

Formulation of Rehabilitation & Resettlement Policy Framework for Upper Krishna Project Stage-III

Draft Report Submitted to
Krishna Bhagya Jala Nigam Limited, Bangalore



Centre for Multi-Disciplinary Development Research
Dr. B.R. Ambedkar Nagar, Near Yalakki Shettar Colony,
Dharwad-580004, Karnataka State, India
Tel: 0091-836-2460453, 2460472
Website: www.cmdr.ac.in

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6.	Name and Job Title of the Key Contact Person	<p>The General Manager, (Admin) Krishna Bhagya Jala Nigam Limited PWD Office Annex, III Floor, K.R. Circle, Bengaluru – 560001. Karnataka, India. Phone: 09886456265 Email: srinikas99@gmail.com & kbjnl123@yahoo.co.in</p> <p>Deputy General Manager (Resettlement & Rehabilitation) Upper Krishna Project, Nava Nagara, Bhagalkot. Karnataka, India. Phone: 09448603700 Email: gmrrukp@gmail.com</p>

Research Team

Project Director	Prof. Pushpa Trivedi
Core Research Team	Prof. Pushpa Trivedi
	Prof. Anil Mudbidri
	Prof. V.B. Annigeri
	Prof. N. G. Chachadi
Advisory Team	Prof. P. R. Panchamukhi
	Prof. Gopal K. Kadekodi
Research Assistance	Dr. Narayan Billawa, Sri. D. R. Revankar and Rajendra Desai
Focus Group Discussions	Dr. Narayan Billawa, Sri. D. R. Revankar and Rajendra Desai
Statistical Assistance	Sri Gururaj and Sri Jayateerth
Finance and Accounts	Sri A S Raichur
Liaison Personnel & Academic Inputs	Sri V.T. Hungund
Secretarial Assistance	Sri B.P. Bagalkot

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Dr. S. M. Jamdar, IAS (Retd.)

Former Commissioner – Resettlement, Rehabilitation & Land Acquisition in Upper Krishna Project

Gangaram Baderia, IAS

**Regional Commissioner Belgaum Division and In Charge Resettlement, Rehabilitation & Land Acquisition
in Upper Krishna Project KBJNL officials**

KBJNL Officials

Villagers of Submerging Villages

Table of Contents

Contents	Page No.
List of Abbreviations	ix
<i>Glossary of Terms</i>	x – xiii
Executive Summary	I – VIII
1. Introduction	1
2. Profile of the Villages to be Submerged under UKP Stage III	3
2.1 Location and Area of Villages	3
2.2 Project Displaced People (PDPs) and Projected Displaced Families (PDFs)	9
2.2.1 Type of Family:	10
2.2.2 Years of Stay	11
2.2.3 Identification of PDFs:	11
2.2.4 PDFs Displaced in Earlier Developmental Projects	12
2.2.5 Vulnerable PDPs and PDFs	12
2.2.5.1 BPL and Antyodaya PDFs	12
2.2.5.2 Gender Profile of PAPs/PAFs	13
2.2.5.3 Social Categories of PDFs	16
2.2.6 Educational Profile	18
2.2.7 Occupational and Employment Profile	19
2.2.8 Job Creation	20
2.2.9 Asset Profile	20
2.2.10 Amenities and Lack thereof	22
2.2.11 Common Property Resources	23
2.2.12 Form of Compensation Expected	24
3. <i>Profile of Urban PDFs/PDPs</i>	25
3.1 <i>Profile of Urban Landowner PDFs/PDPs</i>	25
3.1.1 Type of Family-Urban Landowner PDF	25
3.1.2 Religious Profile of Urban Landowner PDF	26
3.1.3 Gender Profile of Urban Landowner PDFs/PDPs	27
3.1.4 Age Profile of Urban Landowner PDFs/PDPs	28
3.1.5 Social Category Profile of Urban Landowner PDFs/PDPs	29
3.1.6 Ownership of House of Urban Landowner PDFs/PDPs	30
3.1.7 Ownership of Agricultural Land-Urban PDFs/PDPs	33
3.1.8 Ownership of Trees by Urban Landowner PDFs	34
3.1.9 Ownership of Movable Assets by Urban Landowner PDFs	35
3.1.10 Occupational Profile of Urban Landowner PDFs	36
3.1.11 Identification of Urban Landowner PDFs and Vulnerable PDFs	36
3.2 <i>Socio-Economic Profile of Urban Tenant Population</i>	37
3.2.1 Social Category of Urban Tenant Population	38

Contents	Page No.
3.2.2 Age Profile of Urban Tenant Population	38
3.2.3 Occupational Profile of Urban Tenant Population	39
4. Policy Framework for Resettlement and Rehabilitation	40
4.1 The Global Framework	41
4.2 Land Acquisition and Resettlement & Rehabilitation: Legal Framework in India	46
4.2.1 Land Acquisition Act (LAA), 1894	47
4.2.2 National Rehabilitation and Resettlement Policy, 2007 (NRRP-2007)	49
4.2.2.1 Amenities and Infrastructural Facilities to be Provided at Resettlement Areas	53
4.2.2.2 Indexation of Rehabilitation Grant and Other Benefits:	53
4.2.2.3 Grievance Redressal Mechanism	53
4.2.3 The Land Acquisition, Rehabilitation and Resettlement LARR Bill, 2011	54
4.3 State Laws and Policy on Resettlement and Rehabilitation	62
4.3.1 The Karnataka Policy on Resettlement and Rehabilitation	62
4.3.2 Land Acquisition Policy: Haryana	62
5. Definitional Issues	66
6. Entitlement Matrices of Various R & R Packages Implemented & The Benchmark Policies to be Considered	72
6.1 NTPC, CIL and KSHIP R & R Policies	72
6.2 UKP Stage I & II	75
6.2.1 Land owning displaced person of a displaced family	79
6.2.1.1 Adult brothers of the land owning displaced person of a displaced family	79
6.2.1.2 The housing package was also extended to not more than two major sons,	79
6.2.1.3 All the never-married major daughters of a family, who have attained the age of 35 years as on the cut-off dates	79
6.2.1.4 Landless displaced family and also its major sons	79
6.3 The Railways (Amendment) Act 2008	83
6.4 Rehabilitation & Resettlement: Mangalore SEZ Limited	86
7. Suggestions of CMDR Emanating from the Review of Literature	89
7.1 R & R in Urban Area	94
7.2 Redressal Mechanism for Dispute Settlement	94
Annexure 1: Observations from Ground: Anagwadi Village	96
Annexure 2: Voices From the Ground - Hire Sanshi Village	98
Annexure 3: Voices From the Ground - Ankalgi Village	103
Annexure 4: Voices from Ground - Chickagalagali Village, Bijapur Taluk	106
Annexure 5: Voices from the Ground -Kundargi Village, Bagalkot Taluk	110
Annexure 6: Voices from the Ground: Katarki Village, Bagalkot Taluk	115
Annexure 7: Voices from the Ground: Gaddankeri Village, Bagalkot Taluk	119
Annexure 8: Lessons to be Learnt from Resettlement Colonies	124
Bibliography	128

Map No.	Map/Box/Picture Title	Page No.
Map 1	Location of Submerging Villages from Bagalkot District in UKP Stage III	6
Map 2	Location of Submerging Villages from Bijapur District in UKP Stage III	7
Box 1	Chronology of Policies of World Bank Regarding Involuntary Resettlement	45
Picture A2.1	Villagers Converging to the Venue for FGD Meeting	99
Picture A2.2	Villagers Engrossed in FGD Meeting	99
Picture A2.3	Pre-notification Preparation for House Claims	99
Picture A2.4	Boom in Construction Activity during Pre-notification Period	100
Picture A2.5	Researcher from CMDR Understanding the Dynamics of R & R from Villagers	100
Picture A2.6	Construction Material Heaped in the Village	100
Picture A2.7	Response to R & R Policy Even Before Notification!	101
Picture A2.8	Minimization of Financial Risk, if UKP Stage III is Implemented	101
Picture A2.9	Excellent Example of Lack of Coordination of Various Organs of Government	101
Picture A2.10	Director and Researcher, CMDR, in Discussion with Coordinator, Baseline Data Collection Agency	102
Picture A2.11	Gender Issues being discussed at Hire Sanshi	102
Picture A3.1	Poor Sanitation Facilities at Ankalgi Village	104
Picture A3.2	Dark Shadows on Life with A Ray of Hope at the Back: Erstwhile Devdasis with their Children	104
Picture A3.3	Houses Provided by Government to Erstwhile Devdasis	105
Picture A3.4	Efforts to Ensure Percolation of Development	105
Picture A4.1	Curious Villagers about R & R Policy	106
Picture A4.2	CMDR team, CMSR team and Officials from R & R Office, Bagalkot Interacting with Villagers at Chickgalgali, Bagalkot.	107
Picture A5.1	Young and Elderly at Kundargi: Anxious and Curious about LA & RR	112
Picture A5.2	Prof. P.R. Pancharukhi addressing the villagers at Kundargi.	113
Picture A5.3	Prof. Gopal Kadekodi addressing the villagers at Kundargi	113
Picture A5.4	Condition of Wall of a House at Kundargi	114
Picture A5.5	Gender Bias in Participation in R & R Discussions	114
Picture A6.1	CMDR Team Initiating Dialogue on LA and RR in Katarki Village	115
Picture A6.2	CMDR Team Asking People Make Voice their Opinions	116
Picture A6.3	Voices to be Heard from Ground-Seriousness Combined with Amusement	116
Picture A6.4	Excellent Participation of Male PDPs	117
Picture A6.5	Women-Absolutely Neglected PDPs!	117
Picture A6.6	Supposed to be Already Sub-Merged Structures in UKP	117
Picture A6.7	Grazing on Common Village Land	117
Picture A6.8	Blanket Weaving on Common Village Land	117
Picture A6.9	Medical Facility in Katarki Village	118

Map No.	Map/Box/Picture Title	Page No.
Picture A6.10	Dimension of a Typical House in Katarki Village	118
Picture A7.1	Domination of Menfolk at FGD in Gaddankeri	120
Picture A7.2	Women at extreme Periphery in Gaddankeri	121
Picture A7.3	Women at Gaddankeri Expressing Themselves	121
Picture A7.4	Inputs from Women of Gaddankeri Village for R & R Policy	122
Picture A7.5	Groundtruthing the Data from Gaddankeri Village	122
Picture A7.6	A Typical House in Gaddankeri Village	122
Picture A7.7	Groundtruthing the Data from a Family in Gaddankeri Village	123
Picture A7.8	Woman from a Family Trying to Understand R & R Issues	123
Picture A8.1	Lack of Vision in Providing Infrastructure	124
Picture A8.2	Poor Quality of Infrastructure in RCs	124
Picture A8.3a	R & R as Opportunity to Provide Clean Drinking Water to PDFs	125
Picture A8.3b	R & R as Opportunity to Provide Clean Drinking Water to PDFs	126

Figure No.	Figure Title	Page No.
Figure 1	Distribution of Area of Submerging Villages UKP Stage III: (As a % of Total Geographical Area of 20 Villages)	8
Figure 2	Composition of Residential/Agricultural Area to be Compensated (Rural)	8
Figure 3	Distribution of PDFs and PDPs across Villages	9
Figure 4	Correlation between PDFs & PDPs in Villages	10
Figure 5	Types of Family	10
Figure 6	Percentage of PDFs as per Years Stay- UKP Stage III	11
Figure 7	Ration Card Holders RCH (% of Village PDFs)	11
Figure 8	No. of HHs Displaced in Earlier Developmental Projects	12
Figure 9	BPL/Antyodaya Card Holders	13
Figure 10A	Sex Ratio in Villages	14
Figure 10B	Village-wise Gender Composition	15
Figure 11	Women Headed Households (WHHs)	15
Figure 12	Correlation between % of WHHs & Sex Ratio	16
Figure 13	Composition of PDFs-Social Category-wise: All Villages	17
Figure 14A	Distribution of SC & ST PDFs across Villages	17
Figure 14B	No. of SC & ST PDFs	18
Figure 14C	SC & ST PDFs as a % of the Village PDFs	18
Figure 15	Educational Profile	19
Figure 16	Occupation Profile of the affected adult population (Rural)	19
Figure 17	MNREGA Job Card Holders as a % of Village PDFs	20
Figure 18	Livestock in Submerging Villages	21
Figure 19	Ownership of Durable Assets by Rural PDFs	21
Figure 20	Ownership of Trees	22

Figure No.	Figure Title	Page No.
Figure 21	Rural PDFs Having Basic Amenities	23
Figure 22	Availability of Common Pool Resource to PDFs	24
Figure 23	Form of Compensation Expected	24
Figure 24	Landowner PDFs and PDPs: Urban	25
Figure 25	Type of family	26
Figure 26	Religious Profile of Landowner PDFs: Urban	26
Figure 27	Urban PDFs- Religion-wise	27
Figure 28	Sex-ratio: Urban Landowners	27
Figure 29	Landowner WHHs: Urban	28
Figure 30	Age Profile of Landowner PDPs: Urban	29
Figure 31	Age Profile of Landowner PDPs: Urban	29
Figure 32	Social Categories of Landowner PDFs-Urban	30
Figure 33	Percentage of PDFs Whose Structures will be Affected	31
Figure 34	Ownership of House by PDFs-Urban	31
Figure 35	Usage of Structures	32
Figure 36	Ownership of Structures-Urban	32
Figure 37	Type of House	33
Figure 38	Farmers Classified by Landholdings (Acres)-Urban	33
Figure 39	PDFs by Type of Landholdings	34
Figure 40	Ownership of Trees	34
Figure 41	No. of Livestock Owned-Urban Landowner PDFs	35
Figure 42	Ownership of Movable Assets by Urban Landowner PDFs	35
Figure 43	Occupational Profile of Urban Working PAPs from Landowner PDFs	36
Figure 44	Ration Card Holders-Urban PDFs	37
Figure 45	Type of Ration Card	37
Figure 46	Tenant PDFs / PDPs in Urban Area	38
Figure 47	Social Category of Urban Tenants	38
Figure 48	Age Profile of the Urban Tenant Population	39
Figure 49	Occupational Profile of Urban Working PAPs-Tenants	40

Table Nos.	Tables Title	Page No.
Table 1	A Synoptic View of PDFs and PDPs of UKP Stage III	3
Table 2	Villages to be Submerged under UKP Stage III	4
Table 3	Land Submergence in Rural Area -UKP Stage III	5
Table 4	Format for Matrix of Entitlements	43-44
Table 5	Entitlements for PAPs/PAFs in NRRP-2007	50-52
Table 6	Compensation for Landowners (LARR 2011)	55-56
Table 7	Other Entitlements for all the PAFs, LARR 2011	57-60
Table 8	Infrastructure LA & RR 2011	61
Table 9	Revised Policy for the Floor Rates in Different Parts of the State for Acquisition of Land under the Land Acquisition Act 1984, HARYANA GOVERNMENT (9th December 2010)	63-65
Table 10	Community development and infrastructure	66
Table 11	A Comparative View of Definitions	67-71
Table 12	Compensation for Acquisition of Land from Owners with legal/Legalizable Title [@]	72
Table 13A	Compensation for Loss of Structure to Owners with legal or Legalizable Title ^{@@}	73
Table 13B	Compensation for Loss of Structure to Tenants/leaseholders/Encroachers/Squatters ^{\$}	74
Table 14	Compensation for Loss of Livelihood [#]	75
Table 15	Special Provisions for Vulnerable Displaced Persons	75
Table 16	Land Acquisition in UKP Stage I & II	76
Table 17	R & R entitlements in UKP vide G.O.No.RD21/ REH24(P), dated: 15-5-1995	77
Table 18	Entitlement Matrix of UKP Stage I & II	80-82
Table 19	Suggestions of CMDR	89-92
Table 20	Compensation Estimates for Agricultural Land in Submerging Villages	93
Table A1	Socio and Economic Profile of Villages to be Submerged under UKP Stage-III: Census 2011	127

Abbreviations

CMDR	Centre for Multi-Disciplinary Development Research
FGDs	focus group discussion
GoK	Government of Karnataka
IAY	Indira Awas Yojana
KLARRDSA	Karnataka Land Acquisition Rehabilitation and Resettlement Dispute Settlement Authority
LA & RR	Land Acquisition and Rehabilitation and Resettlement
MV	Market value
NGO	Non-Government Organization
NWTA	Narmada Water Tribunal Award
PAF	Project Affected Family
PAP	Project Affected Persons
PDF	Project Displaced Family
PDP	Project Displaced Persons
R & R	Rehabilitation and Resettlement
RC	Resettlement Colony/Centre
RDPR	Rural Development and Panchayat Raj Department
SC	Scheduled Castes
SEWA	Self Employed Women's Association
ST	Scheduled Tribes
UKP	Upper Krishna Project
WHHs	Women Headed Households

Glossary of Terms

Administrator: An officer appointed for the purpose of Rehabilitation and Resettlement of affected families.

Affected Area: An area of village or locality notified by the Appropriate Government for the purposes of land acquisition.

Affected Family: (i) a family whose land or other immovable property has been acquired or which is involuntarily and permanently displaced from their land or immovable property; (ii) a landless family, which includes agriculture labourer or artisans, which has been working in the affected area and whose primary source of livelihood has been affected by land acquisition in such area; (iii) tribals and other traditional forest dwellers, who have lost any traditional rights recognized under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006; (iv) Any individuals who have been assigned land by the State or Central Government under various schemes; and, (vii) If as a result of the acquisition there is a loss of their primary source of livelihood, families which are dependent on forests or water-bodies for their livelihoods, including forest gatherers, hunters, fisher folk and boatmen are also included.

Agricultural Land: Lands being used for the purpose of (i) agriculture or horticulture; (ii) dairy farming, poultry farming, pisciculture, sericulture, breeding of livestock or nursery growing medicinal herbs; (iii) raising of crops, grass or garden produce; and (iv) land use for the grazing of cattle.

Authority: The State Land Acquisition Rehabilitation and Resettlement Disputes Settlement Authority in respect of a State.

Collector: The Collector of a district, and includes a Deputy Commissioner and any officer specially designated by the Appropriate Government to perform the functions of a Collector under the relevant Act.

Compensation: Payment in cash or in kind for an asset or a resource that is acquired or affected by a project.

Cost of Acquisition: Includes the following: (i) compensation award amount which includes Solatium, any enhanced compensation ordered by Land Acquisition and Rehabilitation & Resettlement Dispute Settlement Authority or the relevant High Court and any other amount and interest payable thereupon; (ii) demurrage to be paid for damages caused to the land and standing crops in the process of acquisition; (iii) cost of acquisition of sites which are out of project land for settlement of displaced or adversely affected families; (iv) cost of development of infrastructure and amenities at resettlement areas; (v) cost of Rehabilitation and Resettlement as per the Act; (vi) administrative cost of acquisition of land including both in project site and out of project area lands; (vii) administrative cost involved in planning and implementation of Rehabilitation and Resettlement packages for providing physical rehabilitation and resettlement to the entitled and interested families, displaced or adversely affected on account of in project

Court: A principal Civil Court of original jurisdiction.

Cut-off date: The date of notification for acquisition of land is usually considered as the cut-off date. A cut-off date is used to identify Project Affected Persons (PAPs) or Project Displaced Persons (PDPs) and Project Displaced Families (PDFs) who are eligible for receiving compensation and resettlement assistance.

Displaced Person: Any person, either land owning or landless, who for at least one year prior to the date of publication of any notification under Section 4 of the Land Acquisition Act 1894 as amended, for the purpose of acquiring any land has ordinarily been residing in, or cultivating land, or carrying on any trade, occupation, or calling or working for gain in the Project Area or the area in which UKP Stage III has to be carried out and who would be involuntarily displaced from his or her usual place of residence or work due to such land acquisition (including for road construction or installation of main canals and distributories).

Economic displacement: Loss of land, assets, access to assets, income sources, or means of livelihood as a result of involuntary acquisition of land, or involuntary restrictions on land use or on access to legally designated parks and protected areas.

Eminent domain: The right of the state using its sovereign power to acquire land for public purposes. National laws specify the public agencies that have the right to exercise eminent domain.

Entitlement: Resettlement entitlements with respect to a particular eligibility category are the sum total of compensation and other forms of assistance provided to displaced persons in the respective eligibility category.

Family: Includes a person, his or her spouse, minor children, minor brothers, minor sisters dependent on him. An adult of either gender with or without spouse or children or dependents should be considered as a separate family for UKP R & R-Stage III.

Holding: The total land held by a person as an owner, occupant or tenant or as both.

Host communities: Communities receiving physically displaced persons of a project as resettlers.

Income restoration: Re-establishing productive livelihood of the displaced persons to enable income generation equal to or, if possible, better than that earned by the displaced persons before the resettlement.

Involuntary Resettlement: resettlement involuntary when the displaced persons have no right to refuse the land acquisition by the state that result in their displacement. This occurs when land is acquired through (i) expropriation by invoking the eminent domain power of the state, or (ii) land is acquired through negotiated settlement when the pricing is negotiated in a process where expropriation will be the consequence of a failure in the negotiation.

Khatedar: is person with legal title of land ownership.

Land Owner: Includes any person who is reflected as the owner of the land in the land records or any person who is granted Patta rights or is entitled to be granted Patta rights on the land under any law of the State including assigned lands.

Land: Includes benefits to arise out of land, and things attached to the earth or permanently fastened to anything attached to the earth.

Local Authority: Includes a town planning authority (by whatever name called) set up under any law for the time being in force.

Marginal Farmer: A cultivator with an un-irrigated land holding up to one hectare or irrigated land holding up to half hectare.

Notification: A notification published in the Gazette of India or, as the case may be, the Gazette of a State.

Physical displacement: Relocation, loss of residential land, or loss of shelter as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected area.

Project Affected Persons (PAPs): Refers to the project displaced persons, the host communities and the concerned institutions. However, since in this project, we do not know the host communities as yet, in this document, we are using the terms PDPs and PAFs interchangeably.

Project Displaced Families (PDFs): Those households who are physically displaced from their locales due to; (i) acquisition of residential land, open plot or shelter; (ii) economically displaced due to acquisition of land (e.g., agricultural land, commercial properties, such as shops), other assets, access to assets, such as, natural resources, income sources, or means of livelihood) as a result of involuntary acquisition of land, or involuntary restrictions on land use or on access to legally designated parks and protected areas.

Project Displaced/Affected Family (PDF/PAFs): Any family, who on account of acquisition of land has to be relocated and resettled from the affected area to the resettlement area.

PDFs/PAFs (Project Affected Families): A PAF is defined as follows.

- a) A family Consisting of persons who ordinarily reside in the project affected area/village to be acquired for at least one years prior to the notification for acquisition, disregarding the status of legal titles; and,
- b) PAFs would also who do not lose land and assets but have lost livelihood and shelter. These would include: (a) sharecroppers, tenants and sub-tenants under the land laws of Karnataka State; (b) agricultural workers and labourers who have been working on the land at least one year prior to the notification; (c) families which are dependent on the common pool resources, such as land, forests, water bodies for their livelihoods, including forest gathers and hunters, fisher-folk and boatmen; and, (d) people who (resided in areas to be submerged at least one year prior to the notification), such as, daily wage labourers, home based workers, artisans, traders, domestic help, etc., whose livelihood is dependent on the people to be displaced.

Relocation assistance: Support provided to persons who are physically displaced by a project. Relocation assistance may include transportation, food, shelter, and social services that are provided to the displaced persons during their relocation. It may also include cash allowances

that compensate displaced persons for the inconvenience associated with resettlement and defray the expenses of a transition to a new locale, such as moving expenses and lost work days.

Replacement Cost: Replacement cost involves replacing an asset at a cost prevailing at the time of its acquisition. This includes fair market value, transaction costs, interest accrued, transitional and restoration costs, and any other applicable payments, if any. Depreciation of assets and structures should not be taken into account for replacement cost. Where there are no active market conditions, replacement cost is equivalent to delivered cost of all building materials, labor cost for construction, and any transaction or relocation costs.

Resettlement Colony/Center (RC): an area where the affected families who have been displaced as a result of land acquisition are resettled.

Small Farmer: 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.

Vulnerable PDPs: Include the poorest/ below poverty line, SCs and STs, women headed households (WHHs), the disabled and elderly with no means of support, landless and those without a title to land, marginal farmers or those who become marginal as a result of acquisition and these will be assisted to mitigate their hardships and improve their livelihoods.

Vulnerable PAPs: Consists of persons belonging to poor, women, socially oppressed categories, indigenous people and those who may not be able to take full care of themselves (e.g., children, the elderly, and the physically challenged); and other groups that are not protected by national land compensation law.

Women Headed Household: A household that is headed by a woman and does not have a male earning member is a Woman Headed Household. This woman may be a widowed, separated or deserted person.

Formulation of Rehabilitation and Resettlement Policy Framework for UKP Stage-III

Executive Summary

After reviewing the global and national frameworks for Rehabilitation and Resettlement (R & R) Policy, CMDR recommends the following provisions to be made for the UKP-Stage III project affected families/persons.

1) COMPENSATION TO BE GIVEN FOR ACQUISITION OF LAND FROM LAND OWNERS¹

A. Market value of the land to be paid:

- i. the minimum land value, if any, specified in the Indian Stamp Act, 1899 for the registration of sale deeds in the area, where the land is situated; or
- ii. the average of the sale price for similar type of land situated in the village or vicinity, ascertained from fifty percent of the sale deeds registered during the preceding three years, where higher price has been paid; or
- iii. whichever of i or ii is higher

The market value calculated according to the above norms should be multiplied by two in rural areas.

B. Value of the assets attached to land to be paid:

Building/Trees/Wells/Crop, etc., as valued by experts like agricultural scientists, civil engineers, etc., appointed by government authority;

**C. Market value of land & assets attached to land = $2*[A+B]= C$ in the case of rural areas
 $A+B = C$ in the case of urban areas**

D. Solatium: $D = C$, i.e., 100% of compensation mentioned in C.

E. = Total Compensation for land acquisition = $E= 2* C = C +D = 4*[A +B]$

A Hypothetical Example for Compensation to Landowners for Land

Item	Elements for Compensation	Hypothetical Value in Rs lakhs	Compensation in Rs lakhs
A	Registered Market value of land per acre	4.00	4.00 *2 = 8.00 (rural) 4.00*1= (urban)
B	Building/Trees/Wells/Crop	1.00	1.00
C	A +B		8.00 +1.00 = 9.00 (rural) 4.00+1.00 = 5.00 (urban)
D	Solatium	100 % of A +B	9.00 (rural) 5.00 (urban)
E	Total Compensation for Land Acquisition		9.00 + 9.00 = 18.00 (rural) 5.00 +5.00 = 10.00 (urban)

¹ The Draft Land Acquisition and Rehabilitation and Resettlement Bill (LARR), 2011 –An Overview, presentation available at www.rural.nic.in

There are two options, viz., (i) onetime payment; or (ii) payment in annuities. These are detailed below.

OneTime Payment: This implies that compensation including the solatium will not be less than four times the market value of land for rural areas and two times of market value for urban areas even if there are no assets attached to land. It was brought to the notice of CMDR team during the focus group discussion (FGDs) most of the agricultural land that is to be submerged is irrigated land and that the registered value of land per acre in the submerging villages is around 4 lakhs per acre. In view of this, the compensation including solatium would be about between 18 lakhs per acre.

Annuities: As observed by World Bank (2004), the impoverishment of PDFs can also occur despite adequate compensation, as PAFs may not have the expertise to deal with the risk management issues associated with compensation amount another way to deal with this situation, as experimented in Haryana, is the option of significant annuities and small initial down-payment. The PDFs can be given a choice of receiving all or part of its compensation in the form of monthly payments and adjusted for inflation to extend for 33 years. However, the villagers in all the submerging villages visited by the CMDR team were absolutely averse to the idea of annuities. This was because of the bitter experiences of villagers in receiving benefits of government schemes over prolonged periods of time. According to villagers, the government gives benefits in initial years and as the time passes, the villagers are at the mercy of the government officials whilst receiving the benefits. In view of this, the CMDR team opines that the PDFs should be onetime payment and also the financial counseling regarding investment of such amounts. The government should honour the commitment it makes to PDFs.

2) LAND FOR LAND

Each PDF owning agricultural land in the submerging villages whose land are to be acquired or and as a consequence of this, has been reduced to the status of a marginal farmer or landless, should be allotted, in the name of each person included in the records of land 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. PDFs belonging to the Scheduled Tribes and Scheduled Castes should be given land for land².

3) PROVISION/COMPENSATION FOR HOUSING

- (a) Any **PDF owning house** and whose house has been acquired should be provided with a free house, to an extent of a minimum of 150 square metre of plinth area in rural areas and 50 square metre of plinth area in urban areas. The **Karnataka Govt order RDF 21 REH 94 BANGALORE DT 15.5.1995 BENEFITS TO PDFs** may be followed whereby land owning PDF will be eligible for a house site preferably, the area to be given should be within $\pm 5\%$ of the actual area, subject to a maximum of 400 sq mt.
- (b) Any **PDF which is without homestead land and which has been residing in the area continuously for a period of not less than one year preceding the date of notification** of the affected area and who has been involuntarily displaced from such area, should be provided with a house with a free house site, of a minimum size of 150 square metre of plinth area in rural areas and 50 square metre of plinth area in urban areas.
- (c) If a PDF which opts not to take the house offered, should get a onetime financial assistance for house construction, **which should not be less than Rs 1.50 lakhs.**
- (d) No PDF needs to be given more than one house, given the definition of a PDF. Houses in urban areas, if necessary, can be provided in multi-storied building complexes, given the scarcity of land.

CMDR team opines that the houses provided by Government, e.g., under Indira Awas Yojana are of poor quality and usually not occupied. In view of this, it may be better to provide a house site and housing grant to PDFs whose houses will be sub-merged. On the lines of the housing grant of Rs 45,000 rupees provided to each PDF in the Narmada Water Tribunal Award (NwTA), this amount should be scaled up and should not be less than Rs. **Rs 1.50 lakhs** so as to compensate for the rising prices of construction material

² Baseline Survey needs to provide the number of SC and ST PDFs who own the land and the size of their landholdings.

since the NAWTA. If a PDF whose house will be submerged and wants to build a house of the same dimension as in the submerged village, then the loan for construction of house (amount of loan could be related to the stage of construction of house) may be provided/arranged/ negotiated with banks.

The Major difference between the proposed R & R by CMDR and LA & RR Bill 2011: PDFs to be identified as those residing in areas to be submerged at least one year prior to notification, rather than 3 years prior to notification. This is proposed as the state government can improve upon the R & R policy framework implemented at the national level.

4) EMPLOYMENT OR CHOICE OF ANNUITY

One of the following options from a) to c) listed below should be given to the PDFs, depending on the availability of Government Jobs. Since irrigation projects are different from other industrial projects, direct job creation of a permanent nature in these projects is not possible. In view of this, In addition, scholarships and other skill development/vocational training opportunities to eligible persons from the PDFs should be provided.

- a) Reservation of Government job for one person of PDF in C & D categories, depending on qualification of PDP, availability of jobs and the vulnerability of PDP.
- b) Annuity payment of not less than Rs. 4000/- per month per PDF for twenty years³.
- c) Onetime payment of Rs. 5,00,000/- per affected family.

There has to be consistency between annuity scheme and onetime payment. Interest rate of 8 % p.a. on a sum of Rs. 5.00 lakhs per annum yields 40000/- p.a. and if a PDF which avails one time grant, she will earn this interest and its principal amount will be intact. In view of this, a sum higher than Rs. 3333.33 p.m. should be given to PDFs for sacrificing the principal amount.

5) SUBSISTENCE GRANTS

Each PDF should be given a monthly subsistence allowance equivalent to three thousand rupees per month for a period of one year from the date of award. In addition to this amount, Scheduled Tribes displaced from Scheduled areas should receive one time assistance of an amount equivalent to fifty thousand rupees.

³ Consistency is required in provisions a), b), and c). Since a Government job will always provide income of more than Rs 4000/-, all PDFs would go in for option 1, if available. Given the constraint that 20037 jobs for rural PDFs and 3524 jobs for urban PDFs cannot be created in government sector, it will be desirable to prioritize the vulnerable PDFs and depending on availability of jobs, the same can be provided.

6) TRANSPORTATION COST

Each PDF should get a one-time financial assistance of Rs. 50,000/- as transportation cost for shifting of the family, building materials, belongings and cattle.

7) CATTLE SHED/PETTY SHOPS COST

Each PAF having cattle or having a petty shop should get one-time financial assistance of such amount as the Appropriate Government may prescribe subject to a minimum of Rs. 25,000/- for construction of cattle shed or petty shop.

8) ONE TIME GRANTS TO ARTISAN, SMALL TRADERS AND OTHERS

Each artisan, small trader or self-employed person or a PDFs who own 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, should get one-time financial assistance of such amount as the appropriate Government may prescribe subject to a minimum of Rs. 25,000/-.

9) FISHING RIGHTS

The PDFs should be allowed fishing rights in the reservoirs so as to not disturb their dietary and livelihood requirements.

10) ONE TIME RESETTLEMENT ALLOWANCE

Each PDF should be given a one-time 'Resettlement Allowance' of fifty thousand rupees only.

11) REGISTRATION FEE AND THE TITLES

The stamp duty and other fees payable for registration of the land or house allotted to the affected families should be borne by the requiring body. The land for house allotted to the affected families shall be free from all encumbrances. The PDFs who purchase agricultural land or house from the compensation amount should also be exempted from the payment of registration fees and stamp duty and this offer should be valid for 3 years from the date of award.

12) PROVISION OF INFRASTRUCTURAL AMENITIES

- One or more assured sources of safe drinking water for each family.
- Proper drainage as well as sanitation plans should be completed before physical resettlement.

- Facilities for sanitation, including individual toilet.
- Roads within the RCs and an all-weather road link to the nearest *pucca* road, passages and easement rights for all the PAFs be adequately arranged and all this should be completed before physical resettlement.
- Grazing land/gomals as per proportion acceptable in the state
- Provision of drinking water for cattle.
- A reasonable number of Fair Price shops;
- Panchayat Ghars.
- Village level Post Offices, with facilities for opening saving accounts.
- Seed-cum-fertilizer storage facility.
- Basic irrigation facilities to the agricultural land purchased by PAFs in RCs.
- All RCs should be provided with suitable transport facility which must include public transport facilities through local bus services with the nearby growth centres/urban localities.
- Burial and/or cremation ground, depending on the caste-communities at the site and their practices.
- Individual single electric connections (or connection through non-conventional sources of energy like solar energy), for each household and for public lighting;
- Anganwadi's providing child and mother supplemental nutritional services.
- School as per the provisions of Right to Education Act.
- Sub health centre within two kilometre range.
- Primary Health Centre as prescribed by the Government of India.
- Playground for children.
- One community centre and park for every 100 families.
- Places of worship and chowpal/ tree platform for every 50 families for community assembly. It was observed in the villages where FGDs were held that people were using common village areas for various kinds of livelihoods. In view of this, some area should be earmarked for blanket weaving, pottery making, etc.
- Separate land must be earmarked for traditional tribal institutions.
- The forest dweller families must be provided, where possible, with their traditional rights on non-timber forest produce and common property resources, if available close to the new place of settlement and, in case any such family can continue their access or entry to such forest or common property in the area close to the place of eviction, they must continue to enjoy their earlier rights to the aforesaid sources of livelihood.
- Appropriate security arrangements must be provided for the settlement, if needed.
- Veterinary service centre as per norms.
- Public parks

13) SPECIAL PROVISIONS FOR VULNERABLE PDFs

- a. Priority in employment provision should be given to vulnerable PDFs, such as, SC/ST/WHHs and physically challenged persons.
- b. KBJNL should establish a liaison cell with relevant officers from the Department of Social Welfare. This cell can provide information and counseling about the various schemes and opportunities meant for SC/ST PDFs and PDPs.

- c. Even though the practice of Devdasis has been legally banned, the rehabilitation of Devdasis is far from complete. Devdasis in the submerging area are living in conditions of abject poverty and depend mainly upon the meager financial assistance they receive from the government and society. In order to enable themselves to live with dignity and occupation, skill formation programmes need to be conducted in these areas. The RCs housing Devdasis should be linked to NGOs who are in the working in the area of emancipation of women and provide them with some skills. An NGO like SEWA in Gujarat can enable help these Devdasis to lift them from the directionless and helpless existence to a life of dignity and self-reliance. CMDR would be more than willing to aid KBJNL in this rehabilitation aspect.

