

मुख्य सचिव कार्यालय
राजस्थान, जयपुर

प्राप्ति संख्या 1095786/16/9
दिनांक 01.03.16

GOVERNMENT OF RAJASTHAN
REVENUE (GROUP-6) DEPARTMENT

(C. S. Rajan)
Chief Secretary

JAIPUR, DATED: 12/1/16

NOTIFICATION

Whereas certain draft rules, namely the Rajasthan Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2015, were published as required under section 112 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act No. 30 of 2013), vide notification number F.1(3)Rev-2011/Pt. dated 2nd December, 2015 in the Rajasthan Gazette extraordinary part 3(kha) dated 3rd December, 2015 for inviting objections and suggestions from all persons likely to be affected thereby before the expiry of a period of fifteen days from the date on which copies of the Gazette containing the notification were made available to the public;

And whereas the objections and suggestions received from the public on the said draft rules have been considered by the Government;

Now, therefore, 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 (Central Act No. 30 of 2013), the State Government hereby makes the following rules, namely:-

CHAPTER-I

Preliminary

1. **Short title, extent and commencement.**- (1) These rules may be called the Rajasthan Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2016
(2) They shall extend to the whole of Rajasthan.
(3) They shall come into force on the date of their 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) "Administrative cost" means the cost for acquisition of land notified by the State Government under paragraph (A) of sub-clause (vi) of clause (i) of section 3;
(c) "Administrator" means an officer appointed for the purpose of rehabilitation and resettlement of affected families under sub-section (1) of section 45;

- (d) "Authority" means the Land Acquisition, Rehabilitation and Resettlement Authority established by the State Government under sub-section (1) of section 51;
- (e) "Collector" means the Collector of revenue district and includes any officer specially designated by the State Government to perform the functions of a Collector under the Act;
- (f) "Commissioner" means Commissioner for Rehabilitations and Resettlement appointed by the State Government under sub-section (1) of section 44 of the Act;
- (g) "Form" means the forms appended to these rules;
- (h) "Municipality" means Municipal Corporation, Municipal Council or Municipal Board constituted in accordance with the provisions of the Rajasthan Municipalities Act, 2009 (Act No. 18 of 2009);
- (i) "Scheme" means the Rehabilitations and Resettlement Scheme prepared by an Administrator according to sub-section (2) of section 16;
- (j) "Section" means a section of the Act;
- (k) "Social Impact Assessment (SIA)" means an assessment being made under sub-section (1) of section 4;
- (l) "Social Impact Management Plan" means the plan prepared as part of Social Impact Assessment Process under sub-section (6) of section 4; and
- (m) "State Government" means Government of Rajasthan.

(2) The words and expressions used but not defined in these rules shall have the same meaning as are respectively assigned to them in the Act.

CHAPTER-II

Request for land Acquisition

3. Request for land Acquisition.- (1) Any requiring body or its representative duly authorised by it for whom land is to be acquired shall file the request to the District Collector concerned and to the Commissioner, Rehabilitation and Resettlement in Form-I together with the following documents:-

- (i) Detailed project Report;
- (ii) Sanction letter of project;
- (iii) Three copies of Record of Right and revenue map of the affected areas;
- (iv) Information about the classification of land i.e. irrigated multi-crop or single crop or wasteland etc; and
- (v) Any other information required by District Collector.



(2) In case of acquisition for Government, the request shall be filed by the Secretary of the Department concerned or a person authorized by him.

(3) If the request is made by anybody other than Government, the team of officers constituted by the Collector shall report on expenditure to be made in proceedings under section 4 to 10 of the Act.

4. Action by District Collector on receiving request.- (1) The District Collector, upon receiving request, shall constitute a committee of officers consisting of officers from Revenue Department, Agriculture Department, Forest Department, Water Resources Department, Public Works Department etc. to make a field visit along with the representatives of the requiring body to make a preliminary inquiry about the availability of waste or arid land, the correctness of the particulars furnished and acquiring bare minimum land required for the project, whether the request is inconsistent with the provisions of the Act, and submit a report to the District Collector.

(2) The Committee of officers referred in sub-rule (1) shall amongst other matters, include all the following in its report, namely:-

(i) assessment as to whether the proposed acquisition serves public purpose;

(ii) whether the extent of land proposed for acquisition is the absolute bare-minimum extent needed for the project;

(iii) whether land acquisition at an alternate place has been considered and found not feasible;

(iv) there is no unutilized land which has been previously acquired in the area; and

(v) the land, if any, acquired earlier and remained unutilised, is used for such public purpose and make recommendations in respect thereof.

(3) If the District Collector, based on the report of the committee referred in sub-rule (1), other information available with him and instructions issued by the Central Government or State Government in this regard, is satisfied that the request is consistent with the provisions of the Act, he shall make a preliminary estimate of the cost of the acquisition.

(4) The administrative cost under paragraph (A) of sub-clause (vi) of clause (i) of section 3 of the Act shall be at the rate of ten percent of the cost of compensation subject to maximum of rupees 5 crore.

(5) The District Collector shall 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 District Collector without which process under the Act shall not commence.

(6) **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 as and when so required.

