



Policy on  
Resettlement And  
Rehabilitation for  
Project Affected Families

2005

Government of Andhra Pradesh  
Hyderabad



GOVERNMENT OF ANDHRA PRADESH  
**ABSTRACT**

Rehabilitation and Resettlement (R&R) Policy for Government of Andhra Pradesh - Issued

Irrigation & CAD (Project Wing) - LA IV-R&R Department

GO. Ms. 3428  
O.R. (1/1)

Dated: August, 2010

Compulsory acquisition of land for implementation of development and infrastructure projects displaces people from their homes, hampers their means of livelihood, and thus deprives them of their land, livelihood and resources. Such displacement has social, psychological, economic and cultural consequences also. The Government recognizes the need to minimize such displacement to the extent possible and where displacement is inevitable, the system addresses the issue of displacement with utmost care, human touch and transparency. Such an approach is especially necessary in respect of tribal, tribal and marginal farmers.

Various policies relating to the Resettlement and the Rehabilitation (R&R) of displaced persons have been in place from time to time, covering some project by project and dated by the date. The need has been felt for the evolution of a comprehensive policy on R&R to ensure the timely and smooth service to the State and also to ensure the delivery of services in a timely and manner.

A Committee was constituted by the Government vide G.O. Ms. No. 76, Irrigation & CAD (Project Wing) Department, dated 15.07.2006 for preparation of draft R&R Policy of Government of Andhra Pradesh. The recommendations of the Committee were discussed in a State Level meeting comprising of major state leaders of the policy like the Department of Energy, Industries, Mines & Woodings, Environment, Forest, Science & Technology, Finance, Tribal Welfare, Civil and Supplies. The State Level Meeting endorsed the recommendations of the Committee.



1. Government after careful examination of the Committee recommendations as endorsed by State Level meeting hereby approve the Rehabilitation & Resettlement Policy for Government of Andhra Pradesh enclosed to this order for implementation by all the Departments for Government of Andhra Pradesh.
2. It is further ordered that as per Section 8.3 of this Policy the provisions of G.O. Ms. No. 98, Irrigation & CAD (Projects Wing) Department, dated 15-04-1986 and G.O. Ms. No.64, Social Welfare (T) Department, dated 18-04-1990 and any other Government order/Memo/Instructions issued by any other Department of Government of Andhra Pradesh shall cease to operate as far as this Project are concerned that are notified under this Policy.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

MOHAN KANDA  
CHIEF SECRETARY TO GOVERNMENT

With All the Departments of Secretariat

All the District Collectors in the State.  
All the Special Collectors of Irrigation Projects.  
The Engineer-in-Chief (AWI)(Irrigation), Erum Manzil, Hyderabad.  
All the Chief Engineers of the Projects.



# **Government Of Andhra Pradesh**

## **Resettlement And Rehabilitation**

### **Policy 2005**

#### **For Project Affected Families**

### **CHAPTER I: POLICY**

#### **1.0 PREAMBLE :** Introduction

- 1.1 Compulsory acquisition of land for public including infrastructure projects displaces people, forcing them to give up their home, assets and means of livelihood. Apart from depriving them of their lands, livelihoods and resource-base, displacement has other traumatic psychological and socio-cultural consequences. The Government of Andhra Pradesh recognizes, the need to minimize large-scale displacement to the extent possible and, where displacement is inevitable, the need to handle with utmost care, human touch and forethought, issues relating to Resettlement and Rehabilitation of Project Affected Families. Such an approach is especially necessary in respect of tribal, small & marginal farmers and women.
- 1.2 The system of extending cash compensation does not, by itself, in most cases, enable the affected families to obtain cultivable agricultural land, homestead and other resources, which they have to surrender to the State. The difficulties are more acute for persons who are critically dependent on the acquired assets for their subsistence/livelihood, such as landless agricultural workers, forest dwellers, tenants and artisan, as their distress and destitution is more severe, and yet they are not eligible for cash compensation.
- 1.3 The Policy essentially addresses the need to provide succor to the asset less rural poor, support the rehabilitation efforts of the resource poor sections, namely, small and marginal farmers, SC's/ST's and women who have been displaced. Besides, it seeks to provide a broad canvas for an effective dialogue between the Project Affected Families and Project Displaced Families and the Administration for Resettlement & Rehabilitation. Such a dialogue is expected to enable timely completion projects with a sense of definiteness as regards costs and adequate attention to the needs of the impact greater flexibility for interaction and negotiation so that the resultant Package gains all-round acceptability in the shape of a workable instrument providing satisfaction to all stakeholders/Requiring Bodies.

- 1.4 The GOAP Policy on the Resettlement and Rehabilitation of Project Affected Families and Project Displaced Families will be applicable to the projects as defined in this policy and upon notification under this policy.
- 1.5 Administrator for R&R shall implement this policy in letter and spirit in order to ensure that the benefits envisaged under the policy.

