

REHABILITATION & RESETTLEMENT PLAN *for* **JAMRANI DAM MULTIPURPOSE PROJECT**



Submitted to
MINISTRY OF ENVIRONMENT & FOREST,
New Delhi

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1 RESETTLEMENT AND REHABILITATION PLAN

1.1 INTRODUCTION

Like any other development / infrastructure project for the public purpose, land (Public and Private) invariably is to be acquired by the appropriate government either for its own use or for a requiring body, as the case may be. The total private land required for the project is 452 ha which is spread over fifteen villages in Nainital block of district Nainital, Uttarakhand. Though the project has been conceived with the sole objective of minimal displacement of people because their property in the project affected area, the compulsory acquisition of land for public purpose has been necessitated. The acquisition of the land shall be in consonance with “The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013”, (RFCTLARRA 2013) which has come into force from 1-1-2014, notified by Government of India.

1.2 SOCIAL IMPACT ASSESSMENT STUDIES

The Socio-economic survey of the project-affected village (PAV) and project affected Families (PAF) in the form of household survey was undertaken for gathering baseline information on various socio-economic parameters, which included the following:

- a. Assessment as to whether the proposed acquisition serves public purpose.
- b. Estimation of project affected families including families likely to be displaced.
- c. Extent of land (Public / Private), houses and other assets, to be affected by the acquisition.
- d. Feasibility of Acquisition at an alternative place.
- e. Assessment of bare minimum extent of land needed for the project.
- f. Study of social impact and mitigate cost in addressing these and its ramification on the overall cost of the project vis-à-vis the benefits of the project.

1.2.1 Public Purpose

In the wake of the fact that the land to be acquired is within the territory of, the State Government of Uttarakhand is the Appropriate Government intends to acquire the land for construction of the infrastructure projects. In the present case the proposed Irrigation project is essentially an infrastructure project included in the Annexure-I of the Notification of the Govt. of India, Department of Economic Affairs (Infrastructure Section) No. 13/6/2009-INF dated 27 March 2012 and even no. amendment dated 1st April 2013. Thus, the provisions of “The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013” applies in respect of all activities related to land acquisition for the project.

1.2.2 Village-wise Project Affected Families

There are 6 villages under the submergence with an acquisition requirement of 47.39 Ha and 120 affected families, who has to be re-located and resettled from the submergence area. There are another 9 villages (20 Ha and 79 affected families) in the downstream, which are temporary affected to for constructional activities of the dam. The village wise details of the affection status, area under acquisition, affected families and displaced families are presented in **Table 1-1**.

Table 1.1: Village-wise details

Sl. No.	Name of Village	Affection Status	Area under Acquisition (Ha)	Affected Family	Displaced Family
1	Tilwari	Submergence	3.890	13	13
2	Murkudia	Submergence	20.800	52	52
3	Ganrad	Submergence	9.100	12	12
4	Paniabore	Submergence	4.000	12	12
5	Udwa	Submergence	6.800	11	11
6	Pastola	Submergence	2.800	20	20
Sub-Total of Submergence Villages			47.39	120	120
7	Pania Mehta	Temporary	4.400	11	11
8	Gumalgaon	Temporary	2.200	7	7
9	Raunsil	Temporary	4.224	20	20
10	Pasauli	Temporary	3.226	11	11
11	Bhorsa	Temporary	1.608	14	14
12	Anna	Temporary	1.202	7	7
13	Kula	Temporary	0.510	3	3
14	Dehra	Temporary	0.605	6	6
15	Amritpur	Temporary	2.025	0	0
Sub-Total of Temporary affected Villages			20.00	79	79
16	Proposed Jamrani canal, Tarai Feeder, Nasrat Nagar Feeder		17.25	Nil	Nil
17	Proposed Golawar Canal and Remodelling of Dewalchaur Minor		33.96	Nil	Nil
Sub-Total of Main Canal and Feeder Canal Network			51.21	Nil	Nil
19	Proposed Paniya Mehta Batching Plant		1.76	Nil	Nil
Sub-Total of Batching Plant			1.76	Nil	Nil
Grand Total			120.36	199	199

Source: As per Survey done by Jamrani Dam Project circle, Haldwani

Thus, total land requirement for the project is 120.36 ha. There are total of 199 displaced families in the submergence villages as well as in the temporary affected villages.