14) R & R IN URBAN AREA

- (i) A PDF of Bagalkot Town should be entitled for all the benefits extended by the Government under BTDA Rules and Amendments subsequently.
- (ii) A PDF in the non-submergible area or Bagalkot Town, whose immovable property in the submergible portion of Bagalkot Town is to be acquired, should also be entitled for all the benefits extended by the Government under BTDA.
- (iii) A person in occupation as a tenant (for residence, business trade, or other avocations) of immovable property situated in the submergible portion of Bagalkot Town for not less than 1 years preceding the date of issue of notification under section (i) of the land acquisition Act, 1894, should be eligible for getting **one plot per family** in RC of a maximum size of **9m x 12m (108 Sqm)**.
- (iv) A person who has encroached or put up unauthorized construction in the land included in the notification under sub section (i) of section 4 of land acquisition Act, 1894 for acquisition of submergible areas in old Bagalkot Town published so far belonging to the Bagalkot Town Municipal Council or to a private person but who is residing in the submergible portion of the Bagalkot Town and who will be displaced due to its submergence. Such person is only eligible for getting **one plot per family** in RC of a maximum size of **9m x 12m (108 sqm)** and they should get compensation for unauthorized structure in the form of Ex-gratia as per already existing rules.
- (v) Transportation assistance for shifting to RC is to be included for PDFs of Bagalkot Town as already indicated for rural PDFs

- (vi) Subsistence allowance is to be included for PDFs of Bagalkot Town as already indicated for rural PDFs.
- (vii) Financial assistance for house construction of Rs.45,000/- per BPL family is to be increased to Rs.1,00,000/-.

15) ESTABLISHMENT OF KLARRDSA⁴ FOR DISPUTE SETTLEMENT

The State Government should establish **KLARRDSA**, for the purpose of speedy disposal of disputes relating to land acquisition, compensation, R & R, by notification in the Official Gazette. State Government should constitute more than one Authority or the benches so that the complainant PAFs should be able to access justice at minimal cost. The Authority should consist of at least three Members, including the Chairperson to be appointed by the State Government with at least three Members, including the Chairperson to be appointed by the State Government. The Members of the Authority should be persons of ability, integrity and standing who have adequate knowledge of, and have shown capacity in, dealing with the problems relating to land acquisition matters, public administration, finance, economics and law. It is necessary to ensure that at least one member is a public representative or ombudsman and is not part of the State government. The complainant should get the dispute settled in a time-bound manner and the Collector should intermediate between the complainant and the Authority. As in the earlier stages of UKP, Lok Adalats should also be permitted to settlement of disputes and approval for consent awards. Price Advisory Committee set up for deciding the rates of lands to be acquired under consent award should include MPs, MLAs and MLCs. Direct Purchase Committee (DPC) should also include the land sub- registrar, presidents of Gram Panchayat (GP)/Taluk Panchayat (TP). The presence of GP/TP Presidents would ensure representation of PDPs. The DPC should also include an Ombudsman and in the case of any disagreement, person should approach Ombudsman who is appointed for each district by the Ministry Rural Development and Panchayat Raj.

⁴ Karnataka Land Acquisition Rehabilitation and Resettlement Dispute Settlement Authority.

Formulation of Rehabilitation and Resettlement Policy Framework for UKP Stage-III

1. Introduction

Any developmental project which results in involuntary displacement/resettlement of people should ensure the following (ADB, 2012): (i) avoidance of involuntary displacement to the extent feasible; (ii) minimization of involuntary displacement by exploring alternative projects and designs; (iii) preferably improve upon, or at least restore, the livelihoods of all displaced persons in 'real terms' as compared to the pre-project levels; and (iv) to improve the standards of living of the displaced poor and other vulnerable sections of society. The scope of 'Formulation of Rehabilitation and Resettlement (R & R, henceforth) Policy Framework for UKP Stage-III' by CMDR is essentially to deliberate on items (iii) and (iv) on the presumption that due diligence has been undertaken by KBJNL and the Government of Karnataka on items (i) and (ii).

Upper Krishna Project (UKP)⁵ is a mega project and has augmented the income of agriculturists in particular and drought affected North Karnataka in general. It includes construction of 2 dams, viz., Almatti and Narayanpur⁶ dams, across river Krishna and a network of canals. Almatti Dam is a few Kms. downstream of confluence of Ghataprabha river and Krishna river and it is a storage cum distributory dam unlike Narayanpur dam which is only distributory dam. The foundation stones of these two dams were laid by the then Union Minister Sri Lal Bahadur Shastri on May 22, 1964. The construction of the two dams has been completed. Overall, about 90 % of the project has been completed, and of the total contemplated command area of 6.22 lakh hectares, irrigation potential of 5.52 lakh hectares has already been created.

In order to expedite the execution of irrigation projects in the state, Government of Karnataka created a Special Purpose Vehicle (SPV), viz., Krishna Bhagya Jala Nigam Limited (KBJNL) was incorporated on August 19, 1994 as a wholly owned company by the GoK. It is responsible for planning, investigation, estimation, execution, operation and maintenance of

⁵ Information provided in about UKP Stage III has been provided by KBJNL vide their documents titled, 'Note on Krishna Basin and Upper Krishna Project' and 'Upper Krishna Project Implementation Report'.

⁶ Narayanpur dam is situated a few Kms downstream of confluence of Malaprabha river and Krishna river and serves as a diversion dam.

UKP. As creation of irrigation facilities involves both land acquisition, resettlement and rehabilitation (LA&RR), GoK also created a post of Commissioner LA&RR *with full powers* vide its order GO dated 16-10-1995.

In UKP, as of now 2.31 lakh acres of land has been acquired for submersion, creation of resettlement centres, canals, roads, etc. 136 villages have already been submerged and 102 resettlement centres have been created. The project has been executed in increments. There were three phases in Stage I of UKP, stretching from 1978 to 2000. In Phase 1, Almatti dam construction began. In Phase 2, Almatti dam was completed up to the FRL 512 meters and 95 villages were resettled and rehabilitated. In Phase 3, the FRL of the dam was increased up to 519.6 meters and another 40 villages were submerged and these villagers were resettled and rehabilitated. Environment clearance for Stage II of UKP was obtained in 2000.

Under the UKP Stage III that has been mooted, *inter alia*, the FRL of Almatti Dam is sought to be increased from 519.6 meters to 524.256 meters. In view of this, 20 villages are to be submerged, apart from the some urban area of the Bagalkot town.

Any project mandating land acquisition and R & R is meant for improving welfare of society at a whole without any detrimental effect on the oustees or PDPs. Hence, a humane, participatory, informed, consultative and transparent process is expected to be undertaken in this exercise. Given this people-centric approach to be followed, it is necessary to enumerate the PDFs and PDPs. Details of the same have been provided in Table 1. As per the baseline survey conducted, a total of 23561⁷ families will be displaced out of which 20037 (85.0 %) families are from rural areas; 2186⁸ (9.3 %) land holding families and 1338 (5.7%) tenants families are from urban areas. As regards the number of project displaced persons are concerned, out of a total of 90587 persons, 78187 (86.3 %) are from rural areas. Remaining 8351 persons (9.2 %) belonging to land owner families and 4049 persons (4.5 %) belonging to tenant families are from the urban area of Bagalkot Town.

⁷ As per the information provided by the baseline survey, July 2013

⁸ As per the information provided by the baseline survey, July 2013.

Table 1: A Synoptic View of PDFs and PDPs of UKP Stage III.

Rural			Urban						
Village	PDFs	PAPs	Ward No	PDFs			PAPs		
				Owner	Tenants	Total	Owner	Tenants	Total
Ankalagi	503	1781							
Gaddanakeri	950	3487	Ward 1	12	14	26	52	23	75
Govinakoppa	419	1987	Ward 2	87	24	111	367	90	457
HireSansi	263	1384	Ward 3	0	5	5	0	14	14
Udagatti	589	2398	Ward 5	292	175	467	1305	636	1941
ChickGalagali	870	3625	Ward 6	103	67	170	383	196	579
Sirbur	615	2460	Ward 7	220	113	333	673	219	892
Vandal	2253	7432	Ward 8	226	53	279	854	164	1018
Bavalatti	628	2477	Ward 9	211	70	281	819	206	1025
Kundargi	2040	7651	Ward 10	630	623	1253	2350	1924	4274
Kataraki	1361	5086	Ward 11	406	194	600	1548	577	2125
KoppaSK	877	3337	Total	2187	1338	3525	8351	4049	12400
Alagundi	945	3574							
Machakanur	1019	4256							
BudiniBK	311	1285							
Chikkur	871	3455							
Bantanur	1297	4766							
HirePadasalagi	1993	8538							
Sanal	695	3039							
Kumbarhalli	1538	6169							
Total	20037	78187							

2. Profile of the Villages to be Submerged under UKP Stage III

In this section, we profile the area and socio-economic conditions of the PDFs/PDPs belonging to the 20 villages.

2.1 Location and Area of Villages

Table 2 provides list of villages to be submerged under UKP Stage III. Map 1 and Map 2 indicate the location of villages. As indicated in Table 2, 17 villages are located in Bagalkot district and 3 villages are located in Bijapur district.

Table 2: Villages to be Submerged under UKP Stage III

S.No	Name of the Submerging Village	Taluka	District
1.	Ankalagi	Bagalkot	Bagalkot
2.	Gaddanakeri	Bagalkot	
3.	Govinakoppa	Bagalkot	
4.	HireSansi	Bagalkot	
5.	Udagatti	Bagalkot	
6.	Bavalatti	Bilagi	
7.	Kundargi	Bilagi	
8.	Kataraki	Bilagi	
9.	KoppaSK	Bilagi	
10.	Alagundi	Mudhol	
11.	Machakanur	Mudhol	
12.	BudiniBK	Mudhol	
13.	Chikkur	Mudhol	
14.	Bantanur	Mudhol	
15.	HirePadasalagi	Jamkhandi	
16.	Sanala	Jamkhandi	Bijapur
17.	Kumbarhalli	Jamkhandi	
18.	Chick Galagali	Bijapur	
19.	Sirbur	Bijapur	
20.	Vandala	Basavan Bagewadi	

As per the RDPR website, the total area of the 20 villages is 77853.021 acres (details of rural land submergence provided in Table 3). As can be seen from Figure 1, Kundargi and Machaknur are villages with largest geographical areas. The former accounts for almost one-fifth and the latter about one-tenth of the total area. Udagatti, Budhni (B.K.) and Hirepadasalgi and Govindkoppa account between about 5 to 7 % of the total area of the villages to be submerged. Sanal and Hiresanshi account for 2 % or less area of these 20 villages.

The estimated affected area to be submerged in 20 villages of UKP Stage III, as per KBJNL Action Plan is 76,357 Acres. Of this, about 57 % (43571.41 acres) area is owned either as residential area/open plots/homestead land or as agricultural patta land and owners of these lands need to be provided with compensation. The composition of this owned area is provided in

Figure 2. About 88.3 % of this owned area is in the form of irrigated patta lands, whereas, 8.85 % is in the form of unirrigated patta land, i.e., almost 99 percent of owned area is in the form of agricultural land and only 1 % land is in the form of residential/open plot/homestead land. Thus, the livelihood impact of this land acquisition in the project is going to be the main impact on PDFs, due to acquisition of a substantial proportion of irrigated land.

Table 3: Land Submergence in Rural Area -UKP Stage III

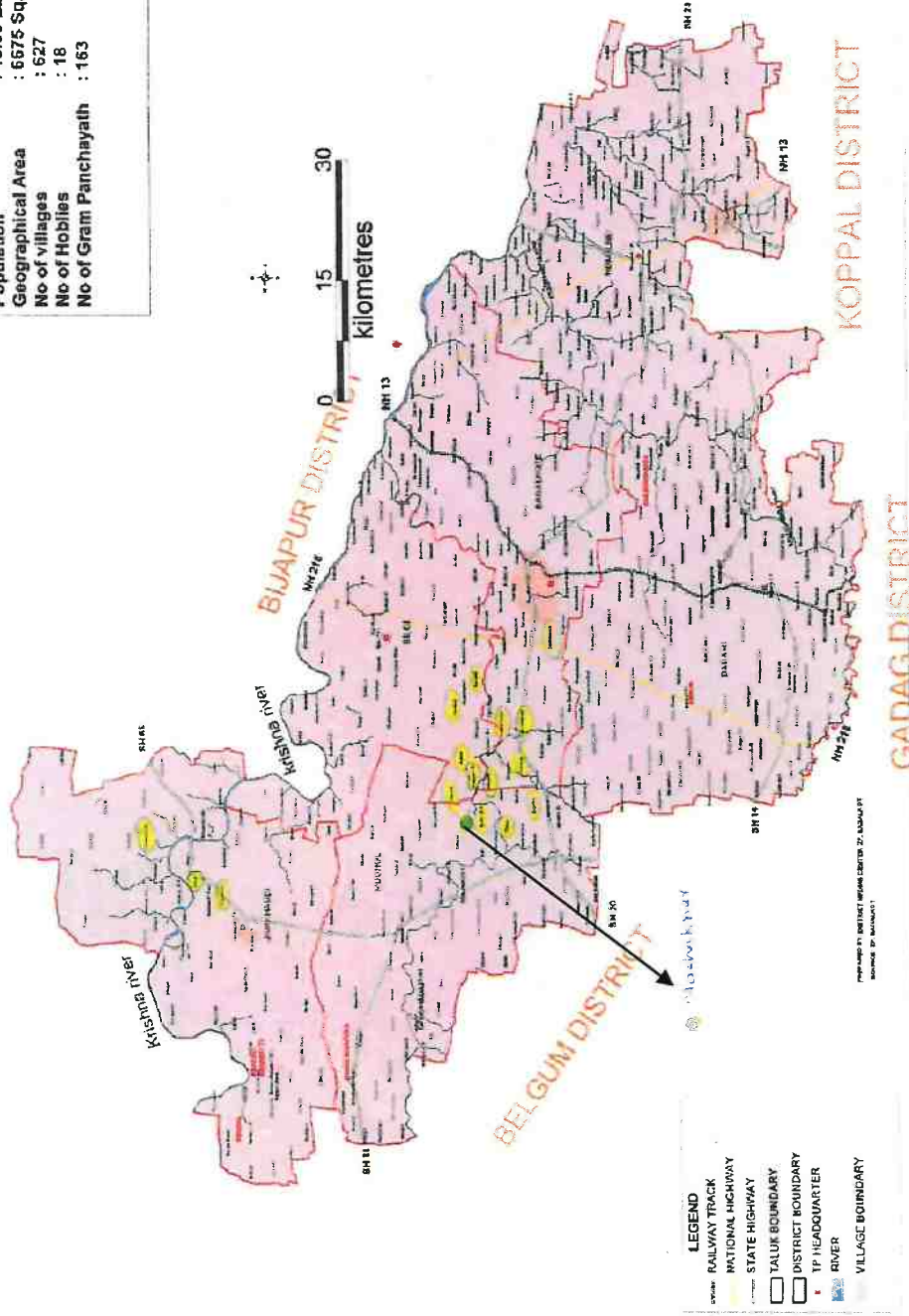
		Ownership/Encroachment	No. of Structures/ No. of Land holdings	No. of Owner PDFs	Area (Acres)	Area as a % of
A		With own structures	21901	19053		
	I	Total number of residential structures	21178			
	ii	Total number of commercial structures	137			
	iii	Total number of leased/rented structures	501			
	iv	Total number of other structures	85			
B	i	Total number of encroached properties	176			
A+B			22077		356.52	0.81 *
C	i	Open plots and Homestead land	3282	3071	75.70	0.17 *
D		Agricultural Patta Land	11149	7608	43319.19	99.01 *
	i	Irrigated Agriculture Patta Lands			38630.49	88.30 *
	ii	Un-Irrigated Agriculture Patta Lands			3873.40	8.85 *
	iii	Other Agriculture Patta Lands			815.30	1.86 *
Total = A + B + C+ D (Compensation to be Provided for)					43751.41	57.30 @
Memo Items						
	i	Total area of villages (RDPR)			77853.02	
	ii	Estimate of Rural Area to be Submerged (KBJNL)			76357.00	

Note: * and @ denote % of land to be compensated for and of estimated rural area to be submerged as estimated by KBJNL.

Map 1: Location of Submerging Villages from Bagalkot District in UKP Stage III

BAGALKOT DISTRICT MAP

AS PER CENSUS 2011
 Population : 18.90 Lakhs
 Geographical Area : 6675 Sq.Km
 No of villages : 627
 No of Hoblies : 18
 No of Gram Panchayath : 163



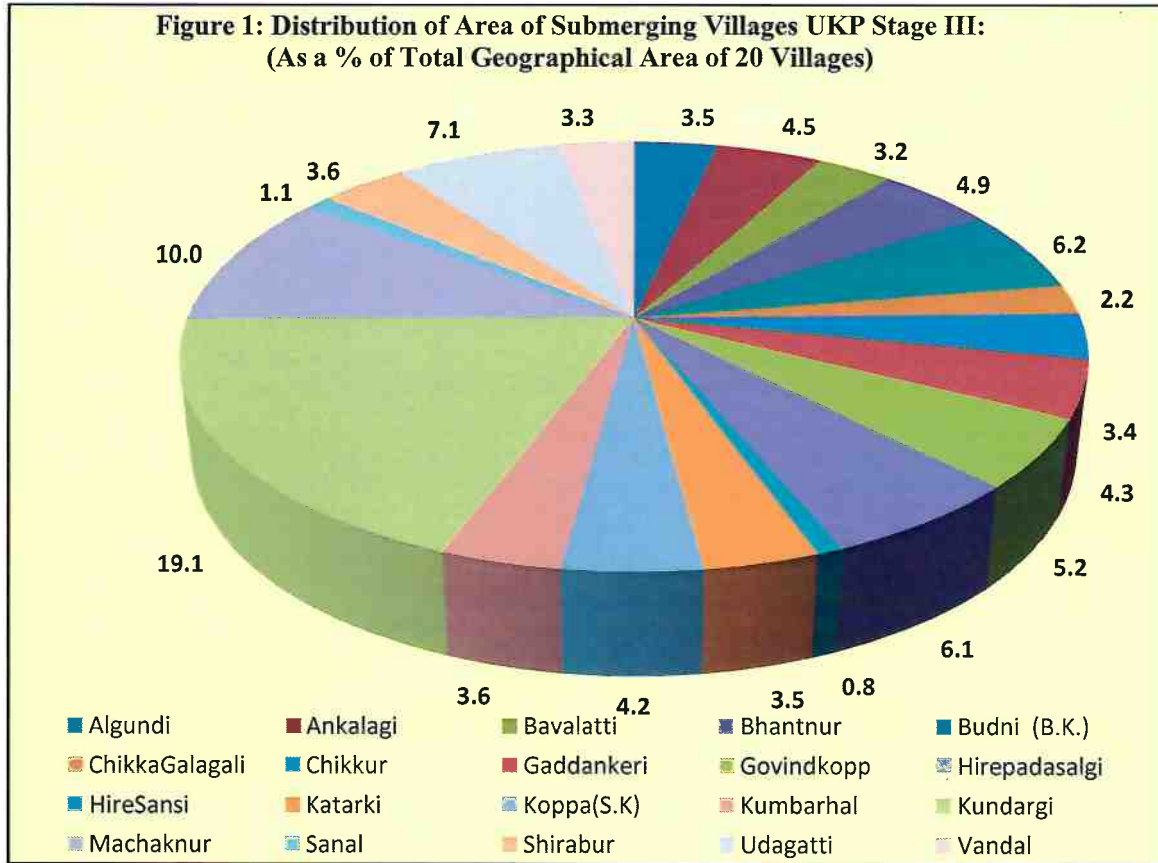
Note: Areas marked in yellow indicate location of villages. The map has been sourced from http://www.bagalkot.nic.in/maps/District_Map_cont.pdf

Map 2: Location of Submerging Villages from Bijapur District in UKP Stage III



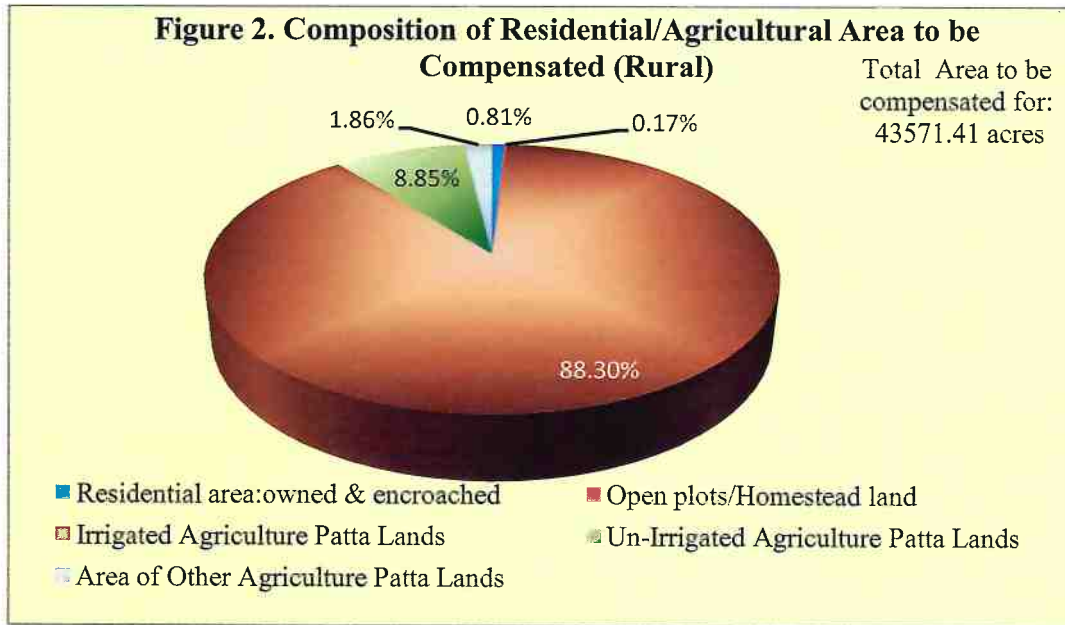
Note: Areas marked in red indicate location of villages. The map has been sourced from <http://www.bijapur.nic.in/map.html>

**Figure 1: Distribution of Area of Submerging Villages UKP Stage III:
(As a % of Total Geographical Area of 20 Villages)**



Source: See Table A1.

**Figure 2. Composition of Residential/Agricultural Area to be
Compensated (Rural)**

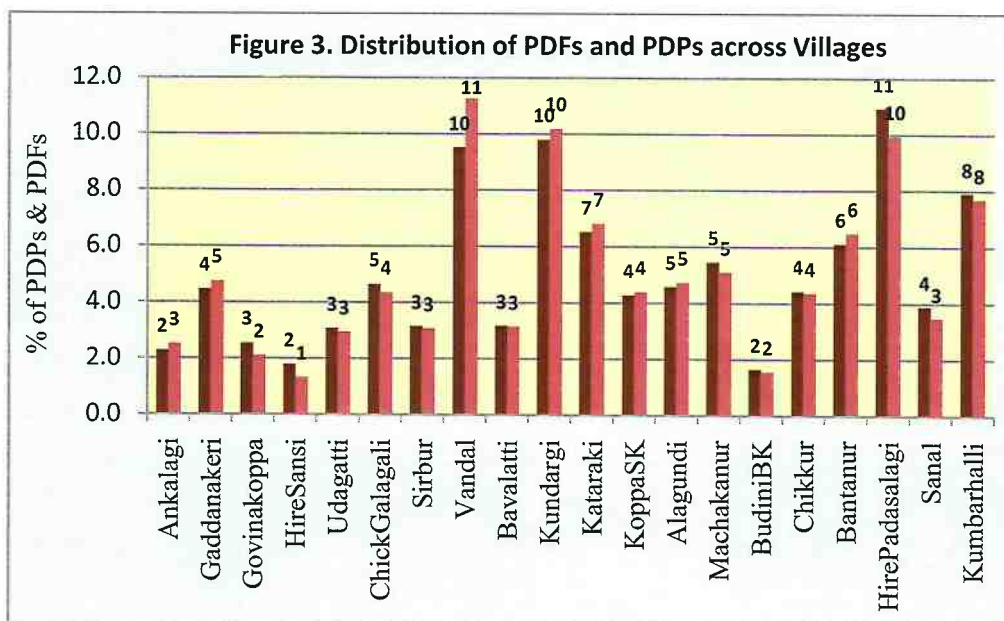


Source: Compiled by CMDR based on data from Baseline Survey

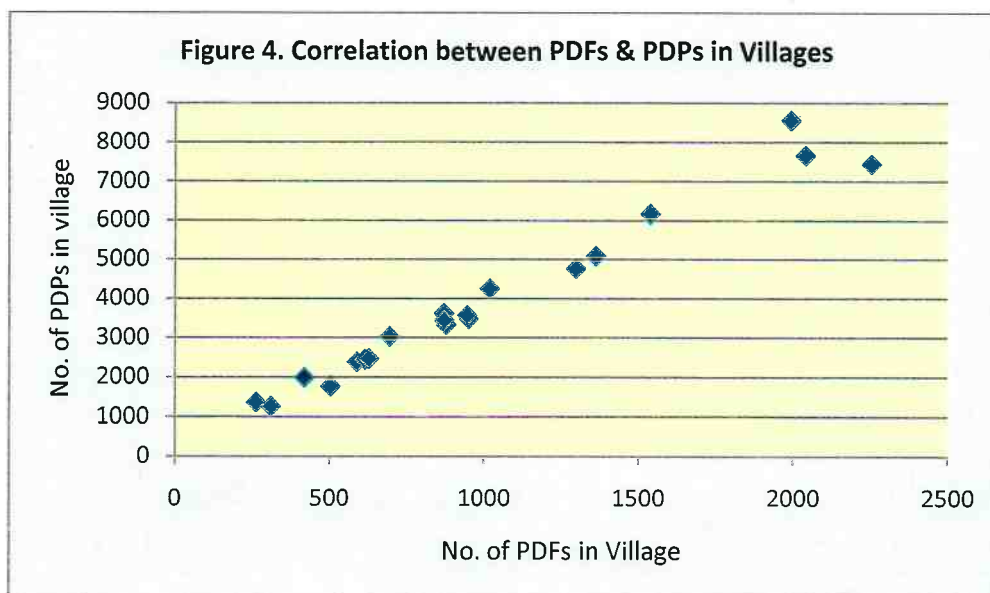
2.2 Project Displaced People (PDPs) and Projected Displaced Families (PDFs)

In this section, we profile the people that are going to be affected by the project. The total population as estimated by Census 2011 for these villages is 55853 persons. In other words, the baseline survey figure is 40 % higher than the Census 2011. A part of this difference could be due to the fact that the Census 2011 includes only those persons who actually inhabited the locale, whereas, for compensation purposes of R & R, those who own the land, but do not reside in the said premises also have to be included. The estimated number of rural PDFs according to the Census 2011 and baseline survey are 10801 and 20037, respectively. The difference in the number of households can be partly explained by the fact that the definitions of the households/families in quite different in Census and the Baseline Survey. The definition adopted by the latter is in conformity with that used in the R & R policies.

Figure 3 provides a synoptic view of the distribution of PDPs and PDFs in the submerging villages. The large villages are Hire Padasalgi, Kundargi, Vandal, and Kumbharhalli, whereas, Budhni BK and Hire Sansi are the smallest villages in terms of both PDPs and PDFs. It can be seen from Figure 4 that there is almost perfect positive correlation (0.9839) between PDPs and PDFs. The average family size across villages varies from 3.3 to 5.26 and for all villages combined it is about 3.9 persons.



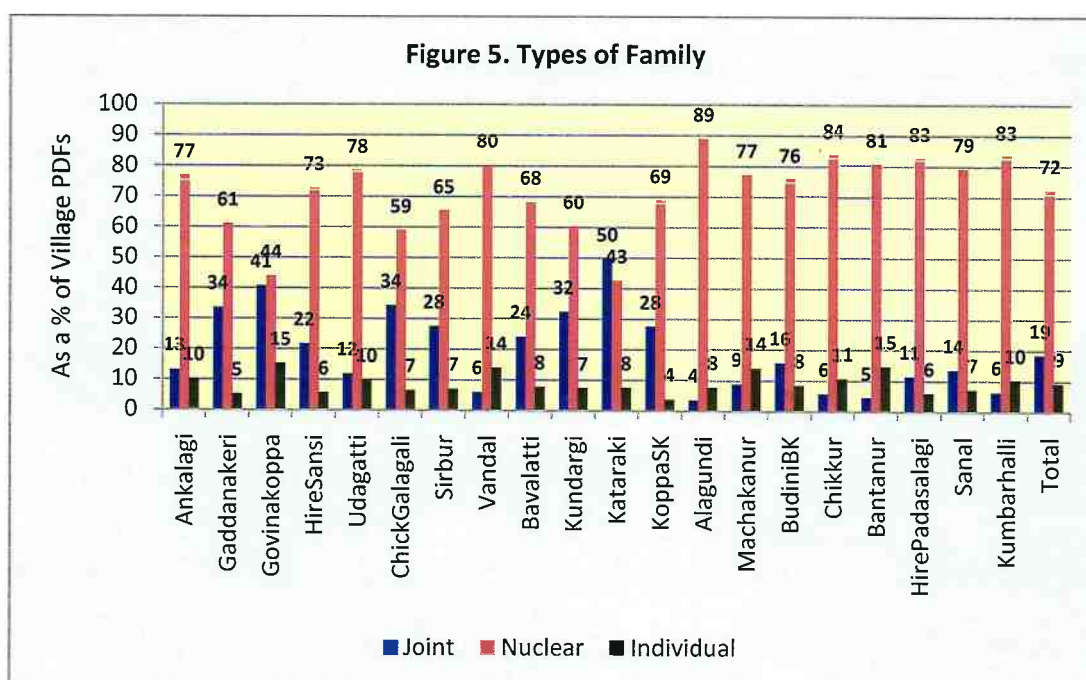
Source: Compiled by CMDR based on data from Baseline Survey



Source: Compiled by CMDR based on data from Baseline Survey

2.2.1 Type of Family:

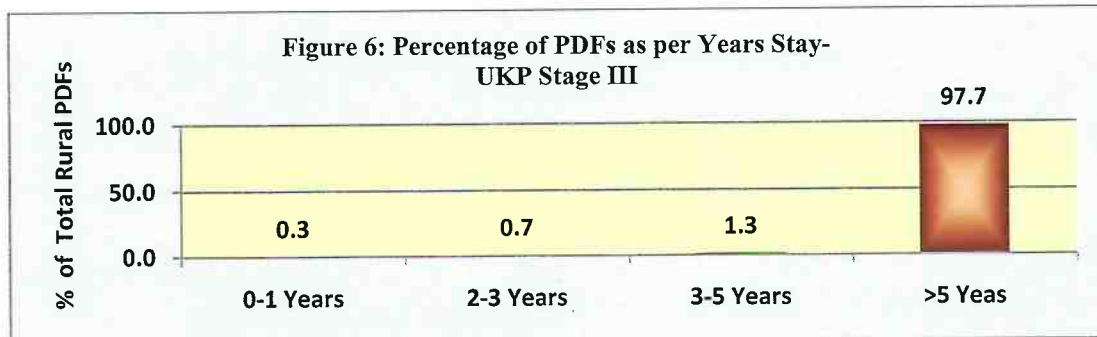
About 19 % of families reported as joint families. A large number of families (72 %) are reported as nuclear families and about 9 % of the PDFs are individuals. It may be noted that even if 19 % of PDFs are joint families. More often than not, the adult male members and unmarried women above 35 years of age in joint families are also entitled for the award of R & R package.



Source: Compiled by CMDR based on data from Baseline Survey

2.2.2 Years of Stay

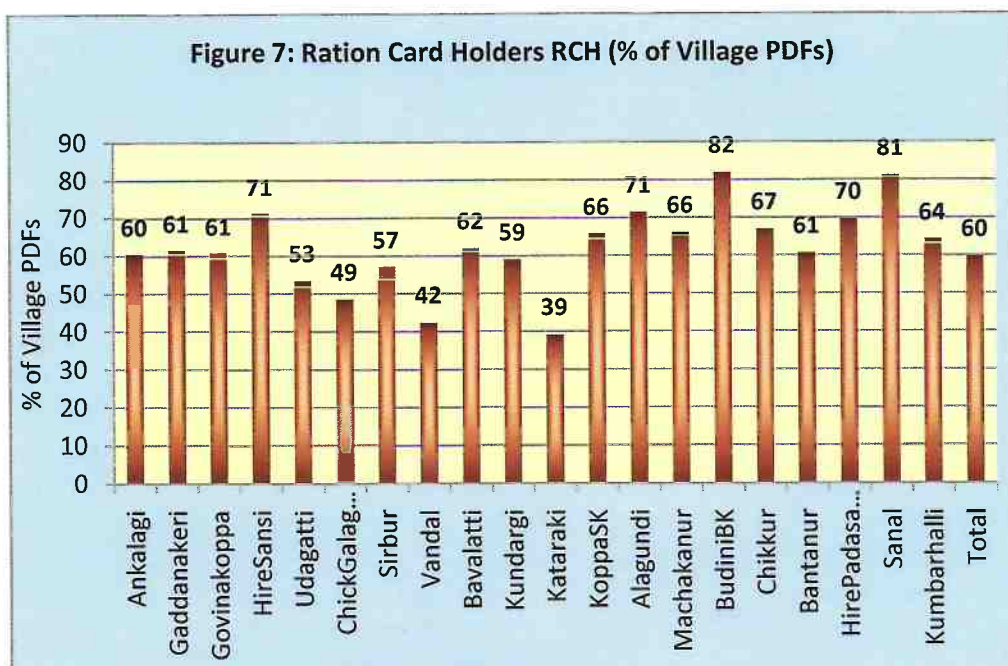
The eligibility of compensation depends on the time duration of the stay of PDFs prior to the notification order for land acquisition. We can see from Figure 6 that proportion of PDFs living in the submerging villages below 1 year is hardly 0.3 percent. The respective figure for PDFs living up to 3 years is 1 per cent.



Source: Compiled by CMDR based on data from Baseline Survey

2.2.3 Identification of PDFs:

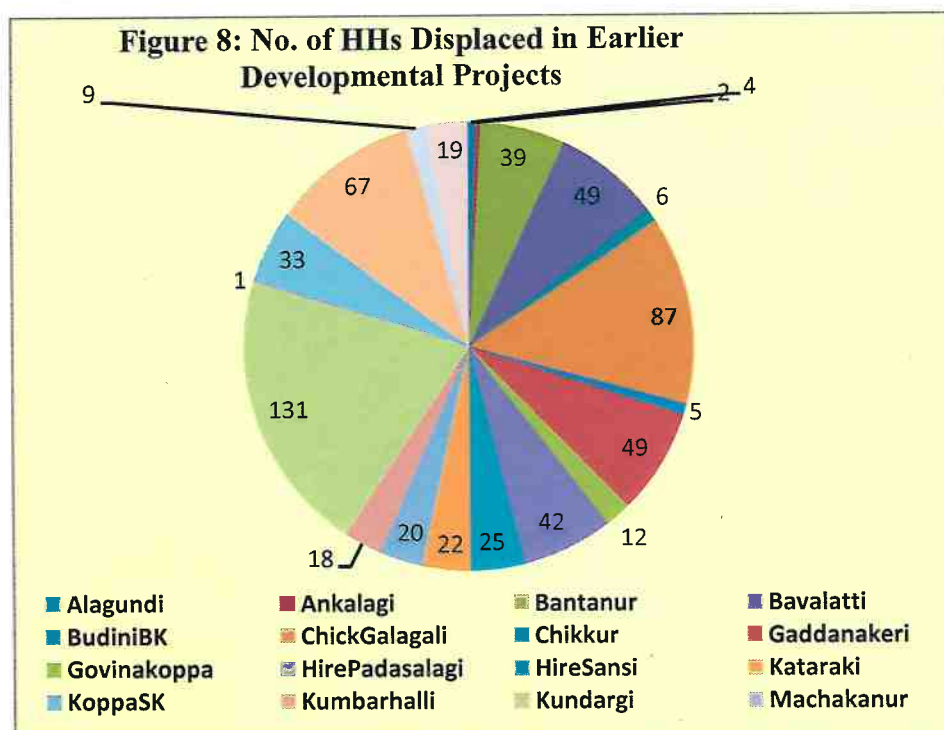
PDFs need to prove their identity and years of stay. One such document in support of their proof in rural areas could be the ration card that they hold. It may be noted that only a total of 60 % of PDFs hold ration card, though across villages this percentage differs (Figure 7). The identification of those who do not have legal titles to land is going to be a difficult task for the implementation authority. It may also be noted that by and large, the problem of identification will be much more difficult in larger villages than in smaller villages.



Source: Compiled by CMDR based on data from Baseline Survey

2.2.4 PDFs Displaced in Earlier Developmental Projects

The total number of PDFs who have been displaced by earlier developmental projects is 640 (3.06 percent) of the total PDFs in the submerging villages. Figure 8 presents a synoptic view of the village-wise number of PDFs who have been displaced by earlier developmental projects. About 40 % of the PDFs displaced earlier are from Kundargi, Chickgalgali and Hire Padasalagai villages.

