

**Government of Jammu and Kashmir
Revenue Department,
Civil Secretariat, Jammu/Srinagar**

Notification

Srinagar, the 24th June, 2022

S.O 313 :—The following draft rules, which the Government proposes to make in exercise of the powers conferred by Section 109 of “The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013)”, are hereby published as required under section 112 of the said Act, for information of all persons likely to be affected thereby; and notice is hereby given that the said draft rules shall be taken into consideration after the expiry of a period of 15 (fifteen) days from the date of publication in Official Gazette.

Any objection or suggestion which may be received from any person with respect to the said draft rules within the period so specified shall be considered by the Government;

Objections or suggestions, if any, may be sent to the Commissioner/Secretary to the Government, Revenue Department Government of Jammu and Kashmir, Civil Secretariat, Jammu /Srinagar on Mail ID psikrevenue17@gmail.com.

**CHAPTER – I
General**

1. **Short title, extent and commencement.**—(1) These rules may be called “The Jammu and Kashmir Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Social Impact Assessment and Consent) Rules, 2022.
(2) They shall extend to the whole of the Union territory of Jammu and Kashmir.
(3) They shall come into force on and from the date of their final publication in the official Gazette.
2. **Definitions.**—(1) In these rules, unless the context otherwise requires, -
 - (a) “**Act**” means the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act No.30 of 2013);
 - (b) “**District Collector**” means Deputy Commissioner of the District performing the functions of Government for an extent of area as notified by the Government from time to time;
 - (c) “**Form**” means forms appended to these rules;
 - (d) “**Government**” means the Government of Union territory of Jammu and Kashmir;

- (e) **“Gram Panchayat”** and **“Gram Sabha”** have the same meanings as assigned to them under the Jammu and Kashmir Panchayati Raj Act, 1989;
- (f) **“Rural Area”** means any area in the Union territory except the areas covered by any urban local body or a cantonment board established or constituted under any law for the time being in force;
- (g) **“Section”** means section of the Act;
- (h) **Social Impact Assessment (SIA)”** means an assessment study being made under sub section (1) of section 4 of the Act;
- (i) **“SIA Unit”** means a Department or an agency appointed by the Government to carry out the Social Impact Assessment Study and prepare Social Impact Management Plan;
- (j) **“Social Impact Management Plan”** means the plan prepared as part of Social Impact Assessment Study under sub-section (6) of section 4 of the Act;
- (k) **“TOR”** means Terms of Reference;
- (l) **“Urban Area”** means any area in the Union territory covered by any local body or a cantonment board established or constituted under any law for the time being in force.

(2) All words and expressions used but not defined in these rules shall have the meanings assigned to them in the Act.

CHAPTER II

Request for land Acquisition

3. Request of Land Acquisition.— (1) Whenever land in any area is required or likely to be required for public purpose, the requiring body or its authorized representative, for whom land is to be acquired shall file the Request to the concerned District Collector in **Form-I** alongwith annexure (I, II & III) appended to these rules, alongwith the following documents:-

- i. Detailed project report;
- ii. Sanction letter of project;
- iii. Details of the land required alongwith map of the area;
- iv. Information about the classification of land i.e, irrigated multi-cropped, single cropped, wasteland, etc (if available);
- v. Any other information required by the collector.

(2) A copy of requisition shall be endorsed to the Rehabilitation and Resettlement Commissioner if any rehabilitation plan is involved.

(3) In case of acquisition for Government departments (Central & UT) the requisition shall be filed by Secretary or authorized representative (Not below the rank of HOD) of the concerned department. In case of Public Sector Undertaking (PSU) by the Administrative Secretary of the department dealing with such undertaking.

(4) The District Collector shall diarize the requisition on the data base of the district and forward it to concerned Collector designated by the Government under section 3 (g) of the Act.

(5) The Requiring Body shall also deposit minimum amount of Administrative cost of acquisition of land with the Collector alongwith the Requisition.

4. Action by Collector Land Acquisition.—(1) On receipt of the requisition under sub rule (1) of rule 3, the Collector shall constitute a committee consisting of officers from Revenue, Agriculture, Forest, Jal Shakti, Irrigation & Flood Control, Horticulture, Rural Development, PW (R&B), Departments or any other Department as the Collector deems necessary to visit the spot alongwith the representatives of Requiring Body to make a preliminary enquiry regarding-

- a. Availability of State/Government land/common land, waste or arid land which may be suitable for the public purposes to be given preference and first priority;
- b. Correctness of the particulars furnished in the requisition under sub-rule (1) of rule 3;
- c. Bare minimum land required for the project; and
- d. Whether the request is consistent with the provisions of the Act.

(2) The Committee shall submit a report to the Collector, comprising of the following; namely:-

- a. That the indenting department was offered State/Government land at various locations for the proposed acquisition and have not found any suitable land and has agreed to the proposed land which serves the public purpose ;
- b. That the extent of land proposed for acquisition is absolute bare minimum needed for the purpose/project;
- c. That the acquisition of land at an alternative place has been considered and found not feasible;
- d. That there is no sufficient/suitable unutilized land which has been previously acquired in the area;
- e. That there is no state/government/common land available which would serve the public purpose and there is only option to acquire the proposed patch of land which also include private land;
- f. That the land, if any, acquired earlier and remained unutilized, may be used for such public purpose;
- g. That the requisition is consistent or contrary to the provisions contained in section 10/other provisions of the Act; and
- h. The recommendations of the committee.

(3) The Collector shall give priority for acquisition of state/government land and while examining the above report satisfy himself and record a certificate that there is no State land/ government land /common land available which would serve the public purpose. If, the Collector on the basis of the report of the committee referred to in sub rule (1), other information available with him and instructions issued by the Government in this regard, is satisfied that the request is in consonance with the provisions of the Act, he shall make a preliminary estimate of the cost of the acquisition as defined in clause (i) of section 3 of the Act. The Collector shall also submit report alongwith composition of team to the Government for issuing notification for commencement of consultation and conduct of SIA.

(4) The Collector shall also issue directions to revenue field formation to prepare revenue papers in triplicate alongwith site map, and submit to the Collector. The revenue papers shall be authenticated by the authorized officer of the Requiring body:

Provided that the revenue papers shall be prepared after the minimum amount of administrative cost is deposited by the Requiring Body.

5. Administrative cost of acquisition of lands.—(1) The administrative cost in terms of paragraph (A) of sub clause (vi) of clause (i) of section 3 of the Act for acquisition of land for the Requiring Body to be deposited to the Collector shall be equal to 2.5 percent of the amount of compensation subject to a minimum of Rs. 5.00 lac. The minimum amount shall be deposited by the requiring body alongwith the requisition/indent to the Collector.

(2) The administrative cost shall be utilized for conducting ground survey of the land to be acquired including hiring of vehicle/expenditure on POL, updating the land records by the Revenue field staff, purchase of equipments, hiring of computer data operator, expenses on litigations, travelling & daily allowances of non- official members of Rehabilitation & Resettlement Committee, State Monitoring Committee, stationary and other contingency expenses related to the said acquisition with the prior approval of the District Collector.

6. Manner of depositing cost of acquisition by Requiring Body.—(1) The Collector will inform the Requiring Body to deposit the estimated cost of acquisition in his office within a period as may be specified by him and the Requiring Body shall deposit the same within the period specified by the Collector without which the process under the Act may not continue. The Requiring Body shall deposit the balance cost of acquisition after final estimation is prepared by the Collector and if any excess amount is awarded by the authority or a Competent Court, the same shall be deposited by the Requiring Body to the Collector as and when so required. The Collector shall deposit the cost of acquisition in the relevant Account.

(2) The Requiring Body shall also deposit the amount calculated for Rehabilitation and Resettlement at the appropriate time as specified by the Collector before the displacement of affected families in the same manner.

(3) The Requiring Body shall also deposit processing fee as assessed with the Collector Land Acquisition for conducting of Social Impact Assessment Study.

CHAPTER III

Social Impact Assessment (SIA)

7. Acquisition under Urgency Provisions and Exemption from Social Impact Assessment Study.—Where any land is proposed to be acquired by Requiring body by invoking urgency provisions under section 40 of the Act and if



it is considered expedient to do so and if such urgency falls within the purview of section 40 (2), the Collector shall submit a report to the Government seeking permission to invoke the urgency provisions giving cogent reasons and for exemption from undertaking Social Impact Assessment study in such acquisition. The Government shall examine the proposal and if satisfied that urgency provisions may be resorted to, communicate its decision to the concerned Collector, who shall proceed with the acquisition in accordance with provisions of the Act and these Rules.

8. The report of the committee shall be as SIA Report if no displacement or rehabilitation is involved.— Where no displacement or rehabilitation is involved with no adverse impact of the acquisition, then the Collector shall obtain report of the committee as constituted under sub-rule (1) of Rule 4 alongwith the consent of the interested persons (atleast 70%) which shall be considered as SIA Report and in such cases the Collector shall proceed for issuance of preliminary notification under section 11 of the Act within seven days.

9. Social Impact Assessment Study.— (1) Upon receipt of the report of Collector under sub rule (3) of rule (4) , the District Collector shall issue a notification in accordance with Part-A of Form-II appended to these Rules regarding the commencement of the SIA study and same shall be made available in the local language to the Panchayat/Municipality or Municipal Corporation as the case may be and in the office of District Collector, Sub Divisional Magistrate, Tehsil and affixing in the affected area. The notification shall also indicate date/time, venue and the details of the team/agency to carry out SIA study. Till such unit/agency is notified by the Government, a team of the following officers/officials may be constituted for conducting SIA:-

- a. Block Development Officer.
- b. Two officials from the government institutions/educational institutions having expertise in SIA study/Social studies.
- c. One officer/official from each of the following departments:-
 - i. Horticulture Department.
 - ii. Forest, Ecology and Environment Department.
 - iii. Agriculture Department.
 - iv. PW (R&B) Department/Mechanical Engineering Department.
 - v. Jal Shakti Department.
 - vi. Social Welfare Department.
 - vii. Labour Department.
 - viii. Housing and Urban Development Department.
 - ix. Officer/official of any other department as the Collector may deem fit.