CHAPTER-III

Social Impact Assessment

5. Social Impact Assessment Study.- (1) The State Government shall, for the purpose of the Act, issue a notification in the Official Gazette, regarding commencement of consultation and of the Social Impact Assessment Study in accordance with the Act and the same shall be made available in Hindi language to the Panchayat or Municipality, as the case may be, and in the offices of the District Collector, the Sub-Divisional Officer and the Tehsildar. The notification shall also be published in two daily Hindi newspapers circulating in the affected area, and also by way of a public notice to be published by affixing it at some conspicuous places in the affected areas and shall be uploaded on the website of the State Government:

Provided that such notification shall be issued within a period of thirty days from the date of deposit of the process fee for the Social Impact Assessment Study by the Requiring Body, as determined by the State Government.

(2) The notification issued under sub-section (1) of section 4 shall include the details as specified in Part-B of Form-2 and terms of reference, budget and processing fee for Social Impact Assessment shall be such as specified in Part-A of Form-2.

(3) The Social Impact Assessment shall be conducted in consultation with the Panchayat at village level or Municipality at ward level concerned in the affected areas for the purpose of section 4, followed by a public hearing at the affected areas by giving adequate publicity about the date, time and venue for the public hearing to ascertain the views of the affected families which shall be recorded in writing.

(4) The Social Impact Assessment Report shall be submitted in Form-3 to the State Government within the period specified in the Terms of Reference or period extended by the State Government, which shall in no case exceed six months from the date of notification of the Social Impact Assessment Study along with the views of the affected families recorded in writing.

(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 of the Act, shall also be submitted in Form-4 along with the Social Impact Assessment report to the State Government.

(6) The Social Impact Assessment Study report and the Social Impact Management Plan shall be made available in the Hindi language to the Panchayat or Municipality concerned, as the case may be and in the office of the District Collector, Sub-Divisional Officer and Tehsildar. It shall also be published in two daily newspapers circulating in the affected area, and also by way of a public notice to be published by affixing it at some conspicuous place in the affected areas and shall be uploaded on the website of the Government.

6. Appointment of Agency for Social Impact Assessment Study and its fees.- (1) The State Government shall invite applications from the Department of Social Sciences of the recognized Universities and colleges, faculties, Non-Government Organisations and professional, which shall be responsible for ensuring that the Social Impact Assessment are commissioned and conducted by such agency, as per the provisions of the Act.

(2) The State Government shall, after assessing their capacity through an interview and assessment of their experience accredit them to evaluate the Social Impact Assessment Study for the Project and draw out a list of such accredited Departments of Social Work of the universities and colleges, faculties, non-Government Organisations and professional.

(3) While calling for the applications, the rates for Social Impact Assessment Study per affected family plus percentage escalation for area under acquisition may also be called.

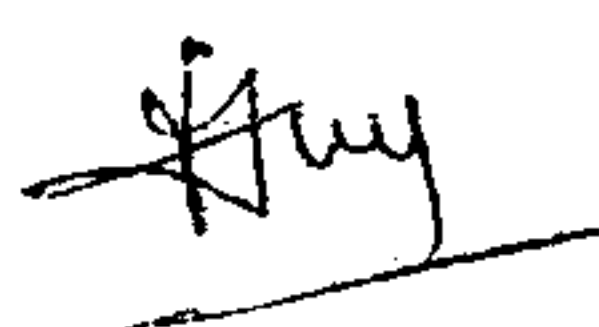
(4) After selecting the expert institutions as an Agency for the Social Impact Assessment Study, the State Government shall also specify the fees of the Social Impact Assessment based on the unit of per affected family and the area of the land acquisition.

(5) After discussing with accredited Social Impact Assessment Agency and experts and the institutions concerned, the State Government shall arrive at the terms of reference which shall specify, amongst other things, agreed workable rate, the date of commencement and the period from such date within which the Social impact Assessment is to be completed and all other terms and conditions which the State Government may think fit, including attendance of the Agency at public hearings and expert group meetings and responding to queries.

(6) The Requiring Body shall deposit the necessary amount towards fees of the Social Impact Assessment as mentioned above to the State Government along with the proposal.

(7) The Agency shall give an adequate training to its staff before initiating the Social Impact Assessment Study.

(8) During the process of Social Impact Assessment Study, an adequate representation shall be given to the representatives of Panchayat, Gram-Sabha and Municipality at the stage of carrying



out the study. At least two members shall be the representative of the local bodies out of which at least one shall be a woman, however, no Sarpanch or Chairperson of the Municipality of the local body concerned in the affected areas shall be represented in the process of the Social Impact Assessment study. In case, where the affected area lies in the jurisdiction of more than one local body, then each local body shall have the representation in the manner stated above.

(9) The Agency shall attach in addition to the matters mentioned in sub-section (4) of section 4, the following annexure to the Social Impact Assessment Study report, namely:-

- (i) List of likely to be displaced families;
- (ii) List of infrastructure in the affected area;
- (iii) List of land holdings in the affected area;
- (iv) List of business or in the affected area;
- (v) List of landless people in the affected area;
- (vi) List of disadvantage groups like Scheduled Cates or Scheduled Tribes, handicapped people in the affected area;
- (vii) List of landless agricultural labours in the affected area;
- (viii) List of prospective youth for employment in the affected area; and
- ✓ (ix) Socio-economic and cultural profile of the affected area and the affected families.