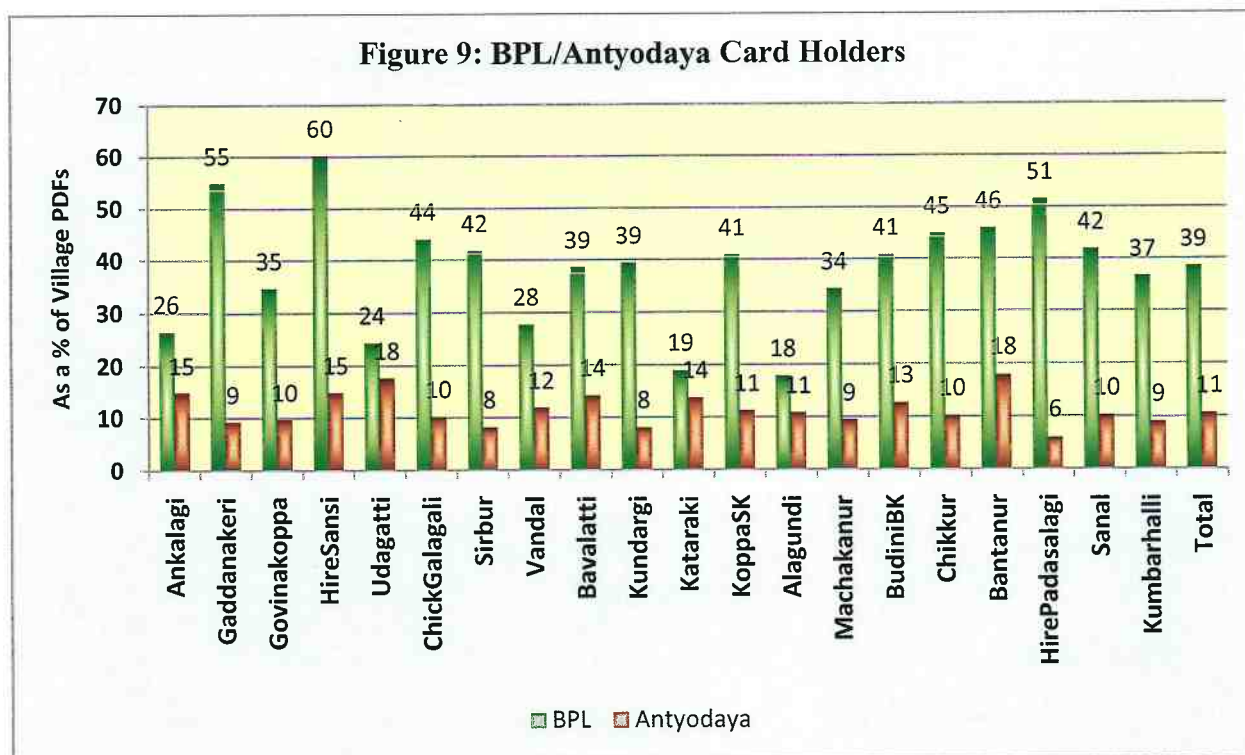


Source: Compiled by CMDR based on data from Baseline Survey

2.2.5 Vulnerable PDPs and PDFs

2.2.5.1 BPL and Antyodaya PDFs

The R & R policies are supposed to provide special attention to women, children, marginalized and other vulnerable sections of society and hence the discussion. A total of 50 % of PDFs of the 20 villages can be The proportion of BPL card holder is about 40 % for all villages as a whole (Figure 9). There is also a problem in using BPL card for devising R & R package. The BPL cards have been issued at different points in time. The criterion used earlier was based on income. At present, there are about 14 criteria and people excluding those who are mentioned in these 14 criteria. The inclusion of HHs in BPL list may be appropriate, but people may not report when they ought to be excluded from BPL list as per the revised criteria. This proportion of BPL PDFs varies across villages from about 18 to 60 % and hence, the R & R policy for these villages cannot be uniform.

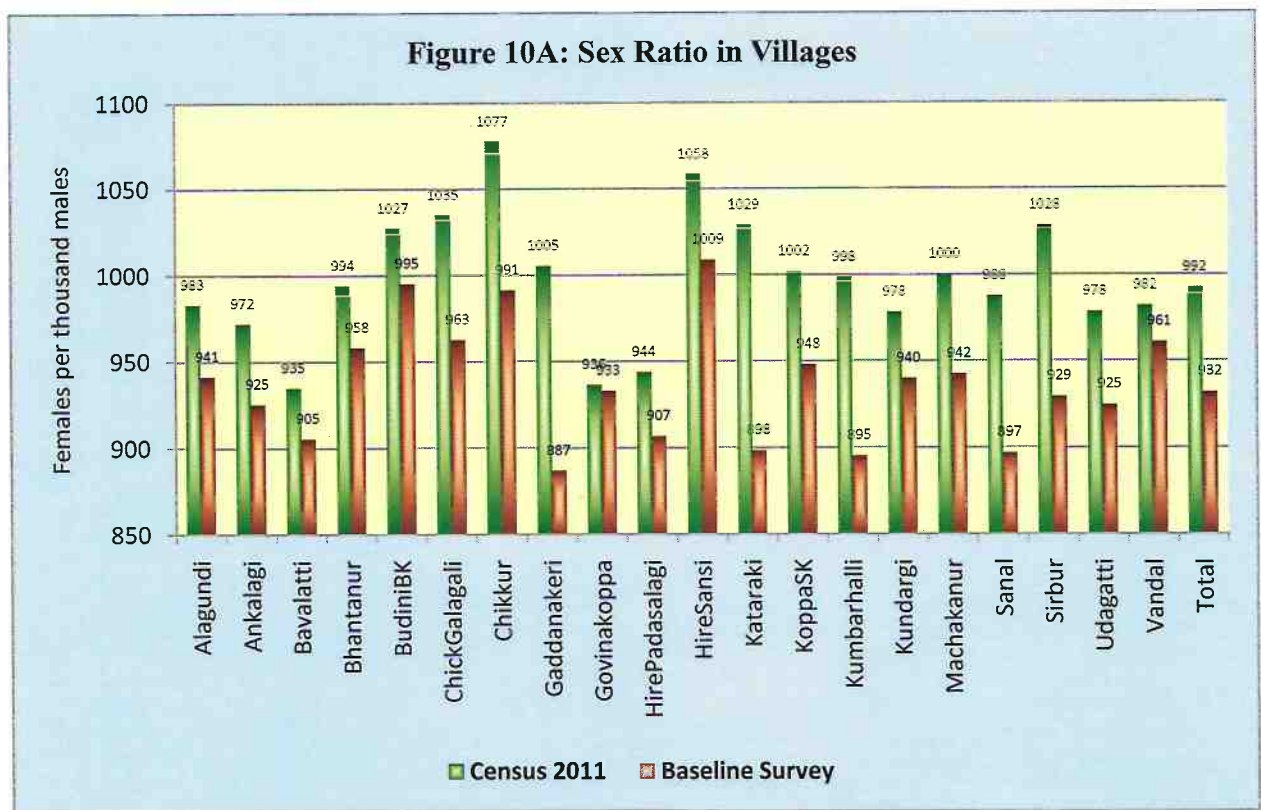


2.2.5.2 Gender Profile of PAPs/PAFs

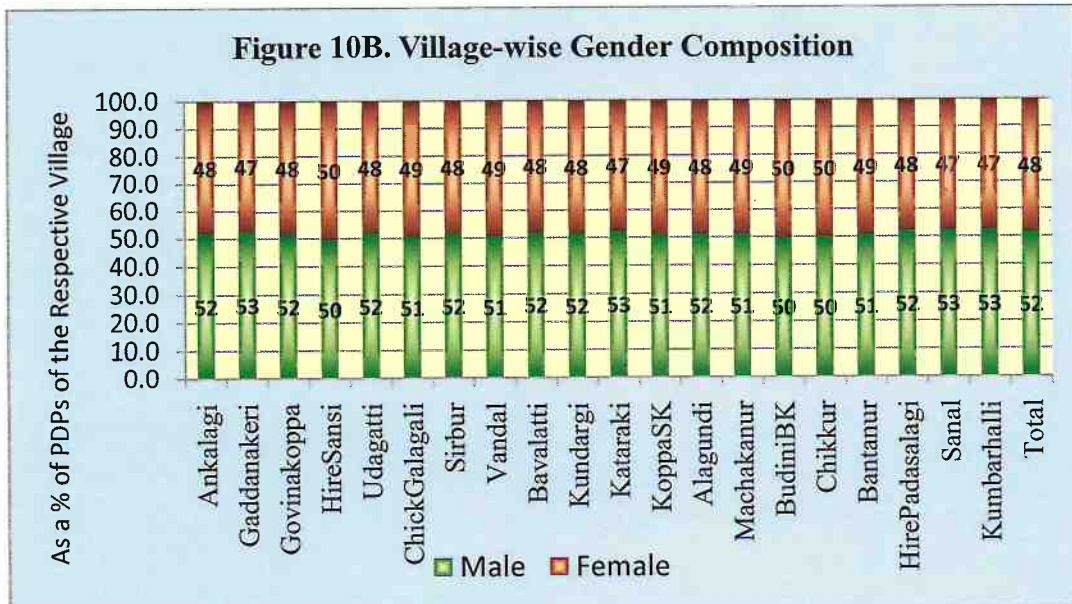
We present here the gender profile of the PDPs and PDFs of the submerging villages under UKP Stage III. Figures 10A and 10B provide gender composition in the submerging villages. As can be seen from Figure 10A, the baseline survey indicates the sex-ratio (No. of females per 1000 males) ranges from 887 to 1009, *i.e.*, a difference of 22 females, per 1000 males across these villages. It is also interesting to note that the smallest, viz., Budhni BK and Hire Sansi, villages have the highest sex-ratio. It may be noted that Ankalgi village accommodates a sizeable number of Devdasis from the submerging villages, and it has the sex-ratio comparable to that for all villages as a whole. Figure 11 provides a synoptic view of the distribution of Women Headed Households (WHHs) across villages (as a % of total PDFs) and also the proportion of WHHs in each village (as a % of village PDFs). For 20 villages combined, the % of WHHs is around 53 %⁹. Since WHHs are eligible, more often than not, for the entire compensation provided a household, there seems to be over-reporting of WHHs. Villages, such as, Govind Koppa reported as high as 81 % of WHHs, which needs a closer scrutiny. 16 out of 20 villages show % of WHHs as higher than 55 %. If this is juxtaposed with the facts witnessed during Focus Group Discussions (FGDs), it is hard to put the two facts together, as women rarely

⁹ There seems to be an inconsistency in the data reported by the baseline survey. Though village-wise data when aggregated gives % of WHHs as 53 % of total PDFs, their report indicates this Figure as about 31 %.

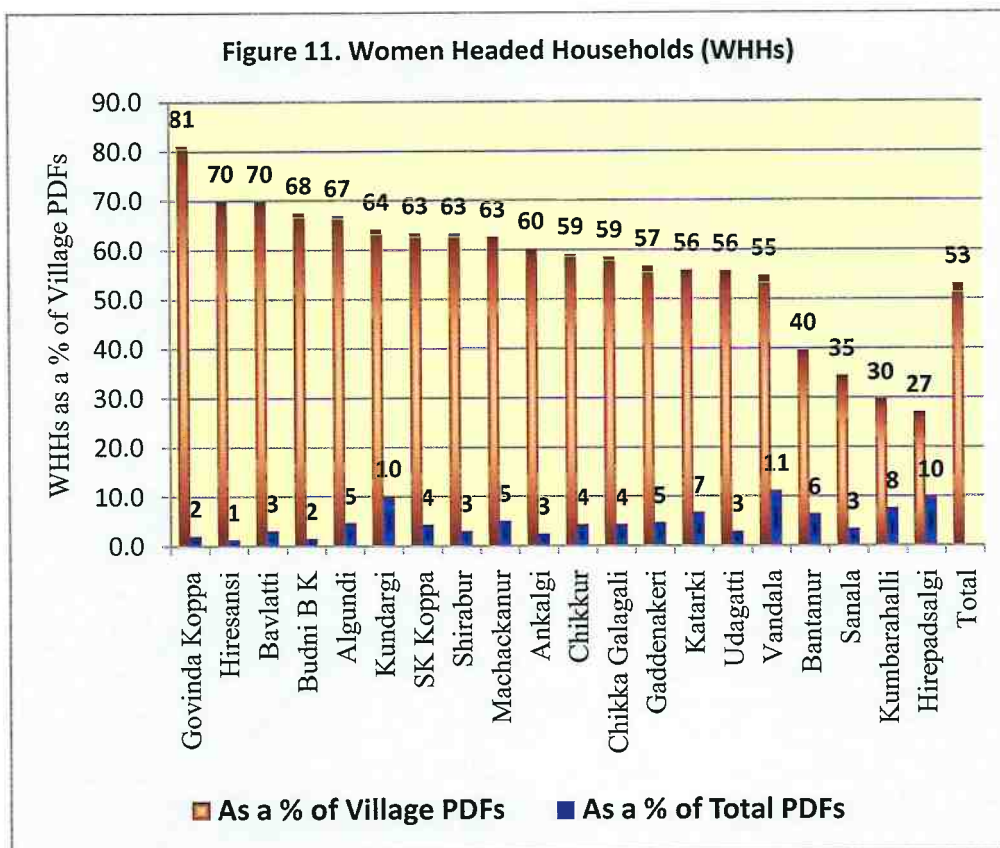
participated in FGDs. The usual response of male participants was that they do not understand the intricacies of R & R packages and hence, will not participate in FGDs along with men folk. CMDR team did not find such high prevalence of WHHs in the surveyed rural area. Even the correlation coefficient between the % of WHHs in villages and the sex-ratio (see Figure 12) indicates a correlation coefficient, which is negative (-0.24), though not statistically significant. We also tried to check the sex ratio in these villages from the Census 2011 data. The sex-ratio reported in Census data for these villages is much higher consistently for all villages. The migration of male population could also be one such cause for this deviation.



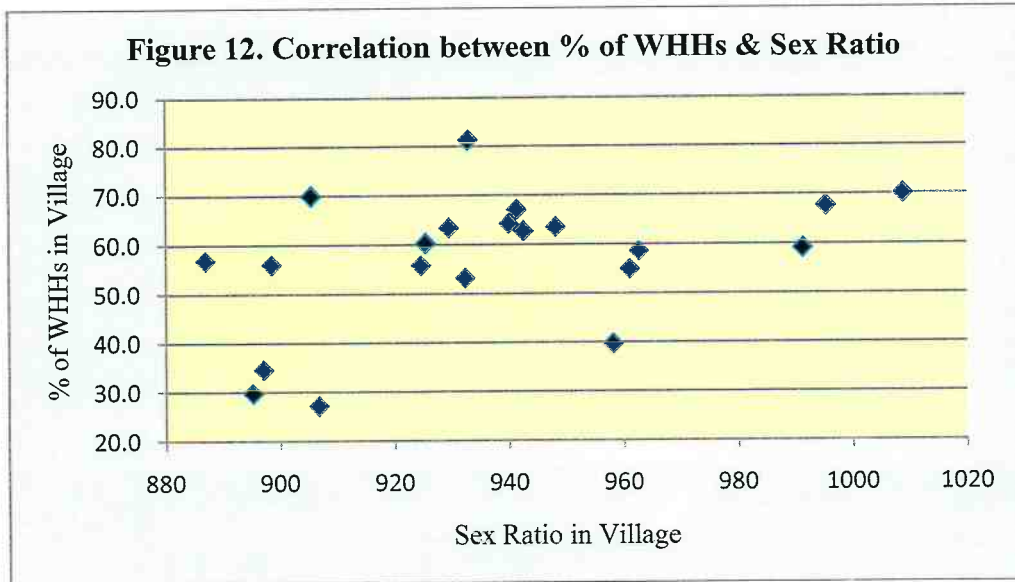
Source: Compiled by CMDR based on data from Baseline Survey and Census 2011.



Source: Compiled by CMDR based on data from Baseline Survey



Source: Compiled by CMDR based on data from Baseline Survey



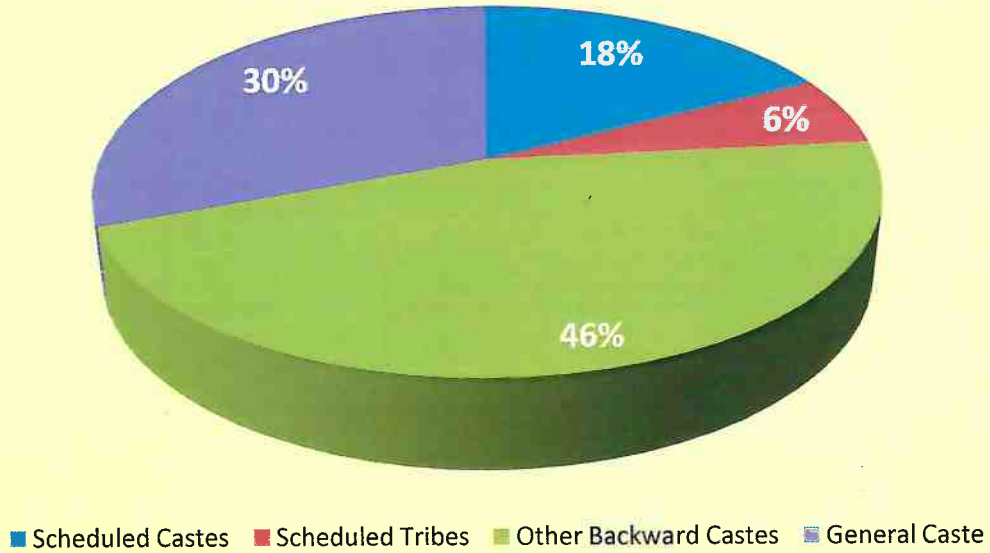
Source: Compiled by CMDR based on data from Baseline Survey

2.2.5.3 Social Categories of PDFs

The number (%) of PDFs under SC, ST, OBC and general categories, as per the baseline survey are: 3563 (18%), 1172 (6%), 9178 (46%) and 6124 (30%), respectively. The composition of PDFs in all the villages taken as a whole is given in Figure 13. As per Census 2011, the respective figures for SC and ST population in these villages are 16.43 and 6.32, respectively. In brief, the Census figures and the baseline survey figures are somewhat comparable, as regards the proportion of SC and ST population of submerging villages is concerned. The proportion of population of SC and ST community fairly represents the reservation quotas for these two social categories in various spheres of affirmative action policy of the country.

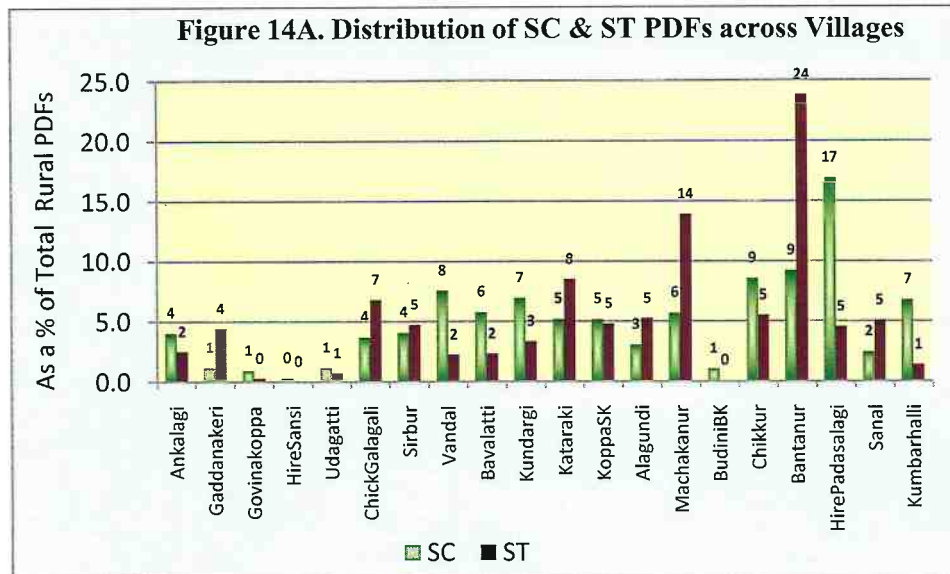
It is pertinent to note that both the absolute number of SC/ST population as well as the proportion of population of these social categories in the village population is crucial in any R & R policy. The absolute size of population determines the magnitude of resources required for R & R, as against this, the proportion of SC/ST population is crucial from the point of view of social dynamics of a village. Hire Padasalagi, Bantanur, Chikkur, Vandal, Kundargi, Kumbarhalli, Bavalatti and Machakanur have more than 200 SC population. Katarki, KoppaSK, Sirbur, Ankalagi, Chick Galagali and Alagundi have SC population of more than 100 in absolute numbers. Bantanur, Machakanur, and Katarki are the villages with largest ST population among the submerging villages (Figure 14A, 14B & 14C)..

**Figure 13. Composition of PDFs-Social Category-wise:
All Villages**

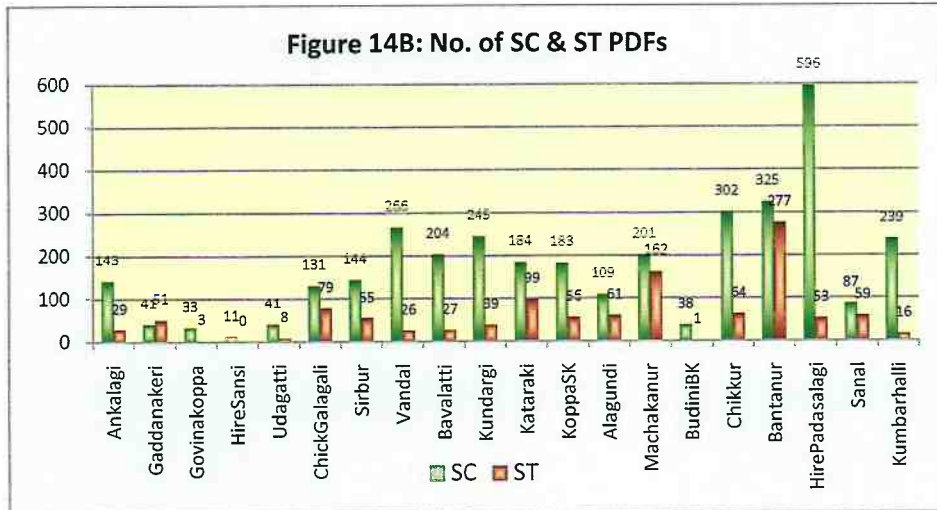


Source: Compiled by CMDR based on data from Baseline Survey

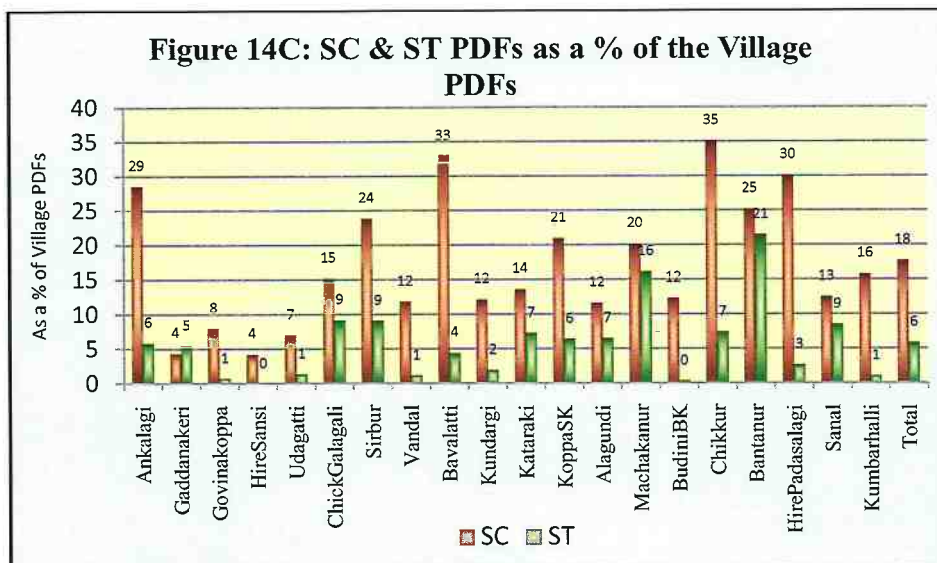
Figure 14A. Distribution of SC & ST PDFs across Villages



Source: Compiled by CMDR based on data from Baseline Survey



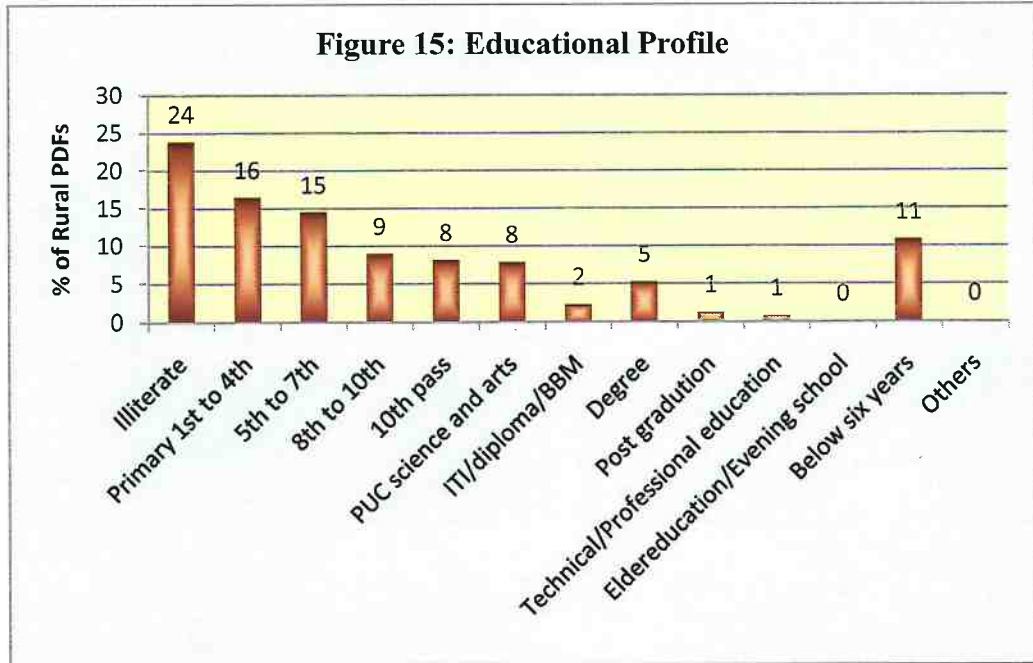
Source: Compiled by CMDR based on data from Baseline Survey



Source: Compiled by CMDR based on data from Baseline Survey

2.2.6 Educational Profile

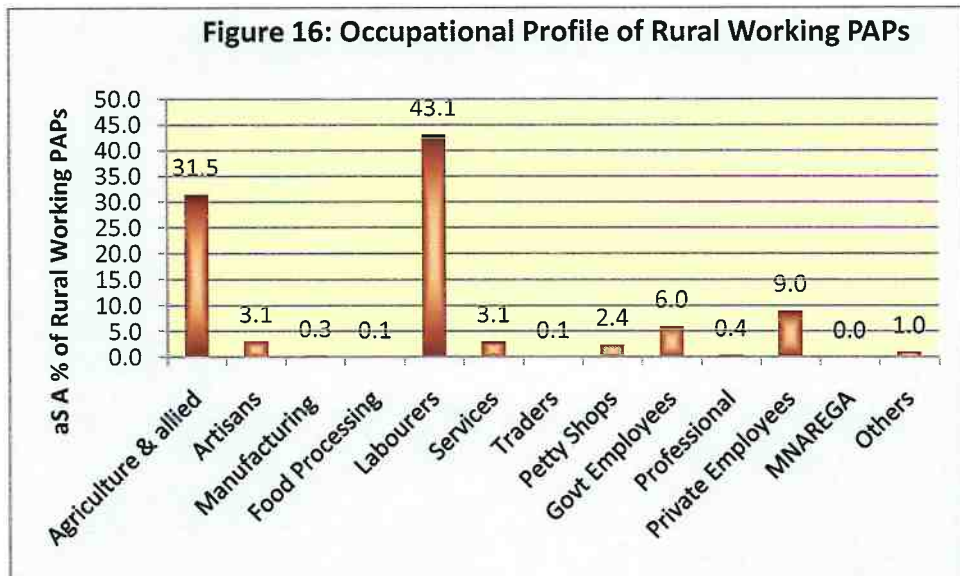
About one fourth of rural PAPs are illiterate and about 40 % have received education up to 4th Standard. In view of this, the documentation and other processes requiring literacy and on the part of PAPs requires that they be properly and reliably be assisted in the process of R & R. Also another 15 % PAPs have educational levels between 5th to 7th Standard. In view of this, these PAPs would require both jobs that do not involve much skills. However, there is opportunity to skill these PAPs, depending on their age profile and to enable them to augment their incomes.



Source: Compiled by CMDR based on data from Baseline Survey

2.2.7 Occupational and Employment Profile

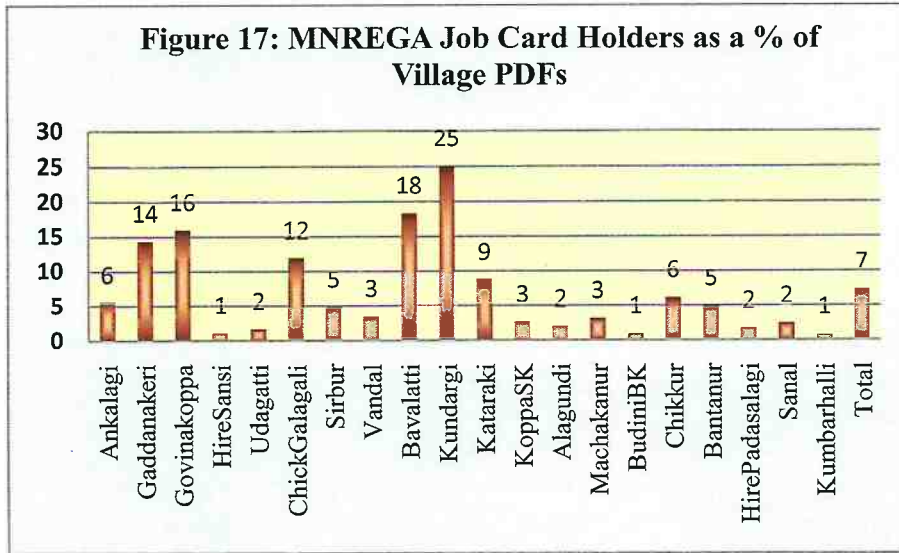
As can be seen from Figure 16, more than 30 % of PAPs from the villages are engaged in agriculture and shifting them from their roots and livelihoods will impact their income. It will be a big challenge in UKP Stage III. If these PAPs can be successfully absorbed into other occupations, such as, small agro-based manufacturing, it would be an excellent model for other developmental projects too. The entire market of agro-based foods can be captured by these PAPs, if the skilling component is built into R & R policy.



Source: Compiled by CMDR based on data from Baseline Survey

2.2.8 Job Creation

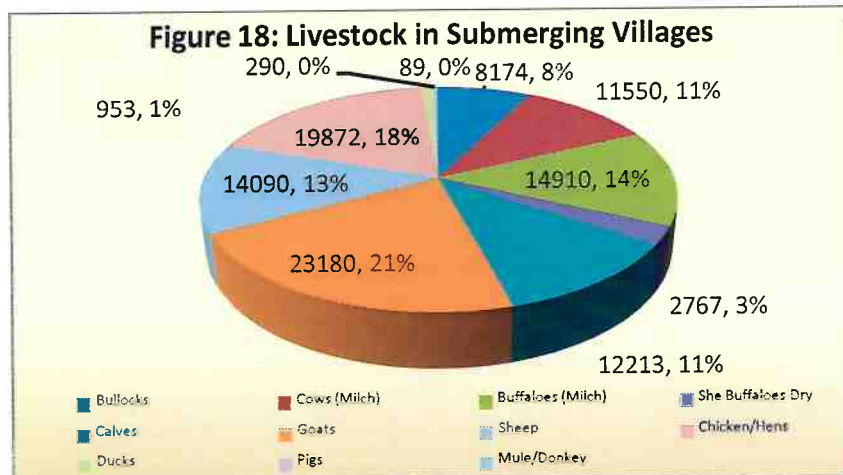
It can be seen from Figure 17 that only 7 % of total PDFs hold a job card under MNREGA, though there are villages like Kundargi where about one-fourth of PDFs hold a job card. It may be absurd to think of shifting the agriculturists, there



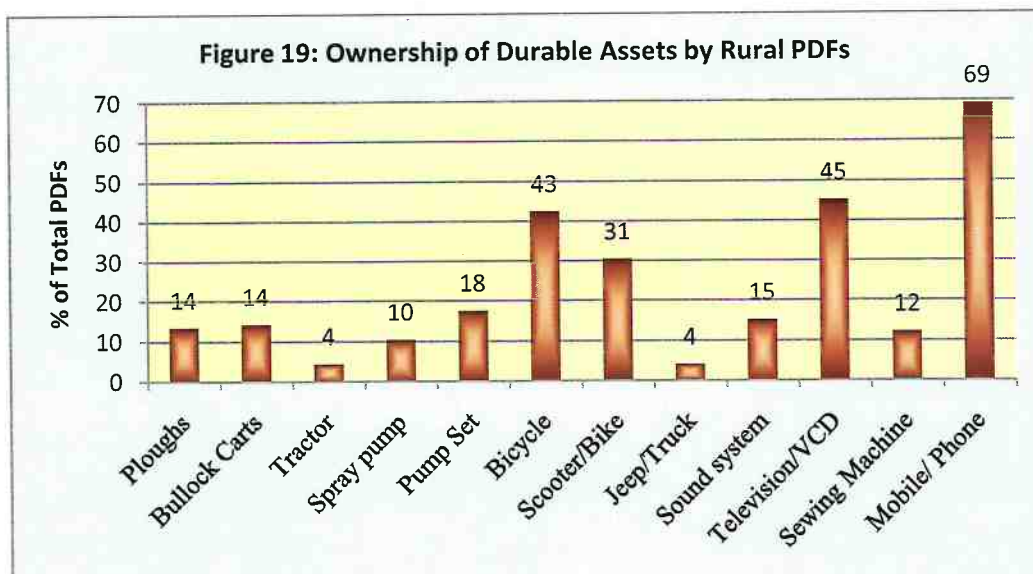
Source: Compiled by CMDR based on data from Baseline Survey

2.2.9 Asset Profile

The major assets owned by rural population are both movable and immovable. Livestock and other durable assets, such as, agricultural equipment and other assets will require that the PDFs be given adequate shifting/transport allowance. 34856 households own 108088 no. of livestock in the rural areas (Figure 18). Figure 19 indicates ownership of durable assets. Ownership of these assets can be cross-checked with the number of poor as per the holding of BPL and Antyodaya cards.



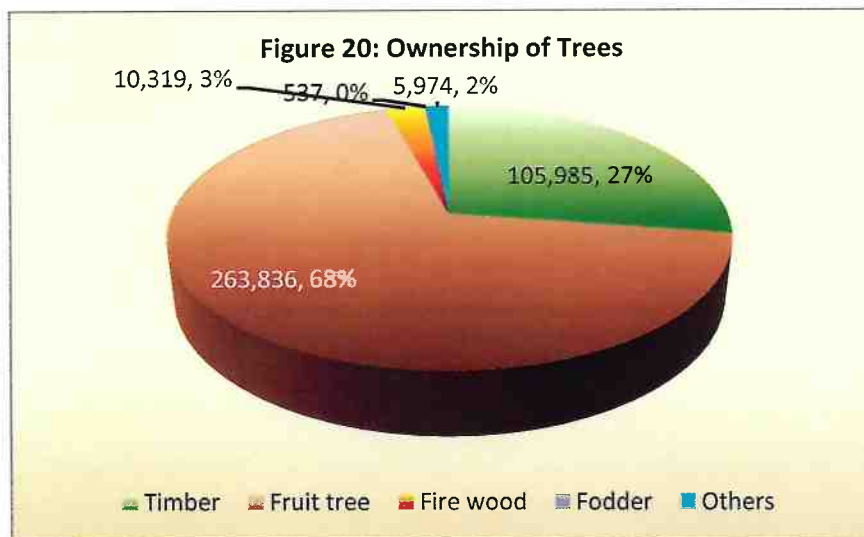
Source: Compiled by CMDR based on data from Baseline Survey



Source: Compiled by CMDR based on data from Baseline Survey

In these villages, 6189 households own 3,86,651 trees (Figure 20). The figures for trees seem to be over-reported in the baseline survey. It implies that on an average, a village has slightly more than 19000 trees and of these two thirds are fruit trees and one thirds are timber trees. Trees are immovable assets and will have the adverse effect on incomes of their owners. In all probability, the oustees, even after they are compensated for the loss of ownership of trees, will try to cut the trees and sell the wood which would be harmful from ecological dimension. In view of this, a massive tree plantation drive needs to be planned in resettlement colonies and the number of such trees should not be less than the number of trees lost due to land acquisition. As reported in the baseline survey, there are more than 2.6

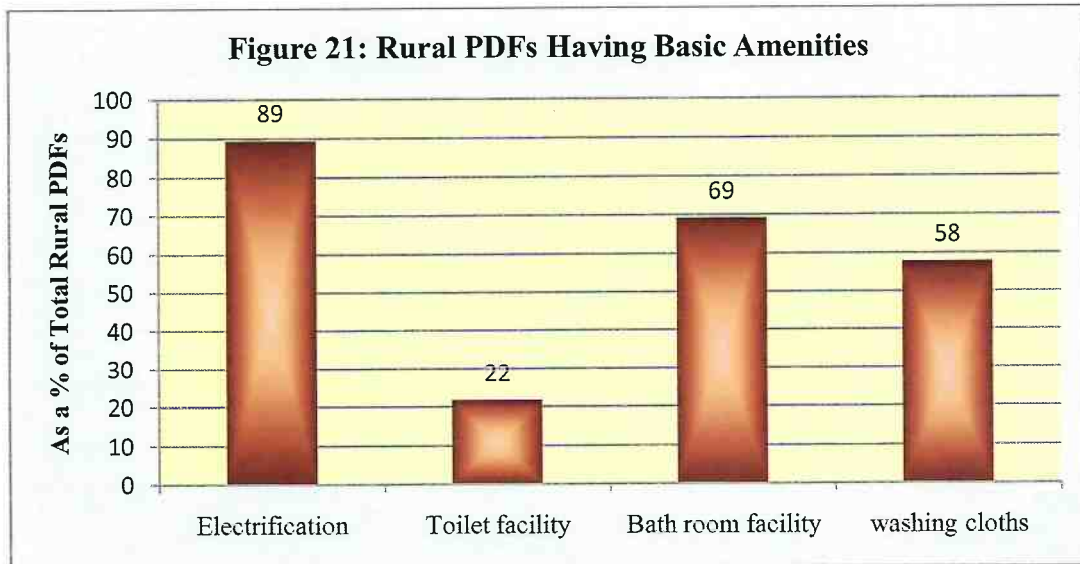
lakh fruit bearing trees and obviously even a temporary loss of ownership of these trees can have adverse effect on the nutrition of the rural PDFs. In view of this, the PDFs may be allowed to retain these trees, to the extent possible to prevent ecological and economic damage to the oustees. This is based on our observation of the submerging areas which continue to be occupied by the PDFs. However, it may be made clear to the PDFs that compensation will not be provided to them for in the event of floods, etc. as they would not hold the legal titles to the area on which trees are standing. A big loss would be also in terms both incomes and ecology due to loss of timber trees which more than a lakh and are owned by the PDFs.