## **CHAPTER – II**

### **2.0 OBJECTIVES OF THE POLICY**

**The objectives of the Policy are as follows:**

- 2.1 To minimize displacement and to identify non-displacing alternatives.
- 2.2 To plan the resettlement and rehabilitation of Project Affected and Displaced Families, (PAFs/PDFs) including special needs of Tribals and vulnerable sections.
- 2.3 To provide better standard of living to PAFs and PDFs and
- 2.4 To facilitate harmonious relationship between the Requiring Body and PAFs through mutuals cooperation.

## CHAPTER III

### Definitions 3.0 DEFINITIONS

The definition of various terms used in this policy Documents are as follows

- 3.1 **“Administrator for Resettlement and Rehabilitation “** means an officer not below the rank of Joint Collector of the State Government appointed by it for the purpose of resettlement and rehabilitation of the Project Affected Families of the Project concerned provided that if the appropriate Government in respect in respect of the project is the Central Government, such appointment shall be made in consultation with the Central Govt.
- 3.2 **“Affected zone”**, in relation to a project, means declaration under Para 5.1 of this Policy by the appropriate Government area of villages or locality under a project for which the land is being acquired under Land Acquisition Act, 1894 or any other Act in force for the following areas:
- a) Area falling under FRL contour
  - b) Dwelling House(s) falling within 100 meters of surface distance from FRL water line.
- 3.3 **“Agricultural family”** means a family whose primary mode of livelihood is agriculture and includes family of owners as well as tenants / sub-tenants of agricultural land, agricultural labourers, occupiers of forest lands and of collectors of minor forest produce:
- 3.4 **“Agricultural labourer”** means a person normally resident in the affected zone for a period of not less than three years immediately before the declaration of the affected zone who does not hold any land in the affected zone but who earns his livelihood principally by manual labour on agricultural land there is immediately before such declaration and who has been deprived of his livelihood as ascertained through enquiry in the gram sabha;
- 3.5 **“Agricultural Land”** includes lands used or capable of being used for the purpose of
- a) agriculture or horticulture;
  - b) dairy farming, poultry farming, pisciculture, breeding or livestock and nursery growing medical herbs;
  - c) raising of crops, grass or garden produce; and
  - d) land used by an agriculturist for the grazing of cattle, but does not include land used for the cutting of wood only;

- 3.6 **“Appropriate Government”** means
- a) in relation to acquisition of land for the purposes of the Union, the Central Government;
  - b) in relation to a project which is executed by Central Government agency / Central Government undertaking or by any other agency on the orders / directions of Central Government, the Central Government, otherwise the State Government and
  - c) in relation to acquisition of land for other purposes, the State Government.
- 3.7 **“BPL Family”**: The Below Poverty Line Families shall be those as defined by the Planning Commission of India from time to time.
- 3.8 **“Project”** means the project(s) notified under this policy and displacing:
- a) 100 or more families en-mass in plain areas or
  - b) 25 or more families en-mass in Tribal areas or in areas mentioned in Schedule V of the constitution of India from their lands and or houses.
- 3.9 **“Commissioner for Resettlement and Rehabilitation”**, means the Commissioner for Resettlement and Rehabilitation appointed by the State Government not below the rank of Commissioner / Secretary of that Government.
- 3.10 **“Family”** means Family consisting of such persons as his or her spouse, minor sons, unmarried daughters, minor brothers or unmarried sisters, father, mother and other members residing with him and dependent on him for their livelihood.
- 3.11 **“Holding”** means the total land held by a person as an occupant or tenant or as both;
- 3.12 **“Marginal farmer”** means a cultivator with an un-irrigated land holding up to one hectare or irrigated land holding up to half hectare or combination of both on same principle;
- 3.13 **“Non-agricultural labourer”** means a person who is not an agricultural labourer but is normally residing in the affected zone for a period of not less than three years immediately before the declaration of the affected zone and who does not hold any land under the affected zone but who earns his livelihood principally by manual labour or as a rural artisan immediately before such declaration and who has been deprived of earning his livelihood principally by manual labour or as such artisan in the affected zone;
- 3.14 **“Notification”** means a notification published in the Official Gazette;
- 3.15 **“Occupiers”** means members of Scheduled Tribe community in possession of forest land prior to 25<sup>th</sup> October, 1980;



- 3.16 **“Project Affected Family”** means
- a) a family whose source of livelihood are substantially affected by the process of acquisition of land for the project and who has been residing continuously for a period of not less than three years preceding the date of declaration of the affected zone or practicing any trade, occupation or vocation continuously for a period of not less than three years in the affected zone, preceding the date of declaration of the affected zone regardless of the fact whether they owned land or not.
  - b) a family whose more than 50% of land is acquired and left over land after acquisition is below Ac. 5.0 dry or Ac. 2.5 wet or combination of both on above principle
  - c) a Project Displaced Family
- 3.17 **“Project Displaced family”** means any family, who an account of acquisition of his dwelling house in the village in the affected zone for the purpose of the project, has been displaced from such dwelling house
- 3.18 **“Resettlement zone”**, in relation to a project, means the declaration of any area under Para 5.12 of this Policy by the appropriate Government acquired or proposed to be acquired for resettlement of Project Displaced Families as a resettlement zone:
- 3.19 **“Requiring Body”** shall mean any company, a body corporate, an institution, or any other organization for whom land is to be acquired by the appropriate Government, and includes the appropriate Government if the acquisition of land is for such Government either for its own use or for subsequent allotment of such land in public interest to a body corporate, institution, or any other organization or to any company under lease, license or through any other system of transfer of land to such company, as the case may be;
- 3.20 **“Small farmer”** means a cultivator with an un-irrigated land holding of more than one hectare and up to two hectares or with an irrigated land holding or more than half hectare and up to one hectare or combination of both on same principle.
- 3.21 **“Substantially affected”** means where average annual income of PAF is likely to be reduced by more than 50% and is likely to become BPL family due to acquisition if his land or others’ land for the project, as compared to his average annual income in last three years preceding the date of notification, from land and or other sources of incomes
- 3.22 **“Tribal areas”** means areas as declared so by the Tribal Welfare Department, Government of Andhra Pradesh from time to time.