Provided that such notification shall be issued within a period of 07 days from the date of deposit of the processing fee for carrying out the Social Impact Assessment study by the Requiring Body, which shall be determined in accordance with sub-rule (1) of Rule 11.

(2) The SIA study shall be conducted in consultation with the concerned Panchayat, Municipality, Municipal Corporation as the case may be, at



village level and Ward level in the affected area for the purpose of section 4 of the Act.

(3) The Social Impact Assessment Report shall be submitted in **Form-III** appended to these rules to the Government/Commissioner, R&R within a period of Six months from the date of commencement and shall include the views of the affected families recorded in writing.

(4) The Social Impact Assessment Report including summaries shall be prepared and divided into two parts; (i) the Social Impact Assessment Report; and (ii) the Social Impact Management Plan.

(5) The Social Impact Management Plan listing the ameliorative measures required to be undertaken for addressing the impact of the project under sub-section (6) of section 4 shall be submitted as per **Form-IV** appended to these rules to the Government/Commissioner, Relief and Rehabilitation.

(6) The Social Impact Assessment Report and the Social Impact Management Plan shall be made available in the local language to the concerned Gram Panchayat, Municipality or Municipal Corporation, at village level or ward level in the affected areas and in the Offices of the District Collector, the Sub-Divisional Magistrate, Collector and Tehsildar concerned. It shall also be published by way of a public notice by affixing at some conspicuous places in the affected areas and shall be uploaded on the website of the District Collector concerned and call for views of public within 15 days.

10. Institutional support and facilitation for SIA.— (1) The Government may identify or establish an independent organization which shall be responsible for ensuring that Social Impact Assessments are commissioned and conducted as per the provisions of the Act and Rules. The Government may also nominate J&K Institute of Management, Public Administration and Rural Development (IMPARD) to provide institutional support and facilitation for conducting of SIA.

(2) The Social Impact Assessment Unit shall undertake the following tasks namely:-

- a. To build and continuously expand a UT Database of Qualified Social Impact Assessment Resource Partners and Practitioners, which will serve as a network of individuals and institutions with the required skills and capacities to conduct Social Impact Assessments for land acquisition and Rehabilitation and Resettlement.
- b. To respond immediately to the Government or Collector's request for any Social Impact Assessment to be conducted by preparing a project-specific Terms of Reference;
- c. To conduct training and capacity building programmes for the Social Impact Assessment team and community surveyors and make available manuals, tools, comparative case study reports and other materials required for the analysis;
- d. To provide ongoing support and corrective action, as required during the Social Impact Assessment process;

- e. To ensure that the transaction based web-based workflow for Social Impact Assessments and MIS for Land Acquisition and Rehabilitation and Resettlement as specified in rule 18 is maintained and that all relevant documents are disclosed as per the provisions of the Act;
- f. Maintain catalogue of all Social Impact Assessments and associated primary material; and
- g. Continuously review, evaluate and strengthen the quality of SIAs and the capacities available to conduct them across the UT.

11. Project-specific Terms of Reference (ToR) and Processing Fee for the Social Impact Assessment.—(1) The Government shall send proposal of land acquisition alongwith all the relevant documents to the Social Impact Assessment Unit/Team for the purpose to :-

- (a) Prepare a detailed project-specific Terms of Reference for each proposal of land acquisition, listing all the activities that must be carried out indicating the appropriate team size (and number of field teams) and profile of the team members, and stipulate the schedule and deadlines for key deliverables for the Social Impact Assessment as detailed in **Part-B of Form-II** appended to these rules;
- (b) Determine estimated Social Impact Assessment fee based on the Terms of Reference with clear break-up of costs for each item or activity. The fee amount shall be based on defined parameters including area, type of project and number of affected families.

(2) Ten percent of the Social Impact Assessment fee shall be allocated to Social Impact Assessment Unit as administrative expenses for preparing the Terms of Reference and estimated Social Impact Assessment fee report.

(3) The Requiring Body shall deposit the Social Impact Assessment fee in the scheduled Bank Account of the Collector for the purpose.

12. Selection of the Social Impact Assessment Team.—(1) The Social Impact Assessment Unit (SIAU) shall select the SIA team for each project from the individuals and institutions registered or empanelled in the UT Database of Qualified Social Impact Assessment Resource Partners and Practitioners.

(2) The Requiring Body shall not be involved in any way in the appointment of the Social Impact Assessment team being appointed to carry out the Social Impact Assessment.

(3) The size and selection criteria for the SIA team shall be as per the project-specific ToR developed by the UT Social Impact Assessment Unit.

(4) The SIA team may be constituted by appointing individuals or an organization with experience in conducting SIAs or related field-based assessments and the team may include-

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- a. a combination of independent practitioners, qualified social activists, academics, technical experts, who are not directly connected with the requiring body; and
- b. at least one woman member;

(5) A team leader shall be appointed from amongst the SIA team to liaison with the SIA Unit and the Collector throughout the assessment period.

(6) While selecting the SIA team, it is to be ensured that there is no conflict of interest involving the team members appointed to assess the concerned project.

(7) If at any stage, it is found that any team member or any family member of the team member directly or indirectly receives any benefit from the Requiring Body or any other stakeholder in the project, the said member shall be disqualified apart from other legal proceedings being initiated against him in accordance with law. The team member shall submit undertaking to SIAU in this regard.

13. Process of conducting the Social Impact Assessment.—(1) The SIA team shall collect and analyze a range of quantitative and qualitative data, undertake detailed site visits, use participatory methods such as focused group discussions, participatory rural appraisal techniques and informant interviews in preparing the Social Impact Assessment report.

(2) All relevant project reports and feasibility studies shall be made available to the SIA team throughout the SIA process, as required. Any request for information from SIA team shall be met at the earliest by the concerned department/agency of the Government but not exceeding seven days.

(3) A detailed assessment based on a thorough analysis of all relevant land records and data, field verification, review and comparison with similar projects shall be conducted by the Social Impact Assessment team. The assessment shall determine the following, namely:-

- a. area of impact under the proposed project, including both land to be acquired and the areas that will be affected by environmental, social or other impacts of the project;
- b. area and location of land proposed to be acquired for the project;
- c. the land proposed for acquisition is the bare minimum required;
- d. possible alternative sites for the project and their feasibility;
- e. whether the land proposed for acquisition is irrigated multi-cropped land and if so, whether the acquisition is a demonstrable last resort;
- f. land, if any, already purchased, alienated, leased or acquired, and the intended use for each plot of land required for the project;
- g. the possibility of use of any public, unutilized land for the project and whether any of such land is under occupation;

- h. nature of the land, present use and classification of land and if it is an agricultural land, the irrigation coverage for the said land and the cropping pattern;
- i. the special provisions with respect to food security have been adhered to in the proposed land acquisition;
- j. size of holdings, ownership patterns, land distribution, number of residential houses, and public and private infrastructure and assets; and
- k. land prices and recent changes in ownership, transfer and use of lands over the last three years.

(4) Based on the land assessment, land records and field verification, the SIA team shall provide an accurate estimate of the number of affected families and the number of displaced families among them and ensure that, as far as possible, all affected families are enumerated:

Provided that where enumeration is not possible, a representative sample assessment shall be done by SIA team/unit.

(5) A socio-economic and cultural profile of the affected area must be prepared, based on available data and statistics, field visits and consultations as per **Form-III**:

Provided that in projects where resettlement is required, the identified resettlement sites shall be visited and a brief socio-economic profile of the land and its current resident population shall be indicated.

(6) Based on the data collected in processes listed above and in consultation with the affected communities and key stakeholders, the Social Impact Assessment team shall identify and assess the nature, extent and intensity of the positive and negative social impacts associated with the proposed project and land acquisition as per **Form-III**, to these rules.

- (7) (i) The SIA process includes the preparation of a Social Impact Management Plan (SIMP) in Form-IV, which will present the ameliorative measures to be undertaken to address the social impacts identified in the course of the assessment.
- (ii) The SIA team must assess the viability of impact mitigation and management strategies with clear indication of costs, timelines and capacities.
- (iii) The Social Impact Management Plan shall include the following measures-
 - (a) that have been specified in the terms of Rehabilitation and Resettlement and compensation for all the categories of affected families as mentioned in the Act;
 - (b) that the Requiring Body has stated that it will undertake in the project proposal and other relevant project documents; and

- (c) that additional measures being undertaken by the Requiring Body, which have been undertaken by it in response to the findings of the SIA process and public hearings.

(8) The Social Impact Assessment must provide a conclusive assessment of the balance and distribution of the adverse social impacts and social costs and benefits of the proposed project and land acquisition, including the mitigation measures, and provide an assessment as to whether the benefits from the proposed project exceed the social costs and adverse social impacts that are likely to be experienced by the affected families or even after the proposed mitigation measures, the affected families remained at risk of being economically or socially worse, as a result of the said land acquisition and resettlement.

14. Process for conducting public hearings.—

- a. Public hearings shall be held in the affected areas to bring out the main findings of the Social Impact Assessment, seeking feedback on the findings and to seek additional information and views for incorporating the same in the final documents.
- b. Public hearings shall be conducted in Gram Sabhas where the members are directly or indirectly affected by the acquisition of the land.
- c. The date and venue of the public hearing must be announced and publicized by the Social Impact Assessment Unit with assistance of Collector one week in advance through public notifications affixed at some conspicuous places in all the villages where the land is proposed to be acquired through direct communication with Gram Panchayat or Municipal Ward representatives, through Lambardar/Chowkidar of the village and by uploading the information on the website of the concerned district; and publication in newspapers having wide publicity in the area.
- d. (i) The draft Social Impact Assessment report and Social Impact Management Plan shall be published in the local language one week prior to the public hearing and distributed to all affected Gram Panchayats and Municipal offices. One copy of the draft report shall be made available in the offices of the District Collector, the SDM and the Tehsildar concerned.
(ii) The Requiring Body may also be served with a copy of the draft report. Adequate copies of the report and summaries shall be made available on the day of the public hearing. Accessible displays and other visual shall be used to share the findings of the Social Impact Assessment report.
- e. (i) A member of the Social Impact Assessment team shall facilitate the public hearing, which shall be organized through local administration with designated Government officials at appropriate level.
(ii) The Gram Panchayat or Municipal Ward representatives shall also be involved in all the decisions regarding the arrangements for the public hearings in their respective areas.
- f. All the proceedings shall be held in the local language with effective and credible translators to ensure that all the participants could understand and express their views.
- g. Representatives from the Requiring Body and Collector and Administrator shall also attend the public hearing and address the questions and concerns raised by the affected parties.