7. Procedure relating to public hearing.- (1) On receipt of the draft Social Impact Assessment Report, the Appropriate Government shall conduct a public hearing through the district administration in the affected area. The date, time and venue of the public hearing shall be announced and publicised three weeks in advance through public notification and posters in all the villages within a radius of five kilometers of the affected area, advertisement in two daily newspapers in the Hindi language and by uploading on the web site of the Government.

(2) Public hearing shall be conducted in each affected village or affected Municipality, as the case may be.

(3) Minutes of all public hearings shall be recorded in writing and same shall be handed over along with the final Social Impact Assessment Report.

(4) The views and suggestions expressed by the affected families in the public hearing shall be recorded and duly considered in the Social Impact Assessment Report.

(5) The responsible representatives from the Requiring Body, designated land acquisition functionaries and the rehabilitation and resettlement functionaries shall remain present in the public hearing and address the questions and concerns raised by the affected families.

(6) The elected public representative and members of the local Non-government Organizations may also be invited to attend the public hearing.

(7) The public hearing shall be conducted in Hindi language only.

(8) The draft Social Impact Assessment Study report along with the Social Impact Management Plan shall be kept in the offices of Tehsildar, Sub-Divisional Officer, Block Development Officer and the Collector, fifteen days prior to the date of public hearing. A copy of the report shall also be given to the Requiring Body.

(9) After the conclusion of the public hearings, the Social Impact Assessment team shall analysis 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.

(10) 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 the Social Impact Assessment Report.

8. Submission 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 Hindi language and shall be made available to the Panchayat or Municipality concerned, as the case may be and in the office of the District Collector, Sub-Divisional Officer and Tehsildar. It shall also be published in two daily newspapers circulating in the affected area and also by way of a public notice to be published by affixing it at some conspicuous place in the affected areas and shall be uploaded on the website of the Government.

9. Social Impact Assessment Report and Social Impact Management Plan.- The Social Impact Assessment Report and Social Impact Management Plan shall be formulated keeping in view all the relevant information and analysis in a single document and reduced to writing that is clear, concise and accessible, in particular to the members of the affected communities.

10. Multi-disciplinary Expert Group.- (1) The State Government shall constitute a Multi-disciplinary Expert Group under sub-section (1) of section 7 of the Act for evaluation of the Social Impact Assessment Report. The Expert Group shall consist of,-

- (a) two non-official social scientists to be nominated by the State Government;
- (b) two representatives from amongst the members of the Panchayat or Municipality, as the case may be;

- 0
- (c) two persons who have understanding of rehabilitation or have contributed substantially in framing Rehabilitation Policy of the State;
 - (d) the Secretary of the Forests Department in whose jurisdiction the Project lies; and
 - (e) a technical expert not below the rank of an Executive Engineer in the field or subject relating to the Project.

(2) The Secretary of the respective Administrative Department of State Government shall be the Chairperson.

11. Appraisal of Social Impact Assessment Report by an Expert Group.- (1) The Expert Group constituted under rule 10 shall evaluate the Social Impact Assessment report and shall make its recommendation within a period of two months from the date of consultation.

(2) The recommendations of the Expert Group shall be made available in the Hindi language to the Panchayat, Municipality concerned and in the office of the Commissioner, Administrator, Sub-Divisional Officer and the Tehsildar and shall also 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 State Government.

12. Consideration of the Social Impact Assessment report, recommendations of Expert Group etc.- (1) The State Government shall examine the Social Impact Assessment report, the recommendations of the Expert Group and recommend 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 State Government shall be made available in the Hindi language to the Panchayat or Municipality concerned, as the case may be, in the affected areas and in the Office of the Commissioner, Sub-Divisional Officer, Administrator and Tehsildar and shall be propagated in the form of posters circulated in the affected areas and by affixing the posters in conspicuous places and shall also be uploaded on the website of the State Government.

CHAPTER-IV

Consent

13. Requirements of consent.- (1) The State Government through the Collector of the district concerned shall initiate the process for obtaining prior consent, as required in sub-section (2) of section 2, of,-

- (a) a family whose land or other immovable property has been acquired or
- (b) member of the family who has been assigned land by the State Government or the Central Government under any of its scheme;

in Part A of Form-5 along with the Social Impact Assessment Study who may appoint officers to assist him in the process obtaining the prior consent.

(2) The Collector shall appoint such officers to assist him in the process for obtaining prior consent and shall take necessary steps to resolve standing issues for updating the land records, title in the land and other revenue records in the affected areas so that the names of land owners are identified for initiating the processes of obtaining the prior consent. The Collector shall undertake special drive for this purpose and complete this exercise within a period of Forty five days.

(3) The Collector, after updating the land records, shall draw out a list of all affected land owners, from whom consent is required to be obtained after considering the list prepared by the Social Impact Assessment Agency. 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 in the affected areas for at least fifteen days before holding a meeting of affected land owners.