1.2.3 Extent of structures and other assets, to be affected by the acquisition

There are total of 233 private structures and 10 Common Property Resources (CPR) will be affected in the submergence villages. No structures are affected in the temporary affected villages. The village-wise details of affected structures in the submergence villages are given in **Table 1.2**.

Table 1.2: Affected structures in Submergence Villages

Sl. No.	Village	No. of PAF	CPR	Private Structures				
				Pucca	Kutcha	Cattle Shed	Kiosk	Total
1	Tilwari	13	2	13			2	15
2	Murkudia	52	1	48	4			52
3	Ganrad	12		12				11
4	Paniabore	12	1	11			2	4
5	Udwa	11	1	2	9			26
6	Pastola	20		17	3		1	107
Total		120	5	103	16		5	215

Source: As per Survey done by Jamrani Dam Project circle, Haldwani

1.3 RESETTLEMENT & REHABILITATION PRINCIPLES

On the basis of the primary and secondary data collected in respect of the project affected families a draft R & R Plan has been formulated in consonance with the principles enunciated in "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013", which has come into force from 1-1-2015, notified by Government of India. Besides this meeting the mandatory requirement, certain works relating to social welfare and community development are also considered in consultation with local authorities and representatives of affected families to make the R&R Plan for the proposed project so that a greater degree of acceptability for implementation of the plan is achieved.

1.3.1 Definitions Followed in the Present R & R Plan

For this project, procedure and compensation will be as per the RFCT_LARR 2013 and following key definitions will be followed:

- (a) "Administrator" means an officer appointed for the purpose of rehabilitation and resettlement of affected families under sub-section (I) of section 43;
- (b) "Affected area" means such area as may be notified by the appropriate Government for the purposes of land acquisition; (c) 'affected family' includes-
 - (i) A family whose land or other immovable property has been acquired;
 - (ii) A family which does not own any land but a member or members of such family may be agricultural labourers, tenants including any form of tenancy or holding of usufruct right, share-croppers or artisans or who may be working in the affected area for three years prior to the acquisition of the land, whose primary source of livelihood stand affected by the acquisition of land;
 - (iii) The Scheduled Tribes and other traditional forest dwellers who have lost any of their forest rights recognized under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 due to acquisition of land;
 - (iv) Family whose primary source of livelihood for three years prior to the acquisition of the land is dependent on forests or water bodies and includes gatherers of forest produce, hunters, fisher folk and boatmen and such livelihood are affected due to acquisition of land;
 - (v) A member of the family who has been assigned land by the State Government or the Central Government under any of its schemes and such land is under acquisition;
 - (vi) A family residing on any land in the urban areas for preceding three years or more prior to the acquisition of the land or whose primary source of livelihood for three years prior to the acquisition of the land is affected by the acquisition of such land;
- (c) "Agricultural land" means land used for the purpose of--
 - (i) agriculture or horticulture;
 - (ii) dairy farming, poultry farming, pisciculture, sericulture, seed farming breeding of livestock or nursery growing medicinal herbs;
 - (iii) raising of crops, trees, grass or garden produce; and