## CHAPTER – IV

### 4.0 APPOINTMENT OF ADMINISTRATOR AND COMMISSIONER FOR RESETTLEMENT AND REHABILITATION AND THEIR POWERS & FUNCTIONS

- 4.1 Where the appropriate Government is satisfied that acquisition of land for any project involves displacement of families from their lands and or houses as a result of acquisition of land, it shall by notification, appoint in respect of that project, an officer non-below the rank of Joint Collector of the State Government to be the Administrator for R&B in respect of that project.

Provided that if the appropriate Government in respect of the project is the Central Government such appointment shall be made in consultation with the Central Government.

- 4.2 The Administrator for Resettlement & Rehabilitation shall be assisted by such officers and employees as the appropriate Government may provide.

- 4.3 Subject to the superintendence, directions and control of the appropriate Government and Commissioner for R&R, the Administrator for Resettlement & Rehabilitation shall take all measures for the rehabilitation and resettlement of all project affected families (PAF) in respect of that project.

- 4.4 The overall control and superintendence of the formulation of resettlement and rehabilitation plan and execution of the same shall vest in the Administrator, Resettlement & Rehabilitation.

- 4.5 Subject to any general or special order of the appropriate Government, the Administrator for Resettlement & Rehabilitation shall perform the following functions / duties;

- a) minimize displacement of persons and identify non-displacing or least displacing alternatives in consultative with the requiring body;
- b) hold consultation with the Project Affected Families while preparing a resettlement and rehabilitation scheme / plan:
- c) ensure that interest of the adversely Project Affected Families of Scheduled Tribes and weaker sections are protected.
- d) Prepare a draft plan / scheme of resettlement and rehabilitation as required under Chapter V and VI of this Policy. Wherever tribal PAPs are involved, the draft plan / scheme shall be prepared in consultation with respective area Project Officer IIDA / DTWO.
- e) Prepare a budget including estimated expenditure of various components of acquisition of land, resettlement and rehabilitation activities or programmes in consultation with representatives of the Project Affected Families and requiring body for whom the land is required;
- f) Acquire adequate land for the project and also for re-settlement and rehabilitation of the project affected families;
- g) Allot land and sanction benefits to project affected families;

- h) Perform such other functions as the appropriate Government may, from time to time, by order in writing, assign;
- 4.6 Administrator for Resettlement & Rehabilitation may, by order in writing, delegate such of the administrative powers conferred and duties imposed on him by or under this policy to any officer not below the rank of RDD/Sub Collector or equivalent who will be called as R&R officer for the said project.
- 4.7 All officers and staff appointed by the appropriate Government under this policy shall be subordinate to the Administrator for Resettlement & Rehabilitation.
- 4.8 The State Government shall appoint an officer of the rank of Commissioner / Secretary of that Government for resettlement and rehabilitation in respect of such projects to which this policy applies to be called the Commissioner for Resettlement & Rehabilitation.
- 4.9 For the purpose of this Policy, the Administrator for Resettlement & Rehabilitation and other officers and employees appointed for the purposes of resettlement and rehabilitation of PAF shall be subordinate to the Commissioner for Resettlement and Rehabilitation.
- 4.10 The Commissioner shall be responsible for supervising the formulation of resettlement and rehabilitation plans / schemes, proper implementation of such plans / schemes and redressal of grievances as mentioned in Chapter VII of this Policy. Wherever tribal PAPs are involved, Commissioner, TW shall also be involved in above responsibilities and functions.