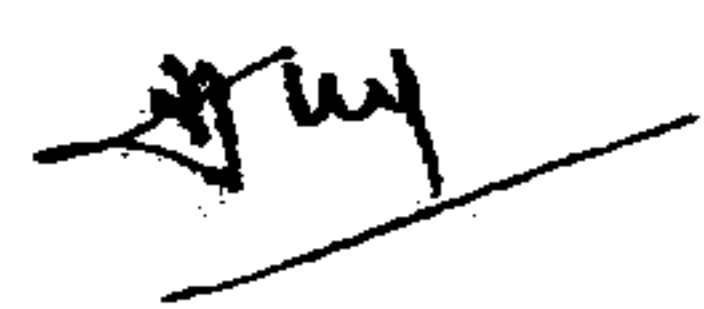
(4) In case of any objection, such objection shall be taken and the reason for rejection or acceptance of such objection shall be recorded in writing and conveyed to the concerned person within ten days of receipt of such objection by the Collector.

(5) The Collector shall in consultation with the Gram Panchayat or Municipality, as the case may be, notify the date, time and venue at least three weeks in advance, for holding the meeting of affected land owners at the village or ward level, of the Panchayat or Municipality, as the case may be.

(6) The proposed terms and conditions agreed to by the Requiring Body shall also be made available in Hindi language at least three weeks in advance of the meeting of the affected land owners.

(7) The representatives of the Requiring Body, who are competent to take decisions and negotiate the terms of rehabilitation and resettlement and compensation and the members of the Social Impact Assessment shall be present at all such meeting of the affected land owners and respond the queries raised by the affected land owners. The terms and conditions of rehabilitation and resettlement compensation and other measures committed by the Requiring Body shall be explained to the affected land owners in Hindi and signatures of the affected land owners, as well as the representative of Requiring Body shall be recorded on such terms and conditions.

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



involved. A copy of this signed declaration with the terms and conditions shall be made available to the land owners. The signed declaration shall be counter signed by the Collector or by an officer authorised in this behalf on its receipt.

(9) Arrangements shall be made for those who could not attend the land owners meetings for enabling them to submit their signed declaration to the Collector within fifteen days from the date of meeting of land owners. The signed declaration form shall be countersigned by the Collector or by an officer authorised in this behalf on its receipts and a copy of the signed and countersigned declaration, with the terms and conditions, shall be handed over to such affected land owners.

(10) The prior consent shall be determined on the basis of the signed or thumb impression and countersigned written declaration of such affected land owners.

(11) All proceedings of taking prior consent of affected land owners during the meetings under sub-rule (7) shall be recorded in writing. The outcome of the prior consent process shall be made available to Gram Panchayat or Municipality, as the case may be, and on the web site of the State Government.

14. Acquisition of land situated in the Schedule Areas.- In all cases of acquisition of land situated in the Schedule Area as mentioned in the Fifth Schedule of the Constitution of India, the consent of the Gram Sabha shall be obtained in accordance with provisions of the Rajasthan Panchayati Raj (Modification of Provisions in their Application to the Scheduled Areas) Act, 1999 (Act No. 16 of 1999).

15. Special provisions for Schedule Castes and Schedule Tribes families.- (1) The development plan to be prepared in cases of a project involving land acquisition on behalf of a requiring body which involves involuntary displacement of the Scheduled Castes or Scheduled Tribes families under section 41 of the Act shall be as per Form-6.

(2) The resettlement areas predominantly inhabited by the Scheduled Castes and the Scheduled Tribes shall get land free of cost for community and social gatherings as decided by the collector from time to time.

CHAPTER-V

Preliminary Notification and Rehabilitation and Resettlement Scheme

16. Publication of Preliminary Notification.- (1) After conclusion of the social impact assessment study and consent of the affected persons or Gram Sabha, as the case may be, when it appears to the appropriate Government that land is required or likely to be required in any area for any public purpose, a preliminary notification shall be issued in Form-7.

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

(3) A copy of the preliminary notification shall be affixed at conspicuous places in the affected areas and shall also be informed to the public by beat of drum 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 hereunder,-

(a) delete the entries of dead persons;

(b) enter the names of the legal heirs of the deceased persons;

(c) take effect of 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 through registered reconveyance of mortgaged property deeds;

(f) make necessary entries in respect of all prevalent forest laws;

(g) make necessary entries in case of the Government land;

(h) make necessary entries in respect of assets on the land like trees, wells etc.;

(i) make necessary entries of crops grown or sown and the area of such crops; and

(j) any other entries or updating in respect of land acquisition, rehabilitation and resettlement.

17. Preliminary survey of land proposed for acquisition.- The officer authorised by the District Collector to conduct preliminary survey shall have all the powers as provided under section 12 of the Act.

18. Disposal of objections.- (1) The Collector shall issue a notice in Form-8 and after hearing all objections and making enquiry as provided under sub-section (2) of Section 15 shall submit a report along with his recommendations on the objections to the Secretary to the Department concerned of State Government for decision and the report of the Collector shall, inter-alia, include the following, namely:-

(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 unutilised land which has been previously acquired in the area; and

(e) the land, if any, acquired earlier and remained unutilised, is used for such public purpose and make recommendations in respect thereof.

(2) The decision of the Secretary of the Department concerned of the State Government on the objections made under sub-section (2) of section 15 of the Act shall be final.