Source: Compiled by CMDR based on data from Baseline Survey

2.2.10 Amenities and Lack thereof

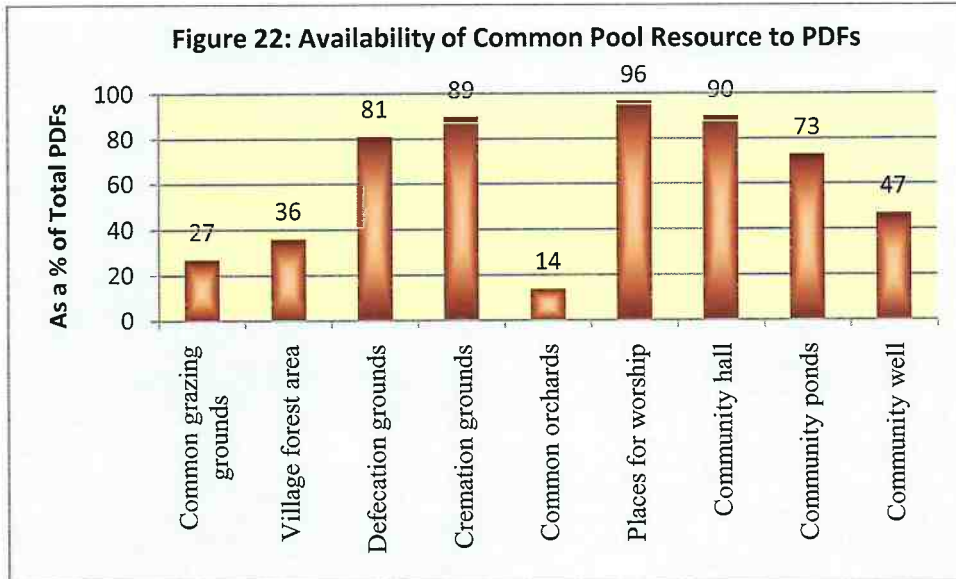
The UKP Stage III can certainly make one difference to the rural PDFs in terms of providing good sanitation facilities, which seem to be missing in these villages. Barely 22 % PDFs have toilet facility (Figure 21) at present and the aim should be to cover all the PDFs in RCs. Care should be taken that the toilet facilities and water facilities should not be far off from their residence. Women in particular have expressed this difficulty. Besides this, the common facilities also should be provided as regards toilets, hand pumps, etc.



Source: Compiled by CMDR based on data from Baseline Survey

2.2.11 Common Property Resources

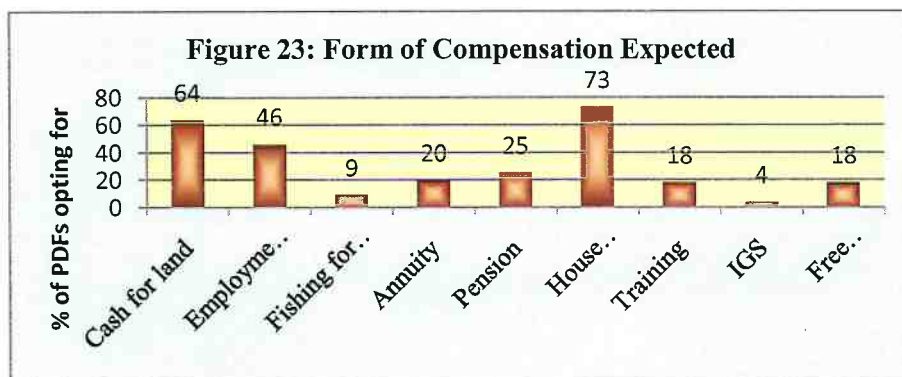
Availability of common property resources to rural PDFs has been indicated in Figure 22. It may be noted that about the actual area which is owned by PDFs in the form of structures is about half of the village area. In view of this, the RCs should have area that is at least double of the area of structures in the villages, so as to provide the common pool resources to the villagers in the form of grazing land, common orchards, forest area, etc., so that ecologically as well, the rehabilitation and resettlement is not of poor quality as compared to the pre-land acquisition period.



Source: Compiled by CMDR based on data from Baseline Survey

2.2.12 Form of Compensation Expected

The livelihood loss, as expected is a major challenge that the PDFs are worried about. In view of this, in FGDs, there was demand for employment with assured income. As revealed by the baseline survey, almost two thirds of PDFs opined that they would like to get cash as compensation for land. In the FGDs conducted by CMDR, the PDFs seem to have taken submergence as a fact of life and demanded land for land, but since they were aware that land for land is not a possibility, they negotiated for raising monetary compensation for land.



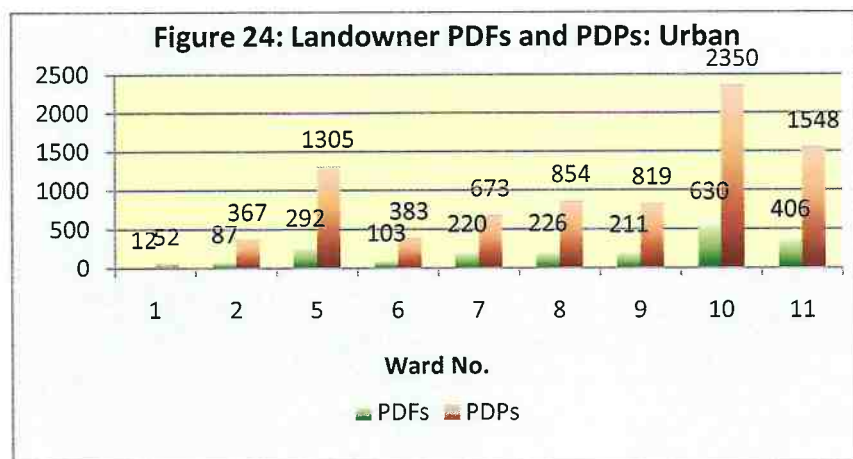
Source: Compiled by CMDR based on data from Baseline Survey

3. Profile of Urban PDFs/PDPs

The urban PDFs can be classified into two types: (i) those who own land and those who are tenants. We first provide a profile of those who own land/structure and then of tenants. The former have to be provided structures or compensation thereof, in lieu of the same. The R & R for the latter would involve a lesser financial burden on the state.

3.1 Profile of Urban Landowner PDFs/PDPs

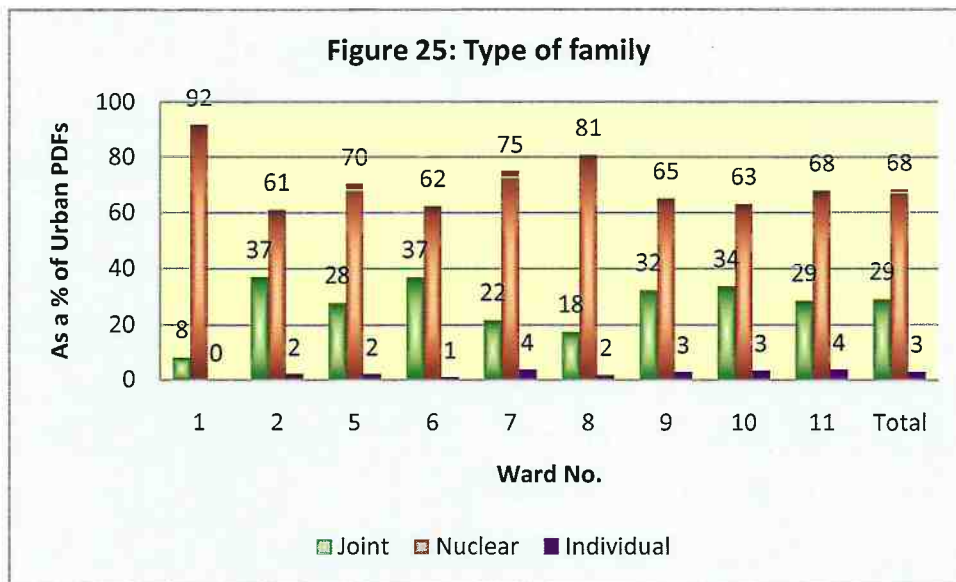
There are 2187 PDFs who own land and these families account for 8351 PDPs. It can be seen from Figure 24, that a large number of PDFs are from Ward 10, 11 and 5.



Source: Compiled by CMDR based on data from Baseline Survey

3.1.1 Type of Family-Urban Landowner PDF

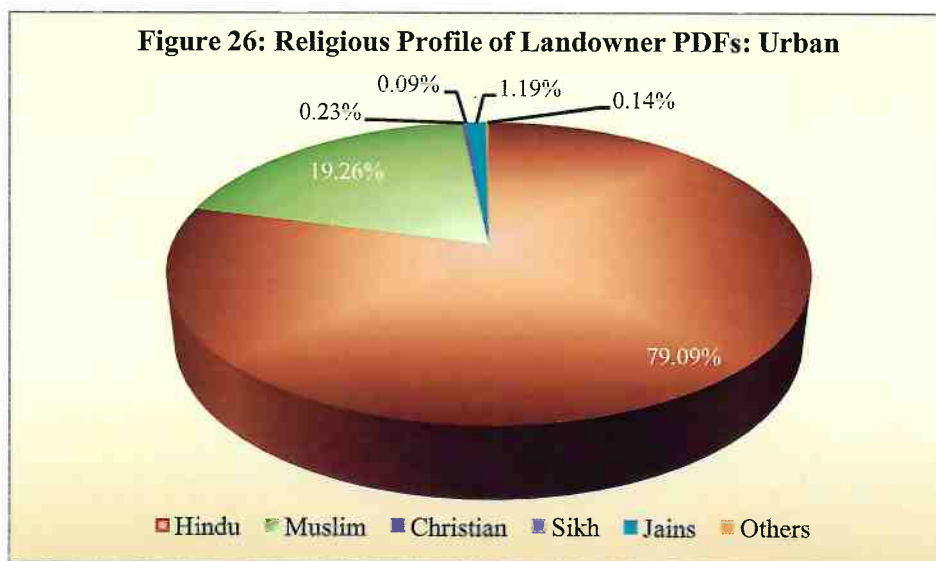
It can be seen 68 % of families are nuclear families and 29 % families are joint families. Another 3 % families are in the form of individuals (Figure 25).



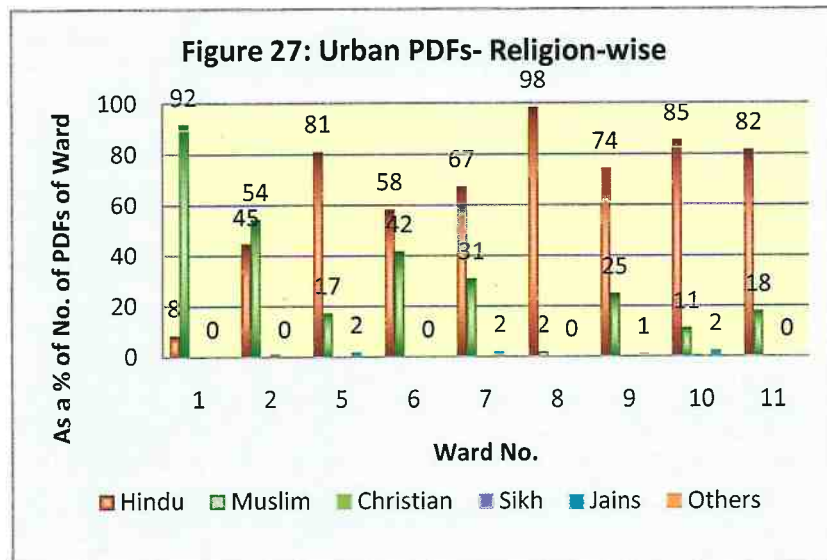
Source: Compiled by CMDR based on data from Baseline Survey

3.1.2 Religious Profile of Urban Landowner PDF

It can be seen from Figure 26, that almost 79 % of PDFs are Hindus and 19 % are Muslims (Figure 26). The places of worship need to be planned in accordance with these facts. Moreover, it may not be a good policy to segregate PDFs according to their religious background, just to minimize construction of places of worship. Some optimum combination of community integration with mixing of population is advisable. The highest proportion of Muslim population is in wards 1 and 2 (Figure 27).



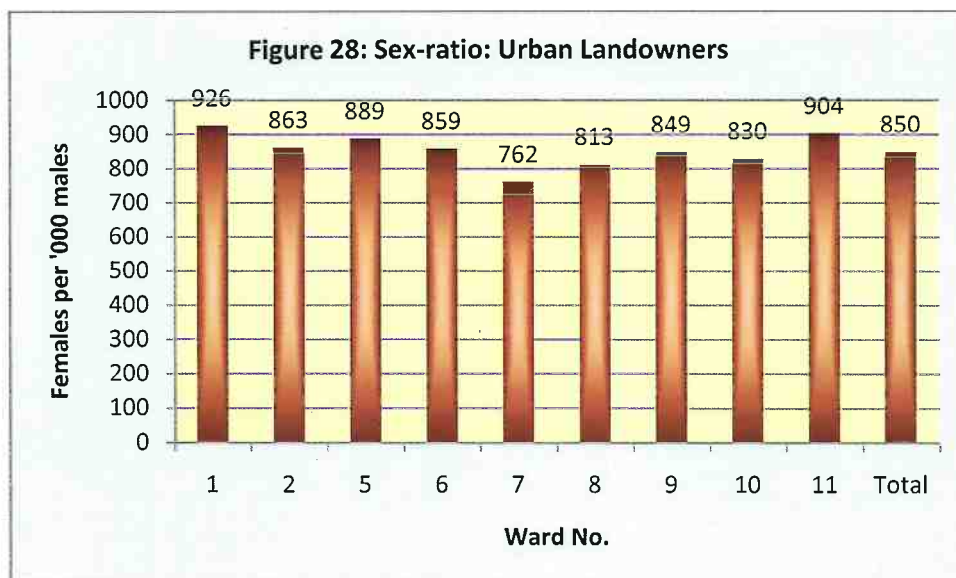
Source: Compiled by CMDR based on data from Baseline Survey



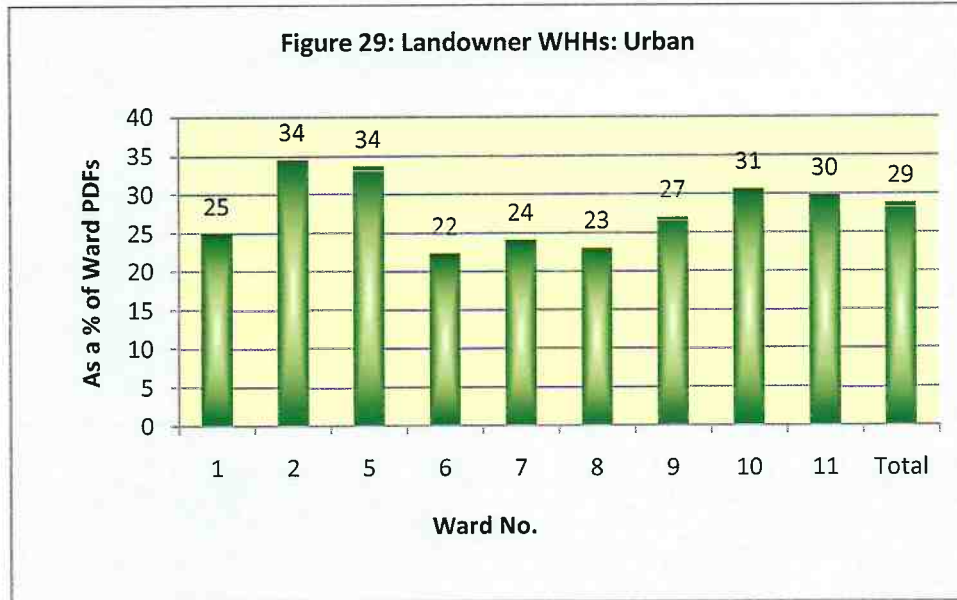
Source: Compiled by CMDR based on data from Baseline Survey

3.1.3 Gender Profile of Urban Landowner PDFs/PDPs

The sex-ratio in various wards varies from 762 to 926 (Figure 28). It may also be noted that ward 1, where the sex-ratio is highest also happens to be in ward 1. It may also be noted that the sex-ratio in rural areas is much higher than in urban areas. A part of this explanation lies in migration of males from villages to urban areas in search of livelihood. Figure 29 depicts the proportion of WHHs in various wards. About 29 % PDFs are WHHs for all wards combined and this figure varies between 22 to 34 % across wards. Special assistance needs to be provided to these households for explaining them procedures and completing the same.



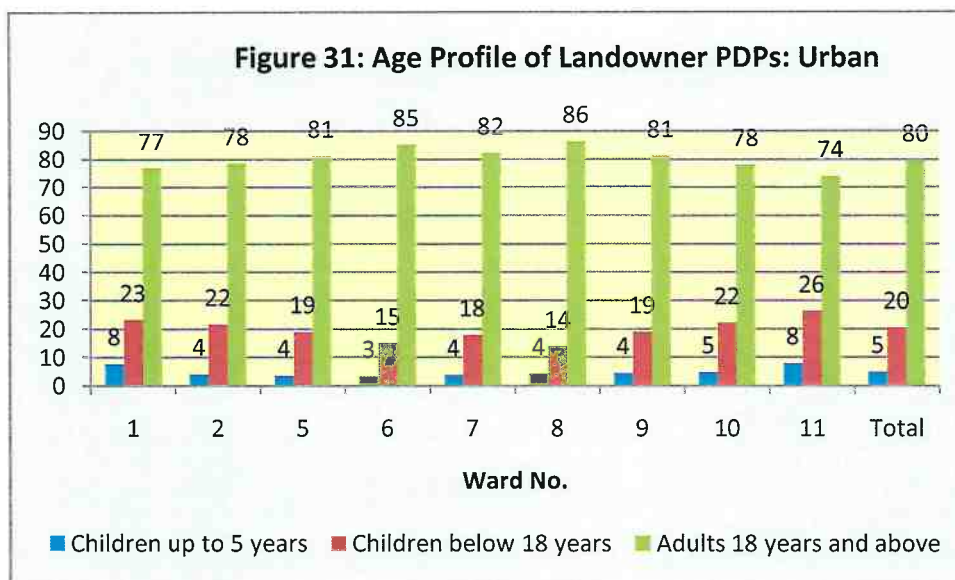
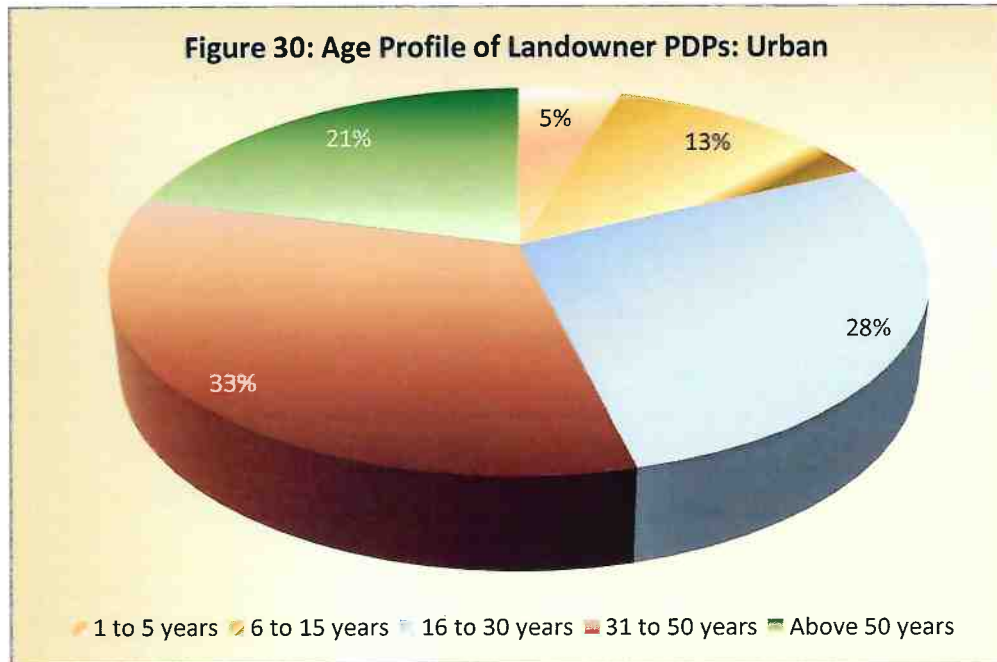
Source: Compiled by CMDR based on data from Baseline Survey



Source: Compiled by CMDR based on data from Baseline Survey

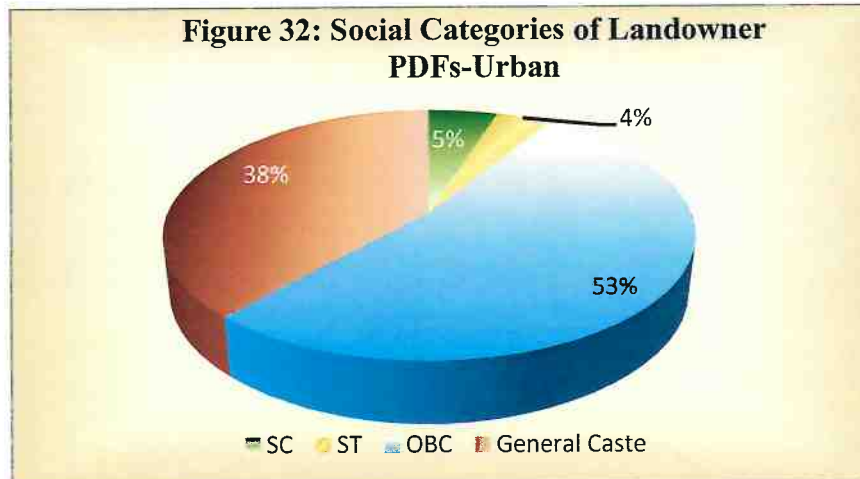
3.1.4 Age Profile of Urban Landowner PDFs/PDPs

Children below 5 years constitute about 5 % of PDPs from urban areas (Figure 30 and 31). In view of this, adequate number of child care facilities should be planned in the urban areas. About 13 % PDPs would require schooling facilities and more than 60 % of PDPs are in the working age group. In brief, the livelihood issue again is the most severe impact of the project.



3.1.5 Social Category Profile of Urban Landowner PDFs/PDPs

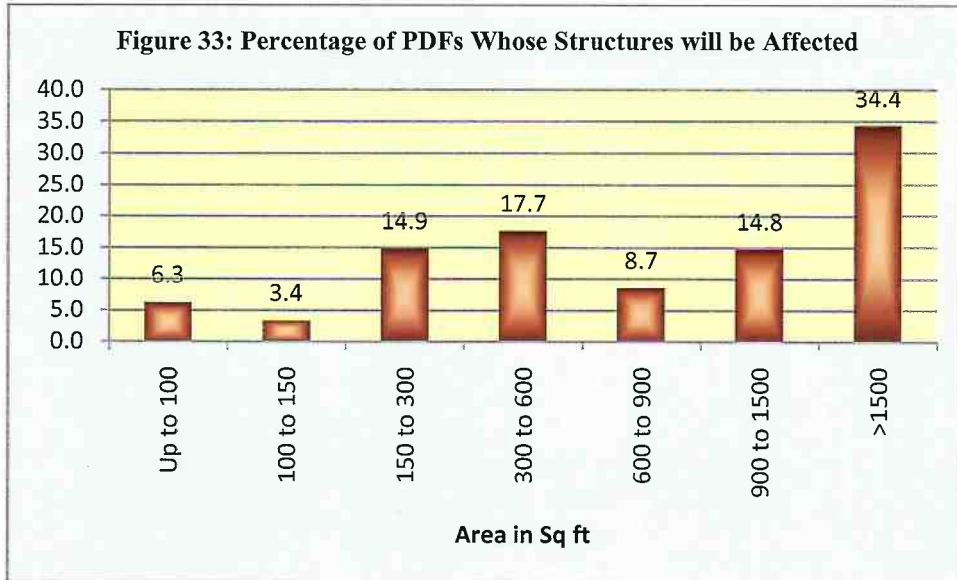
Unlike in the case of rural PDFs, the total proportion of SC and ST category urban PDFs who own land is much lesser. Altogether these categories constitute about 9 % of total PDFs (Figure 32) who need to be resettled and rehabilitated.



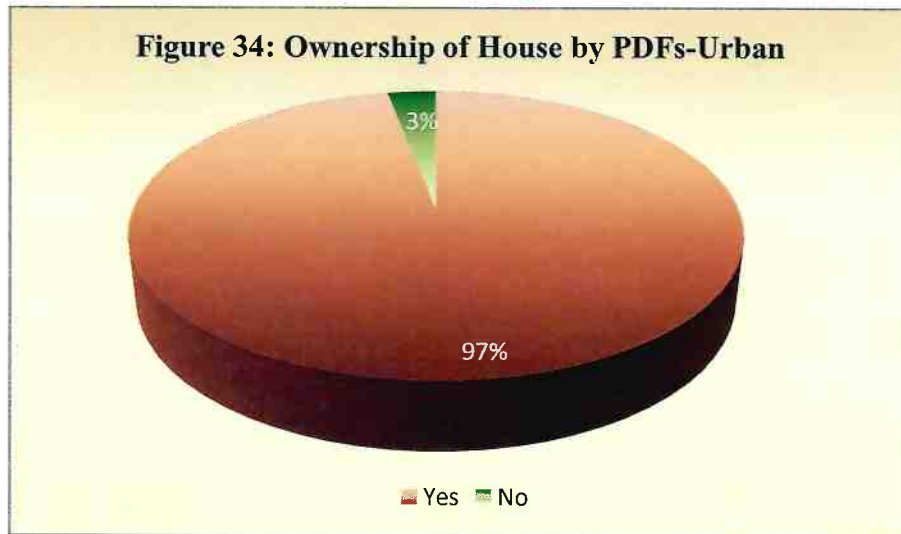
Source: Compiled by CMDR based on data from Baseline Survey

3.1.6 Ownership of House of Urban Landowner PDFs/PDPs

Figure 33 depicts urban PDFs whose structures will be affected. As can be seen, there are about 10 % PDFs who have structures up to 150 sq. ft. about one third PDFs have structures measuring 150 to 600 sq. feet. One third PDFs have reported landholdings to the extent greater than 1500 sq. ft. It would be necessary to have exact details of the measurement of structures, as the oustees should not be worse off after R & R implementation as compared to their situation prior to it. About 97 percent of PDFs reported ownership of house structure (Figure 34). Of the total 2186 structures owned by PDFs, about 92 % are used for own living, 7% have been rented and 1 % are being used for business purposes (Figure 35). About 97 % of urban PDFs own only one structure and hence the cushion to them in the form of alternative accommodation is very limited (Figure 36). About 68 % PDFs own pucca houses and another 20 % PDFs own semi pucca houses (Figure 37). It may also be noted that about 10 % of PDFs own open plot/homestead land.

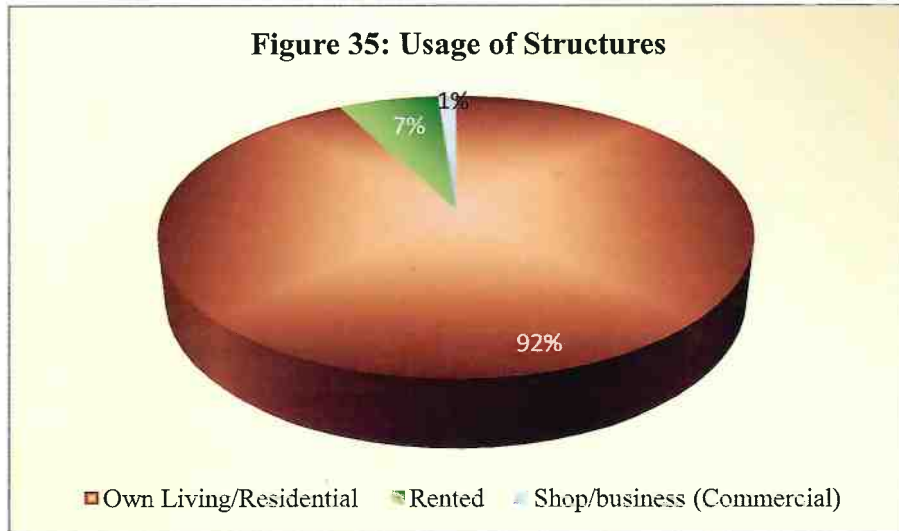


Source: Compiled by CMDR based on data from Baseline Survey



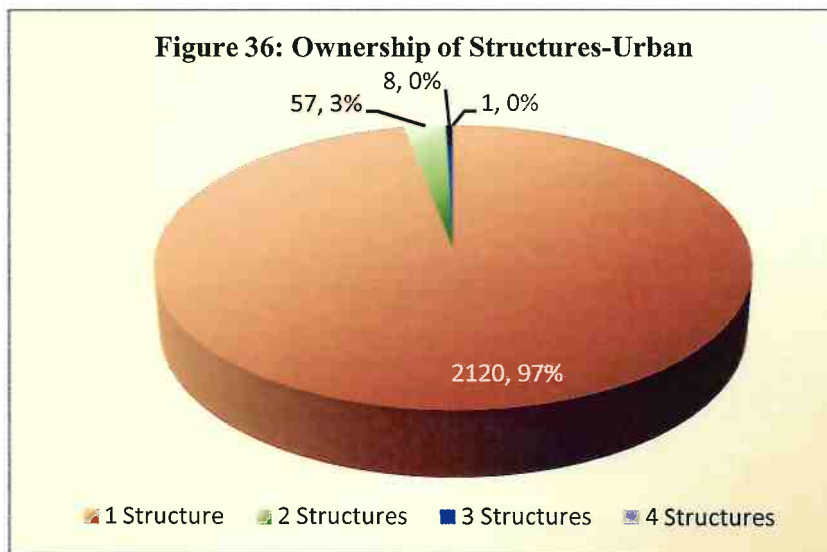
Source: Compiled by CMDR based on data from Baseline Survey

Figure 35: Usage of Structures

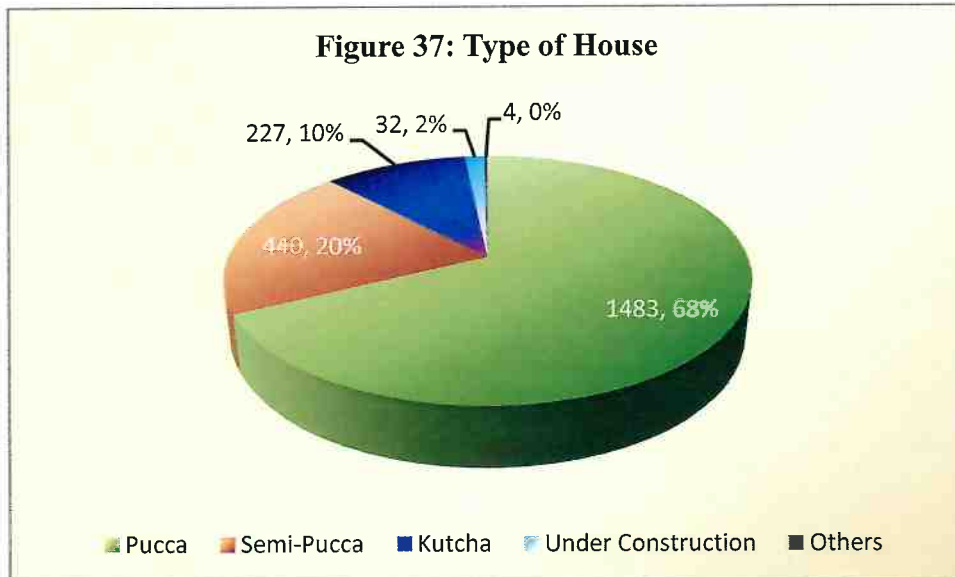


Source: Compiled by CMDR based on data from Baseline Survey

Figure 36: Ownership of Structures-Urban

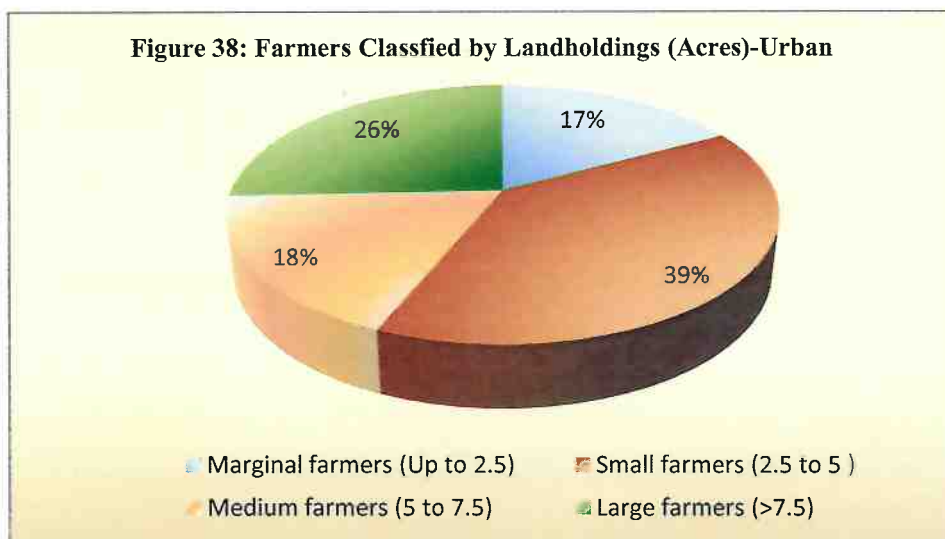


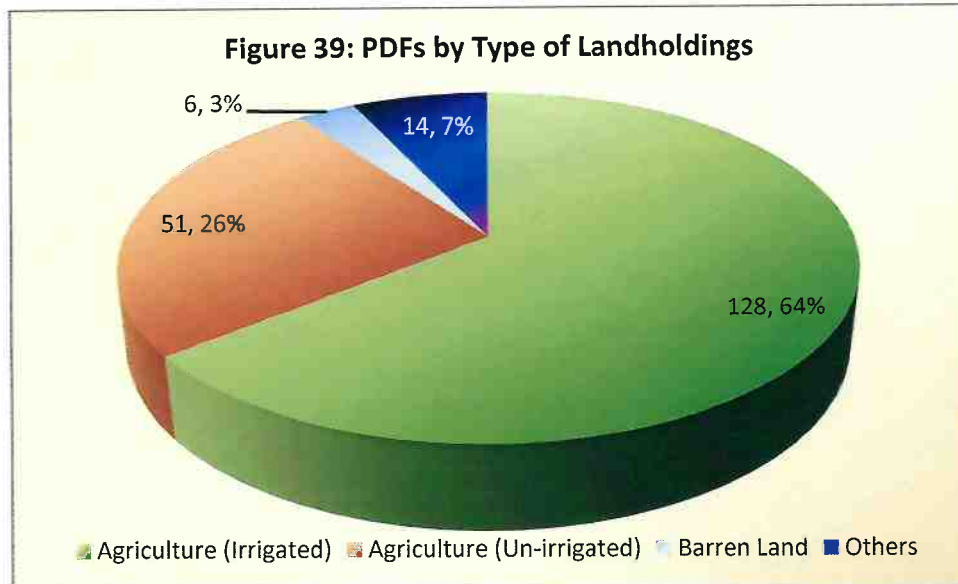
Source: Compiled by CMDR based on data from Baseline Survey



3.1.7 Ownership of Agricultural Land-Urban PDFs/PDPs

Only about 9 % of urban landowner PDFs own agricultural land and more than half of these farmers are either marginal or small farmers. Their existence in urban locales also seems to be due to their small landholdings. However, about one half of them are large farmers holding are larger than 7.5 acres (Figure 38). As evident from Figure 39, about 64 % of PDFs hold irrigated land and about 26 % hold non-irrigated land.