## CHAPTER – V

- R&R Plan** 5.0 SCHEMES/PLANS FOR RESETTLEMENT AND REHABILITATION:  
The procedure mentioned in this Chapter shall be followed for declaration of Affected Zone, carrying out survey & census of Project Affected Families, Assessment of Government land available and land to be acquired for the purpose of Resettlement and Rehabilitation, preparation of draft scheme/plan for R&R and final publication.
- Declaration of Affected Zone** 5.1 The appropriate Government may, if it is of the opinion that acquisition of land for a project is likely to displace families from their lands and or houses, declare, by notification in the Official Gazette, area of villages or localities as an affected zone of the Project and there upon the contents of this Policy shall apply to the project involved.
- 5.2 Every declaration made under Para 5.1 of the policy shall be Published in at least two daily newspapers one of them should be in the local vernacular having circulation in villages or area which are likely to be affected and also by affixing a copy of the notification on the Notice Board of the concerned Gram Panchayats and other prominent place or places in the affected zone.
- 5.3 Once the declaration is made under Para 5.1 of the policy, the Administrator for Resettlement and Rehabilitation shall undertake a socio-economic survey for identification of the persons and their families likely to be affected by the project.
- 5.4 Every survey shall contain the following village-wise information of the project affected families.
- a) Member of families who are permanently residing, practicing any trade, occupation or vocation in the project affected area.
  - b) Project Affected Families who are likely to lose their house, agricultural land, employment or are alienated wholly or substantially from the main source of their trade/occupation or vocation.
  - c) Agricultural labourers and non-agricultural labourers.
  - d) Project Affected Families who are having possession of forestlands poor to 25<sup>th</sup> October, 1980, that are poor to the commencement of the forest (conservation) Act. 1980.
- 5.5 Every survey undertaken under Para 5.4 shall be completed within a maximum period of ninety days from the date of declaration made under Para 5.1.
- 5.6 On the expiry of the period of ninety days as aforesaid or as earlier as possible, the Administrator for Resettlement and Rehabilitation shall publish a draft in the Gram Panchayat concerned the details of the findings of the survey conducted by him for inviting

objections and suggestions from all persons likely to be affected thereby.

5.7 On the expiry of thirty days from the date of publication of the draft of the details of survey and after considering the objections and suggestions received by him in this behalf, the Administrator for Resettlement and Rehabilitation shall submit the final details of survey with his recommendations to the State Government.

5.8 Within forty-five days from the date of receipt of the recommendations of the Administrator for Resettlement and Rehabilitation. The State Government shall publish the final details of survey in the Official Gazette. A copy of such publication shall also be published in the Gram Panchayat concerned.

5.9 The Administrator for Resettlement and Rehabilitation shall ensure that the Project Displaced Families may be settled preferable in groups or groups and such sites should form a part of existing gram panchayat as far as possible. However, it has to be ensured that the PDFs may be resettled with the host community on the basis of equality and mutual understanding, consisting with the desire of each group to preserve its own identity and culture.

**Assessment of land available for Resettlement** 5.10 For the purpose of para 5.9 above the Administration for Resettlement & Rehabilitation shall draw up a list of lands, which may be available in any existing gram panchayat or neighboring gram panchayat for resettlement of project displaced families.

5.11 The lands drawn up under para 5.10 shall consists of :-  
a) Government wastelands or any other land vesting in the government available for resettlement of project displaced families.  
b) If sufficient government land is not available there, then land to be acquired for the purposes of resettlement (R&R center) scheme/plan. However, the Administration for R&R should ensue that such acquisition of land should not lead to another list of affected families.

**Declaration of Resettlement Zone** 5.12 The appropriate Government shall, by notification, declare any are acquired or proposed to be acquired for resettlement of project-dis placed families, as a resettlement zone.

**Power to Acquire land For R&R** 5.13 The Administration for R&R or any other officer empowered by, Government, on behalf of the appropriate government, may compulsory acquire lands required for resettlement and rehabilitation of PAFs under the provisions of Land Acquisition Act 1894.

**Draft Scheme/** 5.14 After completion of base line survey and census of Project

## **Plan for R&R**

Affected Families and assessment of requirement of land for resettlement and rehabilitation the Administration for R&R shall prepare a draft scheme/plan for the resettlement & rehabilitation of the Project Affected Families and Project Displaced Families in consultation with representatives of Project Affected Families and Project Families including women, Chairpersons of elected Panchayat Raj Institution within which the Project area situated.

- 5.15 While preparing a draft scheme/plan, the Administration for R&R shall ensure that the cost of R&R scheme/plan should be an integral part of the cost of the Project for which the land is being acquired and the entire expenditure of R&R benefits and other expenditure for resettlement and rehabilitation of PAFs are to be borne by the requiring body for which the area is being acquired.
- 5.16 It shall be the responsibility of the requiring body to provide sufficient funds to the Administrator for R&B for proper implementation of resettlement & Rehabilitation scheme/plan of Project Affected Families
- 5.17 The Administrator for R&R shall keep proper books of accounts and records of the funds placed at his disposal and submit periodical returns to the Appropriate Government in this behalf.

## **Contents of Draft Scheme/ Plan of R&R**

- 5.18 Every draft scheme/plan of resettlement and rehabilitation prepared shall contain the following particular namely:-
- a) the extent of area to be acquired for the project and the name(s) of the corresponding village(s).
  - b) a village wise list of the Project Affected Families and likely number of displaced persons, family-wise and the extent and nature of land and immovable property in their possession indicating the survey numbers thereof held by such persons in the affected zone prior to acquisition of lands for the project and after acquisition of lands for the project.
  - c) a list of agricultural labourers in such area and the names of such persons whose livelihood depend on agricultural activities.
  - d) a list of persons who have lost or are likely to lose their employment or livelihood or who have been alienated wholly and substantially from their main sources of occupation or vocation consequent of land for the project.
  - e) a list of occupiers, if any,

- f) a list of public utilities and Government building which are likely to be affected.
- g) a comprehensive list of benefits and packages which are to be provide to project affected families;
- h) details of the extent of land available which may be acquired in settlement area for resettling of the project displaced families;
- i) details of the extent of Government land available which may be allotted to PAFs in lieu of land acquired for the project.
- k) details of the basic amenities and infrastructure facilities which are to be provided for resettlement;
- l) the time schedule for shifting and resettling the displaced families in resettlement zones;
- m) such other particular as the Administration for Resettlement & Rehabilitation may think fit to include.