19. Preparation of Rehabilitation and Resettlement Scheme and public hearing.-

(1) On publication of the preliminary notification under sub-section (1) of section 11 of the Act, 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) 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 and Government records and verify that data by door to door visit of the affected families and by site visits in case of infrastructure projects in the affected area.

(3) The draft Rehabilitation and Resettlement Scheme prepared by the Administrator shall, in addition to the particular mentioned in the sub-section (2) of Section 16, contain the following, namely:-

(i) list of likely to be displaced families;

(ii) list of infrastructure in the affected area;

(iii) list of land holdings in the affected area;

(iv) list of trees, buildings, other immovable property or assets attached to the land or building which are to be acquired;

(v) list of trades or business in the affected area;

(vi) list of landless people in the affected area;

(vii) list of persons belonging to disadvantageous groups like persons belonging to the Scheduled Castes or Scheduled tribes, handicapped or physically challenged persons in the affected area;

(viii) list of landless agricultural labourers in the affected area; and

(ix) list of unemployed youth in the affected area.

(4) The Administrator shall prepare comprehensive and detailed draft Rehabilitation and Resettlement Scheme and give wide publicity in the affected area and ensure that the affected persons are informed through publication in the following manner, namely: -

(a) in the Official Gazette;

(b) in two daily newspapers being circulated in the locality, of such area of which one shall be in the regional language;

(c) in the local language in the Panchayat, Municipality or Municipal Corporation, as the case may be, and in the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil;

(d) uploaded on the website of the State Government; and

(e) in the affected areas.

(5) The Administrator or an officer authorised by him shall conduct a public hearing in the affected areas on such date, time and venue as decided by giving advance notice of three weeks. The provisions of rule 7 relating to the public hearing shall, mutatis mutandis, apply to the public hearing under this sub-rule.

20. Publication of the Approved Rehabilitation and Resettlement Scheme.-The Commissioner of Rehabilitation and Resettlement shall publish the approved Rehabilitation and Resettlement Scheme in the affected area by affixing in conspicuous places in addition to making it public by other means provided in section 18 of the Act and the Commissioner shall also inform the State Monitoring Committee constituted under section 50 of the Act about the publication of the approved Rehabilitation and resettlement scheme.

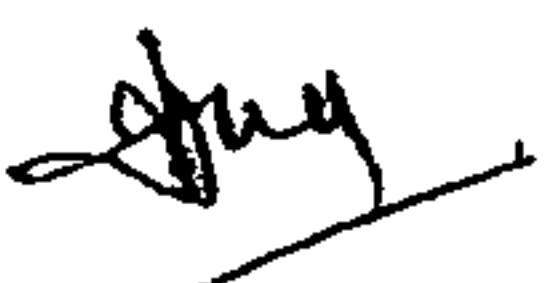
CHAPTER-VI

Declaration, Award and compensation

21. Publication of Declaration for Acquisition.-(1) Upon receipt of a report of the Collector as provided under sub-section (2) of section 15 and after examination and taking a decision on the 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 made by the Secretary of the Department concerned of the State Government in Form-9:

Provided that no such declaration shall be made unless the requiring body has deposited an amount in full towards the cost of acquisition of the land.

(2) The declaration referred in sub-rule (1) shall be published in the manner prescribed under sub-section (4) of section 19 and also in the affected areas by way of affixing a copy of the



14

declaration in Hindi language at conspicuous places in the area of Panchayat or Municipality concerned, as the case may be, under which the affected area falls.

22. Notice to file claims.- (1) Upon publication of the declaration and completion of measurement, if required, the Collector shall publish a notice in accordance with section 21 of the Act inviting claims from all persons interested in the land.

(2) The claims by persons interested may be filed personally or through a duly authorised representative including an advocate.

(3) the Collector shall give a finding on each of the claims so made, either accepting, rejecting or altering the same.

(4) Where the Collector calls upon any other person to furnish information he may do so by sending a written summons giving a date and time for furnishing the information:

Provided that the information may be recorded by the Collector orally or taken on affidavits.

23. Award by Collector.-(1) The Collector shall hear all the claims and determine a fair compensation as per the provision of sections 26, 27 and 28 read with the First Schedule of the Act and shall state in the Award the manner of apportionment of the compensation.

(2) The Collector shall, after determination of the fair compensation, solatium and multiplier, pass an award of the amount under his hand and seal in Form-10.

(3) The Collector shall as per Second Schedule and Third Schedule of the Act pass a rehabilitation and resettlement award in Form -11.

(4) All payments tendered to the persons interested shall be made by Account Payee cheques into the Bank Accounts of the persons interested.

CHAPTER-VII

Possession and Vesting of Land

24. Manner of taking possession of the land.- (1) After the Award is passed and the payment has been made or deposited with the Authority and no reference has been made to the Authority or after the Authority has made its Award and after the rehabilitation and resettlement has been completed in terms of section 38 of the Act, the Collector shall take possession of the land.

(2) The Collector shall cause the possession of the land to be made by taking physical possession of the same in the presence of two respectable residents who shall be signatories to the letter of possession.

(3) The physical possession of the land shall be taken on a date to be taken on a date to be notified by a notice of at least seven days to the owner or occupier of the land.