- (iv) and used for the grazing of cattle;
- (d) "Appropriate Government" means, -
 - (i) In relation to acquisition of land situated within the territory of, a State, the State Government;
 - (ii) In relation to acquisition of land situated within a Union territory (except Puducherry), the Central Government;
 - (iii) in relation to acquisition of land situated within the Union territory of Puducherry, the Government of Union territory of Puducherry;
 - (iv) In relation to acquisition of land for public purpose in more than one State, the Central Government, in consultation with the concerned State Governments or Union territories; and
 - (v) In relation to the acquisition of land for the purpose of the Union as may be specified by notification, the Central Government;
 - (vi) Provided that in respect of a public purpose in a District for an area not exceeding such as may be notified by the appropriate Government, the Collector of such District shall be deemed to be the appropriate Government;
- (e) "Authority" means the Land Acquisition and Rehabilitation and Resettlement Authority established under section 5I;
- (f) "Collector" means the Collector of a revenue district, and includes a Deputy Commissioner and any officer specially designated by the appropriate Government to perform the functions of a Collector under this Act;
- (g) "Commissioner" means the Commissioner for Rehabilitation and Resettlement appointed under sub-section (I) of section 44;
- (h) "Cost of acquisition" includes-
 - (i) Amount of compensation which includes solatium, any enhanced compensation ordered by the Land Acquisition and Rehabilitation and Resettlement Authority or the Court and interest payable thereon and any other amount determined as payable to the affected families by such Authority or Court;
 - (ii) Demurrage to be paid for damages caused to the land and standing crops in the process of acquisition;
 - (iii) Cost of acquisition of land and building for settlement of displaced or adversely affected families;
 - (iv) Cost of development of infrastructure and amenities at the resettlement areas;
 - (v) Cost of rehabilitation and resettlement as determined in accordance with the provisions of this Act;
 - (vi) Administrative cost, -
 - (A) For acquisition of land, including both in the project site and out of project area lands,

not exceeding such percentage of the cost of compensation as may be specified by the appropriate Government;

(B) For rehabilitation and resettlement of the owners of the land and other affected families whose land has been acquired or proposed to be acquired or other families affected by such acquisition;

(i) Cost of undertaking 'Social impact Assessment study'; (j) "company" means-

(ii) A company as defined in section 3 of the Companies Act, 1956. Other than a Government company:

(iii) A society registered under the Societies Registration Act, 1860 or under any corresponding law for the time being in force in a State;

(k) "Displaced family" means any family, who on account of acquisition of land has to be relocated and resettled from the affected area to the resettlement area;

(l) "Entitled to act" in relation to a person, shall be deemed to include the following persons, namely:

(i) Trustees for other persons beneficially interested with reference to any such case, and that to the same extent as the person beneficially interested could have acted if free from disability;

(ii) The guardians of minors and the committees or managers of lunatics to the same extent as the minors, lunatics or other persons of unsound mind themselves, if free from disability, could have acted:

Provided that the provisions of Order X XX II of the First Schedule to the Code of Civil Procedure,

1908 shall, *mutatis mutandis*, apply in the case of persons interested appearing before a Collector or Authority by a next friend, or by a guardian for the case, in proceedings under this Act:

(m) "family" includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on him:

Provided that widows, divorcees and women deserted by families shall be considered separate families:

Explanation. -An adult of either gender with or without spouse or children or dependents shall be considered as a separate family for the purposes of this Act.

(n) "Holding of land" means the total land held by a person as an owner, occupant or tenant or otherwise;

(o) "Infrastructure project" shall include any one or more of the items specified in clause (b) of subsection (/) of section 2;

(p) "Land" includes benefits to arise out of land, and things attached to the earth or permanently fastened to anything attached to the earth:

(q) "Landless" means such persons or class of persons who may be, -

(i) considered or specified as such under any State law for the time being in force; or

(ii) in a case of landless not being specified under sub-clause (i), as may be specified by

the appropriate Government;