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- h. Public representatives, local voluntary organizations and media shall also be invited to attend the public hearings.
- i. The proceedings of the public hearing shall be video recorded and transcribed accordingly. This recording and transcription shall be submitted along with the final Social Impact Assessment report and Social Impact Management Plan to the Collector.
- j. After the conclusion of the public hearings, the Social Impact Assessment team shall analyze the entire feedback received and information gathered in the public meetings and incorporate the same along with their analysis, in the revised Social Impact Assessment report accordingly.
- k. Every objection raised in the public meeting shall be recorded and the Social Impact Assessment team shall ensure that the every objection shall be considered in its report.

15. Publication of Social Impact Assessment Report and Social Impact Management Plan.— The final Social Impact Assessment Report and Social Impact Management Plan shall be prepared in the local language shall be published in affected area in the Gram Panchayat, Municipality or Municipal Corporation, as the case may be, and the offices of the District Collector, Collector, the Tehsildar and shall be hoisted on the website of the District Collector concerned.

16. Appraisal of Social Impact Assessment report by an Expert Group.— (1) Upon receipt of SIA and SIMP report, the Government shall constitute an independent multi-disciplinary Expert group as provided under sub-section (1) of section 7 of the Act. The expert group shall consist of:-

- a. two non-official social scientists;
- b. two representatives of Panchayat, Gram Sabha, Municipality or Municipal corporation as the case may be;
- c. two experts on Rehabilitation;
- d. a technical expert in the subject relating to the project.

(2) The experts may be drawn from Government departments/NGOs/ but shall not include members belonging to requiring body. The senior member shall be nominated as Chairperson of the Expert Group.

(3) The Expert Group shall evaluate the Social Impact Assessment report and shall make its recommendation as provided under sub-section (4) & (5) of section 7 to that effect within a period of two months from the date of its constitution.

(4) The recommendations of the Expert Group shall be made available in the local language to the concerned Gram Panchayat, Municipality or Municipal Corporation, as the case may be, at village level or ward level in the affected areas and in the Offices of the District Collector, the Sub-Divisional Magistrate, Collector and the Tehsildar and shall be published in the form of posters circulated in the affected areas and by affixing them in conspicuous places in the affected areas and shall be uploaded on the website of the District Collector.

17. Consideration of the Social Impact Assessment report, recommendations of the Expert Group etc.— (1) The Government shall examine the Social Impact Assessment report, the recommendations of the Expert Group and the report of the Collector, if any, in accordance with sub-section (1) & (2) of section 8 of the Act

and decide such area for acquisition which would ensure minimum displacement of people, minimum disturbance to the infrastructure, ecology and minimum adverse impact on the individuals affected.

(2) The decision of the Government under sub-rule (1) shall be made available in the local language to the concerned Panchayat, Municipality or Municipal Corporation, as the case may be, at village level or ward level in the affected areas and in the Offices of the District Collector, the Sub-Divisional Magistrate, Collector, Tehsildar and shall give wide publicity in the affected areas by affixing at the conspicuous places and shall also be uploaded on the website of the District Collector:

Provided that where land is sought to be acquired for the purposes as specified in sub-section (2) of section 2 of the Act, the Collector shall also ascertain as to whether the prior consent of the affected families as required under the proviso (b) to sub-section (2) of section 2 has been obtained in Form-V (Part-B) appended to these rules by conducting Gram Sabha.

(3). The Collector shall proceed for issuance of preliminary notification within 07 days once the decision of the Government is conveyed.

18. Web-based Work Flow and Management Information System (MIS) for Land Acquisition and Rehabilitation and Resettlement.— There shall be a dedicated, user-friendly website of the District Collector that may serve as a public platform on which the entire work flow of each acquisition case will be hosted, beginning with the notification of the Social Impact Assessment and tracking each step of decision-making, implementation and audit.

19. Inventory of Waste, Barren and Un-utilized Lands.— To ensure acquisition of minimum amount of land and to facilitate the utilization of un-utilized public lands, the District Collector may prepare a district-level inventory report (Village wise) of waste, barren and unutilized public land, and land available in the Government land bank and that may be made available to the Social Impact Assessment team and Expert group. The inventory report shall be updated from time to time.

Chapter-IV Consent

20. Consent Requirements.— (1) The Collector, shall obtain prior consent of the affected land owners in **Form-V (Part-A)**.

(2) The Collector may constitute a team of officers under his control to assist him in the process of obtaining the prior consent.

(3) The Collector shall take necessary steps for updating the records relating to land rights, title in the land and other revenue records in the affected areas, so that the names of land owners, occupants of the land and individuals be identified for initiating the prior consent process and land acquisition.

21. Consent of the Gram Sabha.— (1) The Collector shall in consultation with the representatives of the Gram Panchayats or District Development Councils notify the date, timing and venue for holding special Gram Sabha in the affected areas one week in advance and conduct public awareness campaigns to motivate members of the Gram Sabha to participate in the Gram Sabha.

(2) The names and signatures of all the members who attended the meeting of the Gram Sabha shall be taken and kept in the records.

(3) The quorum shall be at least one third of the total members of the Gram Sabha for considering the consent as valid:

Provided that one third of the total women members of the Gram Sabha shall also be present in the Gram Sabha meeting.

(4) Printed copies with the proposed terms and conditions for compensation, rehabilitation and resettlement shall be made available in the local language at least one week prior to the Gram Sabha meeting.

(5) For public private partnership projects and projects by private companies, representatives of the Requiring Body, who are competent to take decision and negotiate terms of Rehabilitation and Resettlement and compensation shall be present at all such Gram Sabha meetings and respond to the queries raised by the Gram Sabha members.

(6) The terms and conditions, Rehabilitation and Resettlement, compensation committed by the Requiring Body shall be explained to the Gram Sabha members in the local language and signatures of the members as well as the representative of Requiring Body shall be obtained on such terms and conditions.

(7) After deliberations, the Gram Sabha shall pass a resolution with majority in **Form-V (PART-B)** giving or withholding consent for the proposed acquisition and the resolution shall contain the negotiated terms and conditions for Rehabilitation and Resettlement, compensation, impact management and mitigation that the Requiring Body has committed and which have been signed by the Collector or designated officer and the representative of the Requiring Body.

(8) The Gram Sabha resolution once received shall be counter signed by the Collector or a designated Officer and a signed copy shall be handed over to all the Panchayat representatives.

(9) Any resolution that does not explicitly contain a statement of consent to the project, a statement of the negotiated terms of compensation and Rehabilitation and Resettlement shall be invalid.

(10) All the proceedings of the Gram Sabha shall be video recorded, documented in writing and shall be made available in the office of Collector, Panchayat offices.

(11) Members of the Social Impact Assessment team shall be present to assist the Gram Sabha meetings.

22. Consent of the Affected Land owners.— (1) In Public Private Partnership projects and projects by private companies, a list of all affected land owners from whom consent is required to be obtained shall be drawn up by Collector in consultation with the Social Impact Assessment team.

(2) The list shall be made available in the affected area, in the form of posters and handouts and by displaying the list in conspicuous places of the affected areas for at least seven days before obtaining consent.

(3) In case of any objection, the views of the objector shall also be taken, and the reasons for doing so shall be recorded in writing and conveyed to the concerned person within seven days.

(4) The Collector in consultation with representative of Panchayat, Municipality, Municipal Corporation as the case may be, shall notify the date, time and venue at least one week in advance, for holding the affected land owners meetings at the village or ward level.

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(5) The proposed terms and conditions agreed to by the Requiring Body shall also be made available in local language at least one week in advance of the meeting of the affected land owners to each and every affected land owner.

(6) For public private partnership projects and projects by private companies, representatives of the Requiring Body, who are competent to take decision and negotiate terms of Rehabilitation and Resettlement and compensation shall be present at all such affected land owners meetings and respond to the queries raised by the affected land owners.

(7) The terms and conditions, Rehabilitation and Resettlement, compensation committed by the Requiring Body shall be explained to the members in the local language and signatures of the members as well as the representative of Requiring Body shall be obtained on such terms and conditions.

(8) At the conclusion of the meeting, each individual land owner shall be asked to indicate in the signed declaration whether he or she gives or withholds consent for the acquisition of land involved.

(9) A copy of this declaration with the attached terms and conditions shall be given to the land holder concerned. The declaration shall be countersigned by the Collector or officer authorized by him on its receipt.

(10) Arrangements shall be made for those who could not attend the land owners meeting for enabling them to submit their signed declarations to the Collector within 07 days from the date of land owners meeting.

(11) The declaration form shall be counter-signed by the Collector or designated officer on its receipt and a copy of the declaration, with the attached terms and conditions shall be handed over to the affected landowner.

(12) Consent procedure shall be determined on the basis of the signed or thumb impression, written declarations of land owners.

(13) All proceedings of taking affected land owner's consent during land owners meetings shall be recorded in video and all the proceedings must be documented in writing.

(14) The outcome of the consent process shall be made available in the office of Collector and Panchayat offices.

(15) Members of the Social Impact Assessment team shall be present to assist the affected land owners meeting.

23. Roles and responsibilities of the Government for consent processes.—

(1) The Government shall notify and publish the date, time and venue of Gram Sabha, Panchayat etc and affected land owners meetings for obtaining the consent and organize public awareness campaigns to encourage participation of the affected land owners in the consent processes.