5.19 The Administration for Resettlement & Rehabilitation shall submit the draft scheme/plan for R&R to the State Government for its approval. It will be the responsibility of the State Government to obtain the consent of requiring body before approving the same. The draft scheme/plan shall be published in the village/locality concerned. The draft scheme/plan may also be published in the Official Gazette to give wide publicity to the same in the affected zone.

**Final  
Publication  
Of Scheme/  
Plan of R&R**

5.20 Upon notification of such scheme/plan, the same shall come into force.

## CHAPTER – VI

### R&R Benefits 6.0 R&R BENEFITS FOR PROJECT AFFECTED FAMILIES

- 6.1 The resettlement and rehabilitation (R&R) benefits shall be extended to all the Project Affected Families and Project Displaced Families (PAF) whether belonging to below poverty line (BPL) or non-BPL except to the extent where specifically restrictions mentioned in the policy.
- 6.2 **Free House Site:** Any Project Displaced Family (PDF) owning house and whose house has been acquired shall be allotted free of cost house site to a maximum extent of 150 sq mt of land in rural areas and 75 sq mt of land in urban areas.
- 6.3 **Grant for House construction:** Each PDF of BPL category who has been allotted free house site under section 6.2 shall get a one-time financial assistance of Rs40,000 or as fixed by Government from time to time for house construction. Non-BPL families shall not be entitled to receive this assistance.
- 6.4 **Allotment of Government land to PAFs, who become Small, or Marginal farmers or Landless after acquisition, in lieu of Acquired land:** In case of allotment of waste / degraded or agricultural Government land, if available with in the District, in lieu of acquired land and if agreed by PAF for allotment of such land, each such PAF shall also get financial assistance of Rs. 10,000 per hectare or as fixed by Government from time to time for land development and in case of allotment of agricultural land. Rs. 5,000 per PAF or as fixed by Government from time to time for agricultural production shall be given.

However such allotment of Government land will be restricted to an extent of land acquired from PAF or 2.5 Ha of dry or 1.25 Has wet land which ever is lesser.

Provided further that in such cases,

- a) no compensation will be payable for the lands acquired from the PAF for the project, to the extent of Government land is allotted
- b) no exgratia will be payable for the lands resumed from PAF for the project to the extent of Government land is allotted.

Land Acquisition officer shall pass the award for the lands acquired or resumed from PAF accordingly.

- 6.5 **Allotment of land acquired by Government from the project benefited area to Schedule Tribe PAFs, who become Small, or Marginal farmers or Landless after acquisition, in lieu of Acquired land from them:** Government may acquire land with in the project benefited area, as per guidelines issued by the Government from time to time such that no person should become small or marginal farmer or landless due such



acquisition, for allotment of such land to ST PAFs (who become small or marginal farmers or landless due to acquisition of their land for the project), if such PAFs so desire, in lieu of lands acquired from them.

However such allotment will be restricted to the extent of land acquired from such PAFs or 2.5 Ha dry land or 1.25 Ha land which ever is lower, further provided that in such cases.

- a) no compensation will be payable for the lands acquired from the PAF for the project, to the extent of such land is allotted
- b) no exgratia will be payable for the lands resumed from PAF for the project to the extent of such land is allotted

Land Acquisition officer shall pass the award for the lands acquired or resumed from PAF accordingly.

- 6.6 The Land allotted under Para 6.2, 6.4 and 6.5 shall be free from all encumbrances. The land allotted may be in the joint names of wife and husband of PAP.
- 6.7 **Grant for cattle shed:** Each PAF having cattle, at the time of acquiring his house, shall get financial assistance of Rs.3000/- or as fixed by Government from time to time for construction of cattle shed in new settlement.
- 6.8 **Grant for Transporting materials:** Each PAF shall get lump sum one time financial assistance of Rs.5000/- or as fixed by Government from time to time for transportation / shifting of his building materials, belonging and cattle etc. from the affected zone to the resettlement zone.
- 6.9 **Income Generating Scheme Grant:** Each PAF comprising of rural artisan / small trader and self employed person shall get one-time lump sum financial assistance of Rs.25000/- or as fixed by Government from time to time for construction of working shed / shop.
- 6.10 **Wages if after acquisition land owner becomes land less:** Each PAF owning agricultural land in the affected zone and whose entire land has been acquired shall get one-time financial assistance equivalent to 750 days minimum agricultural wages for "loss of livelihood " if no land is allotted in lieu of acquired land.
- 6.11 **Wages if after acquisition land owner becomes marginal farmer:** Each PAF owning agriculture land in the affected zone and who consequently becomes a marginal farmer shall get one time financial assistance equivalent to 500 days minimum agricultural wages if no land is allotted in lieu of acquired land.