- (r) "land owner" includes any person, -
 - (i) Whose name is recorded as the owner of the land or building or part thereof, in the records of the authority concerned; or
 - (ii) Any person who is granted forest rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 or under any other law for the time being in force; or
 - (iii) Who is entitled to be granted Patta rights on the land under any law of the State including assigned lands: or
 - (iv) Any person who has been declared as such by an order of the court or Authority;
- (s) "Local authority" includes a town planning authority (by whatever name called) set up under any Law for the time being in force, a Panchayat as defined in article 243 and a Municipality as defined in article 243P, of the Constitution;
- (t) "Marginal farmer" means a cultivator with an un-irrigated land holding up to one hectare or irrigated land holding up to one-half hectare;
- (u) "Market value" means the value of land determined in accordance with section 26;
- (v) "Notification" means a notification published in the Gazette of India or, as the case may be, the Gazette of a State and the expression "notify" shall be construed accordingly;
- (w) "Patta" shall have the same meaning as assigned to it in the relevant Central or State Acts or rules or regulations made thereunder; (x) "person interested" means-
 - (i) All persons claiming an interest in compensation to be made on account of the acquisition of land under this Act;
 - (ii) The Scheduled Tribes and other traditional forest dwellers, who have lost any forest rights recognized under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006;
 - (iii) a person interested in an easement affecting the land;
 - (iv) persons having tenancy rights under the relevant State laws including share-croppers by whatever name they may be called; and
 - (v) any person whose primary source of livelihood is likely to be adversely affected;
- (x) "prescribed" means prescribed by rules made under this Act;
- (y) "project" means a project for which land is being acquired, irrespective of the number of persons affected;
- (Ya) "Public purpose" means the activities specified under sub-section (I) of section 2;
- (Yb) "Requiring Body" means a company, a body corporate, an institution, or any other organization or person 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 transfer of such land is for public

purpose to a company, body corporate, an institution, or any other organization, as the case may be, under lease, license or through any other mode of transfer of land;

(zc) "Resettlement Area" means an area where the affected families who have been displaced as a result of land acquisition are resettled by the appropriate Government;

(zd) "Scheduled Areas, means the Scheduled Areas as defined in section 2 of the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996;

(ze) "Small farmer" means a cultivator with an un-irrigated land holding up to two hectares or with an

Irrigated land holding up to one hectare, but more than the holding of a marginal farmer.

1.4 COMPENSATION FOR LAND OWNERS

The project proponent has neither yet acquired the land by negotiation nor initiated any land acquisition process for complete private land under Section-4 of the Land Acquisition Act, 1890. All provisions of the RFCTLARRA, 2013 related to the determination of compensation shall apply. The project proponent shall have to move to the appropriate government along with the details for the land to be acquired for causing publication of preliminary notification as warranted under Chapter 4 (Section 11) of the Act. After hearing of the objection under Section 15. The administrator for Rehabilitation and Resettlement shall prepare a draft Rehabilitation & Resettlement Scheme for the review of the Commissioner Rehabilitation.

The Collector based on the following criteria shall determine the market value of land:

- a. The market value, if any, specified in the India Stamp Act, 1899 (2 of 1899) for the registration of sale deeds or agreements to sell as the case may be, in the area, where the land is situated; or
- b. The average sale price for similar type of land situated in the nearest village or nearest vicinity area; or
- c. Consented amount of compensation as agreed upon under sub-section (2) of section 2 in case of acquisition of lands for private companies or for public private partnership projects, whichever is higher:

Provided that the date of determination of market value shall be the date on which the notification has been issued under section 11.

The market value shall be calculated as per above shall be multiplied by a factor to be specified in first schedule.

The First Schedule

[See section 31(2)]

The following components shall constitute the minimum compensation package to be given to those whose land is acquired and to tenants referred to in clause (c) of Section 3 in a proportion to be decided by the appropriate Government.

S.N.	Component of compensation package in respect of land acquired under the Act	Manner of determination of value
1	Market value of land	To be determined as provided under section 26.
2	Factor by which the market value is to be multiplied in the case of rural areas	1.00 (one) to 2.00 (Two) based on the distance of project from urban area, as may be notified by the appropriate Government
3	Factor by which the market value is to be multiplied in the case of urban areas	1 (One)
4	Value of assets attached to land or building	To be determined as provided under section 29
5	Solatum	Equivalent to one hundred per cent of the market value of land mentioned against serial number 1 multiplied by the factor specified against serial number 2 for rural areas plus serial number 3 for urban areas plus value of assets attached to land or building against serial number 4 under column (2)
6	Final award in rural areas	Market value of land mentioned against serial number 1 multiplied by the factor specified against serial number 2 plus value of assets attached to land or building mentioned against serial number 4 under column (2) plus solatium mentioned against serial number 5 under column (2).
7	Final award in urban areas	Market value of land mentioned against serial number 1 multiplied by the factor specified against serial number 3 plus value of assets attached to land or building mentioned against serial number 4 under column (2) plus solatium mentioned against serial number 5 under column (2).
8	Other component, if any, to be included	

Source: RFCTLARR Act 2013

1.5 ELEMENTS OF REHABILITATION AND RESETTLEMENT ENTITLEMENT FOR AFFECTED FAMILIES

Under Chapter V Section 31, the collector has been empowered to pass the Rehabilitation and Resettlement award for each affected family in terms of entitlement provided in the Second Schedule.