(2) The Government shall ensure that the following are provided at least one week in advance to every member from whom consent is sought, in the local language, namely:-

- a. A copy of the draft Social Impact Assessment report (if applicable) in the local language;
- b. Initial package being offered for compensation and Rehabilitation and Resettlement;
- c. A list of the rights currently enjoyed by the village and its residents under revenue laws, Forest Rights Act and other legislations;
- d. Contact details of the officer or authority alongwith official telephone number to be contacted in case of any attempt to coerce for signing the



declaration of consent process. It shall be ensured no coercive steps be taken for getting consent of affected persons, any such attempt shall be illegal.

(3) The Collector or any official appointed by the Collector shall attend the Gram Sabha, Panchayat etc and land owners meetings.

(4) The Government shall ensure that all the documents relating to Social Impact Assessment are made available to the affected land owners and all requests for information are provided within seven days.

24. Roles and responsibilities of the Requiring Body for consent processes.—

(1) The Requiring Body shall appoint representatives competent to take decisions and negotiate terms and condition of compensation and Rehabilitation and Resettlement, who shall be present in the meetings of affected land owners for obtaining the consent and reply to the queries raised by the land owners.

(2) The Requiring Body shall provide all the information on the project, prior to the taking of consent as well as any additional information, if required.

CHAPTER-V

Notification of Acquisition

25. Publication of Preliminary Notification.— (1) The preliminary notification referred to in section 11 of the Act shall be issued in **Form-VI** appended to these rules.

(2) The preliminary notification shall be published in the manner provided in sub-section (1) of section 11 of the Act.

(3) A copy of the notification shall be affixed at conspicuous places in the affected areas and shall also be informed to the public through Lumbardar/Chowkidar of the village and shall be published in Official Gazette.

(4) After issuing the preliminary notification, the Collector shall ensure completion of the exercise of updating land records within a period of two months as specified here under:-

- a. Delete the entries of dead persons;
- b. Enter the names of the legal heirs of the deceased persons;
- c. Enter the registered transactions of the rights in land such as sale, gift, partition, etc;
- d. Make all entries of the mortgage in the land records;
- e. Delete the entries of mortgage in case the lending agency issues letter towards full payment of loans taken;
- f. Update entries in respect of all prevalent forest laws;
- g. Update entries in case of the Government land;
- h. Update entries in respect of assets in the land like trees, wells, etc;
- i. Update entries of share croppers in the land;
- j. Any other entries or up-dating in respect of land acquisition, rehabilitation and resettlement.

(5) The Collector and Revenue field staff and the officers associated with the acquisition are authorized for conducting of survey of land as provided under section 12 of the Act.

(6) The Collector Land Acquisition after hearing all objections and making enquiry as provided in sub-section (2) of section 15 of the Act shall submit a report along with his recommendations on the objections to the Government for decision. The report of Collector shall, inter-alia include:-

- a. Assessment as to whether the proposed acquisition serves public purpose;
- b. Whether the extent of land proposed for acquisition is the absolute bare-minimum extent needed for the project;
- c. Whether land acquisition at an alternate place has been considered and found not feasible;
- d. There is no unutilized land which has been previously acquired in the area and there is no Government common land available in the area;
- e. The land, if any, acquired earlier and remained unutilized, is used for such public purpose and make recommendations in respect thereof;
- f. Classification of land and soil type;
- g. Recommendations on the objections;
- h. Record of proceedings; and
- i. Approximate cost of land acquisition.

CHAPTER-VI

Rehabilitation and Resettlement Scheme

26. Power, duties and responsibilities of the Administrator.—(1) The Administrator shall be appointed by the Government as per the provisions of the Act, shall have the following powers, duties and responsibilities; namely:-

- a. To conduct a survey and undertake a census of the affected families in the manner and within time as provided under rule 27;
- b. To prepare a draft Rehabilitation and Resettlement Scheme;
- c. To publish the draft scheme by the mode provided under these Rules;
- d. To make the draft scheme available to the concerned persons and authorities;
- e. To organize and conduct public hearings on the draft scheme;
- f. To provide an opportunity to the Requiring Body to make suggestions and comments on the draft scheme;
- g. To submit the draft scheme to the Collector;
- h. To publish the approved Rehabilitation and Resettlement Scheme in the affected area;
- i. To help and assist the Collector in preparing the Rehabilitation and Resettlement award;
- j. To monitor and supervise the implementation of the Rehabilitation award;
- k. To assist in post-implementation audit of Rehabilitation and Resettlement, and
- l. Any other work required to be done for Rehabilitation and Resettlement.

27. Preparation of Rehabilitation and Resettlement Scheme and Public Hearing.—(1) Upon publication of the preliminary notification under sub-section(1) of section 11 by the Collector, the Administrator for Rehabilitation and Resettlement shall conduct a survey and undertake a census of the affected families within a period of two months from the date of publication of such preliminary notification.

(2) The survey and census of the affected families shall include the particulars mentioned in sub-section (1) of section 16 of the Act.

(3) In the survey conducted and the census of the affected families so undertaken by the Administrator, he shall collect the data based on the Social Impact Assessment report as well as collect the data from the secondary sources such as Panchayat, Municipality, Municipal Corporation, Government records and verify

that data by door visit of the affected families and by site visits in case of infrastructure in the affected area.

(4) The draft Rehabilitation and Resettlement Scheme prepared by the Administrator shall in addition to the particulars mentioned in the sub section (2) of section 16, contain the following:

- (a) List of likely to be displaced families;
- (b) List of infrastructure in the affected area;
- (c) List of land holdings in the affected area;
- (d) List of trades/business in the affected area;
- (e) List of landless people in the affected area;
- (f) List of persons belonging to disadvantaged groups like persons belonging to Scheduled Castes or Scheduled Tribes, handicapped persons in the affected area;
- (g) List of landless agricultural labourers in the affected area;
- (h) List of unemployed youths in the affected area.

(5) The Administrator shall prepare a comprehensive and detailed draft Rehabilitation and Resettlement Scheme. The Administrator shall give wide publicity to the draft Rehabilitation and Resettlement Scheme in the affected area through publication in the following manner:-

- a. In two daily newspapers being circulated in the locality of such area of which one shall be in the regional language.
- b. To be made available in the office of Panchayat/Municipality or Municipal Corporation as the case may be at the Ward/Village level.
- c. In the office of District Collector, Sub Divisional Magistrate/Collector, Tehsil and Block Development Office.
- d. To affix at the conspicuous place in the affected area.

(6) The Administrator or an officer authorized by him shall conduct a public hearing in the affected areas on such date, time and venue as decided by giving advance notice of one week. The provisions of rule 14 relating to the public hearing shall, mutatis mutandis, apply to the public hearing in this case also.

(7) The Administrator shall, on completion of public hearing submit the draft scheme for Rehabilitation and Resettlement alongwith a specific report on the claims and objection raised in the public hearing, to the Collector in accordance with sub-section (6) of the section 16 of the Act.

(8) Thereafter, the Collector shall review the draft scheme in accordance with sub-section (1) of section 17 and shall submit the draft Rehabilitation and Resettlement Scheme with his suggestions to the Commissioner of Rehabilitation and Resettlement for approval of the scheme in accordance with sub section (2) of section 17 of the Act.

28. Publication of the Approved Rehabilitation and Resettlement Scheme.—

(1) The Commissioner for Rehabilitation and Resettlement by way of public notice shall publish the approved Scheme as finalized by him under section 18 of the Act, in the affected area by affixing at conspicuous places, circulating through lumberdar/chowkidar in the area and shall publish in the two local daily news papers one in English and other in regional language having wide circulation in the area.

(2) The copies of the approved scheme shall also be made available in the offices of the Municipality/Village Panchayat, District Collector, Sub-Divisional Magistrate, concerned Tehsildar and Administrator (Rehabilitation and

Resettlement) of the concerned area by public affixture and shall also be uploaded on the official website of the District Collector.

29. Development Plan for Scheduled Castes or Scheduled Tribes Families.— Subject to the provisions of section 41 of the Act, in case of displacement of Scheduled Castes or Scheduled Tribes families due to acquisition, a Development Plan in Form-VIII shall be prepared by the Administrator (Rehabilitation and Resettlement) in consultation with the affected families and the said plan shall be read out and discussed during the public hearing of Rehabilitation and Resettlement Scheme and finalized.

CHAPTER-VII

Declaration, Award and Compensation

30. Publication of Declaration for Acquisition.— (1) Upon receipt of a report of the Collector as provided under sub-section (2) of section 15, after disposal of objections, a declaration for acquisition of the land under sub-section (1) of section 19 of the Act along with the summary of the Rehabilitation and Resettlement Scheme shall be issued by the District Collector/ Government in **Form VII** appended to these rules:

Provided that no such declaration shall be made unless the requiring body has deposited 80% towards the cost of acquisition of the land as per the procedure as provided in Rule 6.

(2) The Collector shall publish a summary of the Rehabilitation and Resettlement Scheme alongwith declaration referred in sub-section (1):

Provided that no declaration under this sub section shall be made unless the summary of the Rehabilitation and Resettlement Scheme is published alongwith such declaration:

Provided also that the Requiring Body shall deposit the amount promptly so as to enable the Government to publish the declaration within a period of twelve months from the date of publication of preliminary notification under section 11 of the Act.

(3) The said declaration shall be published in the manner as prescribed under sub-section (4) of section 19 of the Act. In the affected areas the declaration shall be published by way of affixing copy at conspicuous places in the Panchayat, Ward, as the case may be, under which the affected area falls.

31. Notice to the persons interested.— Upon the declaration issued by the Government under section 19 of the Act on **Form (VIII-B)**, the Collector shall issue a public notice under section 21 of the Act and cause public notice to be given at convenient places stating that the Government intends to take possession of the land and claims to compensation and rehabilitation and resettlement for all interest in such land.

32. Land Acquisition Award.— (1) The Collector after enquiry into and disposal of the objections, if any, raised by the interested persons in pursuance of the public notice published and given under sub section (1) of section 21 of the Act, shall make land acquisition Award under section 23 of the Act in Form IX appended to these rules.



(2) The compensation shall be calculated as per the provisions laid down under section 26 to section 30 read with First Schedule of the Act.