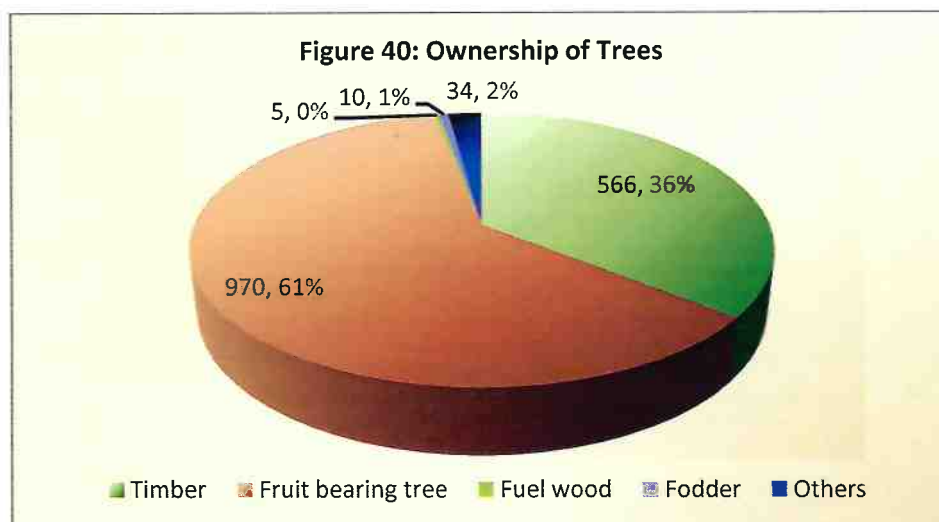




Source: Compiled by CMDR based on data from Baseline Survey

3.1.8 Ownership of Trees by Urban Landowner PDFs

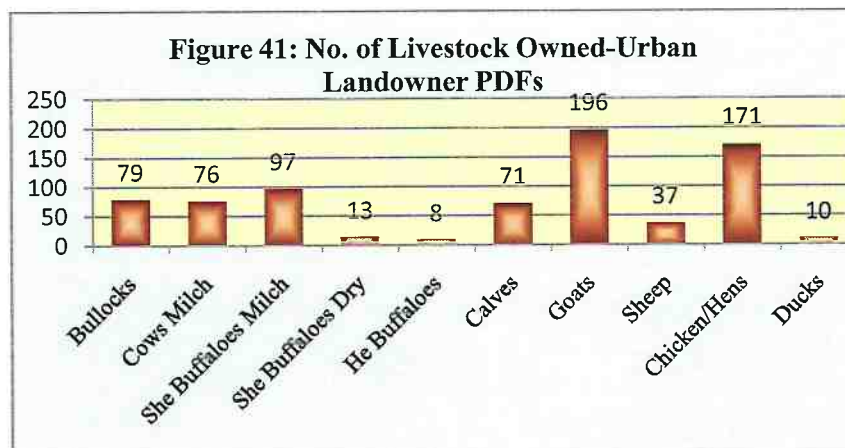
The urban PDFs also own trees, both fruit bearing as well as timer trees. However, the baseline survey does not indicate whether these trees are in the submerging area or not. The conjecture by CMDR is that these trees are not in the submerging area. A clarification in this regard needs to be sought by KBJNL for implementation of R & R.



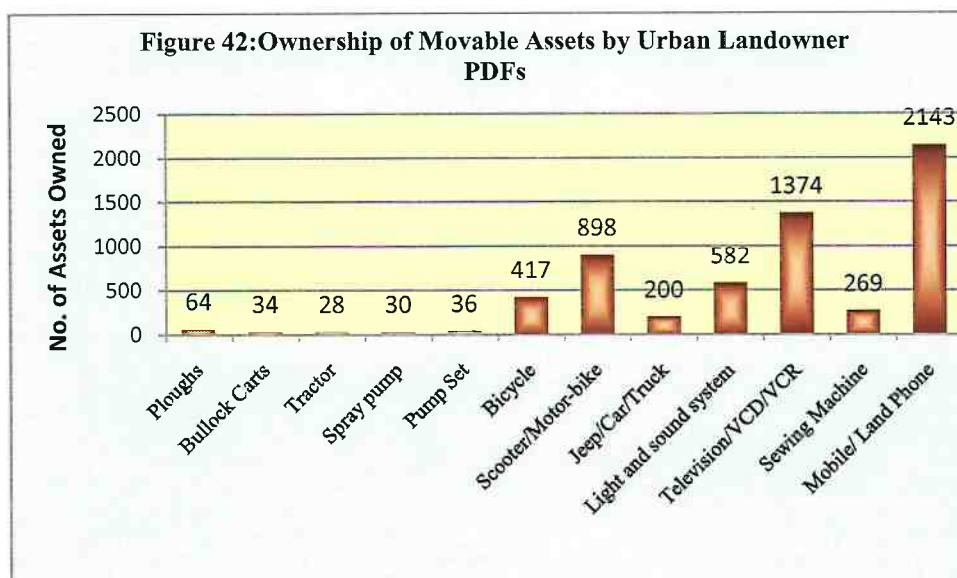
Source: Compiled by CMDR based on data from Baseline Survey

3.1.9 Ownership of Movable Assets by Urban Landowner PDFs

As can be seen from Figure 41, the oustees do have livestock as well. If they are moved to urban locales where they cannot rear their livestock, there has to be some compensation for their loss of income. Needless to mention, that the compensation could be graded as per the type of livestock owned by them. Figure 42 indicates the other movable assets. Some of the assets which can be physically moved, will lose their relevance if the oustees are going to lose their agricultural land. This is true in the case of plough, bullock carts, spray pumps, etc.



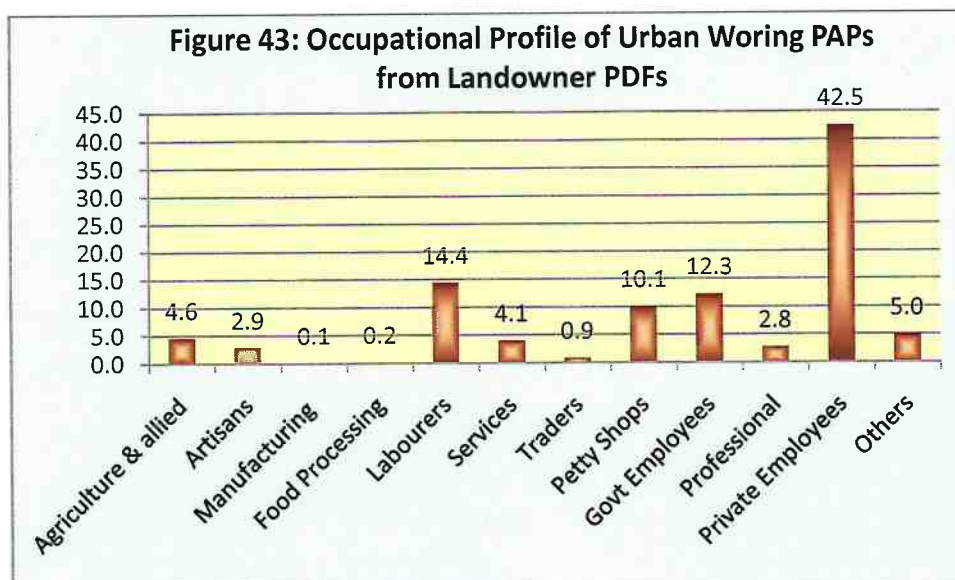
Source: Compiled by CMDR based on data from Baseline Survey



Source: Compiled by CMDR based on data from Baseline Survey

3.1.10 Occupational Profile of Urban Landowner PDFs

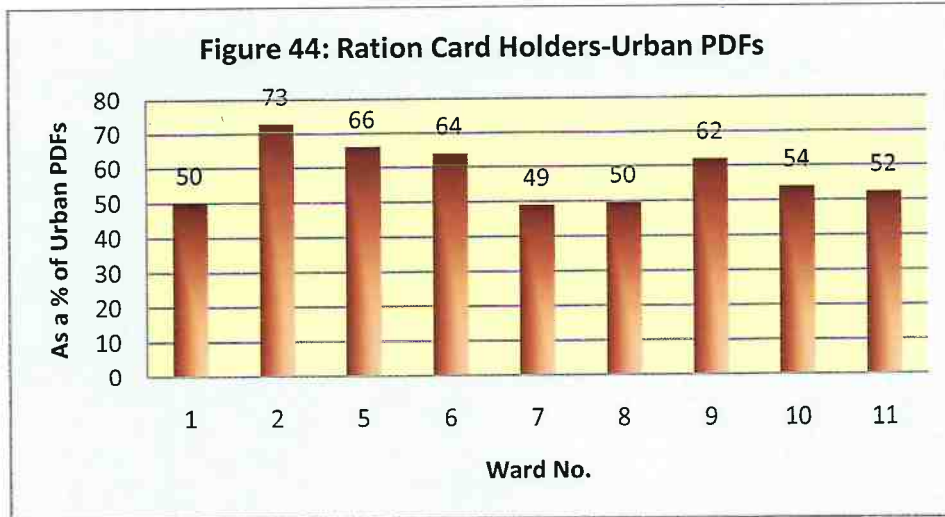
Out of 8351 urban land/structure owners, 3152 (37.7 %) are engaged in various occupations, which have been indicated in Figure 43. About 42.5 % of the actual working PDPs consist of private employees, whereas, 14.4 % are labourers and another 12.3 % are government employees. If the RC is not far off from the area that is going to be submerged, then the job losses can be minimized. The PDPs have expressed that the RCs should not be far off from their current places of residence.



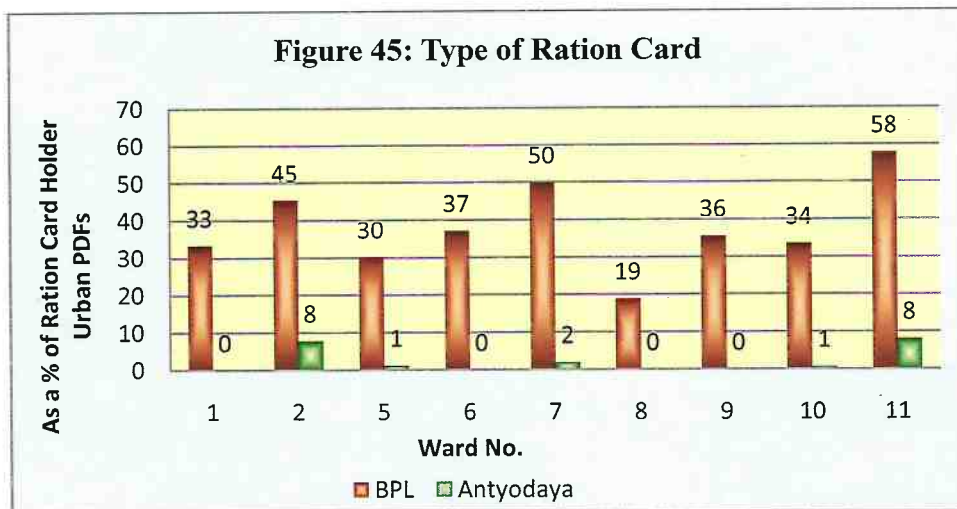
Source: Compiled by CMDR based on data from Baseline Survey

3.1.11 Identification of Urban Landowner PDFs and Vulnerable PDFs

Figure 44 indicates the proportion of PDFs holding ration cards, which could be the basis for identification of PDFs. The task is indeed challenging, as the ration card holders range from 49 % in Ward 7 to 72 % in Ward 2 (Figure 44). This should be combined with the fact that maximum PDFs are from Wards 10, 11 and 5 where this proportion ranges between 52 to 66 %. Of these ration card holders, BPL card holders range from as low as 19 % (Ward 8) to as high as 58 % (Ward 11). Ward 11 which is a large ward in terms of oustees also has about 8 % of Antyodaya PDFs. In other words, resettlement and rehabilitation of PDFs from Ward 11 needs to be given due attention.



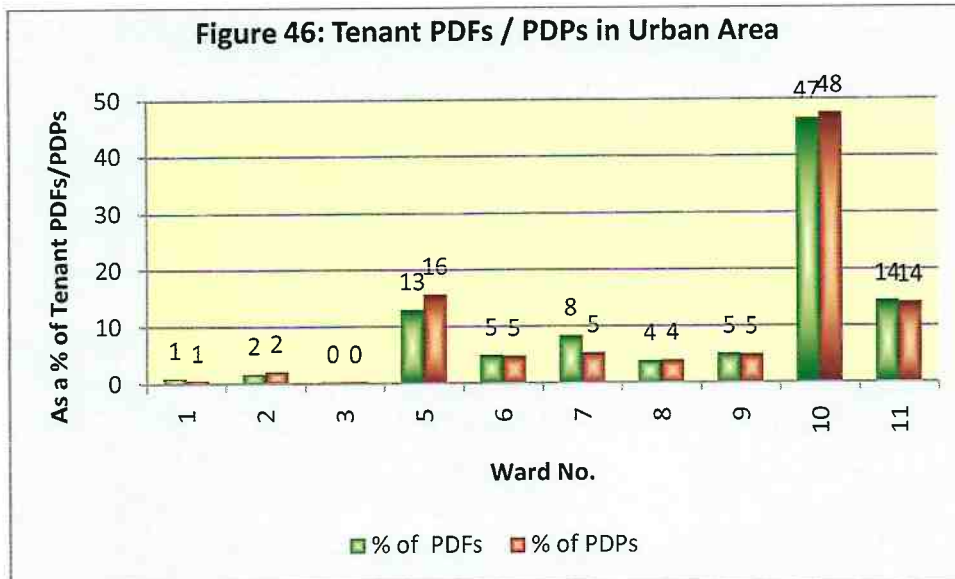
Source: Compiled by CMDR based on data from Baseline Survey



Source: Compiled by CMDR based on data from Baseline Survey

3.2 Socio-Economic Profile of Urban Tenant Population

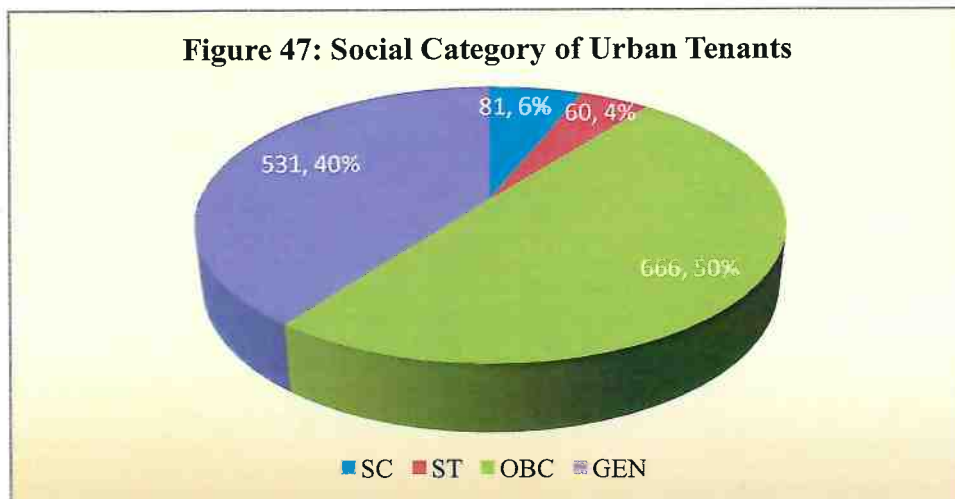
As indicated earlier, there are about 1338 tenant PDFs and 4049 tenant PDPs. These tenants are concentrated in Ward 10, 11 and 5 and almost account for 80 % of tenant PDFs/PDPs (Figure 46).



Source: Compiled by CMDR based on data from Baseline Survey

3.2.1 Social Category of Urban Tenant Population

About 40 % of tenant PDFs from urban area are from general category, 50 % are OBCs, 6 % are SCs and 4.5 % are from ST category (Figure 47). In other words, there has to be special focus on about 141SC/ST families from urban tenant PDFs.

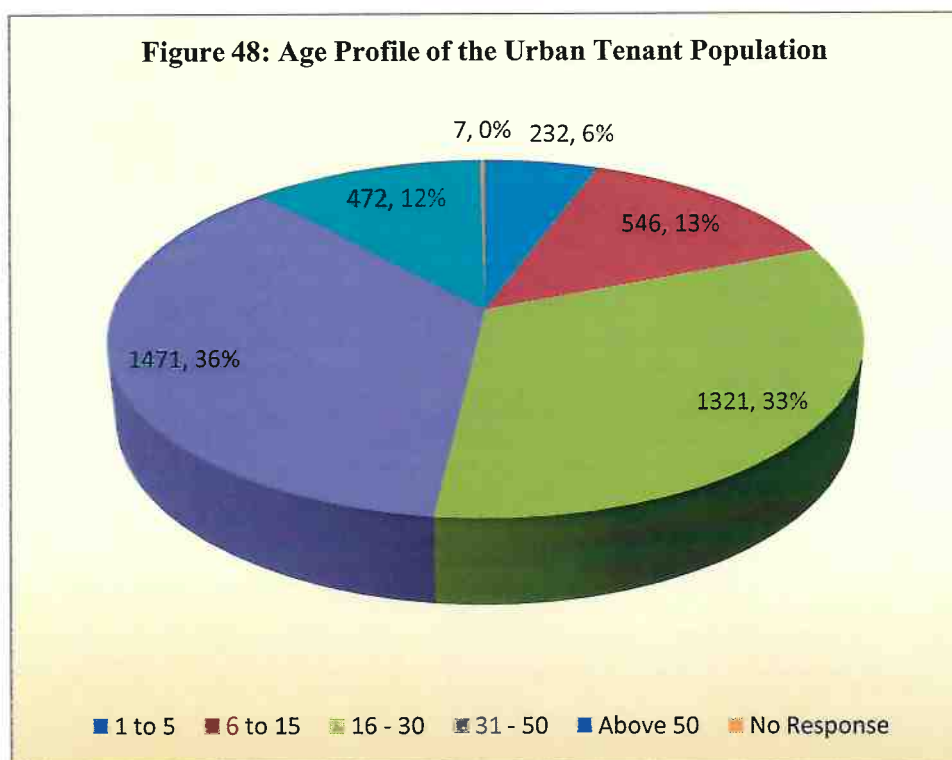


Source: Compiled by CMDR based on data from Baseline Survey

3.2.2 Age Profile of Urban Tenant Population

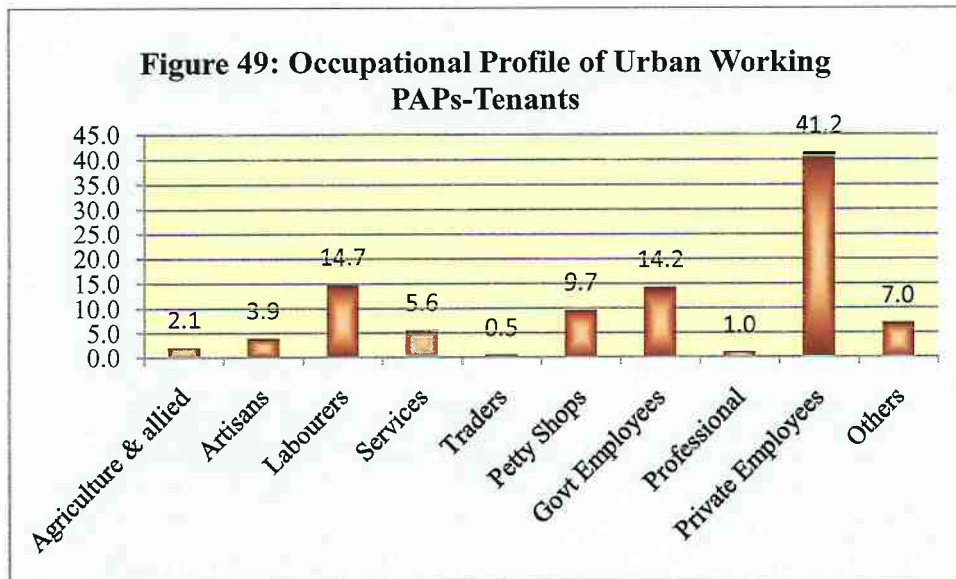
About 69 % of urban tenant PDPs are in the age group 16-50 (Figure 48). This can be combined with the fact that about 40.4 % of the total PDPs are engaged in various occupations.

As mentioned earlier, the child care and schooling facilities need to be planned as per the population norms adhered to for providing these facilities.



3.2.3 Occupational Profile of Urban Tenant Population

Of 4049 urban tenant PDPs, about 1634 (40.4 %) are engaged in various occupations. A large proportion (41.2%) of working PDPs are private employees, 14.2 % are government employees and about 14.7 % of them are labourers (Figure 49). Another 9.7 % have petty shops.



Source: Compiled by CMDR based on data from Baseline Survey

4. Policy Framework for Resettlement and Rehabilitation

In the case of any policy and its implementation views of stakeholders play an important role in a democratic set up. The views of the affected persons from the policy in question provide very crucial inputs to the policy makers if the intention is to keep the people *'least dislocated'* or if it is inevitable to dislocate them then to make them move to a higher level of socio-economic well being and not to a lower level. Some people might be even craving for a change like Schumpeterian innovators. Hence, the approach should be *'dislocation for a better future'*. Since there cannot be any policy that can improve the welfare of all without any exception and improve the welfare of all uniformly by the same order, a pragmatic approach, therefore, requires that policy makers adopt a value system which is acceptable and sensible. For example, *antyodaya* - development of the most deprived, might be one such value; or improvement in the well being of those who are highly enterprising by nature and who also have social motivations and hence their development would also help antyodaya, might be another value. The approach of justice (say, in Rawlsian framework), with growth perspectives might be yet another acceptable value. Obviously, such approaches need to be canopied with some time profile. In the case of a multi-purpose river valley project dislocating people from their moorings to which they had affiliated for several generations, the future time profile has to be necessarily fairly long, say, 50-75 years hence and beyond and hence any policy intervention needs to have such a long term horizon. Even though it might be humanly impossible to visualize all parameters and incorporate

them in the intervention package and that too over such a long period, there must be a sincere intention to incorporate the most crucial parameters at least, in such an intervention package for a reasonable period of time. People should not be looked upon as hawks always greedy and demanding from the government; they would also appreciate the intentions and can accommodate the difficulties in adopting a totally all inclusive approach involving several parameters. Some of these aspects are discernible to those who interact intimately with people, who are already the incidence of dislocations from the policy interventions of the government in the past or who are soon going to be affected by these interventions and getting dislocated in the future.

4.1 The Global Framework

The policy frameworks for R & R can be discussed at three levels: (i) global; (ii) national; and, (iii) regional/state level. A host of international institutions, such as, Asian Development Bank (ADB)¹⁰, World Bank (WB)¹¹ have laid down the R & R policy framework for the developmental projects financed by them. There is absolute unanimity at all the above-mentioned three levels as regards the objectives of R & R policy in terms of preferably enhancing the standard of living and employment opportunities of the PAPs and under no conditions allowing diminution of welfare of the PAPs at levels lower than those prevailing at the pre-project implementation levels. Avoiding losses in the form of shelter, livelihoods, sources of income, productive assets including land, are crucial guiding principles of economic rehabilitation. The process of rehabilitation does not stop merely at 'economic' rehabilitation. Besides economic rehabilitation, the PAPs should also be 'socially' rehabilitated by ensuring protection of their cultural identity so as to minimize social tensions. Involuntary resettlement hurts the vulnerable groups the most and these groups are likely to be disproportionately adversely affected. This can result in 'long-term hardships and impoverishment'. The vulnerable group consists of, poor, women, socially oppressed groups, and indigenous peoples; those who may not be able to take full care of themselves (e.g., children, the elderly, and the physically challenged); and other groups that are not protected by national land compensation law (World Bank, 2004).

¹⁰ ADB (2012)

¹¹ World Bank (2004)

ADB (2012) classifies the types of displaced persons who ought to be eligible for receiving compensation in the event of involuntary displacement. These are as follows. *Type I* PDPs includes persons who possess formal legal rights to land and/or structures that are subjected to land acquisition. *Type II* consists of persons who do not possess formal legal rights to land and/or structures that will be lost entirely/partly but whose claims to such lands are recognized/recognizable under national law. Inheritance, occupation, utilization of lands for prolonged period may enable people to claim such property, as more often than not, land records are outdated and in several cases, encroachments are legalized¹². Resettlement planning for Type II displaced persons should include application of legal instruments to update land records prior to their displacement. In the context of UKP Stage III, ration cards/Aadhar cards in the case of rural population and tax receipts, electricity or telephone bills, etc., in the case of urban population can be used to identify Type II displaced persons. *Type III* persons includes squatters, tenants, sharecroppers, and wage laborers who lose the land occupied by them (entirely or partly) and do not have either formal legal rights or recognized or recognizable claims to such land. The nature and amount of compensation depends on the type of displaced persons. The format of entitlement matrix as per the ADB (2012) is given in Table 4.

¹² A recent instance is the Governor of Karnataka has approved legalization of encroached land in rural areas.

Table 4: Format for Matrix of Entitlements

Item	Type of Loss	Application	Entitled Persons	Compensation Policy	Implementation Issues
1a	Loss of Land	Homestead land, agricultural land, or vacant plot	Owners with legal title or legalizable title	<ul style="list-style-type: none"> • Compensation at replacement value or land for land wherever possible. If the replacement cost is more than the compensation determined by the competent authority, the difference is to be paid by the project in the form of assistance. • Provision of stamp duty, land registration fee, capital gains tax, and value added tax incurred for replacement land • Includes option of compensation to those whose affected land after acquisition is no longer viable • Provision of transitional allowance based on three months minimum wage rates. • Provision of shifting assistance for households. • Provision of notice to harvest standing seasonal crops. If notice cannot be given, compensation for share of crops will be provided. • Additional compensation for vulnerable households (item 5) 	<ul style="list-style-type: none"> • If land for land is offered, title will go to both husband and wife. • Vulnerable households, including those headed by women, to be identified during census
1b	Loss of Land	Homestead land, agricultural land, or vacant plot	Tenants and leaseholders	<ul style="list-style-type: none"> • Compensation equivalent to up to 3 months of rental • 60 days of notice for agricultural lands to harvest standing seasonal crops. If notice cannot be given, compensation for share of crops will be provided. • Additional compensation for vulnerable households (item 5) 	<ul style="list-style-type: none"> • Landowners will reimburse tenants and leaseholders land rental deposit or unexpired lease. • Vulnerable households, including those headed by women, to be identified during census
1c	Loss of Land	Homestead land, agricultural land, or vacant plot	Displaced persons without legal titles (squatters and encroachers)	<ul style="list-style-type: none"> • 60 days advance notice to move from occupied land • Additional compensation for vulnerable households (item 5) 	<ul style="list-style-type: none"> • Vulnerable households, including those headed by women, to be identified during census
2a	Loss of structure	Residential/commercial structure and other assets	Owners with legal title or legalizable title	<ul style="list-style-type: none"> • Cash compensation equivalent to replacement value of structure (or part of structure) • Includes option to be compensated for entire structure if remaining structure is no longer viable • Includes right to salvage materials from structure • Provision of all taxes, registration costs, and other fees incurred for replacement structure • Transfer and subsistence allowance (up to 3 months) • Additional compensation for vulnerable households (item 5) 	<ul style="list-style-type: none"> • Vulnerable households, including those headed by women, to be identified during census
2b	Loss of	Residential/	Tenants and	<ul style="list-style-type: none"> • Cash compensation equivalent to replacement value of structure (or part of 	<ul style="list-style-type: none"> • Vulnerable households, including

	structure	commercial structure and other assets	leaseholders	structure) constructed by the displaced person <ul style="list-style-type: none"> Includes right to salvage materials from structure Provision of all taxes, registration costs, and other fees incurred for replacement structure Transfer and subsistence allowance Lease /rental agreements to be continued after the reconstruction of the structure, as in the case of monuments and heritage buildings, with clauses that no modifications to the heritage structure/monument shall be carried out by the tenant / leaseholder Additional compensation for vulnerable households (item 5) 	those headed by women, to be identified during census
2c	Loss of structure	Residential/commercial structure and other assets	Encroachers and squatters	<ul style="list-style-type: none"> Cash compensation equivalent to replacement value of structure (or part of structure) constructed by the displaced person Includes right to salvage materials from structure Provision of all taxes, registration costs, and other fees incurred for replacement structure Transfer and subsistence allowance Additional compensation for vulnerable households (item 5) 	<ul style="list-style-type: none"> Vulnerable households, including those headed by women, to be identified during census
3	Loss of livelihood	Livelihood/source of income	Business owners, tenants, leaseholders, employees, agricultural workers, hawkers/vendors	<ul style="list-style-type: none"> Assistance for lost income based on 3 months' lost income or minimum wage rates. Additional compensation for vulnerable households (item 5) 	<ul style="list-style-type: none"> Vulnerable households, including those headed by women, to be identified during census
4	Loss of crops and trees	Standing crops and trees	Owners with legal title or legalizable title, tenants, leaseholders	<ul style="list-style-type: none"> Provision of 60 days notice to harvest standing seasonal crops. If harvest is not possible, cash compensation for crops (or share of crops) equivalent to prevailing market price Cash compensation for perennial crops and fruit bearing trees based on annual net product market value multiplied by 5 years Cash compensation equivalent to prevailing market price of timber for non-fruit trees 	<ul style="list-style-type: none"> Vulnerable households, including those headed by women, to be identified during census
5	Impacts on vulnerable displaced persons	All impacts	Vulnerable displaced persons	<ul style="list-style-type: none"> Land-for-land option will be a guaranteed option for vulnerable displaced persons. Additional allowance for loss of land or structure Vulnerable households will have priority in any employment required for the project. 	<ul style="list-style-type: none"> Vulnerable households, including those headed by women, to be identified during census Land title will go to both husband and wife.

Any other unanticipated involuntary impacts that is not identified at the time of formulation of the R & R policy should also be identified and mitigated in due course of time.

The World Bank (2004) adopted involuntary resettlement policy for the first time in 1980. This was an outcome of realization that the implementation of developmental projects had led to unacceptable levels of impoverishment of the PAPs. Unexpectedly, this impoverishment was not only due to inadequate compensation, but also in cases where adequate compensation was paid. A renewed three-pronged approach of the World Bank consists of: (i) Viewing involuntary resettlement as an opportunity to improve income and living standards of PAPs and factoring in of social, cultural, public health, community services dimensions in R & R policy framework; (ii) Enlarging the range and number of people recognized as adversely affected (PAPs) by focusing on (i) rather than confining the scope of R & R only to expropriated property; and, (iii) a careful delineation of responsibilities and elaborate risk management as against the conventional ‘compensation-only’ approach which requires that PAPs have to manage all the risks once they have received the compensation.

Box 1: Chronology of Policies of World Bank Regarding Involuntary Resettlement

1980: Adoption of policy on involuntary resettlement in as an Operational Manual Statement (OMS).

1990: Revision of policy as Operational Directive (OD) 4.30 with primary focus of the OMS and subsequently of the OD was on resettlement associated with large dams.

2002: OD 4.30 was converted to Operational Policy (OP) 4.12 by incorporating the experience with resettlement over a wide range of sectors across all regions of the Bank

Operating Procedure (OP) 4.12 constitutes an integral part of the social and environmental safeguard policies as regards R & R is concerned. It states the following main objectives: (i) To avoid or minimize adverse impacts of land acquisition and to conduct resettlement activities based on the principles of sustainable development; (ii) to provide the opportunities to PAPs to participate in the design and implementation of resettlement program; and, (iii) to assist displaced persons in their efforts to improve their livelihoods; (iv) ensure restoration of standards of living of PAPs to pre-project levels, though preferably it should improve.

4.2 Land Acquisition and Resettlement & Rehabilitation: Legal Framework in India

Article 31 of the Indian Constitution pertains to the ‘eminent domain’ power of the State. This power allows the state to compulsorily acquire property including land belonging to private persons for a public purpose against the payment of just compensation. The twin requirements in the exercise of eminent domain, viz., public purpose and just compensation are meant to ensure that no individual needs to bear the burden in the discharge of duties of the State in providing a public good¹³. Though land is features in the state list in the Constitution of India, ‘Acquisition and Requisitioning of Property’ is included as a subject in the ‘Concurrent List’ so as to enable both Centre and the states to enact laws and frame policies on the subject (Wahi, 2013). In other words, land is a state subject in India, but the land acquisition falls under the concurrent list. The states are supposed to ensure that the compensation/benefits to PAPs whilst acquiring their land are at least as much as what is embedded in the national legal framework.

Though at present there are about 18 other laws of the Central Government for acquisition of land, e.g., for defence, railways, highways, SEZs, etc., in general, the Land Acquisition Act (LAA), 1894 (with its further Amendments) provides the scope for Governments to acquire land for public purposes. LAA 1894 has been critiqued by none other than the Mr. Jairam Ramesh, Minister of Rural Development, Government of India: “Although it has been amended from time to time, it is painfully evident that the basic law has become archaic”.¹⁴ The Act deals only with land acquisition and not with the associated effects of uprooting people from their land and livelihoods. It has nothing to offer to in terms of mitigating the adverse effects and improving the welfare of the project affected persons (PAPs). Realizing this shortcoming of the Act, and to focus on welfare of PAPs, National Rehabilitation and Resettlement Policy (NRRP, 2007) was announced on October 31, 2007. However, NRRP focused only on Rehabilitation and Resettlement (R & R) and is combined with the outdated LAA 1894 in award of any package for the land acquisition.

¹³ A public good is loosely defined here as a good the responsibility of which is assumed by the state rather than based on its characteristics, viz., non-rivalness and non-exclusion in consumption.

¹⁴ The Draft National Land Acquisition and Rehabilitation & Resettlement Bill, 2011, Ministry of Rural Development, Government of India, July 27th 2011.

The LA & RR Bill 2011, supposed to combine both the land acquisition and R & R, has been signed by the Minister for Rural Development (July 29, 2011) and was put in public domain for comments and suggestions. The bill has been tabled in the parliament with some major revisions. The bill combines both land acquisition (LA) and also resettlement and rehabilitation (R & R). Given the pervasiveness of land acquisition for developmental purposes, a common unified framework at the national level is desirable which can set the *floor* for compensation to the displaced persons/families by the state governments/requiring bodies. In brief, the states/requiring body can provide benefits to PAPs higher but not lower than the floors set by the national legal/policy framework. In what follows, we discuss the legal framework for LA and/or RR policy in the Indian context.

4.2.1 Land Acquisition Act (LAA), 1894

As mentioned earlier, at present Land Acquisition Act, 1894 (LAA 1894) and the National Rehabilitation and Resettlement Policy, 2007 (NRRP-2007) guide the process of land acquisition and the Rehabilitation and Resettlement (R & R) in India (except in the state of Jammu-Kashmir). Needless to mention, Karnataka is also bound by the national policy/legal framework.

As per the LAA 1894, the government can acquire land for public purposes and for Companies (private parties). Using the *Eminent Domain*, i.e., the right of the state to acquire land, using its sovereign power for public purpose, In the earlier stages of UKP, LAA 1894 (as amended from time to time) provided the framework, consisting of the procedures to be adopted in acquisition of land (e.g., procedures for declaration of intended acquisition), determination of compensation, process for adjudication, etc.

The matters to be considered in determining compensation for the land acquired under LAA 1894 are: (i) Market value of land at the date of publication of the declaration of land acquisition; (ii) damage to the standing crops/tress at the time acquisition of land; (iii) damage due to severing of acquired land from other land held by the affected person; (iv) damage/harm caused to the property or movable/immovable assets or income or in any other manner; (v) inconvenience both financial and physical, caused due to relocation of residence or business;

and, (vi) diminution of profits (bona fide) during the official notification and actual acquisition of land. The Act also lays down the matters, such as, depreciation of structures, to be neglected in determining the compensation.

In addition to the market value of the land, as above provided, in every case the Court awarded an amount calculated at the rate of 12 % per annum on such market value for the period commencing on and from the date of the publication of the notification in respect of such land to the date of the award of the Collector or the date of taking possession of the land, whichever is earlier. In addition to the market value of the land as above provided, the Court also awarded a sum of 15 % on such market value, in consideration of the compulsion exercised by the eminent domain.

The burden of the proof of the market value in LAA 1894 lies with the claimant. However, the judiciary is supposed to carefully scrutinize the evidence for determining 'just and adequate' compensation. The Act delegates a huge responsibility on the Collector who declares the final award by stating that the "Collector may be directed to pay interest on the excess compensation, if the sum which, if the Court rules that the Collector has awarded compensation which is in excess of the sum which the Collector should have awarded. The Court could direct the Collector to pay interest on the excess compensation at the rate of 6 % from the date of acquisition of land to the date of payment of such excess. In other words, it mandated that the Collector had to exercise enough caution in not awarding the excess amounts of compensation. The Act exempts all transactions of land made under this Act from stamp duties and fees.

