small farmer or continuous to be a small farmer even after acquisition shall get one time financial assistance equivalent to 375 days minimum agricultural wages if no land is allotted in lieu of acquired land.<sup>1</sup>
- 6.13 **Wages to Labourers:** Each PAF belonging to the category of agricultural labourer' or non-agricultural labourer" shall be provided a onetime financial assistance equivalent to 625 days of the minimum agricultural wages.
- 6.14 (a) **Subsistence allowance to displaced family:** Each PAF who is also a project displaced family shall get a one time subsistence allowance equivalent to 240 days of minimum agricultural wages. It will be in addition to any other benefit available to him as PAF.
- (b) Each vulnerable person as defined at Para -3.10(b) will be paid a pension of Rs.500/- (Rupees Five hundred only) a month for life by arranging the necessary annuity policies by the Project Administrator at its cost.<sup>2</sup>

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1. Added to Para 6.11 in the heading vide G.O.Ms.No.46, I & CAD (PW:LA- IV-R&R)Dept., dt:28-2-2009.

2. Added to Para 6.14 as Para 6.14(b) vide G.O.Ms.No.46, I & CAD (PW:LA- IV-R&R)Dept., dt:28-2-2009

**Amenities  
at  
Settlement  
Center**

**R&R  
Benefits For  
STs/Fishermen**

- 6.15 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.
- 6.16 The Project Affected Families who were in possession of forest lands in the affected area prior to the 13th day of December, 2005 shall also be eligible for the resettlement benefits under this policy.<sup>1</sup>
- 6.16 a) In the case of irrigation or hydel projects, fishing rights in the reservoirs shall be given to the affected families, if such rights were enjoyed by them in the affected area;<sup>1</sup>
- b) In other cases also, unless there are special reasons, fishing rights shall be given preferentially to the affected families.<sup>1</sup>
- c) In the case of irrigation or hydel projects, the affected Scheduled Tribes, and members of other community having fishing rights in a river or pond or dam in the affected area shall be given fishing rights in the reservoir area of the irrigation or hydel projects.<sup>1</sup>
- 6.17 The PAFs enjoying reservation benefits in the affected zone shall be entitled to get the same reservation benefits at the resettlement zone.
- 6.18 **BASIC AMENITIES TO BE PROVIDED AT RESETTLEMENT CENTRE FOR PROJECTS:**  
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) The Re-settlement Center shall be provided with the basic amenities and infrastructure facilities of drinking water, internal roads, Drainage Electricity, primary School building, playground, Community Center and access road to the resettlement site. In addition to these facilities, the other community center and access road to the resettlement site. In addition to these facilities, the other community facilities which were available in the village, at the time of acquisition, shall also be provided.
- 6.19 **R&R BENEFITS FOR PROJECT AFFECTED FAMILIES OF SCHEDULED TRIBES / FISHERMEN**
- a) Each project Affected Family of ST category shall be given preference in allotment of land.
- b) Each Tribal PAF shall get additional Financial assistance equivalent to 500 days minimum agriculture wages for loss of customary rights/usage of forest produce.
- (i) Each non tribal PAF who is a member of a registered Fishermen Cooperative Society/Fishing license holders in the affected zone and who lost fishing rights and livelihood shall get additional financial assistance equivalent to 500 days minimum agricultural wages for loss of fishing rights.<sup>2</sup>

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1. Substituted for Para 6.16 and Added after Para 6.16 vide G.O.Ms.No.134, I & CAD (PW.LA.IV-R&R.I) Dept., DT: 13-11-2009

2. Added vide G.O.Ms.No.114 IRRIGATION & C.A.D.(PW: LA.IV-R&R) DEPARTMENT dt:08-09-2009.

- c) Tribal PAFs will be re-settled close to their natural habitat of their choice, to the extent possible, in a compact block so that they can retain their ethnic, linguistic and cultural identity.
- d) Tribal PAFs resettled out of the district or outside tribal area will get 25% higher R&R benefits in monetary terms.
- e) 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 landowner.
- f) The Tribal families residing in the Project Affected Area having fishing rights in the river/Pond/dam shall be given fishing rights in the reservoir area.
  - (i) The Non tribal families residing in the project affected areas having fishing rights in the river /pond/dam who is a member of a registered Fishermen Cooperative Society/Fishing license holders shall be given fishing rights in the reservoir area.<sup>1</sup>
- g) All the Fishermen PAFs will be accorded priority in extending benefits under various schemes/programmes being implemented by the state fisheries Department in consultation with R&R authorities.<sup>1</sup>
- h) Newly impounded/completed Reservoirs under jalayagnam shall be stocked with Fish Seed on priority basis by the state Fisheries Department by utilizing funds available under different schemes with the Fisheries Department/DRDA/ITDA/SC Corporation/MADA/BC Corporation or by seeking provision of funds under R&R package as per requirement<sup>1</sup>

#### **6.20 CONSTITUTIONAL BENEFITS TO ST/SC/BC PAPs AT THE RE-SETTLEMENT CENTRE:**

The PAPs shall enjoy all the constitutional benefits at new settlement also to which they were entitled to at the village that was acquired for the project.

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1. Added vide G.O.Ms.No.114 IRRIGATION & C.A.D.(PW: LA.IV-R&R) DEPARTMENT dt:08-09-2009.