(4) Upon taking possession of the land shall vest in the Government. The Collector shall notify the sub-registrar for making appropriate changes in the records:

Provided that where the Collector anticipates resistance to the possession he may requisition the Magistrate or police to assist with the same.

CHAPTER-VIII

Administrator and Rehabilitation and Resettlement Committee and State Monitoring Committee

25 Powers, duties and responsibilities of the Administrator.- The Administrator shall exercise the following powers and perform the following duties and responsibilities, namely:-

- (a) to collect and prepare base data for the Social Impact Assessment study and made it available to the Agency that carries out the Social Impact Assessment study;
- (b) to co-ordinate the social Impact Assessment study process in the district;
- (c) to publish the notification issued by the State Government under sub-section (1) of section 4 in the affected area;
- (d) to publish the summary of the social Impact Assessment study report by the modes as provided in these rules;
- (e) to issue notices for public hearings in the social Impact Assessment study process;
- (f) to attend public hearings during social Impact Assessment Study;
- (g) to make available the draft Social Impact Assessment Study Report to the affected families and others concerned;
- (h) to attend the meetings of the Expert Group assessing the Social Impact Assessment study Report;
- (i) to publish the recommendation of Expert Group by the modes as provided in these rules, in the affected area;
- (j) to publish the decision of the Government on the acquisition of land by the modes as provided in these rules in the affected area;
- (k) to conduct a survey and undertake a census of the affected families in the manner and within the time, as provided in these rules;
- (l) to prepare a draft Rehabilitation and Resettlement Scheme;
- (m) to bring to the knowledge of the people about the draft Rehabilitation and Resettlement Scheme by the mode as provided in the rules;
- (n) to make available the draft Rehabilitation and Resettlement Scheme to the concerned persons and authorities;

[Handwritten signature]

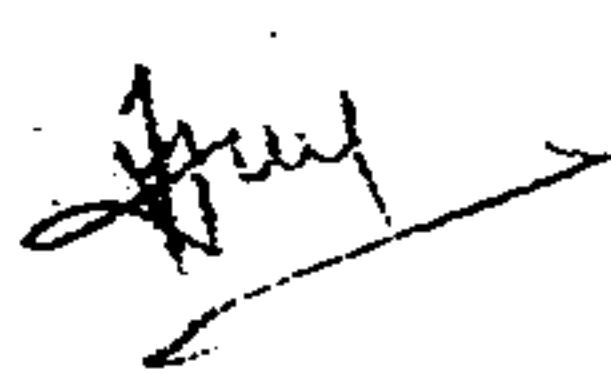
- (o) to issue and publish notices for public hearings on the draft Rehabilitation and Resettlement Scheme in the affected areas;
- (p) to conduct public hearings on the draft Rehabilitation and Resettlement Scheme in the affected areas;
- (q) to give an opportunity to the Requiring Body to make suggestions and comments on the draft Rehabilitation and Resettlement Scheme;
- (r) to submit the draft Rehabilitation and Resettlement Scheme to the Collector;
- (s) to publish the approved Rehabilitation and Resettlement Scheme in the affected area;
- (t) to help and assist the authorised officer in preparing the Rehabilitation and Resettlement award;
- (u) to monitor and supervise the progress in Rehabilitation and Resettlement study;
- (v) to assist in post implementation audit of Rehabilitation and Resettlement; and
- (w) to perform any other work required to be done for Rehabilitation and Resettlement or on the directions issued by Commissioner.

26. Rehabilitation and Resettlement Committee at project level.- (1) Where the land to be acquired equals or exceeds 100 acres, the Department concerned of the State Government shall constitute, under sub-section (1) and (2) of section 45 of the Act, a Rehabilitation and Resettlement Committee at project level to monitor and review the progress of implementation of the Rehabilitation and Resettlement Scheme and to carry out post-implementation social audits in consultation with the Gram Sabha in rural areas and Municipality in urban areas.

(2) The Rehabilitation and Resettlement committee shall include, apart from officers of the State Government, the following members, namely:-

- (a) a representative of women residing in the affected area;
- (b) a representative each of scheduled castes and scheduled tribes residing in the affected area;
- (c) a representative of voluntary organization working in the area;
- (d) a representative of nationalized bank;
- (e) the land acquisition officer of the project;
- (f) the chairpersons of the panchayats or municipalities located in the affected area or their nominees;
- (g) the chairperson of the District Planning Committee or his nominee;
- (h) the member of parliament and member of legislative assembly of the concerned area or their nominees;
- (i) a representative of the requiring body; and
- (j) Administrator for Rehabilitation and Resettlement as the Member Secretary.

(3) The Committee shall have its first meeting when a draft Rehabilitation and Resettlement Scheme has been prepared by an Administrator. The Committee shall review the Scheme and make suggestions and recommendations. Thereafter, in subsequent meetings, the Committee



shall meet and review the progress of the Rehabilitation and Resettlement once in a month till the process of resettlement is concluded.

(4) For reviewing the post-implementation of social audits, the Committee shall meet once in three months.

(5) The non-official members of the committee shall get travelling and daily allowance at the rates admissible to the category C Government servants under the Rajasthan Travelling Allowance Rules, 1971.