The major limitations associated with the acquisition through this Act were: (i) complete negligence of the rehabilitation and livelihood issues of the owners whose land has been acquired; and, (ii) absence of any mechanism to address the resettlement and rehabilitation issues for the persons without legal ownership of land, especially the vulnerable PAPs like squatters and encroachers. Several project specific initiatives were undertaken so as to overcome the above-mentioned problems in the 1980's and the 1990's. However, the country did not have a policy framework till 2003. In 2003, the Government of India began initiated evolution of a framework to address the challenges faced in various development projects. It formulated a

National Rehabilitation and Resettlement Policy (NRRP) for Project Affected Families in 2003 that it came into force from February, 2004. This NRRP was revised in 2007 (came into effect on October 31 2007) based on the experiences in the implementation of NRRP 2004.

4.2.2 National Rehabilitation and Resettlement Policy, 2007 (NRRP-2007)

The NRRP 2007 includes the following; i) Overall Policy Framework; ii) objectives of NRRP; iii) Definitions; iv) Social Impact Assessments of Projects; v) Appointment of Administrator and Commissioner for Rehabilitation and Resettlement and their powers and functions; vi) Rehabilitation and Resettlement Plan; vii) Rehabilitation and Resettlement benefits for the affected families; viii) Grievance Redressal Mechanism; and, ix) Monitoring Mechanism. It covers the resettlement and rehabilitation issues related to the non-titleholders as well as Rehabilitation requirements (measures for restoration of livelihood) for the land owners whose land is under acquisition. NRRP-2007 recognizes the traumatic, psychological and socio-cultural consequences of involuntary resettlement on the affected population. NRRP-2007 provides for the basic minimum requirements, and advocates that all projects leading to involuntary displacement of people must address the rehabilitation and resettlement issues comprehensively. The State Governments, Public Sector Undertakings or agencies, and other requiring bodies are mandated to provide benefit levels prescribed in the NRRP-2007, though are recommended to do much more. Moreover, in case the Scheduled Tribes (STs) people are being displaced in sizeable numbers, NRRP-2007 expects implementation of a well thought out Tribal Development Plan. In Table 5, we provide entitlement matrix as embedded in NRRP 2007.

Table 5: Entitlements for PAFs/PAFs in NRRP-2007

Item	Type of Loss	Application	Entitled Persons	Compensation Policy	Implementation Issues
1	Loss of Land	PDFs owning agricultural land and whose entire land has been acquired or lost	Owners with legal title	<p>Agricultural land or cultivable wasteland to the extent of actual land loss by the <i>khatedar</i>¹⁵ in the affected family subject to a maximum of one hectare of irrigated land or two hectares of un-irrigated land or cultivable wasteland, if Government land is available in the resettlement area. Land has to be allotted in the name of the <i>khatedar</i>(s) of the PDFs. The land or house allotted to the affected families under this policy shall be free from all encumbrances. In case of allotment of wasteland or degraded land in lieu of the acquired land, each <i>khatedar</i> in the affected family shall get a one-time "financial assistance" of such amount as the appropriate Government may decide but not less than fifteen thousand rupees per hectare for land development. In the case of irrigation projects, the affected families should be given preference in allotment of land-for-land in the command area of the project, to the extent possible. Such lands may be consolidated, and plots of suitable sizes allotted to the affected families who could be settled there in groups. In the case of a project involving land acquisition on behalf of a requiring body, the stamp duty and other fees payable for registration of the land or house allotted to the PDFs shall be borne by the requiring body.</p> <p>In case a family cannot be given land in the command area of the project or the family opts not to take land there, such a family may be given monetary compensation on replacement cost basis for their lands lost, for purchase of suitable land elsewhere.</p> <p>In case of allotment of agricultural land in lieu of the acquired land, each <i>khatedar</i> in the affected family shall get a one-time financial assistance of such amount as the appropriate Government may decide but not less than ten thousand rupees, for agricultural production.</p> <p>This benefit shall also be available to the affected families who have, as a consequence of the acquisition or loss of land, been reduced to the status of marginal farmers.</p>	The land or house allotted to the affected families under this policy may be in the joint names of wife and husband of the affected family

¹⁵ Khatedar is person with legal title of land ownership.

2	Loss of structure	Residential	PDF owning house	To be <i>allotted free of cost house site to the extent of actual loss of area</i> of the acquired house but <i>not more than 250 square meter of land in rural areas, or 150 square meter of land in urban areas</i> , as the case may be, for each nuclear family. In urban areas, a house of up to 100 meter, carpet area may be provided in lieu thereof. Such a house, if necessary, may be offered in a multi-storied building complex. The land or house allotted to the affected families under this policy shall be free from all encumbrances.	The land or house allotted to the affected families under this policy may be in the joint names of wife and husband of the affected family.
3a	Loss of livelihood	Livelihood/ source of income	PDFs with fishing rights	In the case of irrigation projects, fishing rights in the reservoirs shall be given to the affected families, if such rights were enjoyed by them in the affected area.	Identification of PDFs with fishing rights
3b	Loss of livelihood	Livelihood/ source of income	PDFs with cattle	Each PDF with cattle to get financial assistance of such amount as the appropriate Government may decide but not less than fifteen thousand rupees, for construction of cattle shed.	Identification of PDFs with cattle
3c	Loss of Structure	Relocation Expenses	All PDFs	One-time financial assistance of such amount as the appropriate Government may decide but not less than ten thousand rupees, for shifting of the family, building materials, belongings and cattle.	
3d	Loss of livelihood	Livelihood/ source of income	Rural artisan, small trader or self-employed person	Each affected person who is a rural artisan, small trader or self-employed person and who has been displaced shall get a one-time financial assistance of such amount as the appropriate Government may decide but not less than twenty-five thousand rupees, for construction of working shed or shop.	Identification of rural artisans, small traders and self-employed PAPs
3e	Loss of livelihood	Livelihood/ source of income	Improvement of standard of living and enhancement of income	The affected persons should be offered the necessary training facilities for development of entrepreneurship, technical and professional skills for self employment	
4a	Impacts on vulnerable displaced persons	without homestead land	Each <i>affected</i> BPL families residing in the affected area continuously for a period of not < 3 years preceding the date of declaration of the affected area	<i>entitled to a house of minimum one hundred square meter carpet area in rural areas, or fifty square meter carpet area in urban areas</i> (which may be offered, where applicable, in a multi-storied building complex), as the case may be, in the resettlement area. If such a PDF <i>opts not to take the house offered, is entitled for a suitable one-time financial assistance for construction and the amount shall not be less than what is given under any programme of house construction by the Government of India.</i> The land or house allotted to the affected families under this policy shall be free from all encumbrances.	

4b	Vulnerable PDFS	ST	All impacts	<p>In case of land being acquired from Scheduled Tribes PDFs, at least one-third of the compensation amount due shall be paid to the affected families at the outset as first instalment and the rest at the time of taking over the possession of the land.</p> <p>The Scheduled Tribes PDFs will be re-settled, as far as possible, in the same Schedule Area in a compact block, so that they can retain their ethnic, linguistic and cultural identity.</p> <p>The resettlement areas predominantly inhabited by the Scheduled Tribes shall get land free of cost for community and religious gatherings, to the extent decided by the appropriate Government.</p> <p>The resettlement areas predominantly inhabited by the Scheduled Tribes shall get land free of cost for community and religious gatherings, to the extent decided by the appropriate Government.</p>	
4c	Vulnerable PDFS	SC/ST		<p>In the case of irrigation, the affected Scheduled Tribes, and the Scheduled Castes families 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 projects.</p>	

4.2.2.1 Amenities and Infrastructural Facilities to be Provided at Resettlement Areas

The NRRP 2007 proposes that the facilities and amenities to be provided should not focus on recreation of a submerging area in the RC but should be such that they are an incentive for people to move toward a better standard of living than what they have witnessed in the past. Facilities and amenities, *inter alia*, include roads, public transport, drainage, sanitation, safe drinking water, drinking water for cattle, community, ponds, grazing land, land for fodder, plantation (social forestry or agroforestry), Fair Price shops, *panchayatghars*, Cooperative Societies, Post Offices, seed-cum-fertilizer storage, irrigation, electricity, health centres, anganwadis where child and mother supplemental nutritional services can be provided, children's playground, community centers, schools, training courses for capacity building and empowerment of the affected persons, places of worship, land for traditional tribal institutions, burial/cremation grounds, and security arrangements. The NRRP-2007 also lists the desirable access to amenities, such as, provision of drinking water, electricity, schools, and dispensaries in RCs.

The Administrator for Rehabilitation and Resettlements should keep in view the socio-cultural relations and social harmony amongst the affected PAFs and as far as possible if PAFs belong to a particular community, they should be shifted en masse to a compact area in RCs. In the case of resettlement of the Scheduled Caste affected families, as far as possible, the Administrator should ensure that such families are resettled in the areas close to the villages.

4.2.2.2 Indexation of Rehabilitation Grant and Other Benefits:

The rehabilitation grant and other benefits expressed in monetary terms at current prices should be indexed for inflation by linking these benefits to the Consumer Price Index (CPI).

4.2.2.3 Grievance Redressal Mechanism

Redressal mechanism embedded in NRRP 2007 is at two levels, viz., (i) at the project level; and, (ii) at the district level. Rehabilitation and Resettlement Committee at the Project Level is required to monitor and review the progress of implementation of the scheme or plan of rehabilitation and resettlement of the affected families, and to carry out post-implementation

social audits. The Rehabilitation and Resettlement Committee should consist of a representative of women residing in the affected area; a representative each of the Scheduled Castes and Scheduled Tribes residing in the affected area; a representative of a voluntary organisation; Chairperson(s) of the *panchayats* and municipalities located in the affected area, or their nominee(s); Members of Parliament and Members of Legislative Assembly of the area included in the affected area; Land Acquisition Officer of the project; and, a representative of the lead bank. Rehabilitation and Resettlement Committee at the District Level should also consist of 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.

4.2.3 The Land Acquisition, Rehabilitation and Resettlement LARR Bill, 2011

The Land Acquisition, Rehabilitation and Resettlement Bill, 2011 was presented in the Parliament in May 2012, still under discussion and signed by the Rural Development Minister dated July 29, 2011. Table 6 lists the components of the R & R award as mentioned in the LARR 2011. Table 7 and 8 highlights the determinants of compensation for Landowners and other provisions to PDFs, respectively, as per LARR 2011. Table 6 enumerates the infrastructure facilities to be provided.

Table 6: Compensation for Landowners (LARR 2011)

Sr. No.	Concept	Description	Further Details
1	Average sale price/ Market value (MV) of land	<p>Sale price for similar type of land situated in the nearest village or nearest vicinity area, whichever is higher. It to be determined taking into account the sale deeds or the registered agreements to similar type of land in the nearby village or near vicinity area during immediately preceding three years of the year in which such acquisition of land is proposed to be made. One-half of the total number of sale deeds or the agreements to sell in which the highest sale price has been mentioned shall be taken deemed as the market value of land.</p> <p>The floor price or minimum price per unit area specified above in respect of similar types of land situated in the immediate adjoining area may be used as a proxy for the market value of land in situations: (i) where land markets are absent as the land is situated in such area where the transactions in land are restricted by or under any other law for the time being in force; (ii) the registered sale deeds or agreements to sell for similar land are not available for the immediately preceding three years; and, (iii) the minimum land value has not been specified under the Indian Stamp Act, 1899 by the appropriate authority.</p>	MV of land mentioned multiplied by 2 ¹⁶ in case of rural and 1 in case of urban area for the award purpose.
2	Factor by which the MV is to be multiplied in the case of rural areas: 2 ¹⁷ (Two)		
3	Factor by which the MV is to be multiplied in the case of urban areas: 1 (One)		
4	Value of assets attached to land or building	<p>i. For determining the market value of the building and other immovable property or assets attached to the land or building which are to be acquired, use the services of a competent engineer or any other specialist in the relevant field, as may be considered necessary</p> <p>ii. For the purpose of determining the value of trees and plants attached to the land acquired, use the services of experienced persons in the field of agriculture, forestry, horticulture, sericulture, or any other field, as may be considered necessary,</p> <p>iii. For the purpose of assessing the value of the standing crops damaged during the process of land acquisition, may utilise the services of experienced persons in the field of agriculture as considered necessary.</p>	

¹⁶ The bill that was signed by Minister of Rural Development mentions the multiplier to be 3, whereas, the bill that has been ultimately tabled in the parliament subsequently mentions the multiplier to be 2.

¹⁷ See footnote no. 15.

5	Solatium	<p>For rural areas : equivalent to (twice¹⁸ the market value of land + Value of assets attached to land or building)</p> <p>For urban areas : equivalent to (market value of land + Value of assets attached to land or building)</p>	---
6	Final award in for land holders	<p>For rural areas : Twice¹⁹ the market value of land + value of assets attached to land or building + solatium</p> <p>For urban areas: market value of land + value of assets attached to land or building + solatium</p>	---

¹⁸ See footnote no. 9.

¹⁹ See footnote no. 9 or 10.

Table 7: Other Entitlements for all the PAFs, LARR 2011

Sr. No.	Element	Description and Details
1	Provision of housing units in case of displacement	<p>For rural areas: a constructed house shall be provided as per the Indira Awas Yojana specifications. Indira Awas Yojna currently specifies Rs.70000/- per house for construction in plain areas with minimum 20 sqmt plinth area. Every house should include a toilet with roof water harvesting system as appropriate locally and a smokeless chulha which can be dispensed with, wherever households have an LPG /biogas connection. Ideally, every household should be actively encouraged to construct a bathroom.</p> <p>For urban areas: a constructed house of not less than 50 sq mts in plinth area (that is 538.20 sqft).</p> <p>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 from such area.</p> <p>If any affected family in urban areas opts not to take the house offered, shall get a one-time financial assistance for house construction, which shall not be less than one lakh fifty thousand rupees:</p> <p>If any affected family in rural areas so prefers, the equivalent cost of the house may be offered in lieu of the constructed house. No family affected by acquisition shall be given more than one house.</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, 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>In every project those persons losing land and belonging to the Scheduled Castes or Scheduled Tribes will be provided land equivalent to land acquired or two and a one-half acres, whichever is lower:</p> <p>Where the land is acquired for urbanisation purposes, twenty per cent. Of the developed land will be re-served and offered to land owning project affected families, in proportion to the area of their land acquired and at a price equal to cost of acquisition and the cost of development.</p> <p>In case the project affected family wishes to avail of this offer, an equivalent amount will be de-ducted from the land acquisition compensation package payable to it.</p>

3	Choice of Annuity or Employment	Affected families to be provided with the following options: (a) Where jobs are created through the project, provide employment to at least one member per affected family in the project at least at minimum wages prevailing at the time. Or (b) Make one time payment of five lakhs rupees per affected family; or (c) Create annuity policies that shall pay not less than two thousand rupees per month per family for twenty years, with appropriate indexation to the Consumer Price Index for Agricultural Labourers.
4	Subsistence grant for displaced families for a period of one year	A monthly payment to affected families shall be given a monthly subsistence allowance equivalent to three thousand rupees per month for a period of one year from the date of award. An additional one time payment of Rs.50000/- shall be made to SC and ST families displaced from Scheduled Areas.
5	Transportation cost for displaced families	Each affected family shall get a one-time financial assistance of fifty thousand rupees as transportation cost for shifting of the family, building materials, belongings and cattle.
6	Cattle shed/petty shops cost	Each affected family having cattle or having a petty shop shall get one-time minimum financial assistance of twenty-five thousand rupees for construction of cattle shed or petty shop as the case may be.
7	One time grant to artisan, small traders and certain others	Each affected family of an artisan, small trader or self-employed person or an affected family which owned non-agricultural land or commercial, industrial or institutional structure in the affected area shall get one-time financial assistance of minimum of twenty-five thousand rupees.
8	Fishing rights	In cases of irrigation or hydel projects, the affected families may be provided fishing right in the reservoirs with pre-scribed conditions by the appropriate Government.
9	One-time Resettlement Allowance	Each affected family shall be given a one-time "Resettlement Allowance" of fifty thousand rupees only.
10	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.
11	Special provisions for SC/ST categories*	(1) In case of a project involving land acquisition on behalf of a Requiring Body which involves involuntary displacement of the Scheduled Castes or the Scheduled Tribes families, a Development Plan shall be prepared, in such form as may be prescribed, laying down the details of procedure for settling land rights due but not settled and restoring titles of tribals on alienated land by undertaking a special drive together with land acquisition.

	<p>(2) The Development Plan shall also contain a programme for development of alternate fuel, fodder and non-timber forest produce resources on non-forest lands within a period of five years sufficient to meet the requirements of tribal communities as well as the Scheduled Castes.</p> <p>(3) The concerned Gram Sabha or the Panchayats at the appropriate level in the Scheduled Areas under the Fifth Schedule to the Constitution or, as the case may be, Councils in the Sixth Scheduled Areas shall be consulted in all cases of land acquisition in such areas, including acquisition in case of urgency, before issue of a notification under this Act, or any other Central Act or a State Act for the time being in force as per the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (40 of 1996) and other relevant laws.</p> <p>(4) In case of land being acquired from members of the Scheduled Castes or the Scheduled Tribes, at least one-third of the compensation amount due shall be paid to the affected families at the outset as first instalment and the rest shall precede the taking over of the possession of the land.</p> <p>(5) The Scheduled Tribes affected families shall be resettled preferably in the same Scheduled Area in a compact block, so that they can retain their ethnic, linguistic and cultural identity.</p> <p>(6) The resettlement areas pre-dominantly inhabited by the Scheduled Castes and the Scheduled Tribes shall get land, to such extent as may be decided by the appropriate Government, free of cost for community and social gatherings.</p> <p>(7) In case of a project involving land acquisition on behalf of a Requiring Body, the affected families belonging to the Scheduled Castes and the Scheduled Tribes resettled out of the district of acquisition will get twenty-five per cent. Higher monetary benefits under Rehabilitation and Resettlement Scheme.</p> <p>(8) Any alienation of tribal lands or lands belonging to members of the Scheduled Castes in disregard of the laws and regulations for the time being in force shall be treated as null and void; and in the case of acquisition of such lands, the rehabilitation and resettlement benefits shall be available to the original tribal land owners or land owners belonging to the Scheduled Castes.</p> <p>(9) The affected Scheduled Tribes, other traditional forest dwellers and the Scheduled Castes families 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.</p>
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		(10) Where the affected Scheduled Castes and Scheduled Tribes are relocated outside of the district then they shall be paid an additional twenty-five per cent. Rehabilitation and Resettlement benefits to which they are entitled in monetary terms along with a one-time entitlement of fifty thousand rupees.
12	Reservation and other benefits	All benefits, including the reservation benefits available to the Scheduled Tribes and the Scheduled Castes in the affected areas, shall continue in the resettle-ment area. Wherever the affected families belonging to the Scheduled Tribes who are residing in the Fifth Schedule or Sixth Schedule the Sixth Areas are relocated outside these areas, all the statutory safeguards, entitlements and benefits being enjoyed by them shall be extended to the area to where they are resettled regardless of whether the resettlement area is a Fifth Schedule or Schedule Sixth Area or not.
	NOTE.	In case any element of rehabilitation and resettlement package is not provided, the same should be indicated as "NIL" under column (4) and reasons there for to be given.

Note: (i) These entitlements are for both landowners and the families whose livelihood is primarily dependent on land acquired) in addition to those provided in The First Schedule of LARR Bill 2011.

Table 8: Infrastructure LA & RR 2011

1	Roads within the resettled villages and an all-weather road link to the nearest pucca road, passages and easement rights for all the resettled families be adequately arranged.
2	Proper drainage as well as sanitation plans executed before physical resettlement.
3	One or more assured sources of safe drinking water for each family as per the norms prescribed by the Government of India.
4	Provision of Drinking water for cattle.
5	Grazing land as per proportion acceptable in the State.
6	A reasonable number of Fair Price Shops.
7	Panchayat Ghars, as appropriate.
8	Village level Post Offices, as appropriate, with facilities for opening saving accounts.
9	Appropriate seed-cum-fertilizer storage facility if needed.
10	Efforts must be made to provide basic irrigation facilities to the agricultural land allocated to the resettled families if not from the irrigation project, then by developing a cooperative or under some Government scheme or special assistance.
11	All new villages established for resettlement of the displaced persons shall be provided with suitable transport facility which must include public transport facilities through local bus services with the nearby growth centres/urban localities.
12	Burial or cremation ground, depending on the caste-communities at the site and their practices.
13	Facilities for sanitation, including individual toilet points.
14	Individual single electric connections (or connection through non-conventional sources of energy like solar energy), for each household and for public lighting.
15	Anganwadi's providing child and mother supplemental nutritional services.
16	School as per the provisions of the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009).
17	Sub-health centre within two kilometres range.
18	Primary Health Centre as prescribed by the Government of India.
19	Playground for children.
20	One community centre for every hundred families.
21	Places of worship and chowpal/tree platform for every fifty families for community assembly, of numbers and dimensions consonant with the affected area.
22	Separate land must be earmarked for traditional tribal institutions.
23	The forest dweller families must be provided, where possible, with their traditional rights on non-timber forest produce and common property resources, if available close to the new place of settlement and, in case any such family can continue their access or entry to such forest or common property in the area close to the place of eviction, they must continue to enjoy their earlier rights to the aforesaid sources of livelihood.
24	Appropriate security arrangements must be provided for the settlement, if needed.
25	Veterinary service centre as per norms.

4.3 State Laws and Policy on Resettlement and Rehabilitation

4.3.1 The Karnataka Policy on Resettlement and Rehabilitation

The Karnataka Resettlement of Project Displaced Persons Act, 1987 was passed by the legislature in 1987 and received the president's assent in 1994 which was subsequently repealed by The Karnataka Repealing and Amending Act, 2002. Government of Karnataka is yet to bring out a comprehensive and realistic framework on rehabilitation and resettlement (R&R) for the PDFs due to implementation of irrigation projects. In the absence of any State R&R Policy to address the involuntary resettlement, the provisions related to the Land Acquisition Act 1894 and NRRP 2007 provide a floor to the compensation and entitlement for involuntary resettlement in the state.

4.3.2 Land Acquisition Policy: Haryana

In order to compare the land acquisition policy of Karnataka Government with other states, we highlight the policy adopted by Haryana, which is deemed to be rather liberal to the oustee PDFs. Table 9 details the provisions of revised acquisition policy of the state of Haryana. Table 10 details the community infrastructure that needs to be provided in the RCs.

Table 9: Revised Policy for the Floor Rates in Different Parts of the State for Acquisition of Land under the Land Acquisition Act 1984,

HARYANA GOVERNMENT (9th December 2010)

Item	Type of Loss	Application	Entitled Persons	Implementation Issues
1a	Loss of Land	Homestead land, agricultural land, or vacant plot	Owners with legal title or legalizable title	<p>The basic rate of compensation of various categories of land will fixed by a Committee headed by the Divisional Commissioner. For this the Committee shall take into account:</p> <ul style="list-style-type: none"> i. the sale-deed executed in the area during the one year period immediately before issue of Section 4 of the Act, ii. the Collector Rates prescribed for the area for charging the stamp duty on sale deeds, and iii. the Minimum floor rates revised under this policy <p>The highest of the above three rates would form the basis for working out the basic rate, the Committee would not be precluded from taking into account the current prevailing market rates, which could still be higher in certain cases.</p> <p>To the rates so determined, would be added the additional amount as per Section 23(1A) and the 30% amount under Section 23(2) payable in accordance with the Land Acquisition Act, 1984.</p> <p>Payment of an additional amount equal to 20% of the basic rate of land determined by the Land Acquisition Collector (excluding the interest and the Solutium, components) as an incentive for 'No Litigation' – those farmers not challenging the land acquisition in court.</p> <ul style="list-style-type: none"> - While processing applications for this purpose, the applicant would first be considered for grant of a job in the Project for which the acquired land is used, - The erstwhile landowners would be allowed to defer their actual employment in such cases up to a period of 5 years from the date of Award.

	<p>Annuitant for loss of land</p>	<p>As additional social security and benefit scheme for loss of land</p>	<p>To erstwhile land owners</p>	<ul style="list-style-type: none"> The eligible landowners will be paid Annuity @ Rs. 21,000/-per acre per annum for a period of 33 years over and above the usual land compensation; The Annuity amount of Rs. 21,000/-will be increased by a fixed sum of Rs.750/-every year; In respect of land acquired in terms of land acquisition policy for setting up of Special Economic Zone/ Technology Cities/ Technology Parks, in addition to the rehabilitation and resettlement package notified by Industries and Commerce HARYANA GOVT. a sum of Rs. 42,000/-per acre per annum will be paid for a period of 33 years by private developers and the Annuity amount will be increased at the rate of Rs.1,500/-every year; The scheme of Annuity payment will be applicable to all cases of land acquisition Where land acquired is less than one acre, such land owner will have the option of the Annuity amount upfront in one go which is fixed @ 30% of the gross amount of Annuity payable during the 33 years. 	<ul style="list-style-type: none"> The Government Departments acquiring land under a statute shall recover the amount required for discharging the Annuity obligations along with the compensation amount from the concerned agencies, The landowner would be entitled to appoint his nominee and change the same at any time before his demise for receipt of benefits under this Scheme who would step in his shoes after his death and so on so forth till the completion of 33 years period; In cases where a landowner dies intestate without leaving a nominee behind, the Annuity amount for the remainder of the period would be payable to the legal heirs of the deceased erstwhile landowner; The Annuity in respect of land acquired during the preceding calendar year would become due for payment during the month of January of the following year.
<p>Loss of agricultural assets</p>	<p>Pumps, electric tube wells, wells etc</p>	<p>Land owners</p>	<ul style="list-style-type: none"> Wherever the landowner has installed one or more tube-wells with an electricity connection sanctioned on agricultural tariff, and portion of the land whereupon such tube-well is installed is acquired, he would be entitled to alternate tube-well connection(s) in this category either in his un-acquired land or over the agricultural land that he may purchase elsewhere in the state within a period of two years of the Award. 		
<p>Payment for Stamp Duty and Registration charges</p>			<ul style="list-style-type: none"> In case a landowner, whose land is acquired, purchases alternate agricultural land within the state of Haryana within a period of two years of the Award, such purchase of land, limited to the amount of compensation, would be exempt from payment of Stamp Duty and Registration charges. 		

2a	Loss of structure	Residential/ commercial structure and other assets	Owners with legal title or legalizable title	<p>The compensation will be as follows for the owned residential structure/self-occupied house:</p> <ul style="list-style-type: none"> • Upto 150 sq yard will get compensated by 90 sqm residential plot • 150 to 200 sq. yard will be compensated by 150sqm residential plot • 200 to 250 sq yard will be compensated by 200 sqm residential plot • 250 to 300 sq yard will be compensated by 250 sqm residential plot • 300 to 400 sq yard will be compensated by 300 sqm residential plot • 400 to 500 sqyard will be compensated by 350 sqm residential plot • Above 500 sq yard will be compensated by 450 sqm residential plot <p>- As the affected persons would be entitled to compensation on account of acquisition of land and the structures constructed thereon</p>	<ul style="list-style-type: none"> - The self-occupation of such house by the landowner's family as their regular residence would be an essential condition for this purpose. Residential structures used for rental purposes or those in the form of kothrasin the fields would not be reckoned as 'residential houses' for this purpose; - Development and allotment of the residential plots under this part would be the responsibility of the acquiring Department/ agency. - Such plots, to the extent, possible, would be carved out in the area adjoining/ in close vicinity of the village/abadiso that the displaced/ rehabilitated persons continue to remain a part of their social milieu.
Dependent on farmers like black smith, carpenters, potters, masons and barbers, washer men etc			<ul style="list-style-type: none"> • The Government would impart free technical education to the dependents of these categories of people in the Government run Industrial Training Institutes and Polytechnics; • set apart a fund equal to 1% of the Compensation amount for creating adequate skill-sets among the dependents of land-oustees and the affected landless persons; • HSIIDC would stipulate a condition for the allottees of industrial plots to give preference to these people in employment in their industrial projects; 		

Table 10: Community development and infrastructure

S.N.	Compensation	Implementation issue
1	Wherever land is acquired by the Government for development by HUDA, HSIIDC, and the HSAMB, an amount equal to 2% of the Compensation Amount will be set apart by the respective organizations for creation of community development/ infrastructure works in the respective villages.	Setting aside 2% of the compensation amount for Social & Community infrastructure facilities
2	1% of the Compensation amount will be set apart and expended on skill development initiatives for the dependents of oustees and other landless persons dependent on agricultural operations over the acquired land.	Setting aside 1% of the compensation amount for Social & Community infrastructure facilities

5. Definitional Issues

The applicability of the R & R package hinges on the definition of any concept used for implementation of R & R package. The definition of a displaced family is crucial. If it means all people living under one roof and catered by the same kitchen, as in used in Census, it will be different from that treated under the R & R packages, wherein, each adult members of the family is treated as a nuclear family. The treatment of widows, unmarried females, etc. is also of crucial importance, both from the point of social justice and gender fairness. In Table 11, we provide a synoptic view of the comparisons of definitions used in LA & RR Bill 2011 and NTPC 2010 award, which is one of the most recent and least contentious awards.

Table 11: A Comparative View of Definitions

Concept	Definition	Source
Affected area	Area notified by the appropriate Government for the purposes of land acquisition Area of village or locality notified by the concerned State Govt. under Land Acquisition Act-1894 (or equivalent Act)	(LARR 2011) NRRP 2007/ NTPC R & R Policy 2010
Affected family	<p>i. A family whose land or other immovable property has been acquired or who have been permanently displaced from their land or immovable property;</p> <p>ii. A family which does not own any land but a member or members of such family may be agricultural labourers, tenants, share-croppers or artisans or 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;</p> <p>iii. Tribals and other traditional forest dwellers who have lost any of their traditional rights recognised under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 due to acquisition of land;</p> <p>iv. A 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 is affected due to acquisition of land;</p> <p>v. 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;</p> <p>vi. family residing on any land in the urban areas for preceding three years 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</p>	(LARR 2011)
	<p>A family/person whose primary place of residence or other property or source of livelihood is adversely affected by the acquisition of land for a project or involuntary displacement for any other reason; OR</p> <p>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; OR</p> <p>Any agricultural or non-agricultural labourer, landless person (not having homestead land, agricultural land, or either homestead or agricultural land), rural artisan small trader or self-employed persons, who has been residing or engaged in any trade, business, occupation or vocation continuously for a period of not less than three years preceding the date of declaration of the affected area, and who has been deprived of earning his livelihood or alienated wholly or substantially from the main source of his trade, business, occupation or vocation because of the acquisition of land in the affected area or being involuntarily displaced for any other reason</p>	NRRP 2007/ NTPC R & R Policy 2010

Table 11: A Comparative View of Definitions (Contd..)

Family	<p>Includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on him; 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.</p> <p>Includes a person, his or her spouse, minor sons, unmarried daughters minor brothers, unmarried sisters, father, mother and other relatives residing with him or her and dependent on him or her for their livelihood; and includes “nuclear family” consisting of a person, his or her spouse and minor children.</p> <p>Does not mention every adult as separate family for purpose of award.</p>	(LARR 2011)
displaced family	<p>Any family, who on account of acquisition of land has to be relocated and resettled from the affected area to the resettlement area</p> <p>Any tenure holder, tenant, Government lessee or resident owner whose homestead is acquired for the project and needs to be physically relocated.</p>	<p>NRRP 2007/ NTPC R &R Policy 2010</p> <p>(LARR 2011)</p>
cost of acquisition	<p>includes—</p> <p>(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;</p> <p>(ii) demurrage to be paid for damages caused to the land and standing crops in the process of acquisition;</p> <p>(iii) cost of acquisition of land and building for settlement of displaced or adversely affected families;</p> <p>(iv) cost of development of infrastructure and amenities at the resettlement areas;</p> <p>(v) cost of rehabilitation and resettlement as determined in accordance with the provisions of this Act;</p> <p>(vi) administrative cost,—</p> <p>(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;</p> <p>(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;</p> <p>(vii) cost of undertaking ‘Social Impact Assessment study’.</p>	<p>NTPC R &R Policy 2010</p> <p>(LARR 2011)</p>

Table 11: A Comparative View of Definitions (Contd..)

<p>cost of acquisition</p>	<ul style="list-style-type: none"> • facilitation for purchase for “Land for land”, <ol style="list-style-type: none"> a. land development amount @ 16,000/- (sixteen thousand) per acre as per entitlement subject to a maximum of 2 Ha b. Actual land registration and stamp duty charges as per entitlement to a maximum of 2 Ha, to those who actually purchase the land and submit the required papers c. A lump sum amount of `12,000/- for agricultural production in case of allotment /purchase of land in lieu of land acquired. d. Reimbursement of the actual stamp duty and registration charges of upto one acre to those PAPs who though, losing less than one acre of land, purchase land upto one acre out of the grants and compensation money, e. Rehabilitation Grant where land for land not feasible, • Reimbursement of actual stamp duty and registration charges upto one acre of purchase of land in case other categories of PAPs also buy land through the grants provided to them • Employment: <ol style="list-style-type: none"> a. Employment as per GOI's NRRP-2007 b. Cash in lieu of employment in the form of Annuity or otherwise could also be considered as a Rehabilitation Grant (RG) c. in case of provision of employment at a later date, the annuity shall be discontinued • Rehabilitation Grant (RG) <ol style="list-style-type: none"> a. If a land owner category PAP does not wish to go for LFL option or the same is not feasible, he/ she will be entitled for a RG. RG could be in different forms-fixed or regular (in the form of annuity). It could be uniform or varying in different slabs. Various combinations could also be worked out depending upon the local feasibility and requirement. b. If a fixed and uniform RG is decided to be paid, the RG will be at least generally 1000 days Minimum Agricultural Wage (MAW) in the concerned State/ UT at the time of Section-4 notification under LA Act or equivalent for all the land owner categories viz Category-B to E & H. For the categories-F & G, the RG will be generally 750 days MAW . c. For the Category-I the RG will vary depending upon the type of P AP as per Category-B to H. d. The RG however, could also be suitably fixed on varying basis say on per acre of land loss basis, slab basis etc., in consultation with the stakeholders, as per need at any specific project. e. Alternately RG could be finalized as a percentage of basic compensation paid based on the discussions and consultation in VDAC, state specific policy requirement etc. 	<p>NTPC R & R Policy 2010</p>
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<p>cost of acquisition</p>	<ul style="list-style-type: none"> • Annuity <ol style="list-style-type: none"> a. RG could be in a form of Annuity purchased through some financial institution b. In case of Annuity being decided in lieu of employment or any other rehabilitation option, NTPC would purchase / bear the onetime cost of Annuity from any financial institution, preferably from LIC. • Lump sum Cash Lump sum cash in lieu of employment would be considered in case the stakeholders are not agreeing for Annuity policy in lieu of employment. Rehabilitation amount in form of cash grant would be considered for payment on submission of an affidavit by the P AP in support of intent for purchase of some asset and such amount would be paid as a onetime final settlement for rehabilitation on signing of a tripartite agreement by the P AP, NTPC and the district administration. 	<p>NTPC R & R Policy 2010</p>
<p>land</p>	<p>includes benefits to arise out of land, and things attached to the earth or permanently fastened to anything attached to the earth (A parcel of earth with all its attributes)</p>	<p>(LARR 2011)</p>
<p>Agricultural land</p>	<p>Not explicitly defined Lands being used for the purposes of: (i) agriculture or horticulture; (ii) dairy farming, poultry farming, pisciculture, breeding of livestock or nursery growing medicinal herbs; (iii) raising of crops, grass or garden produce; and (iv) land used by an agriculturist for the grazing of cattle, but does not include land used for cutting of wood only.</p>	<p>NTPC 2010 NRRP 2007</p>
<p>land owner</p>	<p>includes any person,— (i) whose name is recorded as the owner of the land or building or part thereof, in the records of the concerned authority; or (ii) any person who is granted Patta 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; (Inheritors or legal heirs)</p>	<p>(LARR 2011)</p>
<p>landless</p>	<p>Not explicitly defined 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 clause (a), as may be specified by the appropriate Government;</p>	<p>NTPC 2010 (LARR 2011)</p>
<p>marginal farmer</p>	<p>Not having homestead land, agricultural land or either homestead or agricultural land. means a cultivator with an un-irrigated land holding up to one hectare or irrigated land holding up to one-half hectare</p>	<p>NTPC 2010 (LARR 2011)</p>
<p>small farmer</p>	<p>—“— 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.</p>	<p>(LARR 2011) NTPC 2010</p>
	<p>—“—</p>	<p>NTPC 2010</p>

Table 11: A Comparative View of Definitions (Concluded)

Minimum land value	(a) the minimum land value, if any, specified in the Indian Stamp Act, 1899 for the registration of sale deeds or agreements to sell, as the case may be, in the area, where the land is situated;	(LARR 2011)
Average sale price/ Market value of land	<p>Not specified, perhaps decided by Land Acquisition Act 1894.</p> <p>Sale price for similar type of land situated in the nearest village or nearest vicinity area, whichever is higher. It shall be determined taking into account the sale deeds or the registered agreements to similar type of land in the nearby village or near vicinity area during immediately preceding three years of the year in which such acquisition of land is proposed to be made. One-half of the total number of sale deeds or the agreements to sell in which the highest sale price has been mentioned shall be taken deemed as the market value of land.</p> <p>The floor price or minimum price per unit area specified above in respect of similar types of land situated in the immediate adjoining area may be used as a proxy for the market value of land in situations: (i) where land markets are absent as the land is situated in such area where the transactions in land are restricted by or under any other law for the time being in force; (ii) the registered sale deeds or agreements to sell for similar land are not available for the immediately preceding three years; and, (iii) the minimum land value has not been specified under the Indian Stamp Act, 1899 by the appropriate authority,</p> <p>Market value of land mentioned multiplied by 2 in case of rural and 1 in case of urban area for the award purpose. This should also be a floor price for urban compensation.</p>	NTPC 2010 (LARR 2011)

6. Entitlement Matrices of Various R & R Packages Implemented & The Benchmark Policies to be Considered

6.1 NTPC, CIL and KSHIP R & R Policies

In this section, we provide some of the actual packages implemented and the benchmark policies to be implemented. Since there is also an issue of comparability of oustees of UKP stage I and II with Stage III, we provide the UKP stage I & II package as well. It may be noted that since the NRRP provides the floor for R & R entitlements and also that the recent R & R packages by other projects have set the expectations of the PAPs of UKP Stage III, it may not be very relevant to discuss the older R & R packages. Tables 12, 13A, 13B, 14 and 15 give a comparative view of the R & R policies implemented by NTPC 2010, Coal India Ltd. 2012, and Karnataka State Highways Improvement Project

Table 12: Compensation for Acquisition of Land from Owners with legal/Legalizable Title[@]

NTPC 2010	Coal India 2012	Karnataka State Highways Improvement Project
<p>Land for land option was applicable to those from whom the land was acquired. Land was provided subject to the ceiling of maximum of 1 Ha of irrigated land or 2 Ha of un-irrigated / cultivable waste land subject to availability of Government land in the district. Even if there were other people who were ready to sell the lands to the displaced people the above specified limits remained valid.</p> <p>Land development amount of Rs. 16,000 was paid subject of a maximum of 2 Ha.</p> <p>Actual land registration and stamp duty charges were also to be paid subject to a maximum of 2 Ha.</p> <p>A maximum of Rs. 12,000 was to be paid for agricultural production.</p>	<p>Land compensation was based on the provisions of the concerned state Government. In case such provisions did not exist, the prices prevailing in neighbouring States were to be used as proxies for compensation.</p> <p>Additional solatium was to be paid as per the provisions of the state policy/law/Act.</p> <p>Employment: Employment was to be provided taking into account the quantum of land acquired (in acres) divided by 2. For every purchase of land one employment can be considered.</p> <p>Those who could not be given employment were to receive Rs. 5,00,000 as lump sum payment</p>	<p>Compensation was based on the Karnataka State Highways Act of 1964.</p> <p>Following provisions were applicable for the PDFs Stamp Duty + Registration charges</p> <p>Loss of crops was to be compensated based on the norms of Horticulture Department</p> <p>Grant of Rs. 15,000 for the replacement of cattle shed</p> <p>Replacement of bore wells subject to availability of water</p> <p>If a PDF got converted into Marginal Farmer category due to land acquisition, it was to receive Rs. 75,000 as a source for income generation.</p> <p>Those who loose narrow stretch of land will get Rs. 20,000.</p>

[@]: Entitled PDPs are owners of homestead land, agricultural land, or vacant plot.