The Second Schedule

[See section 31(2)]

Elements of Rehabilitation and Resettlement entitlements for all the affected families (both land owners and the families whose livelihood is primarily dependent on land acquired) in addition to those provided in the first schedule.

S.N.	Elements of Rehabilitation and Resettlement Entitlements	Entitlement/ provision
1.	Provisions of housing units in case of displacement	If a house is lost in rural areas, a constructed house shall be provided as per the Indira Awas Yojana specifications. If a house is lost in urban areas, a constructed house shall be provided, which will be not less than 50 sq. meter in plinth area. The benefits listed above shall also be extended to any affected family which is without homestead land and which has been residing in the area continuously for a period of not less than three years preceding the date of notification of the affected area and which has been involuntarily displaced

S.N.	Elements of Rehabilitation and Resettlement Entitlements	Entitlement/ provision
		<p>from such area:</p> <p>Provided that any such family in urban areas which opts not to take the house offered, shall get a onetime financial assistance for house construction, which shall not be less than one lakh fifty thousand rupees:</p> <p>Provided further that if any affected family in rural areas so prefers, the equivalent cost of the house may be offered in lieu of the constructed house:</p> <p>Provided also that no family affected by acquisition shall be given more than one house under the provisions of this Act.</p> <p>Explanation- The houses in urban areas may, if necessary, be provided in multi-storied building complexes.</p>
2.	Land for Land	<p>In the case of irrigation project, as far as possible and in lieu of compensation to be paid for the land acquired, each affected family owning agricultural land in the affected area and whose land has been acquired or lost, or who has, as a consequence of the acquisition or loss of land, been reduced to the status of a marginal farmer or landless, shall be allotted, in the name of each person included in the records of rights with regard to the affected family, a minimum of one acre of land in the command area of the project for which the land is acquired:</p> <p>Provided that in every project those persons losing land and belonging to the Scheduled Castes or the Scheduled Tribes will be provided land equivalent to land acquired or two and a one-half acre, whichever is lower.</p>
3	Offer for Developed Land	<p>In case the land is acquired for urbanization purposes, twenty per cent of the developed land will be reserved and offered to land owning project affected families, in proportion to the area of their land acquired and at a price equal to the cost of acquisition and the cost of development.</p> <p>Provided that in case the land-owning project affected family wishes to avail of this offer, an equivalent amount will be deducted from the land acquisition compensation package payable to it.</p>
4	Choice of Annuity or Employment	<p>The appropriate Government shall ensure that the affected families are provided with the following options:</p> <p>(a) Where jobs are created through the project, after providing suitable training and skill development in the required field, make provision for employment at a rate not lower than the minimum wages provided for in any other law for the time being in force, to at least one member per affected family in the project or arrange for a job in such other project as may be required; or</p> <p>(b) One-time payment of 5 lakh rupees per affected family; or</p> <p>(c) Annuity policies that shall pay not less than 2000 rupees per month per family for 20 years, with appropriate indexation to the consumer price index for agricultural labourers</p>
5	Subsistence grant for displaced families for a period of one year	<p>Each affected family, which is displacing from the land acquired shall be given a monthly subsistence allowance equivalent to 3000 rupees per month for a period of one year from the date of award.</p> <p>In addition to this amount, the schedule castes and the scheduled tribes displaced from scheduled areas shall receive an amount equivalent to 50000 rupees.</p> <p>In cases of displacement from the scheduled areas, as far as possible, the affected families shall be relocated in a similar ecological zone, so as to preserve the economic opportunities, language, culture and community life of the tribal communities.</p>
6	Transportation cost for displaced families	<p>Each affected family which is displaced shall get a one-time financial assistance of 50000 rupees as transportation cost for shifting of the family, building materials, belongings and cattle.</p>