33. Rehabilitation and Resettlement Award.— (1) The Collector shall also make Rehabilitation and Resettlement Award for each affected family in accordance with the Second Schedule of the Act in **Form X** appended to these rules and hand over family wise Awards to each affected family.

(2) The Collector shall also ensure provisions of infrastructure facilities and basic amenities are provided for every resettlement area.

34. Pecuniary Jurisdiction for approval of the Land Acquisition and Rehabilitation Award.— (1) The Government empowers the following authorities shown in the column 2 to the extent of pecuniary competence for the amount shown against each in column 3 within their respective territorial jurisdiction:-

S.No.	Authority	Amount of Land Acquisition
1	Collector Land Acquisition	Upto 1.00 crore
2	District Collector/Deputy Commissioner	Upto 20.00 crore
3	Divisional Commissioner	Upto 40.00 crore
4	Financial Commissioner, Revenue	Upto 60.00 crore
5	Government (In Revenue Department)	Beyond 60.00 crore

(2) This may increase or decrease as may be notified by the Government from time to time in the official gazette.

(3) The District Collector shall hold Collectors meeting on fortnightly basis to discuss the rates of compensation prepared by the Collector strictly as per the provisions under section 26-30 of the Act and record note of each meeting shall be maintained in District Collector's office and copy attached with the each case.

35. Title Verification, entitlement of compensation etc and Mode of Payment of Compensation.— The Government may issue guidelines separately and for the time being till fresh guidelines are formulated, the guidelines issued by the Government vide Circular No. Rev.LB-10/80 dated 23-02-1980 and subsequent orders and clarifications issued from time to time shall apply to the acquisition under the said Act. The payment of compensation to the rightful claimants shall be made through the bank accounts only.

36. Recovery of Excess Amount.— In the case of any default or refusal to pay the excess amount as referred to in sub section (3) of section 33, the same shall be recovered as arrears of land revenue under the provisions of the Jammu and Kashmir Land Revenue Act, Svt. 1996 and such recovery shall be made within the period of 03 years from the date on which excess amount is found to have been paid. Beyond the period of 03 years, 6% interest shall be levied and excess amount and interest shall be recovered in the same manner.

37. Recovery of rehabilitation and resettlement benefit.— Where any rehabilitation and resettlement benefit is found to have been availed of by making

false claim or through fraudulent means, as provided under sub-section (2) of section 84 of the Act shall be recovered as arrear of land revenue in the manner under Jammu and Kashmir Land Revenue Act, Smvt. 1996.

38. Limits on extent of land under section (3) of section 2.— (1) The limits of extent of land referred to in clause (a) of sub section (3) of section 2 shall be twenty hectares (400 kanal) in urban areas and forty hectares (800 kanal) in rural areas.

(2) The land acquisition shall not exceed 15% of the net present cultivable area in the UT and the limits in the districts shall be prescribed by the District Collectors concerned as contemplated under Section 10(4) of the Act subject to any further notification as may be notified by Government.

CHAPTER-VIII

Rehabilitation and Resettlement Committee and State Monitoring Committee.

39. Rehabilitation and Resettlement Committee.— (1) Where the land proposed to be acquired is equal to or more than one hundred acres, the Government shall constitute a Rehabilitation and Resettlement Committee at Project Level as provided under section 45 of the Act.

(2) The Committee shall follow the following procedure:-

- (a) The Committee shall have its first meeting when a draft Rehabilitation and Resettlement Scheme has been prepared by the Administrator.
- (b) The Committee shall discuss the scheme and make suggestions and recommendations. Thereafter, the Committee shall meet, and review and monitor the progress of the rehabilitation and resettlement once in 3 months till the process of rehabilitation and resettlement is completed.
- (c) For the purpose of carrying out the post-implementation social audits, the Committee shall meet as and when required.
- (d) The Committee may visit the affected area and discuss with the affected families if it so desires and also visit the resettlement area to monitor the resettlement process.

(3) The non-official members of the Committee shall get travelling and daily allowances at the rate admissible to Class-II Officers of the Government.

40. State Level Monitoring Committee.—(1) The Government may constitute State Monitoring Committee, as required under section 50 of the Act. The Committee shall follow the following procedures:-

- (a) Monitor and review the implementation of the Rehabilitation and Resettlement Schemes or plans under the Act.
- (b) The Committee shall hold first meeting within a month of the publication of the scheme by the Commissioner under section 18.

- (c) Thereafter, the meetings of the Committee shall be held once in three months to review and monitor the implementation of the rehabilitation and resettlement schemes. The Commissioner (R&R) shall be the Member Convener.
- (d) The Committee may call for records and information of rehabilitation and resettlement scheme call the requiring body for discussion as and when required and ask for report about implementation of its decision.

(2) The non-official members of the State Monitoring Committee shall get travelling and daily allowance at the rate admissible to the Class-I Officers of the Government.

CHAPTER-IX

Land Acquisition, Rehabilitation and Resettlement Authority

42. Establishment of Land Acquisition, Rehabilitation and Resettlement Authority.— (1) The Government shall establish by notification one or more Authority known as “Land Acquisition, Rehabilitation and Resettlement Authority in the Union territory of Jammu and Kashmir to exercise, jurisdiction powers and authority conferred on it by or under the Act:

Provided that till such an Authority is established, the Government with the concurrence of the Hon’ble High Court of J&K and Ladakh may declare Courts of District Judges/Additional District Judges to act as the Land Acquisition, Rehabilitation and Resettlement Authority.

(2) If the Presiding Officer is a serving District Judge, his salary and other service conditions shall continue to be in accordance with the relevant service rules applicable to him in the post of District Judge.

(3) If the Presiding Officer is a retired District Judge, his salary shall be the last pay drawn by him while he was in service minus the pension he is drawing from time to time. He shall not be entitled for any pension towards the service rendered by him as the Presiding Officer of the authority. The other service conditions applicable to the post of District Judge shall mutatis mutandis be applicable to him.

(4) If the Presiding Officer is a legal practitioner, he shall be paid the pay and other allowances in the minimum scale of pay applicable to the post of District Judge (entry level). He shall not be entitled for any pension. The other service conditions applicable to the post of District Judge shall mutatis mutandis be applicable to him.

(5) There shall be a Registrar of the rank of Tehsildar from the Revenue Department and other staff to be posted on deputation from different cadres of the Government including the Department of Revenue. The salaries and allowances of the Registrar and other officers and employees of the said authority

shall be the same as they were drawing from their parent departments. The general conditions of service applicable to them in their parent cadre shall mutatis mutandis be applicable while on deputation in the said authority.

(6) The Government may prescribe any other matter as required under clause (g) of sub section (1) of Section 60 by publishing in the official gazette from time to time.

CHAPTER-IX

Miscellaneous

43. Reversion of land to the Land Bank.— (1) Where any land acquired under the Act remains unutilized for a period of five years from the date of taking over possession, the same s

hall be returned to the original owners or their legal heirs as the case may be, or the Land Bank of the Government in accordance with the provisions contained in section 101 of the Act by issuing a notice to the Requiring Body for whom the land was acquired and by giving opportunity of being heard and by passing necessary written order by the Government in this behalf:

Provided that:-

- a. No dispute exists as to the ownership of the land;
- b. No dispute exists as to who the true legal heirs are; and
- c. The entire land covered under the notification issued under section 11 is not fully utilized; and
- d. The land owners had not availed cash benefit or land for land under the Rehabilitation and Resettlement Scheme.

(2) The reversion shall be considered only as a whole in respect of all the lands described in the notification under section 11 and not in parts.

(3) For determining the five year period, the latest date of taking possession of any parcel of land shall be the date of taking possession of land and the litigation period, if any, shall be excluded for the calculation of 5 years.

(4) The compensation paid to the erstwhile land owners excluding Solatium shall be returned by them.

(5) The owner/legal heir claiming reversion of lands shall submit an application to the Collector within thirty days from the lapse/expiry of five years, excluding litigation period if any from the date of taking possession and the application shall be duly signed by all the land owners/legal heirs.

(6) The claimant shall deposit an amount equal to 50% of the compensation received/drawn in the form of Demand Draft in the name of the Head of department of the Requesting Body alongwith his application after the period of five years from the date of taking possession of the said land. The remaining 50% shall be deposited within a period of 30 days from the date of communication of the intention of government for returning the land.

(7) The amount so refunded shall be deposited into the Consolidated Fund of the Union territory of Jammu and Kashmir or of the Government of India as the case may be.

(8) The Collector shall intimate the Government by issuing a notice to the Requiring Body for whom the land was acquired and by giving an opportunity of being heard and seek necessary written order from the Government in this behalf.

(9) After passing of the written order as above, the Government may direct the Collector to take the possession of the acquired land for the purpose of returning the same to the original owners or their legal heirs as the case may be or to the Land Bank of the Government.

(10) On receipt of the order of the Government, the Collector shall communicate to the land owners/legal heirs, the period before which the compensation amount received by them should be deposited for taking back their lands.

(11) If, the Requiring Body does not handover possession of the said land to the Collector, the Collector shall be competent to take the help of Executive Magistrate and police force to take the possession by giving prior notice to the Requiring Body.

(12) On reversion of land to the land owners (or) to their legal heirs as the case may be, or to the land bank, the Collector shall direct the Tehsildar concerned to make necessary entries in the land records to this effect.

44. Manner and mode of publication.— Wherever the provision of the Act provides for publication, it shall be in the following manner, namely:-

- (a) Publication in the Official Gazette;
- (b) Publication in two widely circulated news papers in the affected area, one of which in the local language;
- (c) Publication on the website of the district concerned/ Government;
- (d) Publication in the office of concerned Collector, Tehsil office, Gram Panchayat office, Ward and wide publicity through Lamberdar/Chowkidari of the area.

45. Interpretation of rules.— If any difficulty arises as to the interpretation of any provisions of these rules or in the implementation of such provisions, the Government in the Revenue Department shall have powers to issue clarifications/directions for the purpose of removal of the difficulties.

46. Power to amend the rules.— The Government, from time to time, as per the requirement and in the interest of public may amend these rules by a notification published in the Official Gazette of Government of Jammu and Kashmir.

By Order of the Lieutenant Governor.