- 6.12 **Wages if after acquisition land owner becomes small farmer:** Each PAF owning agriculture land in the affected zone and who consequently becomes a small farmer shall get one time financial assistance equivalent to 375 days minimum agricultural wages if no land is allotted in lieu of acquired land.
- 6.13 **Wages to labourers:** Each PAF belonging to the category of 'agricultural labourer', or 'nonagricultural labourer' shall be provided a one time financial assistance equivalent to 625 days of the minimum agricultural wages.
- 6.14 **Subsistence allowance to displaced family:** Each PAF who is also a project displaced family shall get a one time subsistence allowance equivalent to 240 days of minimum agricultural wages. It will be in addition to any other benefit available to him as PAF.
- 6.15 In the case of acquisition of land in emergent situation such as under Section 17 of the Land Acquisition Act 1894 or similar provision of other Act in force, each PAF shall be provided with transit accommodation, pending resettlement and rehabilitation scheme. Such families shall also get R&R benefits as mentioned in above paras under the policy.
- 6.16 The project Affected Families who were in possession of forest lands prior t 25<sup>th</sup> October 1980 shall get all the benefits of R&R as given in above paras under the policy.
- 6.17 The PAF enjoying reservation benefits in the affected zone shall be entitled to get the same reservation benefits the resettlement zone.

**Amenities at  
Settlement  
Center**

- 6.18 **BASIC AMENITIES TO BE PROVIDED AT RESETTLEMENT CENTER FOR PROJECTS:**  
While shifting the population of the Affected Zone to the Resettlement Zone, the Administrator for R&R may as far as possible, ensure that:
- a) In case the entire population of the village / area to be shifted belongs to a particular community, such population / families may be resettled enmasse in a compact area so that socio-cultural relations (social harmony) amongst shifted families are not disturbed
  - b) The Re-settlement center shall be provided with the basic amenities and infrastructural facilities of Drinking water, Internal roads, Drainage, Electricity, Primary School Building, playground, Community center and access road to the resettlements site. In addition to these facilities, the order Community facilities which were available in the village, at the time of acquisition, shall also be provided.

**R&R Benefits 6.19  
For STs**

**R&R BENEFITS FOR PROJECT AFFECTED  
FAMILIES OF SCHEDULED TRIBES:**

- a) Each Project Affected Family of ST category shall be given preference in allotment of land.
- b) Each Tribal PAF shall get additional financial assistance equivalent to 500 days minimum agriculture wages for loss of customary rights / usages of forest produce.
- c) Tribal PAF will be re-settled close to their natural habitat of their choice, to the extent possible, in a compact block so that they can retain their ethnic, linguistic and cultural identity.
- d) Tribal PAFs resettled out of the district of out side tribal area will get 25% higher R&R benefits in monetary terms.
- e) The Tribal Land Alienated in violation of the Laws and regulations in force on the subject would be treated as null and void and the R&R benefits would be available only to the original tribal landowner.
- f) The Tribal families residing in the Project Affected Areas having fishing rights in the river / pond / dam shall be given fishing rights in the reservoir area.

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

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

## CHAPTER – VII

### 7.0 DISPUTE REDRESSAL MECHANISM

#### Project Level R&R Committee

#### 7.1 R & R COMMITTEE AT PROJECT LEVEL:

- a) In Respect of Every Project to this policy applies the State Government Shall Constitute a Committee under the Chairmanship of the Administrator of the Project to be called the resettlement and rehabilitation Committee to monitor and review the progress of implementation of Scheme / plan of resettlement of the Project Affected Families.
- b) The Resettlement & rehabilitation Committee Constituted as shall inter – atia include as one of its members.
  1. A representative of women PAP residing in the affected zone;
  2. A representative each of the scheduled caste and scheduled Tribes PAPs residing in the affected zone;
  3. a representative of a voluntary organization;
  4. a representation of the lead bank;
  5. Chairperson the PRIS local in the affected zone;
  6. MPs/ MLAs of the area included in the affected zone;
- c) Procedure regulation the business of the Resettlement & Rehabilitation committee shall be framed by the Appropriate Government.

#### 7.2. GRIEVANCE REDRESSAL CELL:

#### Dispute Redressal Mechanism

- a) In Respect of every Project to which this policy applies. The state Government shall constitute a Grievance Redressal Mechanism under the Chairmanship of the commissioner for Resettlement & Rehabilitation for Redressal of grievance of the PAPs.
- b) The composition, power, function and other matter relating to the functioning the grievance redressal Mechanism shall be such as many be prescribed by the Appropriate Government.
- c) Any project Affected Family, if aggrieved, for not being offered the admissible R&R benefits as proved under this policy, may

move an appropriate petition for redressal of his grievance to the grievance Redressal Mechanism :

- d) The form and manner in which and the time within which complaints may be made to the grievance redressal Mechanism and disposed of shall be may be such as may be prescribed by the appropriate Government.