S.N.	Elements of Rehabilitation and Resettlement Entitlements	Entitlement/ provision
7	Cattle shed / Petty shops cost	Each affected family having cattle or having a petty shop shall get one-time financial assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of 25000 rupees for construction of cattle shed or petty shop as the case may be.
8	One-time grant to artisan, small traders and certain others	Each affected family of an artisan, small traders or self-employed person or an affected family which owned non-agricultural land or commercial, industrial or institutional structure in the affected area, and which has been involuntarily displaced from the affected area due to land acquisition, shall get one-time assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of 25000 rupees
9	Fishing rights	In cases of irrigation or hydel projects, the affected families may be allowed fishing rights in the reservoirs, in such manner as may be prescribed by the appropriate Government
10	One-time Resettlement Allowance	Each affected family shall be given a onetime "Resettlement Allowance" of 50000 rupees only
11	Stamp duty and registration fee	(1) The stamp duty and other fees payable for registration of the land or house allotted to the affected families shall be borne by the Requiring Body. (2) The land for house allotted to the affected families shall be free from all encumbrances. (3) The land or house allotted may be in the joint names of wife and husband of the affected family.

Source: RFCTLARR Act 2013

1.5.1 Base Amount of Land under Acquisition

As elucidated in Table 5.1, the total private land requirement for the project is 120.36 ha. The cost of already acquired land is presented in **Table 5.3**. The proposed land acquisition base cost as per current collector's rate specified in the Notification No. 1536/ 5 - Stamp/ Evaluation – 2018-19 (Revised Rate Schedule) dated 14th January 2018 of the DM, Nainital, has been worked out in **Table 1.3**.

Table 1.3: Already Acquired Land

Sl.	Particulars	Acquired Land		Remarks
		Qty (Ha)	Amount (Rs. Lakh)	
1	Gola Irrigation Colony, Damuadhunga	7.45	1.66	As per actual expenses
2	For Amritpur Colony and Store sed	3.12	0.34	As per actual expenses
3	For additional area in Amritpur Colony and Amiya Temporary Colony	13.38	3.44	As per actual expenses
4	Amritpur Jamrani Motor Marg	8.41	0.28	As per actual expenses
5	Barajhala Colony, Paniya Mehta Batching Plant	1.61	0.44	As per actual expenses
6	Compensation for acquired land for HarDOI, UP	-	14.49	As per actual expenses
	Total	33.97	20.65	

Source: As per Survey done by Jamrani Dam Project circle, Haldwani

Table 1.4: Proposed Land Acquisition and its base cost

Sl.	Village	Quantity		Collector's Rate (Rs lakh per Ha)	Amount (Rs lakh)
1	Tilwari	3.890	Ha	17	66.13
2	Murkudia	20.800	Ha	50	1,040.00
3	Ganrad	9.100	Ha	17	154.70
4	Paniabore	4.000	Ha	17	68.00
5	Udwa	2.800	Ha	17	47.60
6	Pastola	6.800	Ha	17	115.60
Sub-Total for Submergence Villages		47.390			1,492.03
7	Pania Mehta	4.400	Ha	25	110.00
8	Gumalaon	2.200	Ha	25	55.00
9	Raunsil	4.224	Ha	50	211.20
10	Pasauli	3.226	Ha	50	161.30
11	Bhorsa	1.608	Ha	25	40.20
12	Anna	1.202	Ha	50	60.10
13	Kula	0.510	Ha	50	25.50
14	Dehra	0.605	Ha	50	30.25
15	Amritpur	2.025	Ha	50	101.25
Sub-total for Temporary affected villages		20.000			794.80
16	Paniya Mehta Batching Plant	1.760	Ha	25	44.00
Sub-total for Batching Plant		1.760			44.00
17	Jamrani Canal	7.250	Ha	90	652.50
18	Tarai Feeder Canal	10.000	Ha	38.67	386.70
Sub-total for Canal System		17.250			1,039.20
Total Proposed Land to be Acquired		86.400	Ha		3,370.03

Source: As per Survey done by Jamrani Dam Project circle, Haldwani

1.5.2 Base Amount for Structures and Other Properties

The compensation for structures has been determined as substitution/ replacement cost based on the CPWD rates without consideration of any depreciation on cost has been worked out. The rate of construction for the kutcha structures and Kiosk are taken as 60% of that of the permanent structures, which is provisionally suitable. The base cost of structures and others has been made in **Table 1.5**.