Table 13A: Compensation for Loss of Structure to Owners with legal or Legalizable Title^{@@}

NTPC 2010	Coal India 2012	Karnataka State Highways Improvement Project 2009
<p>Rs. 47,000 for construction of house subject upward revision. Not applied if a constructed house was to be provided.</p> <p>Rs. 19,000 for construction of cattle shed</p> <p>Rural artisans / small business people will get Rs. 31,000 for construction of work Shed / shop in tune with their earlier vocation</p>	<p>Rs. 30,000 was to be paid as one time lumpsum amount in lieu of alternate house site, Shifting allowance, compensation for work shed etc.,</p> <p>Each affected displaced family was entitled for a subsistence allowance @ 25 days per month for one year</p>	<p>Compensation for residence was to be based on prevalent PWD schedule rates + 30 per cent solatium. Rs. 40,000 for construction of house</p> <p>Additional 25 % for partially affected structures. Rs. 10,000/- as shifting allowance Subsistence allowance of Rs. 30,000/-</p> <p>Compensation for commercial structure was based on prevalent PWD schedule rates + 30 per cent solatium.</p> <p>Compensation for Shops/ Income generation – up to Rs. 75,000 Rs. 10,000 – Shifting assistance</p> <p>Subsistence Allowance – Rs. 30,000</p>

@@: Entitled PDPs are owners of commercial/ Residential/structure and other assets

Table 13B: Compensation for Loss of Structure to Tenants/leaseholders/Encroachers/Squatters^s

NTPC 2010	Coal India 2012	Karnataka State Highways Improvement Project 2009
<p>Any affected BPL family which is without homestead land and which has been residing in the affected area continuously for a period of not less than three years preceding the date of declaration of the affected area and which has been involuntarily displaced from such area, shall be entitled to house of minimum 100 sqm carpet area in rural areas (50 sqm in urban area).</p>	<p>Will assist PAP to take up non -farm self employment through petty contracts or formation of co-ops. If such co-ops will not be entitled for awarding work as per manual for lack of experience, the said co-ops will facilitated by awarding small jobs to acquire experience after relaxation of the provisions of the Manual pertaining to experience with approval of the Subsidiary Boards.</p> <p>Contractors will also be persuaded to give job eligible PAPs on preferential basis, where feasible as per terms of contract</p>	<p>Residential:</p> <p>Rental Allowance – Rs. 500 for rural areas and Rs. 100 for urban areas</p> <p>Shifting allowance Rs. 10, 000 for commercial structures. + Rental allowance of Rs. 1000 for rural and Rs. 1500 for urban areas.</p> <p>Rs. 75,000 as assistance for income generation. Non-Title holders</p> <p>One house in RC or developed plot with a construction cost of Rs. 40,000</p> <p>Subsistence allowance – Rs. 15,000</p> <p>Shifting allowance of Rs. 5000</p> <p>Non-Title holders – Commercial 1 shop of 100 sq ft. Or Rs. 30,000 for income generation</p> <p>Shifting allowance - Rs. 5,000</p> <p>Subsistence allowance Rs. 15,000</p>

^s: Entitled PDPs are occupants of commercial/ Residential/structure and users of other assets

Table 14: Compensation for Loss of Livelihood#

NTPC 2010	Coal India 2012	Karnataka State Highways Improvement Project 2009
<p>Since direct job opportunities in NTPC are restricted, cash payment in lieu of employment in the form of Annuity or in the form of Rehabilitation Grant.</p> <p>Added to this was one time grant of Rs. 31,000/- for construction of working shed/ shop.</p>	<p>Tribal affected family will be given one time financial assistance to 500 days Minimum Agricultural Wage for loss of customary right or usages of forest produce. Loss of customary rights needs to be authenticated by district authority.</p>	<p>Subsistence allowance of Rs. 15,000.</p>

PAPs eligible for compensation are: Business owners, tenants, leaseholders, employees, agricultural workers, hawkers/vendors.

Table 15: Special Provisions for Vulnerable Displaced Persons

NTPC 2010	Coal India 2012	Karnataka State Highways Improvement Project 2009
<p>If 200 or more tribal families are displaced a Tribal Development Plan shall be prepared.</p> <p>Each tribal PAP shall get additional financial assistance equivalent to 500 days</p> <p>Tribal PAPs resettled out of the district/taluk will get 25% higher R&R benefits in monetary terms. Tribal people will also get priority fishing rights</p>		<p>Assistance to include in government pension schemes if not included , if eligible as per Government criteria (OR) Lump-sum amount of Rs. 25,000</p>

In addition to this, NTPC R & R package consisted of Subsistence allowance equivalent to 25 days of Minimum Agricultural Wages (MAW) per month for a period of one year up-to 300 days for Temporary loss of livelihood to business owners, tenants, leaseholders, employees, agricultural workers, hawkers/vendors and the financial assistance of 31,000 for petty business operators PDPs who continued with their earlier vocation.

6.2 UKP Stage I & II

Government of Karnataka formulated a comprehensive R&R policy vide G.O.No.RD21/ REH24(P), dated: 15-5-1995. Nearly 2,54,000 Acres of land and 70,015 structures have been acquired in earlier stages of UKP, under the provisions of Land

Acquisition Act of 1894. In order to avoid middlemen and lawyers, consent awards have been passed in majority of the cases. GoK fixed prices for agricultural lands. These rates have been revised from time to time. Details are as follows.

Table 16: Land Acquisition in UKP Stage I & II

I	As on order dated 19.06.1998	
	For Dry Land D5/Q Land A	
	1. Irrigated land/Acre	Rs. 48,000/-
	2. Submergence Land / Acre	Rs. 54,000/-
	For Wet Land	
	1. Single Crop/Acre	Rs.90,000/-
	2. Double Crop/Acre	Rs.1,14,000/-
II	As on order dated: 21-07-2001.	
	For Dry Land	Rs. 70,200/-
	For Wet Land	
	1. Single Crop/Acre	Rs. 1,17,000/-
	2. Double Crop/Acre	Rs. 1,48,200/-
III	As on order dated: 03-01-2007.	
	Dry Land/Acre	Rs.1,05,300/-
	Wet Land	
	1. Single Crop/Acre	Rs. 1,75,500/-
	2. Double Crop/Acre	Rs.2,23,300/-

This order also provided R & R entitlements like House Construction Grant (HCG), Land Purchase Grant (LPG) and Income Generating Scheme (IGS). These Schemes are given in Table 17.

Table 17: R & R entitlements in UKP vide G.O.No.RD21/ REH24(P), dated: 15-5-1995

1	House Construction Grant(HCG).	Rs.22,000/- Exgratia along with a free site to head of the house hold and two major sons of the head of the house hold. Separate living brothers and 35 year old unmarried daughter of head of the household. This is in addition to the compensation paid to the owner of the property as per the provisions of Land Acquisition Act,1894.
2	Subsistence Allowance(S.A)	Rs.2,800 to the Head of the household who shifted to Rehabilitation Centre.
3	Land Purchase Grant (LPG)	<p>a) For the Persons who had lost the land to an extent of 25 Gunta to 8 Acres 30 Gunta is Rs.60,000/-.</p> <p>b) For the Persons who had lost the land to extent of 8.31 Acres to 16.35 acres is Rs.40,000/-</p> <p>c) For the Persons who had lost the land to an extent of 16.36 Acres to 25 Acres is Rs.20,000/-</p> <p>d) For the Persons who had lost the land More than 25Acres No LPG will be given.</p> <p>This is in addition to the compensation paid to the owner of the property as per the provisions of Land Acquisition Act,1894 and 59,202 PDFs have already availed above benefits.</p>
4	Income Generating Scheme	<p>In this scheme beneficiary given training in his desired vocation at free of cost. The training is imparted by an N GO. After training the beneficiary is given with Rs.20,000/- as exgratia to start his new avocation. The beneficiary is classified and selected from the following strata.</p> <p>1.Rs.20,000/- to Agricultural Labourers.</p> <p>2. Rs.20,000/-PDF who has lost some of his land and is left with less than 1.5 hectres for irrigated land and 3 hectres for non irrigated land.</p> <p>3. } PDF which has left a part of his land but which is left with more than 1.5 hectare of Irrigated and 3 hectare of non Irrigated land.</p> <p>a) Rs.5000/- Exgratia</p> <p>b)Rs.7,500/- Bank Loan</p> <p>c) Rs.7,500/- land Self Contribution.</p>

In addition to these, the government provided free Vocational Education to the children of affected families. They were provided monthly Stipend of Rs.400/-, Books and other accessories. As per the information provided by KBJNL, 2408 students have availed these benefits. Further, the government also provided 5% job reservation for the children of affected families vide Government Order No.DPAR/23/SRR/99, dated:23-11-2000.

When PDFs were in the transit process of shifting to the RCs, they were provided with temporary shelters until completion of construction of their houses, with all basic amenities along with food and medical facilities at the site of habitation.

Valuation of Structures and Horticultural Crops has been obtained from the experts in the relevant fields. If PDFs agreed to the consent award, 50% of the Market Values has been added and given as compensation to the rightful owner of the property. If they have not agreed to the consent award they are given with Market value + 30% solatium +12% additional Market Value. However, these PDFs/PDPs could approach the Civil Court under section 18 of the Land Acquisition Act for enhanced compensation. In view of the large number of cases that were filed in various Civil Courts and to end the litigation expeditiously, Lok Adalat have been conducted.

6.2.1 Land owning displaced person of a displaced family

6.2.1.1 Adult brothers of the land owning displaced person of a displaced family

who had attained the age of 18 years as on 01.01.1984 in respect of Narayanapur Dam & Canals/ 01.01.1993 in respect of Alamatti Dam & Canals, and who on specified dates were residing in the same house as the displaced family, were treated as independent displaced person. Each such major brother losing the house in which the family was living, was eligible for a residential site with an area not exceeding 100 Sq.mtr in the Resettlement Center or cash payment not exceeding Rs. 2,500/- in lieu of such a site and a Housing Grant of Rs. 22,000/- for construction of a house on the site granted to him or acquired by him.

6.2.1.2 The housing package was also extended to not more than two major sons,

the cut-off dates for their eligibility being the same as stated above, the choice of these two major sons being exercised by the main project displaced person. Major sons of a displaced family eligible for benefits as explained above were entitled in addition to the Housing Grant of Rs. 22,000/-, to a site of not exceeding 100 Sq.mtr free of cost in the Resettlement Center or to a Cash Grant not exceeding Rs. 2,500/- in lieu of a free site.

6.2.1.3 All the never-married major daughters of a family, who have attained the age of 35 years as on the cut-off dates mentioned above, were also eligible for the above housing facilities.

6.2.1.4 Landless displaced family and also its major sons were eligible for a free house site not exceeding 100 Sq.mtr in the Resettlement Centre and an ex-gratia Housing Grant of Rs.22,000/-.

In Table 16, we provide entitlement matrix for UKP Stage I and II

Table 18: Entitlement Matrix of UKP Stage I & II

Component of R & R package	Purpose	Eligibility/ Endowment to	Guiding Principle & Amount
Monetary Compensation	Acquisition of Agricultural land	Land losers with land titles	<p>Land Rates : Prevailing Market value of land as registered in land transactions records of Revenue Department</p> <p>Land Prices Per Acre (Govt Order Dated 03-01-2007):</p> <ul style="list-style-type: none"> • Dry land: Rs.105300/- • Irrigated land with single crop: Rs.1,75,500/- • Irrigated land with with double crops: Rs.2,23,300/-.
	Acquisition of Structures	People losing structures with ownership of structures	<p>Valuation on the basis of SR of PWD prevailing on the date of notification.</p> <p>Undepreciated value to be increased by 50 % (to take care of solatium, margin towards higher market rates and interest)</p> <p>GO dated 27-01-2001: Approval for increasing the rates of PWD SR pf 1996 Belgaum Circle by 6 % every year.</p>
Ex-gratia payment	Purchase of agricultural land by land loser	Up to 1.5 ha of irrigated land in the command area or 3 ha of non-irrigated land to the affected family losing all their land.	Not exceeding Rs. 60,000/- in a graded manner,
Land Purchase Grant	Purchase of agricultural land by land loser	<p>Those PAFs who own less than 25 acres of land all of which has been acquired rendering them landless.</p> <p>Not paid to big land holders owning more than 10 ha and who have lost all of their lands.</p> <p>Not paid to PAFs who own and lost less than half acre of land and to</p>	<p>The amount of Land Purchase Grant varies from Rs.20,000/- to Rs.60,000/- to the PAFs depending on the extent of agricultural land holding lost and extent of land left after acquisition.</p>

			PAFs who are left with sufficient holdings after losing part of their lands.	
Provision for an income generating scheme	Income generating scheme	Affected Family losing a part of its land and <i>left with less than</i> 1.5 ha of irrigated land in the command area or 3 ha of non-irrigated land.	Not exceeding Rs.20,000	
Ex-gratia payment	To partially meet the cost of Income Generating Scheme and Bank loan	The affected family losing a part of its irrigated land or 3 ha of non-irrigated land after acquisition, shall be eligible for ex-gratia payment.	Not exceeding Rs.5,000/- to meet up to 25% of the cost of Income Generating Scheme and Bank loan not exceeding Rs. 7,500/-.	
Land and ex-gratia grant	income generating scheme	Landless PAF whose livelihood, trade or business has been adversely affected	(i) 0.5 ha of irrigated land in the command area or 1 ha of non-irrigated land (not exceeding Rs. 20,000/- in value), or (ii) an ex-gratia grant not exceeding Rs. 20,000/- for income generating scheme.	
House plot	Shelter	PAF losing its house	Up to 400 Sq.mtrs at the Resettlement Center free of cost or Rs. 2,500/- in lieu thereof	
Transportation of the belongings to the RC		PAF	Free of cost by the project authorities	
subsistence allowance	To defray the cost of food, medical care, fuel wood and fodder	PAF	Payment of Rs. 2,800/- (fixed amount) to PAF for the first six months & free ration of 40 Kilo Grams of rice, 40 Kilo Grams of Wheat, 2 Kilo Grams of Sugar and 5 Litres of Kerosene oil are given to the family.	
Ex-gratia	Income Generating Scheme	Adult landless agricultural labourers	Not exceeding Rs.20,000/-.	

House Plot & Housing Grant	Shelter	A land owning displaced family which has lost one or more houses owned by it and living in at least one house	House site of not more than 400 Sq.mtr and An amount of Rs.22,000/- was paid to the main displaced person or two major sons and unmarried daughter and the brothers or brothers' wives of main displaced person losing their houses.
Vocational training	Skill development	Eligible youth	For periods varying from one to four years.
Limited Skill development	Livelihood	PAPs	Through NGOs
Job Reservation	Livelihood	Qualified PAPs	5% job reservation in Government Departments in C&D categories
Waiver of stamp duty	Replacement of assets	PAFs	on purchase of land / house upto the limit of compensation paid
Cultural Rehabilitation	Reconstruction of submerged temples	Submerging Villages	For construction of these temples in the RCs, local Committees had been formed as per guidelines issued by Government
	Grave yards/ Crematorium		Appropriate number of Grave yards/ Crematorium constructed in RCs.
Infrastructure	Roads connectivity	RCs	The roads include internal roads, asphaltting approach roads / link roads and CD works in Resettlement Centres
Buildings	Community rehabilitation	RCs	School buildings, Anganawadi, ANM Centres, rural veterinary dispensaries, Samudaya Bhavan, bus shelter, Dhobi Ghat, CGPO and toilets.
Electrification and water supply	Improved standard of living	RCs	To be provided by Government

6.3 *The Railways (Amendment) Act 2008*

The Railways (Amendment) Act 2008 came into force on the January 31, 2008, wherein a new chapter IVA pertaining to the **Land Acquisition for a Special Railway Project** was inserted. The various provisions of the act are as follows. The various sections of the Act are given below.

20A Power to acquire land, etc: Where the Central Government is satisfied that for a public purpose any land is required for execution of a special railway project it, may, by notification declare its intention to acquire such land.

20B. Power to enter for survey: On the issue of a notification under sub-section (1) of section 20A, it can undertake or authorize an agency to undertake the survey of the area and people therein.

20C. Evaluation of damages during survey, measurement, etc.: The damages caused particularly relating to land which is excluded from acquisition proceeding, have to be evaluated and compensation should be paid to the persons having interest in that land, within six months from the completion of the said works

20D. Hearing of objections, etc.: Any person interested in the land may, within a period of thirty days from the date of publication of the notification object to the acquisition of land for the said purpose. The objector has to be given an opportunity of being heard, either in person or by a legal practitioner. After hearing all such objections and after making such further enquiry, if any as the competent authority thinks necessary, by order, either allow or disallow the objections.

20E. Declaration of acquisition: after 20D process: The Central Government shall declare, by notification, that the land should be acquired for the purpose mentioned in section 20A.

20F. Determination of amount payable as compensation: The competent authority shall make an award under this section within a period of one year from the date of the publication of the

declaration and if no award is made within that period, the entire proceedings for the acquisition of the land shall lapse.

Provided that the competent authority may, after the expiry of the period of limitation, if he is satisfied that the delay has been caused due to unavoidable circumstances, and for the reasons to be recorded in writing, he may make the award within an extended period of six months:

Further, where an award is made within the extended period, the entitled person shall, in the interest of justice, be paid an additional compensation for the delay in making of the award, every month for the period so extended, at the rate of not less than five percent, of the value of the award, for each month of such delay.

Before proceeding to determine the amount under sub-section (1) or sub-section (3) as the case may be, the competent authority should give a public notice published in two local newspapers, one of which shall be in a vernacular language inviting claims from all persons interested in the land to be acquired.

The provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996) shall apply to every arbitration under this Act

Criteria for compensation

- a. the market value of the land on the date of publication of the notification under section 20A;
- b. the damage, if any sustained by the person interested at the time of taking possession of the land, due to severing of such land from other land;
- c. the damage, if any sustained by the person interested at the time of taking possession of the land, by reason of the acquisition injuriously affecting his other immovable property in any manner, or his income;

- d. If due to acquisition of the land, the person interested is compelled to change his/her residence or place of business, the reasonable expenses, if any, incidental to such change should be provided.
- e. In addition to the market-value of the land as above provided, the competent authority or the arbitrator, as the case may be, shall in every case award a sum of sixty per centum on such market-value, in consideration of the compulsory nature of the acquisition. In brief, a solatium of 60 % on market value of land is to be paid.

20G. Criterion for determination of market-value of land: These are exactly the same as in NRRP 2007 or LARR 2011, except the fact that multipliers in the case of the latter for rural areas is not applied.

- a. the minimum land value, if any, specified in the Indian Stamp Act, 1899, (2 of 1899) for the registration of sale deeds in the area, where the land is situated; or
- b. the average of the sale price for similar type of land situated in the village or vicinity, ascertained from not less than fifty percent. of the sale deeds registered during the preceding three years, where higher price has been paid, whichever is higher.

If the a and b cannot be applied, then the concerned State Government should use market value of similar type of land situated in the adjoining areas or vicinity.

In determining the market-value of the building and other immovable property or assets attached to the land or building which are to be acquired, the competent authority may use the services of a competent engineer or any other specialist in the relevant field, as may be considered necessary by the competent authority.

(5) The competent authority may, for the purpose of determining the value of trees and plants, use the services of experienced persons in the field of agriculture, forestry, horticulture, sericulture, or any other field as may be considered necessary by him.

(6) For the purpose of assessing the value of the standing crops damaged during the process of land acquisition proceedings, the competent authority may utilise the services of experienced persons in the field of agriculture as he considers necessary.

Deposit and payment of amount:

The amount determined under section 20F shall be deposited by the Central Government, in such manner as may be prescribed by that Government, with the competent authority before taking possession of the land.

Where the amount determined under section 20F by the arbitrator is in excess of the amount determined by the competent authority, the arbitrator may award interest at nine percent annum on such excess amount from the date of taking possession under section 20-I till the date of actual deposit thereof

20N. Land Acquisition Act 1 of 1894 not to apply: Nothing in the Land Acquisition Act, 1894 shall apply to an acquisition under this Act.

20-O. Application of the National Rehabilitation and Resettlement Policy, 2007 to persons affected due to land acquisition: The provisions of the National Rehabilitation and Resettlement Policy, 2007 for project affected families, notified by the Government of India in the Ministry of Rural Development vide number F. 26011/4/2007- LRD dated the October, 31, 2007, are applicable in respect of acquisition of land by the Central Government under this Act.

6.4 Rehabilitation & Resettlement: Mangalore SEZ Limited

Mangalore SEZ Limited has played a proactive role in finalizing the Rehabilitation & Resettlement (R&R) package. The package is considered to be one of the best in Karnataka. The R&R package is applicable to the Project Displaced Families (PDFs) in addition to the cost of land, structures, trees and crops. In addition, MSEZ has formulated an R & R Policy in consultation with PDFs and the District Administration along the lines of the R & R package

implemented in the region for other developmental projects like MRPL, Mangalore International Airport, Nagarjuna Power Plant and Sea Bird Project of Karwar.

A Project Displaced Person, as defined in this package is, either land owning or landless, who for at least one year prior to the date of publication of the notification under section 28(1) of the KIADB Act 1966 for the purpose of acquiring the land for the above Project, has ordinarily been residing in, or cultivating land, or working for gain in the concerned Project area or carrying any trade/occupation would be or has been displaced from his or her usual places of residence or work due to such land acquisition."

The package provides for allotting developed sites to the PDFs as follows:

- One site for the head of the family
- In addition, two sites for any two co-parceners
- An extra site for unmarried daughter over 35 years of age
- An extra site for widowed daughter
- An extra site for widowed daughter in-law
- An extra site for physically handicapped member
- Cash compensation in lieu of site

Some of the salient features include the following:

- Rehabilitation grants based on the extent of land lost
- Ex-gratia housing grants
- Subsistence allowance
- Transportation grants
- Payment of house rentals till one year
- Financial assistance to rural craftsmen/small traders/petty businessmen
- Right to use salvaged material
- Special grant for relocation of family deity
- Providing a job per family/cash compensation in lieu of job
- Providing training for the eligible members of the PDF
- Development of a full fledged R&R Colony

The package mandates the development of an R&R Colony with all common facilities like roads, drainage, water supply, electricity, street lights, health centre, community centre, anganawadi, school, ration shop, bank, market place, burial ground, places of worship and post office. Towards this, MSEZ has already acquired 300 acres of land and is developing the R&R colony. This land has been identified in consultation with the PDFs.

MSEZ has given substantial emphasis on training eligible members of PDFs. The objective of MSEZ has been to give long term and meaningful training, which will eventually ensure decent employment to the displaced persons and help them improve their socio-economic status in a significant manner.

This scheme has already been started through an agreement signed with the prestigious institution viz. Karnataka Polytechnic, Mangalore, by which up to 650 candidates will be trained for Diploma equivalent in Engineering (various branches like Chemical, Mechanical, Electrical and Civil.). As part of this course, each candidate will be trained for a period of three years. This is a specially designed course exclusively for the Project Displaced Candidates of Mangalore SEZ Project and will be run by the Karnataka Polytechnic from 02.00 pm to 7.30 pm everyday. In this connection, MSEZ has also provided the college with an additional generator to take care of any power failures during the evening hours.

In addition to the entire cost of such long term training, MSEZ is also providing the students accessories like uniforms, raincoats, scientific calculators and mini drafters. MSEZ is also paying for the bus passes and a stipend.

In addition, MSEZ is evolving other training schemes for the other eligible members of PDFs, who have either not passed the 8/10th Class and are hence ineligible for the course in Karnataka Polytechnic or are interested in other kinds of courses which are non-engineering in nature.

It has been agreed to give alternate land for places of worship up to the extent of 1.5 times the area of the existing places of worship. In addition, the entire cost of building the place of worship would be met by the Company (should not cross 1.5 times of the actual compensation). The actual construction would be handled by the local Committees themselves. Further, the Company has also agreed to reimburse the cost of ceremonies involved in relocating the idols.

R & R Committee is formed to oversee and monitor the implementation of R & R package under the Chairmanship of Deputy Commissioner of D K district comprising representatives from KIADB, MSEZ, relevant district officers and representatives of PDFs.

7. Suggestions of CMDR Emanating from the Review of Literature and Personal Interactions.

The PDFs/PDPs have brought to attention of CMDR team the following facts, which need to be avoided.

1. The disintegration to social life by ad hoc geographical resettlement.
2. Prayer places have been divorced from residential localities.
3. Plots have been allotted indiscriminately and not based on any criteria.
4. Land with fertile soil has been used for locating offices and black cotton soil has been given to residents for construction of houses which is not suitable for a firm foundation of houses.
5. Centre of the city has been occupied by offices and other purposes, such as, police quarters, etc, rather than being allotted for community purpose. Market areas located far away from residential localities
6. Most of plots are lying vacant and construction has taken place only on 50 % of the allotted land for house construction.
7. There is no market at the central place.

Table 19: Suggestions from CMDR

Component	Suggestions from CMDR
<p>1. Land Acquisition</p>	<p>1. <u>COMPENSATION TO BE GIVEN FOR ACQUISITION OF LAND FROM LAND OWNERS</u></p> <p>A. Market value of the land to be paid:</p> <ol style="list-style-type: none"> a. the minimum land value, if any, specified in the Indian Stamp Act, 1899 for the registration of sale deeds in the area, where the land is situated; or b. the average of the sale price for similar type of land situated in the village or vicinity, ascertained from fifty percent of the sale deeds registered during the preceding three years, where higher price has been paid; or c. whichever is higher <p>The market value calculated according to the above norms should be multiplied by three in rural areas.</p>

	<p>B. Value of the assets attached to land to be paid: Building/Trees/Wells/Crop etc as valued by relevant government authority;</p> <p>C. Compensation for land acquisition = 1+2</p> <p>D. Solatium to be paid: 100% of compensation mentioned in 3.</p> <p>It may be noted that a criterion laid down, as highlighted in the text above is better than a statement giving complete discretion to the administrator, such as Collector.</p> <p>Direct purchase committee (DPC) could also be constituted to include the land sub- registrar, president of Gram Panchayat (GP)/Taluk Panchayat (TP). The presence of GP/TP President would ensure representation of project affected persons (PAPs). The DPC should also include an Ombudsman and in the case of any disagreement, person should approach Ombudsman who is appointed for each district by the RDPR ministry.</p>
<p>2. Housing</p>	<ol style="list-style-type: none"> 1. Any PAF owning house and whose house has been acquired should be provided with a free house, to an extent of a minimum of 150 square metre of plinth area in rural areas and 50 square metre of plinth area in urban areas. For the upper limit, the Karnataka Govt order RDF 21 REH 94 BANGALORE DT 15.5.1995 BENEFITS TO PAF may be followed whereby land owning PAF will be eligible for a house site not exceeding 400 sq mt. Preferably, the area to be given should be within $\pm 5\%$ of the actual area of the houses in rural and urban areas of submerging locales. 2. Any PAF which is without homestead land and which has been residing in the area continuously for a period of not less than one year preceding the date of notification of the affected area and which has been involuntarily displaced from such area, should be provided with a house with a free house, of a minimum size of 150 square metre of plinth area in rural areas and 50 square metre of plinth area in urban areas. 3. If a PAF family which opts not to take the house offered, should get a onetime financial assistance for house construction, which should not be less than Rs 1.50 lakhs. 4. No PAFs needs to be given more than one house, given the definition of PAF. Houses in

	<p>urban areas, if necessary, can be provided in multi-storied building complexes, given the scarcity of land.</p> <p>CMDR team opines that the houses provided under Indira Awas Yojana are of poor quality and usually not occupied. In view of this, it may be better to provide a house site and housing grant to PDFs whose houses will be sub-merged. However, the housing grant of Rs 45,000 rupees be provided to each PDF as provided for in the NAWTA. It may further be added that this amount should be scaled up to compensate for the rising land prices since the NAWTA. If a PDF whose house will be submerged and wants to build a house of the same dimension as in the submerged village, then provision of loan for construction of house (loan related to the stage of construction of house) may be provided/arranged/negotiated with banks.</p>
<p>Table 19: Suggestions from CMDR</p>	
<p>Component</p> <p>3. Land for land</p>	<p style="text-align: center;">Suggestions from CMDR</p> <p>Each PAF owning agricultural land in the submerging villages whose land are to be acquired or and as a consequence of this, has been reduced to the status of a marginal farmer or landless, should 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. PAFs belonging to the Scheduled Tribes and Scheduled Castes should be given land for land.</p>
<p>4. Choice of annuity or employment</p>	<p>One of the following options (from a to c) should be given to the PAFs. In addition, scholarships and other skill development/ vocational training opportunities to eligible persons from the PAFs should be provided.</p> <ol style="list-style-type: none"> a) Reservation of Government job for one person of PAF in C & D categories. b) Annuity payment of not less than Rs. 2000/- per month per family to begin with for twenty years, with appropriate indexation to the Consumer Price Index for Agricultural Labourers. c) One time payment of Rs. 5,00,000/- per affected family.

5. Subsistence Grants	Each PAF should be given a monthly subsistence allowance equivalent to three thousand rupees per month for a period of one year from the date of award. In addition to this amount, Scheduled Tribes displaced from Scheduled areas should receive an one time grant of amount equivalent to fifty thousand rupees.
6. Transportation Cost	Each PAF should get a one-time financial assistance of fifty thousand rupees as transportation cost for shifting of the family, building materials, belongings and cattle.
7. Cattle Shed /Petty Shops Cost	Each PAF having cattle or having a petty shop should get one-time financial assistance of such amount as the Appropriate Government may prescribe subject to a minimum of twenty five thousand rupees for construction of cattle shed or petty shop.
8. One time grants to artisan, small traders and others;	Each artisan, small trader or self-employed person or a PAF 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 financial assistance of such amount as the appropriate Government may prescribe subject to a minimum of twenty five thousand rupees.
9. Fishing rights	The PAFs should be allowed fishing rights in the reservoirs so as to not disturb their dietary and livelihood requirements.
10. One time resettlement allowance	Each PAF shall be given a one-time 'Resettlement Allowance' of fifty thousand rupees only.
11. Stamp duty registration	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. The land for house allotted to the affected families shall be free from all encumbrances.
12. Provision of infrastructural amenities	All 25 infrastructural facilities embedded in LARR bill 2011 need to be provided. In addition, public parks may be planned.
13. Special provisions for scheduled caste and scheduled tribe	Rule 3 of Bagalkot Town Development Authority (allotment of sites) Rules – 1993 (items i to vi and viii). As regards Item VII, the limit should be increased to 1.00 lakhs for house construction in urban areas for BPL families, considering the escalated costs of construction.

Table 20: Compensation Estimates for Agricultural Land in Submerging Villages

Type of Land	Land in Acres	Assumed Market Value of Land Per Acre (Rural)		
		Rs.3.00 lakhs/Acre for irrigated and Rs 75,000 for unirrigated land Compensation in Rs Crore	Rs.4.00 lakhs/Acre for irrigated and Rs 1,00,000 for unirrigated land Compensation in Rs Crore	Rs.5.00 lakhs/Acre for irrigated and Rs 1,25,000 for unirrigated land Compensation in Rs Crore
1. Irrigated	38474	4616.83	6155.77	7694.71
2. Unirrigated	3856	115.68	154.24	192.80
Total 1.+2.	43571	4732.51	6310.01	7887.51

7.1 R & R in Urban Area

- (i) A PAF of Bagalkot Town should be entitled for all the benefits extended by the Government under BTDA Rules and Amendments subsequently.
- (ii) A PAF in the non submergible area or Bagalkot Town, whose immovable property in the submergible portion of Bagalkot Town is to be acquired should also be entitled for all the benefits extended by the Government under BTDA.
- (iii) A person in occupation as a tenant (for residence, business trade, or other avocations) of immovable property situated in the submergible portion of Bagalkot Town for not less than 1 years preceding the date of issue of notification under section (i) of the land acquisition Act, 1894, should be eligible for getting **one plot per family** in RC of up to **size 9m x 12m (108 Sqm)**.
- (iv) A person who has encroached or put up unauthorized construction in the land included in the notification under sub section (i) of section 4 of land acquisition Act, 1894 for acquisition of submergible areas in old Bagalkot Town published so far belonging to the Bagalkot Town Muncipal Council or to a private person but who is residing in the submergible portion of the Bagalkot Town and who will be displaced due to its submergence. Such person is only eligible for getting **one plot per family** in RC up to **size 9m x 12m (108 sqm)** and they should get compensation for unauthorized structure in the form of Ex-gratia as per already existing rules.
- (v) Transportation assistance for shifting to RC is to be included for PDFs of Bagalkot Town.
- (vi) Subsistence allowance is to be included for PDFs of Bagalkot Town as already indicated for rural PAFs
- (vii) Financial assistance for house construction of Rs.45,000/- per BPL family is to be increased to Rs.1,00,000/-..