Sd/-

(Vijay Kumar Bidhuri) IAS

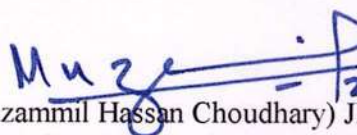
Commissioner/ Secretary to the Government

No. REV-LAJK/39/2021 (82567)

Dated: 24.06.2022

Copy to the:-

01. Ld. Advocate General, J&K High Court.
02. All Financial Commissioners.
03. Director General of Police, J&K.
04. All Principal Secretaries to the Government.
05. Principal Resident Commissioner, 5 Prithvi Raj Road, New Delhi.
06. Principal Secretary to the Lieutenant Governor, J&K.
07. Chief Electoral Officer, J&K.
08. Joint Secretary (JKL), Ministry of Home Affairs, Government of India.
09. All Commissioner/Secretaries to Government.
10. Divisional Commissioner Kashmir/Jammu
11. Registrar General, J&K High Court.
12. Chairman J&K Special Tribunal.
13. Commissioner Survey & Land Records J&K.
14. Custodian General J&K.
15. Inspector General of registration J&K.
16. All Deputy Commissioner of UT of J&K.
17. Director Information, J&K with the request to publish the news item in the leading local Dailies.
18. All Heads of the Departments/Managing Directors.
19. Vice Chairman/CEO, Development Authorities (All).
20. Chief Engineer, Project Sampark/BRO.
21. Director, Archives, Archaeology and Museums, J&K.
22. OSD to Hon'ble Advisor (S).
23. All the concerned Collectors.
24. General Manager, Government Press, Jammu/Srinagar for publication in the official gazette. He is also requested to provide 50 copies of the same to Revenue Department.
25. Private Secretary to Chief Secretary, J&K.
26. Private Secretary to Principal Director, Defence Estates J&K.
27. Private Secretary to Commissioner Secretary to Govt, Revenue Department.
28. I/C Website Revenue Department/FCR.


(Muzammil Hassan Choudhary) JKAS
Under Secretary to the Government

FORM-I
(See rule-3)
Requisition for Land Acquisition

From:

Name /address of the Requiring Body

To:

District Collector _____

It is requested to acquire _____kanal-(acres) of land for _____project/purpose and the details are furnished in ANNEXURE I, II & III along with three copies of Combined Sketch showing the lands to be acquired.

The gestation period of the project will be _____ years and _____ months (applicable only if gestation period is more than 5 years).

Requisite cost of acquisition including cost of social impact assessment (SIA) study and administrative cost is available which will be deposited with the Collector, as and when required by him, however, an amount of Rs. 5.0 Lac is deposited as Administrative expenses for initiating the acquisition proceedings. All further necessary information and assistance will be provided on the date/time appointed/stipulated by you.

Yours faithfully

Requiring Body



ANNEXURE-I
Schedule of land to be acquired.

- (1) Name of the village-
- (2) Name of the Tehsil/Sub Division-
- (3) Name of the Municipal Corporation/ Municipality/Panchayat
- (4) Name of the District-
- (5) Survey Nos. to be acquired(if details available)-
- (6) Total area under requisition (Kanal /in acres)-
- (7) Area of the agricultural and irrigated multi-cropped land
- (8) Reasons for inclusion of agricultural and irrigated multi-cropped land ---

- (10) Details of buildings and other structures, tanks, wells, trees, etc.,

Requiring Body

②

Annexure-II

Name of the project:-

1. Department or Government or PSU, Local Authority, Institution:
2. Official designation of the Requiring Body:-
3. Purpose of Acquisition (in detail):-
4. Whether the requisition is filed u/s 2(1) of the Act by the Government or Department for its own use hold and control:-
5. Whether the requisition is filed u/s 2(1)(a) to 2(1) (f) of the Act:-
6. Whether the requisition is filed u/s 2(2) (a) or (b) of the Act:-
7. How many families are affected as described u/s 3(c)(i) to (vi) of the Act:-
8. Whether the requisition is filed u/s 40 of the Act:-
9. If so, on what ground?
10. Has the land to be acquired already been taken over from the owners by private negotiation?
11. If so, on what date and on what terms (please state the terms of negotiation in short and attach the copy of it)
12. Date of issue of administrative approval for the project (copy to be attached).
13. Reasons for delay in filing requisition, if requisition is filed after 6 weeks from the date of administrative approval of the project in case of Government or department or local authority.
14. By what time possession of the land is required.

Requiring Body

②

ANNEXURE-III

Certificate to be furnished along with the requisition for acquisition of land by the requiring body.

Name of the project:-

1. Certified that the project for which the land is sought to be acquired has been administratively approved vide Department Order/letter No: _____, Dated _____ (Copy to be attached).
2. The estimated cost of the project including the cost of the land acquisition is Rs. _____ and necessary budget was sanctioned and funds are available towards cost of acquisition.
3. The Requiring Body undertakes to pay the full amount in case of decree by the Land Acquisition, Rehabilitation and Resettlement Authority / High Court / Supreme Court as and when asked to do so by the Collector.
4. The project is for a legitimate and bonafide public purpose.
5. Only the minimum area of land required for the project has been proposed for acquisition.
6. There is no unutilized land which has been previously acquired in the area.
7. The land under acquisition has been selected after considering all alternatives.
8. The project is of linear type/non-linear type.
9. The land under acquisition is barren/uncultivable/agricultural/irrigated multi-cropped/commercial.
10. Total land under acquisition is not in excess of the limit prescribed and fixed by the Government for acquisition of irrigated multi cropped and agricultural land in a district.
11. The potential benefits of the project far outweigh the social costs and adverse social impact.
12. The land after taking possession would be utilized for the same acquisition purpose.
13. The requiring body is capable of bearing cost of acquisition including rehabilitation and resettlement expenditure.
14. There is no special opposition to this land acquisition proceeding.
15. The Requiring Body shall ensure rehabilitation and resettlement works and other admissible benefits to the affected families/persons.
16. _____ is the authorized officer for placing the indent and authentication of Revenue papers.

Requiring Body

②

FORM-II Part-A.
Notification of the SIA (See sub-rule (1) of rule (9))

Office of the District Collector _____.

No.

Dated

Whereas, it appears to the Government that the land specified in the Schedule annexed is needed or likely to be needed for a public purpose, namely, which is being executed by _____ (Name of developer);

And whereas, in exercise of the powers conferred by sub section (1) of section 4 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, (Central Act 30 of 2013) the Government has decided to conduct Social Impact Assessment in the area specified in the schedule annexed. The public hearing shall be held by the team in the affected area;

Now therefore, sanction is hereby accorded to the constitution of a Social Impact Assessment Unit/Team as given below to conduct a SIA Study and to prepare a Social Impact Assessment Report and Management Plan as provided in the Act. The process shall be completed within a period of six months from the date of publication of this notification.

The composition of team alongwith the contact information is as under;-

S.No.	Name Designation	and Contact Address	Contact No.
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District Collector

Copy to the :-

A copy shall also be endorsed to General Manager, Government Press for publication in the Government Gazette.



FORM-II
Part B- (See Sub-rule (1) of rule-(11))

Terms of Reference and Processing Fee for the SIA

- (i) The SIA Unit will review the proposal for land acquisition sent by the Government and produce a project-specific Terms of Reference (ToR) and budget. Based on the ToR and budget, a processing fee will be determined, which must be deposited by the Requiring Body before the issuance of notification of the SIA.
- (ii) The ToR shall include the following information:
 - a. A brief description of the project, project area and the extent of lands proposed for acquisition;
 - b. The objectives of the SIA and all the activities that must be carried out by the SIA team;
 - c. Sequencing, schedule and deadlines for deliverables with dates for the SIA process, based on the size and complexity of the project and land acquisition, and whether consent of Gram Sabhas and/or land owners is required to be sought;
 - d. The appropriate size and profile of the SIA team required (including field surveyors, if needed) to conduct the SIA for the specific project;
 - e. A project-specific budget based on the ToR, with a clear break-up of costs for each item/activity;
 - f. The schedule for the disbursement of funds to the SIA team tied to clearly-defined deliverables in the SIA process;
 - i. The processing fee will be determined based on the ToR and budget developed for each specific project and will be based on the type, size, location, and sensitivity of the project and the land proposed for acquisition. Information regarding the processing fee bands and the cost for separate components/line items must be made consistent and easily accessible, so that the Requiring Body can factor this into its costs in advance. These rates must be reviewed and revised from time to time. A fixed proportion of the fee will go towards meeting the costs of the UT level SIA Unit.



FORM-III

Social Impact Assessment Report

(See Sub-rule (3) of rule-(9), sub rule (5) & (6) of rule 13).

Part-A: List of socio-economic and cultural parameters to be covered by the SIA

1. Demographic details of the population in the project area
 - a. Age, sex, caste, religion.
 - b. Literacy, health and nutritional status
2. **Poverty level.**
3. **Vulnerable groups** – (a) Women (b) children (c) the elderly (d) women-headed households (e) the differently abled.
4. Kinship patterns and women's role in the family
5. Social and cultural organisation
6. Administrative organisation
7. Political organisation
8. Civil society organisations and social movements
9. **Land use and livelihood**
 - a. Agricultural and non-agricultural use
 - b. Quality of land - soil, water, trees, etc.
 - c. Livestock
 - d. Formal and informal work and employment
 - e. Household division of labour and women's work
 - f. Migration
 - g. Household income levels
 - h. Livelihood preferences
 - i. Food security
10. **Local economic activities**
 - a. Formal and informal, local industries
 - b. Access to credit
 - c. Wage rates
 - d. Specific livelihood activities women are involved in
11. **Factors that contribute to local livelihoods**
 - a. Access to natural resources
 - b. Common property resources
 - c. Private assets
 - d. Roads, transportation
 - e. Irrigation facilities
 - f. Access to markets
 - g. Tourist sites
 - h. Livelihood promotion programmes
 - i. Co-operatives and other livelihood-related associations
12. **Quality of the living environment**

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- a. Perceptions, aesthetic qualities, attachments and aspirations
- b. Settlement patterns
- c. Houses
- d. Community and civic space
- e. Sites of religious and cultural meaning
- f. Physical infrastructure (including water supply, sewage systems etc.)
- g. Public service infrastructure (schools, health facilities, anganwadi centres, public distribution system)
- h. Safety, crime, violence
- i. Social gathering points for women

II Part-B: Key impact areas

1. Impacts on land, livelihoods and income

- a. Level and type of employment Intra-household
- b. employment patterns Income levels
- c. Food security - Standard of living
- d. Access and control over productive resources
- e. Economic dependency or vulnerability
- f. Disruption of local economy
- g. Impoverishment risks
- h. Women's access to livelihood alternatives

2. Impacts on physical resources

- a. Impacts on natural resources, soil, air, water, forest
- b. Pressures on land and common property natural resources for livelihoods

3. Impacts on private assets, public services and utilities

- a. Capacity of existing health and education facilities
- b. Capacity of housing facilities
- c. Pressure on supply of local services
- d. Adequacy of electrical and water supply, roads, sanitation and waste management system
- e. Impact on private assets such as bore wells, temporary sheds etc.