Table 1.5: Base Cost of Structures and Properties

Sl.	Particular	Per Structure Area (Sqm)	Nos.	Quantity	Unit	CPWD Rates (Rs lakh per unit)	Amount (Rs lakh)
1	Pucca Structure	150	103	15,450	Sqm	0.28	4,326.00
2	Kutcha Structure	150	16	2,400	Sqm	0.16	384.00
3	Kiosk	25	5	125	Sqm	0.16	20.00
4	CPR structures	150	5	750	Sqm	0.28	210.00
5	Trees	-	-	4,278	Nos	0.05	213.90
TOTAL							5,153.90

Source: Data from the Project Proponent on 10th Jan 2019

Component of compensation package in respect of land acquired under the RFCTLARR Act 2013 as contained in First Schedule is tabulated in **Table 1.6**.

Table 1.6: Compensation for Land Acquisition

Sl. No.	Component	Quantity	Market value (Rs. Lakh)	Multipier	Amount (Rs lakh)
1a	Land required for Submergence Villages	47.390 Ha	1,492.03	2	2,984.06
1b	Land Required for Temporary Affected Villages	20.000 Ha	794.80	2	1,589.60
1c	Land Required for Batching Plant	1.760 Ha	44.00	2	88.00
1d	Land Required for Canal System	17.250 Ha	1,039.20	1.5	1,558.80
2	Value of Land after multiplying by Urban Factor				6,220.46
3	Solatium of 100% on Sl. 2				12440.92
3.a	Demarcation Cost, as per CWC Guidelines (1% of Sl. 3)				124.41
3.b	Legal Expenses of LA as per CWC Guidelines (1% of Sl. 3)				124.41
4	Final Award of Land Acquisition (Sl. 3 + Sl. 3.a + Sl. 3.b)				12,689.74
5	Affected Structure and Properties				5,153.90
6	Solatium of 100% on Sl. 5				10,307.80
Total Compensation for LA (Sl. 4 + Sl. 6)					22,997.54

Source: Schedule I of RFCTLARR Act 2013

In the wake of the fact, that PAFs have preferably desired to be rehabilitated in the same location and that the command area of the project has no land to be offered to the PAFs, as warranted in case of irrigation project, the SC and ST PAFs may be provided land for land, somewhere else in command of some other schemes. This could be mutually achieved by purchasing land through private negotiation from owners

1.6 BUDGET FOR R&R BENEFITS

Budget for R&R benefits has been prepared keeping in view the numbers of project affected families losing houses, land, shops, well, cattle sheds, etc. The elements of rehabilitation and resettlement entitlement as elaborated in Second Schedule has been followed as shown in **Table 1.7**.

Table 1.7: R&R Benefits

Sl.	Component	Unit	Unit Rate [#] (Rs. Lakh)	Quantity* (Nos.)	Amount (Rs lakh)
1	Employment Allowance	Affected Family	5.00	199	995.00
2	Shifting allowance	Displaced Family	0.50	199	99.50
3	Resettlement Allowance	Affected Family	0.50	199	99.50
4	Subsistence allowance	Displaced Family	0.36	199	71.64
5	Addl. Subsistence Allowance for vulnerable PAF	Vulnerable Family	0.50	47	23.50
6	Grant for Petty shops and Cattle sheds	Petty Shops and Cattle Sheds	0.25	5	1.25
Total					1,290.39

[#] Rates from Schedule II of RFCTLARR Act 2013

* Source from Table 1.1

1.6.1 R&R Benefits for PAFs belongings to ST & SC

1. In case of families, loose access to forest due to projects a special plan will be formulated for development of alternate fuel, fodder and no timber forest produce.
2. Each PAF of ST followed by SC categories shall be given preference in allotment of land if any land is available for allotment of PAF's.
3. Each ST family will get an addition one-time financial assistance of 180 days minimum wages for

labour for loss of customary right's or usage of forest produce.