(6) The Committee may visit the affected area and discuss with the affected families, if it so desires and site visit to the resettlement areas to monitor the resettlement process.

27. State Monitoring Committee for Rehabilitation and Resettlement.- (1) For reviewing and monitoring the implementation of rehabilitation and resettlement scheme or plans under the Act, the State Government shall constitute a State Monitoring Committee, under section 50 of the Act, consisting of the Secretary or his representative of the Departments of Administrative Reforms, Finance, Panchayat Raj and Social Justice and Empowerment and two eminent experts of relevant field nominated by the State Government.

(2) The State Monitoring Committee shall have its first meeting for reviewing and monitoring the implementation of Rehabilitation and Resettlement Scheme for the project within a month of the publication of the approved Rehabilitation and Resettlement Scheme by the Commissioner under section 18 and thereafter meetings of the State Monitoring Committee shall held after six months if the Committee desires then it may have its meeting even before the period of six months.

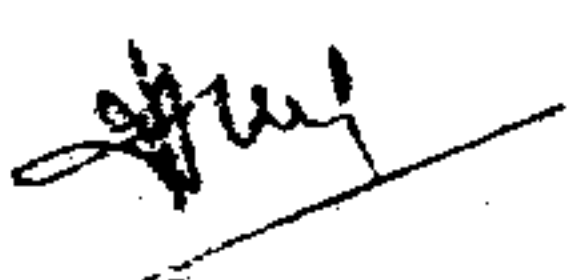
(3) The non-official experts associated with the State Monitoring Committee shall be paid travelling and daily allowance at the rates admissible to the category B Government servants under the Rajasthan Travelling Allowance Rules, 1971.

CHAPTER-IX

Land Acquisition, Rehabilitation and Resettlement Authority

28. Salary and allowances and other terms and conditions of service of Presiding Officers.- The Presiding Officer of Land Acquisition, Rehabilitation and Resettlement Authority shall be paid salary and other allowances as under:-

- (i) If he is the serving District Judge, as admissible to a serving District Judge.
- (ii) If he is not the serving District Judge shall be entitled to pay minus pension and allowances as per rule 151 of Rajasthan Civil Services (Pension) Rules, 1996 and not beyond that.



- (iii) If he is a qualified legal practitioner for not less than seven years, as may be specified by the State Government, from time to time.

29. Conditions of Service of Land Acquisition, Rehabilitation and Resettlement

Authority.- (1) The salaries, allowances of the Registrar and other officers and employees of the Authority shall be the same as admissible to them in their parent Department and their other conditions of service shall be the same as are applicable to them under the service rules of the parent cadre.

(2) The newly appointed employees shall be entitled to new contributory pension scheme and pension rules shall not be applicable. In respect of serving employees, his service period in Authority shall be counted as service qualifying for pension/contribution to National Pension System (NPS), as the case may be.

(3) If any employee appointed in the Authority who is not serving employee, he shall draw pay and allowances of the post. The pay scale shall be determined in consultation with Finance Department (Expenditure) of the State Government but not higher than that admissible to the similar categories of employees under the State Government.

CHAPTER-X Miscellaneous

30. Recovery of excess amount.- Where any excess amount is proved to have been paid to any person as a result of the correction made in the award under section 33 of the Act, the excess amount so paid shall be liable to be refunded and in case of any default or refusal to pay, the same shall be recovered as a arrears of land revenue.

31. Recovery of Rehabilitation and Resettlement Benefits availed through False Claim etc.- (1) If any matter of availing benefits of rehabilitation and resettlement by any person comes to the notice, the Collector shall make a reference to the Authority which shall adjudicate the matter. After adjudication is made by the Authority, the benefits thus availed shall be liable to be recovered by the Collector as an arrear of land revenue in case said benefits have been availed in terms of money and by evicting from the land and houses, if the said benefits have been availed in terms of land and houses.

(2) The land and houses so vacated shall be used for the rehabilitation and resettlement of the affected persons by the same project or for the purpose of community, as the case may be.

32. Manner of returning the unutilised land.- (1) Where any land acquired under the Act remains unutilised five years, from the date of taking over the possession the same shall be returned to the original owner or owners or their legal heirs, as the case may be, or to the Land Bank of the State Government by issuing a notice to the Requiring Body for whom the land was acquired and by giving an opportunity of being heard and passing the necessary written order by the State Government in this behalf.

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

(3) If the Requiring Body does not handover possession of the said land to the Collector, then 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.

33. Inventory of waste, barren and unutilised land:- To ensure acquisition of minimum land and to facilitate the utilisation of unutilised public lands, the State Government shall prepare a district level inventory report of waste, barren and unutilised public land and land available in Government Land Bank and shall be made available to the Social Impact Assessment Team and Expert Group. The inventory report shall be updated from time to time.

[Handwritten signature]

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

From:

Name

and/or Designation of the Requiring Body

To:

1. The District Collector

District _____

2. Commissioner, R&R, _____

It is requested to acquire _____-acre(s) of land for which
_____ project/purpose and details are furnished in Annexure (Appendix)
I, II and III along with three copies of combined Sketch (to scale) 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 study (SIA) is available
and will be deposited in your office, as provided under provisions of the Right to Fair
Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
as and when required by you. It is certified that the land to be acquired was demarcated on the
field and all further necessary information and assistance will be provided on the date/time
appointed/ stipulated by you.