4. Health impacts

- a. Health impacts due to in-migration
- b. Health impacts due to project activities with a special emphasis on
 - (i) Impact on women's health
 - (ii) Impact on the elderly

5. Impacts on culture and social cohesion

- a. Transformation of local political structures
- b. Demographic changes
- c. Shifts in the economy-ecology balance
- d. Impacts on the norms, beliefs, values and cultural life
- e. Crime and illicit activities

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- f. Stress of dislocation
- g. Impact of separation of family cohesion
- h. Violence against women

6. Impacts at different stages of the project cycle

The type, timing, duration, and intensity of social impacts will depend on and relate closely to the stages of the project cycle. Below is an indicative list of impacts:

- (a) Pre-construction phase
 - (i) Interruption in the delivery of services
 - (ii) Drop in productive investment
 - (iii) Land speculation
 - (iv) Stress of uncertainty
- (b) Construction phase
 - (i) Displacement and relocation
 - (ii) Influx of migrant construction workforce
 - (iii) Health impacts on those who continue to live close to the construction site
- (c) Operation phase
 - i. Reduction in employment opportunities compared to the construction phase
 - ii. Economic benefits of the project
 - iii. Benefits on new infrastructure
 - iv. New patterns of social organization
- (d) De-commissioning phase
 - (i) Loss of economic opportunities
 - (ii) Environmental degradation and its impact on livelihoods
- (e) Direct and indirect impacts
 - i. "Direct impacts" will include all impacts that are likely to be experienced by the affected families
 - ii. "Indirect impacts" will include all impacts that may be experienced by those not directly affected by the acquisition of land (i.e. Direct land and livelihood losers), but those living in the project area
- (f) Differential impacts
 - i. Impact on women, children, the elderly and the different abled
 - ii. Impacts identified through tools such as Gender Impact Assessment Checklists, and Vulnerability and Resilience Mapping
- (g) Cumulative impacts
 - i. Measureable and potential impacts of other projects in the area along with the identified impacts for the project in question.
 - ii. Impact on those not directly in the project area but based locally or even regionally.

PART-C. Table of Contents for SIA Report and Social Impact Management Plan

S.No.	Chapter	Content
1	Executive Summary	<ul style="list-style-type: none"> a. Project and public purpose b. Location c. Size and attributes of land acquisition d. Alternatives considered e. Social Impacts f. Mitigation measures g. Assessment of social costs and benefits
2	Detailed Project Description	<ul style="list-style-type: none"> (a) Background of the project, including developers background and governance or management structures (b) Rationale for project including how the project fits the public purpose criteria listed in the Act (c) Details of projects size, location, capacity, outputs, production targets, costs, risks. (d) Examination of alternatives (e) Phases of project construction (f) Core design features and size and type of facilities (g) Need for ancillary infrastructural facilities (h) Work force requirements (temporary and permanent) (i) Details of SIA/EIA if already conducted and any technical feasibility reports (j) Applicable legislations and policies
3	Team composition, approach, methodology and Schedule of the Social Impact Assessment	<ul style="list-style-type: none"> (a) List of all team members with qualifications. Gender experts to be included in team. (b) Description and rationale for the methodology and tools used to collect information for the SIA. (c) Sampling methodology used. (d) Overview of information/data sources used. Detailed reference must be included separately in the forms. (e) Schedule of consultations with key stakeholders and brief description of public hearings conducted. Details of the public hearings and the specific feedback incorporated into the

		Report must be included in the forms.
4	Land Assessment	<ul style="list-style-type: none"> a. Information from land inventories and primary sources- Describe with the help of the maps b. Entire area of impact under the influence of the project (not limited to land area for acquisition) c. Total land requirement for the project. d. Present use of any public, unutilised land in the vicinity of the project area e. Land (if any) already purchased, alienated, leased or acquired, and the intended use for each plot of land required for the project. f. Quantity and location of land proposed to be acquired for the project. g. Nature, present use and classification of land and if agricultural land, irrigation coverage and cropping patterns h. Size of holdings, ownership patterns, land distribution and number of residential houses i. Land prices and recent changes in ownership, transfer and use of lands over the last 3 years
5	Estimation and enumeration (where required) of affected families and assets	<p>Estimation of the following types of families that are-</p> <ul style="list-style-type: none"> a. Directly affected (own land that is proposed to be acquired): <ul style="list-style-type: none"> i. Are tenants/occupy the land proposed to be acquired. <ul style="list-style-type: none"> (ii) The Scheduled Tribes and other traditional forest dwellers who have lost any of their forest rights (iii) Depend on common property resources which will be affected due to acquisition of land for their livelihood. (iv) Have been assigned land by the Government under any of its schemes and such land is under acquisition; (v) Have been residing on any land in the urban areas for preceding three years or more prior to the acquisition of the land (vi) Have depended on the land being acquired as a primary source of livelihood for three years prior to the acquisition (b) Indirectly impacted by the project (not

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		<p>affected directly by the acquisition of own lands)</p> <p>(c) Inventory of productive assets and significant lands</p>
6	Socio-economic and cultural profile (affected area and resettlement site)	<p>(a) Demographic details of the population in the project area.</p> <p>(b) Income and poverty levels</p> <p>(c) Vulnerable groups</p> <p>(d) Land use and livelihood</p> <p>(e) Local economic activities</p> <p>(f) Factors that contribute to local livelihoods</p> <p>(g) Kinship patterns and social and cultural organisation</p> <p>(h) Administrative organisation</p> <p>(i) Political organisation</p> <p>(j) Community-based and civil society-organisations</p> <p>(k) Regional dynamics and historical change processes</p> <p>(l) Quality of the living environment</p>
7	Social impacts	<p>a. Framework and approach to identifying impacts</p> <p>b. Description of impacts at various stages of the project cycle such as impacts on health and livelihoods and culture. For each type of impact, separate indication of whether it is a direct/indirect impact, differential impacts on different categories of affected families and where applicable cumulative impacts.</p> <p>c. Indicative list of impacts areas include: impacts on land, livelihoods and income, physical resources, private assets, public services and utilities, health, culture and social cohesion and gender based impacts.</p>
8	Analysis of costs and benefits and Recommendation on Acquisition	<p>a. Final conclusions on: assessment of public purpose, less-displacing alternatives, minimum on requirements of land, the nature and intensity of social impacts, the viability of the mitigation measures and the extent to which mitigation measures described in the SIMP will address the full range of social impacts and adverse social costs.</p> <p>b. The above analysis will use the equity principle described in Rule 9(10) as a criteria of analysis for presenting a final recommendation on whether the acquisition should go through or not.</p>

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9	References Forms	and	For reference and further information
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FORM IV
(See Sub-rule(4) of Rule-(9))
Social Impact Management Plan

- (a) Approach to mitigation.
- (b) Measures to avoid, mitigate and compensate impact.
- (c) Measures that are included in the terms of R&R and compensation as outlined in the Act
- (d) Measures that the Requiring Body has stated it will introduce in the Project Proposal.
- (e) Additional measures that the Requiring Body has stated it will undertake in response to the findings of the SIA process and public hearings.
- (f) The SIMP must include a description of institutional structures and key person responsible for each mitigation measure and timelines and costs for each activity.



FORM -V (Part-A)
(See Sub-Rule(1) of rule (20))
PRIOR WRITTEN CONSENT OR DECLARATION FORM

S.No.

Details of the Person Concerned

1. Name of the person(s) in whose name the land is registered:
2. Name of the spouse:
3. Name of father/ mother:
4. Address:
5. Village
6. Gram Panchayat/Municipality/Municipal Committee:
7. Tehsil
8. District:
9. Name of other members in the family with age: (including children and adult dependents)
10. Extent of land owned:
11. Disputed lands if any
12. Purchase/leases/grants, if any
13. Any other right, if any:
14. Regarding the acquisition of my land by the government, I wish to state the following: (please circle one of the below):

I have read/read out the contents of this consent form and explained to me in English/Urdu/Hindi language and

I do not agree to this acquisition/

I agree to this acquisition.

impression of the

Signature/ Thumb

and date:

affected family(s)



FORM -V (Part-B)
(See Sub-Rule (6) of rule (21))
FORMAT FOR GRAM SABHA RESOLUTION

We, the undersigned members of the Gram Sabha of _____ within _____ panchayat of _____ tehsil _____ district wishes to state that the following certification is based on the information supplied by the administration and officials. If this information is incomplete or incorrect or if any consent has been obtained through any use of threats, fraud or misrepresentation, it is null and void. On this basis, this gram Sabha hereby certifies that it **CONSENTS/REFUSES TO CONSENT** to the proposed _____ project, which will involve:

.....acquisition ofkanal of private land.
.....transfer ofkanal of government land to the project.
.....transfer ofkanal of forest land to the project.

The terms and conditions of compensation, rehabilitation and resettlements benefits and social impact mitigation measures agreed to by the Requiring Body (state the name) are attached.

The Gram Sabha also states that any consent is subject to all of its residents receiving title to all of their individual and community rights over forests and forest lands, including their titles for forest land that they have been cultivating, ownership titles for all forms of minor forest produce that they use, and titles to protect and manage their community forests.