**Grievance  
Redressal  
Mechanism**

7.3) The grievance Redressal Mechanism shall have the power to consider and dispose of all complaints relating to Resettlement and rehabilitation against the decision of the Administrator/ R&R committee at project level and issue direction to the Administrator for Resettlement and Rehabilitation as it may deem Proper for the Redressal of such Grievances.

7.4) Committee for Resettlement and Rehabilitation may, by order in writing, delegate such of the administrative power conferred and duties imposed on him by or under this policy to any officer not below the rank of joint collector.

**Inter – State  
Project**

**7.5 INTER – STATE PROJECT**

- a) In case a project cover an area in more than one state or a union territory where the project Affected Families and project Displaced Families are or had been residing of proposed to be resettled, the or GOI in consultation with each other, may appoint the Administrator for Resettlement & Rehabilitation and the commissioner for resettlement and Rehabilitation for the purpose of this policy.
- b) The method of implementation of plans/scheme for resettlement & rehabilitation shall be mutually discussed by the state Government and the union territory administrator and the common plan/scheme shall be notified by the administrator for resettlement & rehabilitation in the state or union territory administrator, as agreed to, in according with the procedure laid down in this policy.
- c) If any difficulty arises in the the implementation of the Scheme/plans, the matter shall be referred to the central Government in the ministry of Rural (Department of land resources) for its decision of the central Government shall be binding on the concerned state and union territory.

## CHAPTER - VIII

### 8.0 MONITORING MECHANISAN AND APPLICABILITY

#### State Level Monitoring Committee

#### 8.1 STATE LEVEL MONOTORING COMMITTEE:

The GOAP Department of Revenue shall constitute a state level Monitoring Committee to be chartered by the Principal Secretary/Secretary, Department of Revenue for reviewing and monitoring the progress of implementation of resettlement and rehabilitation scheme/Plan relating to all projects to which this policy applies. The committee shall meet at least once in three months to review and monitor the implementation of R&R plan in all projects. The Committee will have the following on his nominee not below the rank of Joint secretary as its members;

Secretary, Planning  
Secretary, Social Welfare  
Secretary, Tribal Welfare  
Secretary, MA&UD  
Secretary, PR&RD  
Secretary, Housing  
Secretary, Education  
Secretary, Agriculture  
Secretary, Women and Child Welfare  
Secretary, Energy  
Secretary, Law  
Secretary, Finance  
Secretary, Requisition Department (Convener)  
State Level NGO  
Chief Engineer/Project Administration – Special Invitee

#### Project Level Monitoring Committee

#### 8.2 THIRD PARTY CONCURRENT AUDIT OF IMPLEMENTATION

Chairman State level committee shall put in place a mechanism for each project for third party concurrent audit of implementation of R&R plan. The audit report of such concurrent audit shall be placed before state level committee from time to time.

#### 8.3 PROJECT LEVEL MONITORING COMMITTEE :

The Administration Department of the project for which land is being acquired , shall constitute a project level monitoring committee, to be chaired by the District Collection of the district in whose jurisdiction the main component of the project lies, in case main component of projects spreads over more than one

district, senior most of the District Collectors shall Chair the committee for reviewing and monitoring the progress of implementation of resettlement and rehabilitation scheme/plan relating to the project to which this policy applies. The committee shall meet at least once in two months to review and monitor the implementation of R&R plan. The committee will have following as its members;

Joint Collector / PO ITDA  
R&R officer – RDO/Sub Collector of the division  
SDC/RDO/Sub Collector, Land Acquisition  
Project Director, DRDA

**Applicability**

**Chief Executive Officer, Zilla Parishad**  
**District Panchayat Officer**  
District Education Officer  
District Medical and Health Officer  
District Level representative of DISCOM  
Superintendent, RWS Panchayat Raj Department  
Three members from PAPs, one at least woman  
One member from local NGO  
Superintendent Engineer, Project site – Convener

**APPLICABILITY OF POLICY:**

- 8.4 THE POLICY ON THE RESETTLEMENT AND REHABILITATION OF PROJECT AFFECTED FAMILIES AND PROJECT DISPLACED FAMILIES(PRR – 2005) SHALL COME INTO EFFECT FROM THE DATE OF ISSUE OF GOVERNMENT ORDER.
- 8.5 The projects to which this policy is made applicable, the provisions of GO Ms 98 Irrigation (Project wing) Department dated 15-04-1986 and G.O Ms No. 64 Social Welfare (T) Department dated 18-4-1990 or any other order issued by any other department on this subject shall cease to operate from the date of commencement of this policy.

25/11

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GOVERNMENT OF ANDHRA PRADESH  
TRANSPORT, ROADS AND BUILDINGS DEPARTMENT

Memo.No.13236/Roads.IV.2/07-

Dated 25-1-2008

Sub: R&R Policy on Resettlement and Rehabilitation for Project Affected Families 2005 – Certain modifications – Regarding.

Ref: 1) Govt.Memo.No.70060/Roads.IV.2/2006, dated 29.6.2007.

2) From the Chief Engineer (R&B) & Managing Director, Andhra Pradesh Road Development Corporation Letter No. letter No. NIL dated 30.9.2007 and Lr.No.APSHP/R&R/2/ 2006, dated 17.11.2007.

