

CHAPTER – VII

7.0 DISPUTE REDRESSAL MECHANISM

7.1 R&R COMMITTEE AT PROJECT LEVEL:

- a) In respect of every project to which this Policy applies, the State Government shall constitute a Committee under the Chairmanship of the Administrator of that Project to be called the Resettlement and Rehabilitation Committee to monitor and review the progress of implementation of scheme/ plan of resettlement and rehabilitation of the Project Affected Families.
- b) The Resettlement & Rehabilitation Committee constituted as above shall inter-alia include as one of its members:
 1. a representative of women PAP residing in the affected zone;
 2. a representative each of the Scheduled Castes and Scheduled Tribes, PAPs residing in the affected zone;
 3. a representative of a voluntary organization;
 4. a representative of the lead bank;
 5. Chairperson of the PRIs located in the affected zone
 6. MPs/MLAs of the area included in the affected zone.
- c) Procedure regulating the business of the Resettlement & Rehabilitation Committee shall be framed by the Appropriate Government.

7.2 GRIEVANCE REDRESSAL CELL:

- a) In respect of every project to which this Policy applies, the State Government shall constitute a Grievance Redressal Mechanism under the Chairmanship of the Commissioner for Resettlement & Rehabilitation for redressal of grievances of the PAFs.
- b) The composition, powers, functions and other matters relating to the functioning of the Grievance Redressal Mechanism shall be such as may be prescribed by the Appropriate Government.
- c) Any Project Affected Family, if aggrieved, for not being offered the admissible R&R benefits as provided under this Policy, may move an appropriate petition for redressal of his grievances to the Grievance Redressal Mechanism.
- d) The form and manner in which and the time within which complaints may be made to the Grievance Redressal Mechanism and disposed of shall be such as may be prescribed by the appropriate Government.

- 7.3 The Grievance Redressal Mechanism shall have the power to consider and dispose of all complaints relating to resettlement and rehabilitation against the decision of the Administrator / R&R Committee at Project Level and issue such directions to the Administrator for Resettlement & Rehabilitation as it may deem proper for the Redressal of such grievances.
- 7.4 Commissioner for Resettlement and Rehabilitation may, by order in writing, delegate such of the administrative powers conferred and duties imposed on him by or under this policy to any officer not below the rank of Joint Collector.
- 7.5 **“Ombudsman”:**¹
- a) An Ombudsman shall be appointed by the appropriate Government, in the manner as may be prescribed, for time-bound disposal of the grievances arising out of the matters covered by this policy.
 - b) Any affected person, if aggrieved, for not being offered the admissible rehabilitation and resettlement benefits as provided under this policy, may move an appropriate petition for redressal of his or her grievances to the Ombudsman concerned.
 - c) The form and manner in which and the time within which complaints may be made to the Ombudsman and disposed of shall be such as may be prescribed by the appropriate Government.
 - d) The Ombudsman shall have the power to consider and dispose of all complaints relating to rehabilitation and resettlement against the decision of the Administrator for Rehabilitation and Resettlement or Rehabilitation and Resettlement Committee and issue such directions to the requiring body, the Administrator for Rehabilitation and Resettlement (where appointed, or the other senior Government official appointed for rehabilitation and resettlement, where the Administrator for Rehabilitation and Resettlement is not appointed; or the District Collector/Deputy Commissioner, as the case may be) as he may deem proper for the redressal of such grievances relating to implementation of this policy.
 - e) In case of a project involving land acquisition on behalf of a requiring body, the disputes related to the compensation award for the land or other property acquired will be disposed of as per the provisions of the Land Acquisition Act, 1894 or any other Act of the Union or a State for the time being in force under which the acquisition of land is undertaken, and will be outside the purview of the functions of the Ombudsman.

1. Added after Para 7.4 of chapter VII vide G.O.Ms.No.134 IRRIGATION & C.A.D.(PW: LA.IV-R&R) DEPARTMENT dt:13-11-2009.



7.6 INTER-STATE PROJECTS:

- a) In case a project covers an area in more than one state or Union territory where the Project Affected Families and Project Displaced Families are or had been residing, or proposed to be resettled, the states and or GOI in consultation with each other, may appoint the Administrator for Resettlement & Rehabilitation and the Commissioner for Resettlement and Rehabilitation for the purposes of this Policy.
- b) The method of implementation of plans schemes for resettlement and rehabilitation shall be mutually discussed by the State Governments and the Union territory administration and the common plan/ Schemes shall be notified by the Administrator for Resettlement & Rehabilitation in the State or Union territory administration, as agreed to, in Accordance with the procedure laid down in this policy.
- c) If any difficulty arises in the implementation of the scheme/ plans, the matter shall be referred to the Central Government in the ministry of Rural Development (Department of Land Resources) for its decision and the decision of the Central Government shall be binding on the concerned States and Union territory ¹

2. The existing para 7.5 shall be read as Para 7.6 of chapter VII vide G.O.Ms.No.134 IRRIGATION & C.A.D. (PW: LA.IV-R&R) DEPARTMENT DT: 13-11-2009.