[Note: This will have to be certified by this Gram Sabha separately.]

.....
Date and signatures/thumb impressions of

Gram Sabha members

.....
**Date and Signature of designated district
Officer on receipt of the Resolution**



FORM VI
(See Sub-Rule(1) of rule-25 and Section-11(1) of the Act-30/2013)
Office of the Collector / Special Collector(LA)/ Preliminary Notification

No.-----

Dated.-----

Whereas it appears to the Government that a total of _____
(kanals/acres) land is required in the _____
Village _____ Tehsil _____
District for public purpose, namely, _____
. Whereas, Social Impact Assessment Study was carried out. The summary of the
Social Impact Assessment Report is as follows:

_____ A total _____ families are likely to be displaced due to the land acquisition.
The reason necessitating such displacement is given below (if applicable).

_____ is appointed as Administrator for the purpose of
rehabilitation and resettlement of the affected families (if applicable). Therefore it
is notified that for the above said project in the Village _____
Tehsil _____ District _____ a piece of land measuring, _____
kanal (acre) _____ whose detail description is as following, is under
acquisition:

S.No.	Khasra No. (Survey No.)	Type of Title Private/Govt/Common	Type of Land Rural/Urban	Area under Acquisition		Trees		Structures	
				Kanal	Marla	variety	Number	Type	Plinth area

This notification is made under the provisions of Section 11(1) of The
Right to Fair Compensation and Transparency in Land acquisition, Rehabilitation
and Resettlement Act, 2013 (Act no.30/2013), to all whom it may concern.

A plan of the land may be inspected in the office of the Collector on any
working day during the working hours. The Government authorizes
SDM/Tehsildar and his staff to enter upon and survey land, take levels of any land,
dig or bore into the sub-soil & do all other acts required for the proper execution of
their work as provided and specified in section 12 of the Act.

Under sub section (4) of section 11 of the Act, no person shall make any
transaction or cause any transaction of land i.e. sale/purchase, etc., or create any
encumbrances on such land from the date of publication of such notification
without prior approval of the Collector.

Objections to the acquisition, if any, may be filed by the person
interested **within 60 (sixty days)** from the date of publication of this notification as
provided under section 15 of the Act before Collector.

Since the land is urgently required for the project falling within the purview
of sec.40 (2), the Government has decided to not carry out the Social Impact
Assessment Study, vide G.O No. _____, _____ dated _____ (stick if not
applicable).

Place:

Date:

Collector



FORM VII
(See Sub-rule(1) of rule-30 and Section-19(1) of the Act-30/2013)
Government of Jammu and Kashmir Revenue Department or
District Collector
Declaration

Notification No: _____

Dated. _____

Whereas it appears to the Government of Jammu & Kashmir that a total of _____ kanal/marla/acres land in the Village _____ Tehsil _____ District _____ is required for public purpose, namely, _____

Whereas, the land is urgently required for the project falling within the purview of Section 40 of the said Act, exemptions have been accorded from conducting Social Impact Assessment Study vide Order No. _____ dated _____ (if applicable).

Whereas, on the basis of indent placed by requiring body vide No. _____ dated _____, after completing the SIA Study and consideration of report vide No. _____ dated _____ by the Government, the Collector land acquisition issued a preliminary notification for the said land vide No. _____ dated _____ for calling upon the objections from the interested persons ; and

Whereas, _____ objections were received within stipulated time, the Collector has provided opportunity of being heard to all the objectors as required under section 15(2) of the said Act and has conducted further enquiry and submitted the report for taking decision; and

Whereas, after due examination of the objections as per the report furnished by the Collector the land is required for public purpose, hence the objections does not merit any consideration and rejected; and (if applicable)

Whereas, the government is satisfied after considering the report made by the Collector that the land particulars which are given below is required for public purposes;

S.No.	Khasra No. (Survey No.)	Type of Title Private/Govt/Common	Type of Land Rural/Urban	Area under Acquisition		Trees		Structures	
				Kanal	Marla	variety	Number	Type	Plinth area

Now, therefore, it is hereby declared under the provision of Section 19 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 that the said land is required for public purpose i.e

The number of families likely to be resettled due to Land Acquisition is for whom Resettlement area has been identified, whose brief description is as following:-

Village _____ District _____ Area _____ acres (if applicable).

A plan of the land may be inspected in the office of the Collector and Tehsildar concerned on any working day.

A summary of the Rehabilitation and Resettlement Scheme is appended (if applicable).

Government of Jammu and Kashmir

Copy to:-

A copy shall also be endorsed to General Manager, Government Press for publication in the Government Gazette.

(Handwritten mark)

FORM VIII**(See rule-29)****Format for Development Plan under R&R scheme for SC/ST families
displaced due to land acquisition**

S. No.	Name of the Claimant / family head	Permanent Address	Entitlements	Remarks
			<ol style="list-style-type: none">1. Provision of dwelling housing unit per family, Drinking Water facility toilette etc.,2. One time financial assistance of rupees One lakh Fifty thousand per family shall be given.3. For landless labourers employment shall be provided under (MNREGA) Mahatma Gandhi Rural Employment Guarantee Act and any other employment providing scheme,4. Skill development through different training programs for the youth of affected family.5. Subsistence grant for displaced family allowance equivalent to Rs Three thousand per month for a year should be granted from the date of award.6. For cattle shed and petty shop each effected family shall be provided minimum Rupees twenty five thousand.7. Alternative fuel,	



			fodder and non timber forest produce resources on no-forest land, for affected members of Scheduled Castes. 8. Fishing Rights.	
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- a. Details of land rights due, but not settled:
- b. Details of actions for restoring titles of the Scheduled Tribes as well as the Scheduled Castes on the alienated land by undertaking a special drive.

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FORM IX
(See rule-32)
Land Acquisition Award

Land Acquisition case No:

1.	Name of the Project					
2	Number and date of declaration under which the land is to be acquired					
3	Situation and extent of the land in kanals, the number of field plots on the survey map, the village in which situated with the number of mile plan if any.					
4	Description of the land, i.e., whether fallow, cultivated, homestead, etc. If cultivated, how cultivated?					
5	Names of persons interested in the land and the nature of their respective interests.					
6	Amount allowed for the land itself, without trees, buildings etc., if any					
7	Amount allowed out of such sum as compensation for the tenants interest in the land.					
8	Basis of calculation:					
9	Amount allowed for trees, houses or any other immovable things.					
10	Amount allowed for crops.					
11	Additional compensation on the market value under section 30(3)					
12	Damages under section 28 of Act 30 of 2013					
13	Solatium u/s 30(1)					
14	Award under section 23 and 30 of Act 30 of 2013					
15	Particulars of abatement of Government Revenue, or of the capitalized value paid, the date from which the abatement takes effect.					
16	Apportionment of the amount of compensation. Area (in kanals)	Serial No.	Name of claimants	Amount payable to each	Bank A/c No.	Remarks
17.	Date on which possession was taken u/s. 38(1) & 40(1) of Act of 30/2013.					

If u/s. 40(1) the number and date of the order of government giving authority to do so.

Date:

Signature



FORM X
(See rule-33 and 2nd Schedule of the Act)
Award for Rehabilitation and Resettlement

Land Acquisition case No:

1	Name of the Project							
2	Number and date of declaration under which the land is to be acquired							
3	Situation and extent of the land in kanals(acres), the number of field plots on the survey map, the village in which situated with the number of mile plan if any.							
4	Description of the housing units, transportation cost, housing allowances, annuity, employment subsistence grant, cattle shed, petty shop, one time resettlement allowances etc.							
5	Name/ Names of persons interested in the land and the nature of their respective claim for rehabilitation and resettlement.							
6	Apportionment of the amount of compensation in Area (in kanal/acres.)	S. No.	Name of claimants/affected family and Aadhaar Number.	R & R entitlements	Bank A/c. No.	Amount payable to each	Non monetary entitlements	Remarks
				(a) House to be allotted (b) Land to be allotted c. Offer for developed land (d) Annuity/Employment (e) subsistence grant (f) transportation cost, Housing allowances, (g) Cattle shed, Petty shop. (h) One time grant to artisan, small traders and certain others (i) Fishing rights (j) one time resettlement allowances (k) Stamp Duty and Registration fee.				

(Handwritten signature)

7	Date on which R& R entitlements given to the affected family					
8	Basis of calculation:					
9	Amount allowed for trees, houses or any other immovable things.					
10	Amount allowed for crops.					
11	Additional compensation on the market value under section 30(3)					
12	Damages under section 28 of Act 30 of 2013					
13	Solatium u/s 30(1)					
14	Total of amounts					
15	Particulars of abatement of Government Revenue, or of the capitalized value paid, the date from which the abatement takes effect.					
	Apportionment of the amount of compensation	Serial No.	Name of claimants	Amount payable to each	Bank No.*	A/c. Remarks
	Area in kanal (Acre)					
16	Date on which possession was taken u/s. 38(1) & 40(1) of Act of 30/2013.					

If u/s. 40(1), the number and date of the order of Government giving authority to do so.

Date:

Signature

*Bank account details to be collected to all cases where Aadhaar number is not available or Aadhaar is not seeded in the bank account of the claimant.

FORM XI
(Under third schedule of Act-30/2013)
Format for Provision of Infrastructural Amenities under R and R scheme for
families displaced due to Land Acquisition

S. No.	Components	Details of infrastructure amenities
1	Roads	
2	Drainage	
3	Drinking water	
4	Drinking water for cattle	
5	Grazing land	
6	Fair price shops	
7	Panchayat buildings	
8	Post offices	
9	Fertilizer storage	
10	Irrigation facilities	
11	Transport facilities	
12	Burial or cremation ground	
13	Toilet points	
14	Electric connections	
15	Nutritional services	
16	Schools	
17	Sub-health centre	
18	Primary Health Centre	
19	Play Ground	
20	Community centre	
21	Places of worship	
22	Separate land for tribal institutions	
23	Timber forest produce	
24	Security arrangements	
25	Veterinary services	

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