7.2 Redressal Mechanism for Dispute Settlement

The State Government should establish **KLARRDSA**²⁰, for the purpose of speedy disposal of disputes relating to land acquisition, compensation, R & R, by notification in the Official Gazette. State Government should constitute more than one Authority or the benches so that the complainant PAFs should be able to access justice at minimal cost. The Authority should

²⁰ Karnataka Land Acquisition Rehabilitation and Resettlement Dispute Settlement Authority.

consist of at least three Members, including the Chairperson to be appointed by the State Government with at least three Members, including the Chairperson to be appointed by the State Government. The Members of the Authority shall be persons of ability, integrity and standing who have adequate knowledge of, and have shown capacity in, dealing with the problems relating to land acquisition matters, public administration, finance, economics and law. It is necessary to ensure that at least one member is a public representative and is not part of the State government. The complainant should get the dispute settled in a time-bound manner and the Collector should intermediate between the complainant and the Authority. As in the earlier stages of UKP, Lok Adalats should also be permitted to settlement of disputes and approval for consent awards. Price advisory Committee set up for deciding the rates of lands to be acquired under consent award. MPs, MLAs and MLCs included in Price Advisory Committees. Direct Purchase Committee (DPC) should also include the land sub- registrar, president of Gram Panchayat (GP)/Taluk Panchayat (TP). The presence of GP/TP President would ensure representation of project affected persons (PAPs). The DPC should also include an Ombudsman and in the case of any disagreement, person should approach Ombudsman who is appointed for each district by the RDPR ministry.

**Annexure1: Observations from Ground: Anagwadi Village
CMDR Team's Visit to Anagwadi Village on 29.12.2012**

CMDR team wanted to ascertain the ingredients of a good and bad R & R policy. The team wanted to gain the first hand knowledge about the nature of implementation of R & R of the PDPs in the earlier stages of UKP. The Team first visited Tahsildar's office to obtain basic information about the size of the village and the projects undertaken for the benefit of the PDPs. With this objective, the Team started the field visit on a positive note by visiting Anagwadi, a resettled village from the Stage II of UKP, considered to be a 'model' village (from R & R policy point of view). Anagwadi village is a resettled village. The village is about 12 Kms from Bagalkot town. The Team noted the following:

- a) The standard of living of the resettled inhabitants seemed to be quite satisfactory and informal conversations revealed that the PDPs are reasonably well resettled.
- b) The houses of the residents of the village had been constructed out of the compensation given by the government. One section of the village has houses constructed for the BPL families. A couple of accommodation structures were in the nature of apartment houses housing four to six families. These were perhaps joint families from the original village who had shared their compensation to construct the two storied apartment.
- c) The school in the village is spacious and has a good number of classrooms and a playground.
- d) The village being the headquarters of the Panchayat, it has a library, a Primarcy Health Centre (PHC) and a veterinary dispensary.
- e) The building housing the offices of the Panchayat is spacious with a conference room on the first floor. The conference room has all the amenities, such as, executive chairs and round table which we were told were financed totally by the Panchayat itself.
- f) The original village which was partially submerged was visible on the way to the new village. It was also noticed that PDFs from the resettled village were also occupying the houses that had been partially submerged. They were cultivating land that had either emerged from submergence due to receding of the backwaters, or had not yet submerged. This added to their agricultural income.

- g) There was a representation from the nearby villagers to include their village for submergence, which was contrary to widely held perception. However, it could just be that a centre village which is submerged leaves the peripheral village devoid of socio-economic opportunities and hence a peripheral village may also want to move with the central village and get the benefits of a submerging village.

Suggestions by CMDR emanating from Visit to Anagwadi for R & R Policy

1. R&R of the PDFs must be as far as possible in the vicinity of submerging village(s) instead of creation of a new RC far away from other settlements from submerging village(s). This would mean that the residents of the new and the existing settlements could share the infrastructure such as, schools, water supply, health facilities, etc. It was observed by the Team members that one such RC on the outskirts of Nargund town had remained unoccupied for want of some basic facilities. If RCs are not occupied, after some time the infrastructure provided by the authorities, such as, electric wires, poles, window and doors, etc., get stolen and it is wastage of national resources.
2. Villages which have not submerged completely but are on the contours must be also included in the planning process. Smaller settlements which depend on submerging villages for infrastructure, such as, schooling, PHC, transport and road must also be compensated for the loss of basic amenities. One such incident of a settlement in the neighbourhood of a submerged village had made a representation at the KBJNL office at Bagalkot at the time of the visit of the CMDR Research Team.
3. The R&R of a village must be as far as possible try to at least replicate the socio-economic conditions prevailing in the submerging villages.
4. At present one member of each family is provided a job as compensation for livelihood. As part of the R&R policy, collaboration of NGOs who can provide training skills and Job Oriented Courses to both male and female adult members in order to make them economically self-reliant..
5. The Research Team found that only two Rehabilitation Officers had been appointed out of the five. The remaining posts of three should be filled up in order to ensure the smooth procedure of R&R.

Annexure 2: Voices From the Ground - Hire Sanshi Village

CMDR Team visited Hire Sanshi village on 14.2.2013. As per the baseline survey, the estimated number of families to be shifted in Hire Sanshi village are 263(1.3 %). The number of PDFs estimated is 1384 (1.8 %). The Focus Group Discussion (FGD) was held in this village in the morning of 14-2-13 (see Pictures A2.1 to Picture A2.11).

The following observations emerged from FGD and participant observation methods.

1. The degree of awareness about the R&R packages is very high in this village.
2. The loss of land presently used for agricultural purposes is going to hit this village in terms of income and livelihood. The land belonging to villagers seems to be highly fertile.
3. There is a boom in construction activity in the village in anticipation of the notification for submergence of the village. The villagers are aware of the fact that they will be entitled for housing and hence house construction is so rampant that hardly any corner of village is being left out from new construction of housing. The villagers are constructing houses which will attract a good valuation from PWD and hence the choice of amenities and the construction material used is done with this perspective in mind. Picture A2.3 to A2.8 bear testimony to this fact. Picture A2.8 also depicts that structures being constructed are of good quality. Villagers are basing their decision on the rationale that higher is the investment in house, higher will be valuation of the house. Besides, in most of the R & R packages, PDPs are allowed to salvage the materials used in construction of houses. The villagers displayed utmost pragmatism as economic agents. As indicated in the case of Anagwadi village in Annexure 1, the villagers whose houses and lands have submerged also continue to occupy the houses/land declared as submerged, once the water recedes. The villagers seem to have internalized this fact from the experience of PDFs of UKP Stage II. Hence those villagers who can afford to invest in construction of house are doing so as to gain from the R & R policy as and when it is announced.

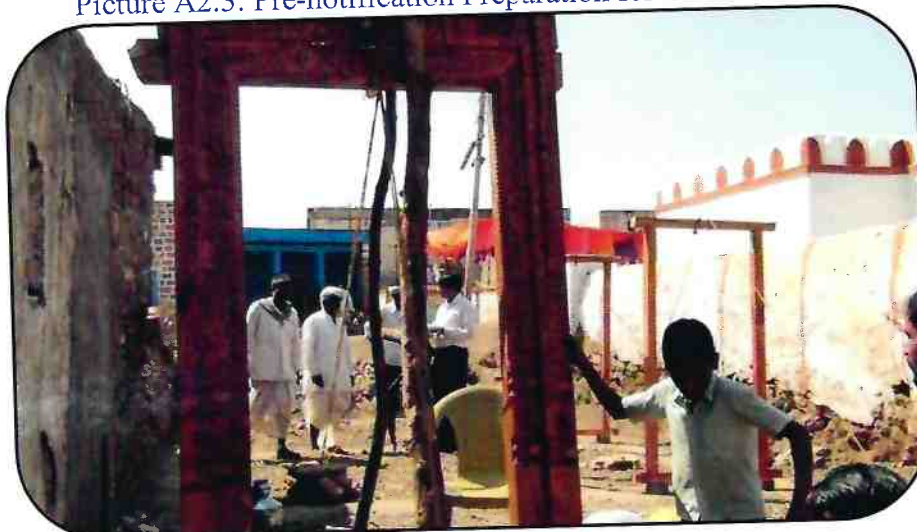
Picture A2.1: Villagers Converging to the Venue for FGD Meeting



Picture A2.2: Villagers Engrossed in FGD Meeting



Picture A2.3: Pre-notification Preparation for House Claims



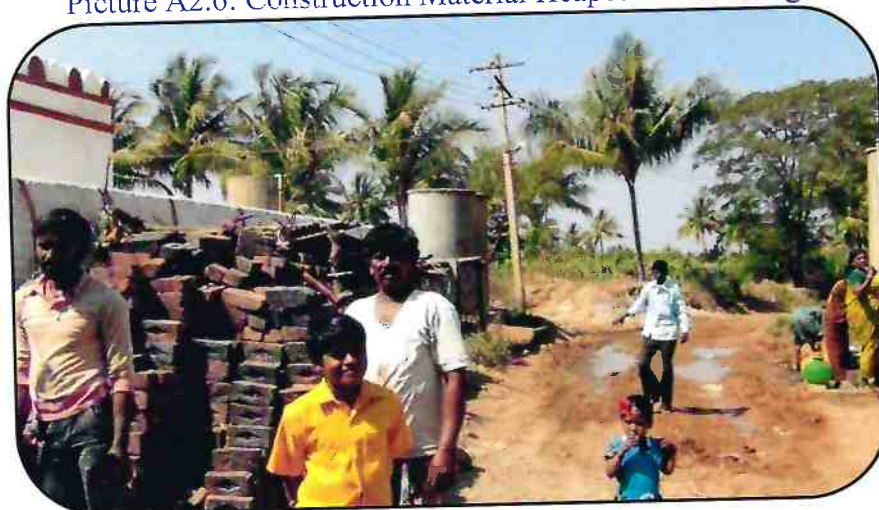
Picture A2.4: Boom in Construction Activity during Pre-notification Period



Picture A2.5: Researcher from CMDR Understanding the Dynamics of R & R from Villagers



Picture A2.6: Construction Material Heaped in the Village



Picture A2.7: Response to R & R Policy Even Before Notification!



Picture A2.8: Minimization of Financial Risk, if UKP Stage III is Implemented



Picture A2.9: Excellent Example of Lack of Coordination of Various Organs of Government



Note: Construction by Government on the Land to be Submerged under UKP Stage III

Picture A2.10: Director and Researcher, CMDR, in Discussion with Coordinator, Baseline Data Collection Agency



Picture A2.11: Gender Issues being discussed at Hire Sanshi



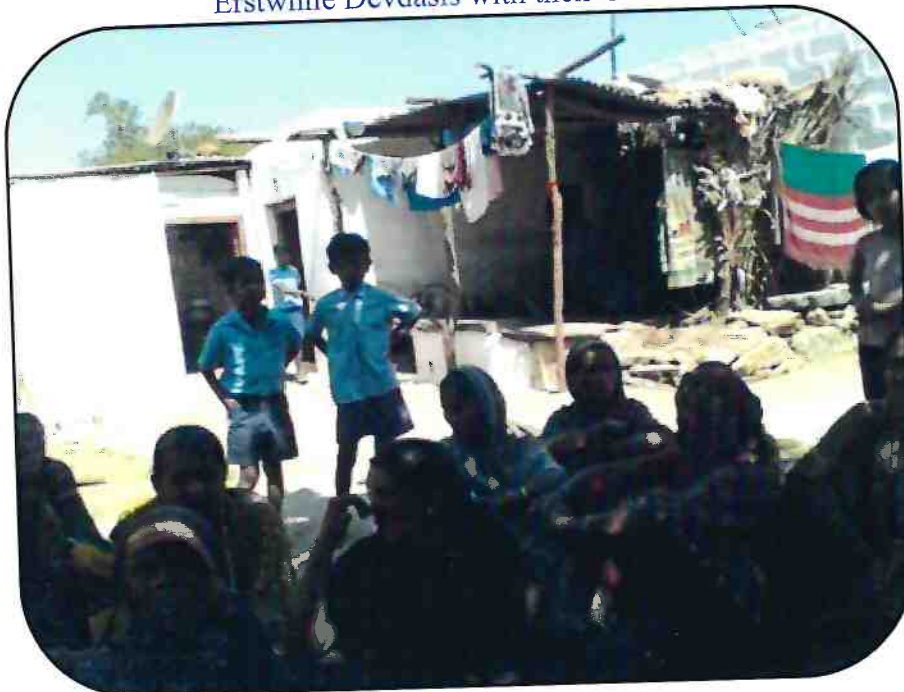
Annexure 3: Voices From the Ground - Ankalgi Village

CMDR team visited Ankalgi Village on 14.2.2013. Ankalagi village is located at a distance of about 15 kms from the Almatti Dam. As per the baseline survey, about 503 families (2.5% of the total PDFs) and 1783 PDPs (2.3 % of total PDPS) are to be resettled and rehabilitated. A substantial No. of erstwhile Devdasis have been rehabilitated (?) in this village. Despite the fact that Devadasi system has been legally abolished in 1982, this village is known as 'Devadasi' village. There have been numerous schemes for extending facilities from the GoK, including subsidized loan for self-employment, loan for goat, loan for buffalo, for opening paan shop, among others. At present erstwhile Devdasis who have completed the age of 45 years receive a pension of Rs. 400 p.m. from Karnataka Rajya Mahila Abhivruddhi Nigama under Devadasi Rehabilitation Project as against the financial help of Rs. 1500-2000 p.m. provided under Vidhava Mashasana policy. These women are also entitled for assistance for constructing house under Rajiv Gandhi Housing Scheme, if they own an open land. They have no idea about MNREGA. However, some of them are signing on the MNREGA job card without any knowledge about the same. The living conditions are rather poor, as indicated by Picture A3.1. Open sewage can be seen just next to the community centre of the village. These women are in occupations such as, agricultural labourer, coolie, or engaged in animal husbandry. Their demand is to provide farmland, house, and financial assistance for petty business after rehabilitation. They are also willing to undergo for Job oriented training programme. At present, they are dependent mainly on the government financial assistance which is quite meager. There is urgent need to make themselves self-sufficient in a dignified manner. depending upon their skills and expertise. The reservation should be provided for young family member of erstwhile in employment. At present they are ready only for job of unskilled labourers. Children of a few erstwhile Devdasis have grown up and are in need of free education at pre-university, job oriented courses, and higher education, such as B.Ed., which can fetch them jobs. Though there are government schemes for waiving the tuition fees etc., for them, they reported that donations have to be given to colleges which make it difficult for them to go for higher education. This can certainly be taken care by mandating colleges to reserve seats for such students. Most of the erstwhile Davadasi's do now have their own ration cards and their names feature only in their father's ration cards. They need to be given identity of their own as WHHs in the R & R package.

Picture A3.1: Poor Sanitation Facilities at Ankalgi Village



Picture A3.2: Dark Shadows on Life with A Ray of Hope at the Back: Erstwhile Devdasis with their Children



As emerged during the discussion, almost 95% of erstwhile Devdasis are illiterate. However, they have immense desire to educate their next children.

Picture A3.3: Houses Provided by Government to Erstwhile Devdasis



As can be seen from Picture A2.3, the houses provided under the various government schemes to erstwhile Devdasis, are of sub-standard quality and left incomplete. This seems to be indication of the seriousness with which rehabilitation in terms of providing livable houses to erstwhile Devdasis has been pursued in the State. Ms. Mahadevi Madarakandi, Field Officer, Karnataka Rajya Mahila Abhivruddhi Nigama, Devadasi Rehabilitation Project – Bagalkot and Bilagi District (seated on the extreme right) has been closely interacting with erstwhile Devdasis to improve their plight. The CMDR team met Ms. Mahadevi Madarakandi in Ankalgi village. CMDR recommends that KBJNL should not miss the opportunity of resettling and rehabilitating these vulnerable women of Ankalgi through vocational training. CMDR is prepared to interact and coordinate with the various wings of GoK so as to enable these women to live with dignity and self-respect. The R & R Package can be devised so as to provide one more opportunity for mainstreaming Devdasis.

Picture A3.4: Efforts to Ensure Percolation of Development



Annexure 4: Voices from Ground - Chickagalagali Village, Bijapur Taluk

CMDR team visited **Chickagalagali Village on 27 May, 2013**. According to villagers, the Chickagalagali village is come under Housur Grama Panchayat of Bijapur Taluk. According to the baseline survey, it accommodates 870 PDFs (4.3 % of total PDFs) and 3625 PDPs (4.6 % of total PDPs). Reddy, Muslim, Ambiger, and Valmiki are main dominance caste/religious groups in the village. The village has 4 Grama Panchayat Members and an Ex-Vice presidents of Zilla Panchayat.

Picture A4.1: Curious Villagers about R & R Policy



Picutre A4.2: CMDR team, CMSR team and Officials from R & R Office, Bagalkot Interacting with Villagers at Chickgalgali, Bagalkot.



Information on Submerging in UKP Phase III

The villagers informed that they have not received any notice from KBJNL office or GP. But Grama Panchayat has received a letter from the KBJNL office regarding this village to be submerged in UKP Stage III. Grama Panchayat members have informed the villagers about submerging of this village under Stage III of the UKP. Villagers also are aware of proposed land acquisition from socio-economic survey team and through newspapers.

Land Value in the Village

According to villagers Chickagalagali village was not fully covered by irrigation facility until 1990. After UKP Phase I, entire village was brought under irrigation facility and value of irrigated land has increased. Majority of farmers are growing sugarcane, jowar, grapes and engaged in horticulture. The value of land is depends on crops they grow. For example Value of land under sugarcane ranges from Rs 20-25 Lakh per acre; Grapes and horticulture crops land value ranges between 30-40 lakh per acre. The value of land registered in land revenue records is just about Rs 3-5 lakhs per acre, so as to minimize the registration fees and stamp duties and it is not at all reflective of the value of land at replacement cost or market value of land. The main reason to mention lower prices for land is that most of people are having BPL card and benefitted from the various government schemes. There is no gomal/grazing land in this village.

Plots for construct the house

Villagers expressed that at present there are about 900 to 1000 Households in the village and they should be provided with about 4000 households/plots in the resettlement area. According to villagers each household ought to be given at least 30*40 sq.ft plot and governments should be provided quality of house to each household. Moreover villagers felt that government needs to provide a plot for all children of PDFs (especially boys!), adults, deprived women, widows, Devadasi, Physically Challenged and also those who are rentees.

Majority of people expected that separate burial/smasana ground for all community of people in the resettlement area.

Employment opportunity:

Majority of people said that government needs to give jobs for all skilled and unskilled labourers. Governments should provide a job for each PDF and needs to give training and self employment opportunity. Majority of people opined that there is a chance to provide job opportunity to all unskilled labour through MGNREGA scheme but number of working days needs to increase from 100 days to 200 days.

Pension scheme for farmers

According to villagers the state of Chhattisgarh is providing pension scheme Rs 5000 for farmers (more than 50 years old age) of agricultural land owning PDFs and same can be emulated in UKP stage III R & R policy.

Stamp Duty:

Majority of people felt that there should not be time limitation for stamp duty for purchasing of land. As per their knowledge government has given stamp duty waiver up to 3 years in the UKP Phase I and Phase II. They approached stamp duty should be given more than 10 to 20 years or if possible life time for who is going to lose agricultural land in UKP Stage III.

Transportation Facility for Shifting:

Villagers said that Government was providing Rs 22000 as transportation facility for shifting household's items to resettlement area in UKP phase II. Instead of that facility villagers expected that government should provide the transport facility for shifting the all household's items to resettlement area but there should not be limit for shifting households' items to resettlement area.

Required Amenities in the Rehabilitation & Resettlement Area

School Facility: This village has 3 primary schools. Villagers expressed that besides 3 primary schools a high school with all infrastructure in Rehabilitation & Resettlement Area should also be constructed.

Temples: Village has 24 temples and villagers insisted that government needs to shift these temples to rehabilitation and resettlement area. Further villagers felt that the livelihood and income restoration plans should include a lumpsum amount to priests.

Public Toilets: Villagers said that government should provide individual toilet facility to all the households and along with that also provide public toilet facility in each street.

Besides this, villagers expected that good quality of drinking water facility, roads, transportation, fish market, drainage facility and PHC in the Rehabilitation & Resettlement Area.

Annexure 5: Voices from the Ground -Kundargi Village, Bagalkot Taluk

CMDR team visited Kundargi Village of Bagalkot Taluk on the morning of 26 June, 2013. The FGD conducted revealed very useful and interesting insights about the plight of the people, their guarded expectations and what the R & R package can genuinely address the requirements of the dislocatees.

The two villages visited by CMDR team, *viz.* Kundargi village, about 11 KMs (?) from the state highway, a fairly big village with population of 7651 persons (9.8 % of total PDPs) and 2040 PDFs (10.2 % of total PDFs), as estimated by the baseline survey was bustling with activity, business and trade.

The main observations emerging from FGD in Kundargi village are as follows:

- i. When we entered the Kundargi village, there was absolutely no indication of people being under any stress or tension because they would be soon shifted *bag and baggage and scrip and scrippage* to a new place away from their moorings! The village was bustling with activity-small trade, petty shops, construction activity, with many newly painted houses, clean localities, etc. though quite a number of houses appeared locked from outside. Within about 5-10 minutes after the arrival of the CMDR team, about 50 people had gathered and within 15 minutes or so there was a gathering of more than 200 people under the Banyan tree in front of a temple. On the face of the people there was a look of dynamism and involvement in one or the other engagement. It is quite likely that many might be busy in agricultural operations and the related activities, this being the sowing season. In the course of FGD everyone seemed to be fully aware of the inevitability of their dislocation and they also seemed to be aware that this is likely to happen sooner than later, though they did not seem to know precisely when it is likely to happen. They also seemed to be aware of what dislocation means, in view of Stages I and II just in the vicinity of their own village and since the villages in the region are very close by, their kith and kin might also be the affected ones from Stages I and II. Since Bagalkot, being a big town nearby, people in these villages might also have had business and trade transactions with the people of Bagalkot town affected by Stages I and II. Hence, they seemed to be mentally prepared for shifting and its implications. They should have individually and collectively given thought to how they should react when

the government officials or its representatives approach them. That is why without much ado they started quoting the price of the land they are losing and compensation they need. One of the participants who had sold the land recently revealed that he sold his Khushki land (unirrigated land) at Rs 15 lakh per acre! They said for irrigated land the price should be Rs 20 to 25 lakh per acre. Some even said that since in the new location they need to start their activity afresh, the compensation amount for their existing land should be Rs 50 lakh per acre! At this, when there were cross conversations amongst themselves with a desire to quote still higher price. At this juncture, one of the members of CMDR team intervened to impress upon them to be realistic rather than exaggerate their claims, for, unduly high claims would make the Government not take their claims seriously and reject their claims and render the entire exercise futile one. They appreciated this and then appeared to be mellowed down! In any case, the brisk and intensive discussion about various issues relating to compensation, etc., showed how active the people were in their thinking and responses. They also seemed to be having concrete plans of what activities are to be undertaken in the new location. This shows their entrepreneurial capabilities and forethought.

- ii. Even with regard to other items people seemed to be clear in their mind about what they would expect from the government. About housing accommodation in the new location or employment they would be losing and alternative opportunities for their youth they reacted quite forcefully and with clear headed calculations.
- iii. With regard to compensation against lost activities and jobs for youth, they desired that compensation should consist of monthly stipend for the youth till they started their own activity and a lump sum compensation for enabling them to start their activity.
- iv. It is not that they were reacting in this way only on account of greed or in the spirit of 'asking for more'. The environment in which they were located in this village amply stood as a witness to their calculated expectations. In the new location they must be having plans of replicating their present activities and vocations.
- v. After discussing with the villagers CMDR team felt that in addition to the generally suggested bases for fixing compensation like monetary compensation for land, house for house, etc, it is desirable to recommend a special incentive compensation for exceptionally dynamic and enterprising oustees (those who are ousted from their moorings on account of the project), which may be called as a special assistance or

'entrepreneurship incentive' in order to complement their efforts for gainful employment..

- vi. New location should maintain and also make richer the cultural status of the old village. In Kundargi there is a beautiful Hanuman temple, in the premises of which the FGD was held. The Hanuman idol there seems to be an ancient idol. Every effort should be made to re-establish the temples with the same idols and same priests getting the opportunity to perform religious rituals. Since for many priests temples are a source of livelihood apart from providing tremendous emotional support for themselves and others in the village, care should be taken to maintain the same temple environment. This suggestion is relevant to all the places of worship for all the communities.
- vii. In the same way, village infrastructure consisting of approach roads to and within the village, drinking water supply facilities, gairana, common water resources, village mandies, etc., need to be developed. It is not enough if some compensation for the Panchayat is given for the purpose of all these. The Resettlement agency needs to take concrete initiatives with the involvement of the Panchayat and the people to provide these infrastructure in a more efficient manner than the pre-displacement levels.

Picutre A5.1 Young and Elderly at Kundargi: Anxious and Curious about LA & RR



Picutre A5.2 Prof. P.R. Panchamukhi addressing the villagers at Kundargi.



The beautiful tree in the background should not be missed!

Picutre A5.3 Prof. Gopal Kadekodi addressing the villagers at Kundargi



Picture A5.4: Condition of Wall of a House at Kundargi



Picture A5.5: Gender Bias in Participation in R & R Discussions



Annexure 6: Voices from the Ground: Katarki Village, Bagalkot Taluk

CMDR team visited Kundargi Village of Bagalkot Taluk on the afternoon of 26 June, 2013..The villagers gathered in a Hanuman, Panduranga Rakumai Temple. People were quite cooperative on the whole and were more systematic and disciplined in their responses. The expectations of villagers were almost a replica of those of Kundargi village in terms of price for compensation of land, housing, restoration of livelihood and income support, infrastructural amenities to be provided, etc. One of the women villager complained that though she was entitled to government benefit as widower, she did not receive the same and was facing hardships. Villagers cited this as a case of apathy of the government in fulfilling the long-term commitment and hence did not want annuities, but onetime payment and were willing to manage the risk of potential decline in real value of one time compensation amount. Katarki village had youth who were in the need of vocation training and were well placed to be absorbed in government jobs. Director CMDR, appealed to people to involve women folks in such discourses. However, the villagers dismissed the idea stating that women will not attend such meetings as they do not understand these matters. In view of such 'men' dominated environment, it is very necessary that compensation for assets be registered both in the name of husband and wife and not alone the male who may be the head of household. R & R policy should not miss the opportunity of reducing the gender-bias and mainstreaming the marginalized sections of society.

Picture A6.1:CMDR Team Initiating Dialogue on LA and RR in Katarki Village



Note: Prof. Gopal Kadekodi and Prof. Anil Mudbidri making notes as Prof. Annigeri and Prof. Pushpa Trivedi observe the villagers participating in FGD.

Picture A6.2:CMDR Team Asking People Make Voice their Opinions



Picture A6.3: Voices to be Heard from Ground-Seriousness Combined with Amusement



Picture A6.4: Excellent Participation of Male PDPs



Picture A6.5: Women-Absolutely Neglected PDPs!



Picture A6.6: Supposed to be Already Sub-Merged Structures in UKP



Picture A6.7: Grazing on Common Village Land



Picture A6.8: Blanket Weaving on Common Village Land



Picture A6.9: Medical Facility in Katarki Village



Picture A6.10: Dimension of a Typical House in Katarki Village



Annexure 7: Voices from the Ground: Gaddankeri Village, Bagalkot Taluk

As per the survey data, there are 950 prospective PDFs (4.7 % of total PDFs) and 3487 PDPs (4.5 % of total PDPs) in Gaddankeri Village. The visit to Gaddankeri Village had twin purposes: (i) to solicit adequate representation of women for formulation of R & R Policy; and, (ii) to groundtruth the data collected to a limited extent. The Focus Group Discussions held in the four out of five villages mentioned (except Ankalgi village) in the above Annexures did not have adequate participation of women. Realizing this shortcoming, CMDR decided to focus especially on women. As mentioned earlier, menfolk from villages do not involve women in decision making, CMDR took team of researchers with a large number of females and interacted with village women to understand their expectations and problems.

The major factors emanating from the FGD in which about 100 people were present are:

- 16) Prospective PDFs expressed their awareness about the R & R packages offered in the other parts of the state. However, it was not clear as to whether the information which they had was authentic or in the form of hearsay.
- 17) Prospective PDFs with agricultural land titles demand 4-5 times compensation for their land, as these are the multipliers for conversion of registered value of land to the market value of land.
- 18) Prospective PDFs also expressed apprehensions about the potential bias and corruption in the process and demanded a fair and transparent mechanism of compensation.
- 19) Compensation for agricultural land should be onetime payment and not in instalments.
- 20) The prospective PDFs also complained that the land acquired in the earlier stages of UKP has been sold for (industrial) purposes other than for which it was acquired.
- 21) House sites should be provided in Bagalkot city.
- 22) For loss of employment, the prospective PDFs want compensation in the form of government job.
- 23) The time gap in acquisition of land and release of monetary compensation hurts the PDFs as they have to rely on borrowings at very high rates of interests.
- 24) Prospective PDFs expressed their desire to get house sites near Gaddankeri cross, as access to market is essential for their livelihood.

Inputs from Personal Interactions

- The emotional attachment with the temple is so intense that a villager expressed that if he is severed from the temple, he and his family will not be able to lead a happy life. In view of this, and also such other instances from other village make it imperative that the idols of deities should be moved and placed in the resettlement colonies where the people are shifted. The religious contexts should also be preserved, along with the socio-cultural dimensions.
- The village is united across different activities. It has 10 Self Help Groups (SHGs); 2 youth clubs; a few fan clubs, and the village as a whole is united as regards their common cause of getting a fair deal in R & R package.
- The trust in Government policies and programmes was the least in this village as compared to other villages. A few complained about loss of their fertile and valuable land in the earlier stages of UKP. Villagers also complained that the land which traditionally belonged to the villagers for ages was auctioned (haraja Hakuvudu) as a result of which, most of the land was bought by the 'outsiders', who could easily pay more than villagers and the land given to villagers was in very remote and hilly inaccessible locations not fit for human habitation or for cultivation. This kind of cheating by the Government should be avoided at all costs.

Picture A7.1 Domination of Menfolk at FGD in Gaddankeri



Picture A7.2 Women at extreme Periphery in Gaddankeri



Picture A7.3: Women at Gaddankeri Expressing Themselves



Picture A7.4: Inputs from Women of Gaddankeri Village for R & R Policy



Picture A7.5: Groundtruthing the Data from Gaddankeri Village



Picture A7.6: A Typical House in Gaddankeri Village



Picture A7.7: Groundtruthing the Data from a Family in Gaddankeri Village



Picture A7.8: Woman from a Family Trying to Understand R & R Issues



Annexure 8: Lessons to be Learnt from Resettlement Colonies

Picture A8.1:Lack of Vision in Providing Infrastructure



Tree Plantation in Perfect Conflict with Location of Electricity Pole in Bagalkot RC.

Picture A8.2:Poor Quality of Infrastructure in RCs



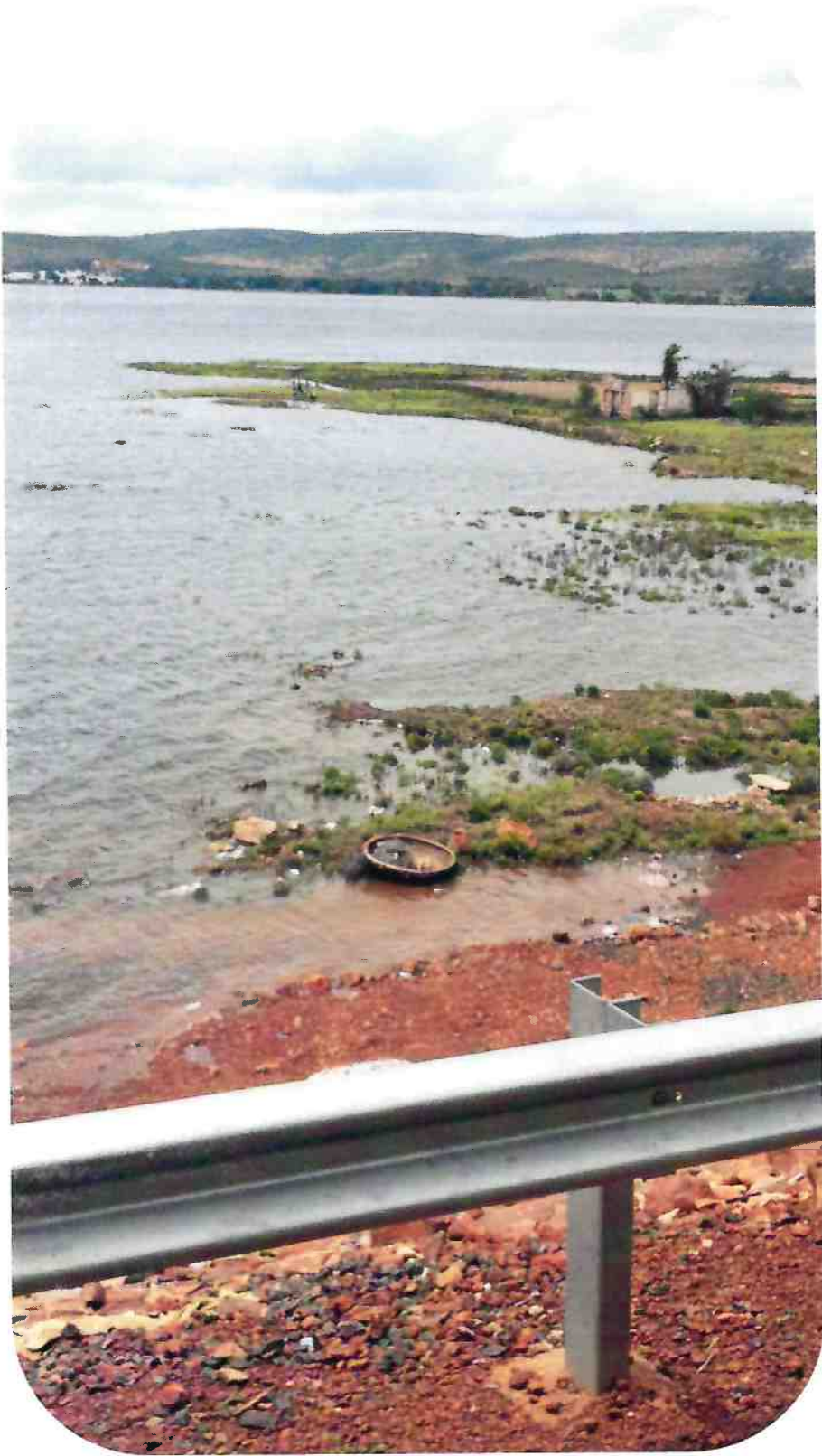
Provision of mosquito breeding infrastructure in RCs?
Poor construction and waterlogging in Bagalkot RC

Picture A8.3a: R & R as Opportunity to Provide Clean Drinking Water to PDFs



Tank situated below the railing supplying polluted water:
Complaint by Bagalkot Residents
R & R can improve the situation by providing clean drinking water in the RCs.

Picture A8.3b:R & R as Opportunity to Provide Clean Drinking Water to PDFs



Tank situated below the railing supplying polluted water: A closer view

Table A1: Socio and Economic Profile of Villages to be Submerged under UKP Stage-III: Census 2011

SI No	Village	Geo_ Area (Ha)	Total No of HH	Total Population	Total Female Population	Total Workers	% of Female Population	% of Literacy	% of SC Population	% of ST Population
1	Ankalagi	1420.6	253.0	1201.0	592	540	49.29	71.13	26.89	6.33
2	Gaddankeri	1367.8	1187.0	5603.0	2809	1893	50.13	80.96	8.37	5.23
3	Govindkoppa	1632.8	191.0	1247.0	603	691	48.36	65.98	6.50	1.12
4	Hire-Sansi	245.7	222.0	1278.0	657	670	51.41	62.73	4.77	0.00
5	Udagatti	2223.0	249.0	1284.0	635	562	49.45	70.71	7.48	1.87
6	Algundi	1112.4	632.0	3244.0	1585	1449	48.86	64.44	10.36	16.18
10	Bavalatti	1018.6	314.0	1540.0	744	876	48.31	70.17	31.88	5.39
7	Koppa(S.K)	1317.4	431.0	2070.0	1036	1098	50.05	66.16	21.79	7.58
8	Katarki	1092.0	645.0	3120.0	1582	1492	50.71	65.85	15.93	6.15
9	Kundargi	6031.8	1050.0	5122.0	2533	2241	49.45	72.35	14.41	2.67
11	Hirepadasalgi	1934.7	1266.0	7112.0	3453	2924	48.55	58.04	14.76	0.06
12	Kumbarhal	1140.5	869.0	4848.0	2422	2117	49.96	59.88	15.72	0.06
13	Sanal	350.0	363.0	2107.0	1047	861	49.69	65.21	14.05	7.45
14	Bhantnur	1547.0	526.0	2638.0	1315	1313	49.85	66.10	23.62	25.74
15	Budini (B.K.)	1961.0	181.0	1054.0	534	604	50.66	61.25	13.76	0.00
16	Chikkur	1080.0	514.0	2501.0	1297	1192	51.86	55.97	37.78	17.23
17	Machaknur	3164.0	560.0	2918.0	1459	1731	50.00	62.70	17.17	20.49
18	Shirabur	1143.5	302.0	1651.0	837	890	50.70	61.65	24.59	6.06
19	Chikka-Galagali	696.2	328.0	1585.0	806	728	50.85	67.60	20.63	1.39
20	Wandal	1027	755	3730	1848	1544	49.54	75.33	15.58	0.99
Total		31506	10838	55853	27794	25416	49.76	66.21	16.43	6.32

Source: (i) Census 2011, Government of India for demographic indicators
(ii) Website of RDPR, Government of Karnataka for geographical area of villages

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