4. ST. PAF's will be resettled as far as possible in the same schedule area in a compound block so that they can retain their ethnic, linguistic and cultural identity.
5. The resettlement area prominently inhabited by S.T.s shall get 1000 sq.m land free of cost for community and religious gatherings or the community shall be compensated for one-time assistance of Rs. 2.5 lakh.
6. The ST's families resettled out of the district will get 25% higher resettlement grant.
7. Each PAF of SC and ST category shall get reward for the acquired land at the circle rate prevalent in the nearest area as applicable for the general category

1.7 OTHER BENEFITS

1. Medical fund: A medical fund will be created for the PAF's. This fund will be provided for treatment to the member of PAF's in hardship due to illness or in extreme illness or accident cases. Medicines may also be provided to other residents in the area.
2. Free medical treatment will be provided to PAF's at the project medical facility.
3. Medical camps will be organized in various places in the project-affected zone from time to time.
4. In order to help the families living in the project affected zone and to improve their skills in their occupation Agriculture, Horticulture and animal husbandry training, small business, alternatives for self-employment and awareness camps will be organized by the Project Authorities from time to time.
5. If it is felt that the fuel supply of the local residents is affected due to construction of the project, a scheme will be formulated to provide alternative fuel or fuel saving devices to the families whose fuel supply is affected.
6. Each PAF will be given an identity card, which will have names of all the members of PAF.
7. The project authorities will set up one or more Project Information Officer for providing information and guidance to the local people particularly the PAF's.
8. Project authorities will set up a cultural fund for providing grants for organizing local fairs.

1.8 COMPENSATION DISBURSEMENT

All the compensation related to land, property, infrastructure development should be made transparent for which a suitable mechanism may be worked out in consultation with district administration and preferably all the payments should be made through bank drafts.

1.9 DISPUTE REDRESSAL MECHANISM

For ensuring the implementation of rehabilitation and resettlement scheme and compliance under the agreed policy, during the implementation of the scheme and thereafter monitoring and evaluation shall be carried out by departmental and monitoring committee. The appropriate Govt., for implementing the rehabilitation and resettlement scheme and monitoring and review of the progress thereof and conducting social audit by Rehabilitation & Resettlement Administration, where it has been so designated and where it has not been designated, in that scenario, shall constitute a committee to be called as resettlement and rehabilitation committee under Chairmanship of a Senior Government

Officer.

The Resettlement & Rehabilitation Committee constituted as above besides the officers of Uttarakhand Govt. shall inter-alia include as one of its members: -

- a) A representative of women residing in the affected zone;
- b) A representative, each from of the Scheduled Castes and Scheduled Tribes residing in the affected zone;
- c) A representative from a voluntary organization;
- d) A representative of the lead bank.
- e) A representative of the land acquisition officer;
- f) Chairman or his nominee from Panchayat Raj Institutions located in the affected zone
- g) MPs/MLAs of the area included in the affected zone.
- h) Representative for Project Proponent.

1.10 APPOINTMENT OF OMBUDSMAN

For Timely Redressal of Grievances/Complaints touching and arising within the framework of this policy, the Govt. of Uttarakhand shall appoint an ombudsman.

1.11 SUMMARY OF COST

The cost on account of implementing Rehabilitation and Resettlement Plan including the cost of land acquisition, R&R entitlement out to **Rs. 27,931 lakhs** and is presented in **Table 1.8**.

Table 1.8: Total Cost under R&R Plan

Sl. No.	Particular	Amount (Rs lakh)	Reference
A	Cost of Land Acquisition	22,997.54	Table 5.6
B	Cost of R&R Assistance	1,290.39	Table 5.7
Total LA and R&R Cost (A + B)		24,287.93	
Contingency @ 15%		3643.91	
Net debitable to R&R implementation programme		27,931.12	
Say Rs. 27,931 lakhs			