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The attention of the Chief Engineer (R&B) & Managing Director, Andhra Pradesh Road Development Corporation is invited to the references cited and he is informed that Government after careful examination of the matter approved the modifications proposed by him appended to the memorandum.

The Chief Engineer (R&B) & Managing Director, Andhra Pradesh Road Development Corporation shall take necessary action accordingly.

T.CHATTERJEE  
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Chief Engineer (R&B) & Managing Director, Andhra Pradesh Road Development Corporation, Hyderabad (w.e.)

Copy to:

The Engineer in-Chief (Admn. & NH) Hyderabad,

The Engineer in-Chief (State Roads) Hyderabad,

The Chief Engineer (NABARD)

The Chief Engineer (Buildings)

The Chief Engineer (Hudco).

//FORWARDED BY ORDER//

SECTION OFFICER



**ANNEXURE TO MEMO NO. 13236/Roads.IV/2/2007, T (R&B) DEPT.,  
Dt: 23.01.2008**

**MODIFICATIONS IN THE AP R&R POLICY FOR ROAD SECTOR PROJECTS**

<b>S. No</b>	<b>Provisions under the present AP R&amp;R Policy 2005</b>	<b>Modifications proposed by Managing Director, APRDC, APRDC</b>	<b>Modifications accepted by Govt.</b>
1	Para 1.3: '.... Provide succor to the assets less rural poor. Who have been <b>displaced</b>	Add " and /or affected " after displaced	Accepted
	Para 3.2 : The definition of affected zone refers to water sector projects	Add one more parameter "( c ) for linear projects area falling within the project corridor of impact"	Accepted
2	Para 3.8: Project means the project(s) notified under this policy and displacing. a) 100 or more families en-mass in plain areas b) 25 or more families en mass in tribal areas or in areas mentioned in Schedule V of the constitution of India from their lands and or houses	Replace the definition of the project as: "Project means the project(s) notified under this policy and resulting in partial losses and/or displacing". Add one more parameter as (c) for linear project displacement is not en mass but scattered	Accepted

3	Para 3.0: There is no mention under the policy of families with no legal title and non – agricultural families.	<p>Add the following definition:  <b>Families with no legal titles</b> are the persons</p> <ul style="list-style-type: none"> <li>(i) Occupying government/other land for cultivation to earn their living</li> <li>(ii) Residing or carrying out economic activity in structures built within the affected zone/corridor of impact</li> </ul> <p><b>Non agricultural families:</b> means whose primary source of livelihood is from non agricultural source (like trading, business and manufacturing etc.) within the affected zone/corridor of impact</p>	Accepted
4	Para 3.16: A Project Displaced Family is defined as one whose more than 50% of land is required	Under Para 3.16 (b) replace 50% by 25% and add (d) families losing more than 25% of their residential/commercial structures.	Accepted
5	Para 3.17 project displaced Family is defined as “means any family. Dwelling house in the village in the affected. ...Dwelling house”	Revise the definition as follows: “Project Displaced family“ means any family, who on account of acquisition of dwelling house and structures used for commercial purposes including business/trade in the affected zone for the purpose of the project, has been displaced from such dwellings and/or commercial structures.	Accepted

6	The notification under section 4(i) of LA Act pertains to those whose lands/other immovable properties are acquired	Add: under Chapter III, the following <b>Cut off date:</b> For the legal owners of the land and structures the date of land acquisition notification will be the cut off date. For squatters/encroachers the date of social survey will be the cut off date for R&R entitlements.	Accepted
7	Para 5.4: Procedure to be followed for survey and census of PAFs and PDFs etc.	Revise Para 5.4 (b) as follows: "Project affected families... agriculture land business/work place, employment.... Or vocation. Also add the following: (e). The project affected persons who have unauthorized occupied the land /structures in the affected area.	Accepted
8	Para 5.14: After completion.... In consultation with. ...Project area is situated.	Revise Para 5.14 as under: After completion. In consultation with Project Affected families and Project Displaced families and their representatives, women, Chairpersons...Area is situated.	Accepted
9	Para 5.18: Contents of Draft Scheme/Plan of R&R	Add the following: n) The time schedule to extend R&R entitlements to project affected / displaced families	Accepted

10	Para 6.2: Free house sites: This is presently available to losing their private properties	Add: Any project displaced family (including squatters losing dwelling/shops/work place) has been acquired should be allotted site for (i) Dwelling house site free of cost (ii) Site for shop 30 sq.m in rural areas 25 sq.m in urban areas, free of cost.	Accepted as suggested: "Any PDF according to their eligibility will be suitably compensated".
11	Para 6.3: The Policy provides house construction grant	Include the following: Project displaced families including squatters who are of BPL category would get house construction grant. Any displaced person (including squatters) losing shop/work place should be allotted a site for shop free of cost 30 Sq.m. in rural areas, 25 Sq.m in urban areas. Each of the displaced families would also been given a grant of Rs. 10,000/- towards construction of alternate shop/work place.	As above

T. CHATTERJEE  
PRINCIPAL SECRETARY TO GOVT.

//FORWARDED:: BY ORDER//