Yours faithfully

Requiring Body

Annexure -I

Name of the project

(1) Name of the village-

(2) Name of the Mandal-

(3) Name of the Municipality/municipal Corporation-

(4) Name of the District-

(5) Survey Nos. to be acquired-

(5) Total area under request (in hectare /Sq.metres)

(7) Boundaries of the area to be acquired-

East-

West-

North-

South-

(8) Area of the agricultural and irrigated multi-cropped land

(9) Reasons for inclusion of agricultural and irrigated multi-cropped land

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

(11) Reasons for the inclusion of religious building graveyard or tomb etc. for acquisition, if any.

Requiring Body

Annexure -II

Name of the project

1. Department or Government or Company, Local Authority, Institution:

2. Official designation of the requiring body:-

3. Purpose of Acquisition (in detail) :-

4. Whether the request is filed u/s 2(1) of the Act by the Government or Department for its own use hold and control

5. Whether the request is filed u/s 2(1)(a) to 2(1) (f) of the Act

6. Whether the request 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 request is filed u/s 40 of the Act :-

9. If so, on what ground?

10. Has the land for the project been partially purchased 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) in case of Government or department or local authority.

13. Reasons for delay in filing request, if request 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

Annexure -III

Certificate to be furnished along with the request for acquisition of land by the requiring authorities

Name of the project

- (1) Certified that the project for which the land is sought to be acquired has been administratively approved vide Department letter No. _____ dated _____ for acquisition under the Act (copy of letter is attached).
- (2) The estimated cost of the project is of Rs. _____ and necessary budget was sanctioned and funds are available towards cost of acquisition.
- (3) The Department 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.

Requiring Body

FORM-2
(see rule 5)

Part-A

Terms of Reference and Processing Fee for the Social Impact Assessment

- (i) The Social Impact Assessment Unit will review the proposal for land acquisition sent by the State Government and prepare a project-specific Terms of Reference and budget. The processing fee shall be determined on the basis of terms of Reference and budget. The notification of the Social Impact Assessment shall be issued only after deposition of processing fee by the Requiring Body.
- (ii) The Terms of Reference 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 Social Impact Assessment and all the activities that must be carried out by the Social Impact Assessment team.
 - (c) Sequencing, schedule and deadlines for deliverables with dates for the Social Impact Assessment process, based on the size and complexity of the project and land acquisition, and whether consent of Gram Sabha or the Municipality, as the case may be, and/or land owners is required to be sought.
 - (d) The appropriate size and profile of the Social Impact Assessment team required (including field surveyors if needed) to conduct the Social Impact Assessment for the specific project.
 - (e) A project-specific budget based on the Terms of Reference, with a clear break-up of costs for each item or activity.
 - (f) The schedule for the disbursement of funds to the Social Impact Assessment team tied to clearly defined deliverables in the Social Impact Assessment process.
- (iii) The processing fee will be determined based on the terms of Reference 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 or 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 Social Impact Assessment Unit.

Part-B

Notification of the Social Impact Assessment

The notification of the Social Impact Assessment must include:-

- (a) Name of project developer, a brief description of the proposed project and the extent of the lands proposed for acquisition, the project area and the affected areas to be covered by the Social Impact Assessment.

(b) The main objectives of the Social Impact Assessment and key activities including-

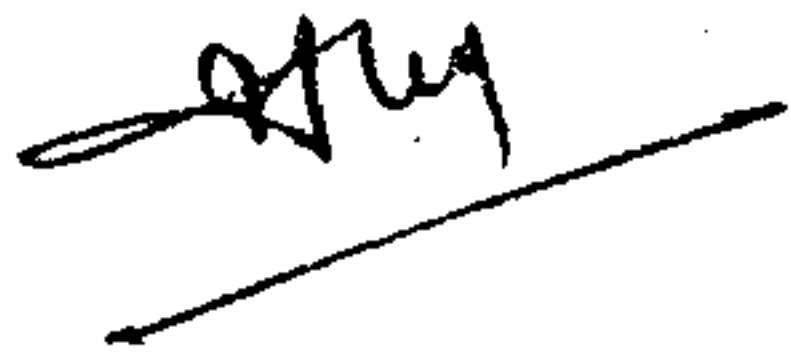
- (i) consultations;**
- (ii) survey; and**
- (iii) public hearings.**

(c) If consent of Gram Sabha or the Municipality or the Municipal Corporation, as the case may be, and/or land owners are required, the notification must state this.

(d) The timeline for the Social Impact Assessment and the final deliverables (Social Impact Assessment Report and Social Impact Management Plan) along with the manner of their disclosure must be specified.

(e) Statement that any attempt at coercion or threat during this period will render the exercise null and void.

(f) Contact information of the Social Impact Assessment Unit.



FORM-3
(see rule 5)
Social Impact Assessment Report

A. List of socio-economic and cultural parameters to be covered by the Social Impact Assessment:

1. Demographic details of the population in the project area-

- (a) Age, sex, caste, religion.**
- (b) Literacy, health and nutritional status.**

2. Poverty levels.

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 organization.

6. Administrative organization.

7. Political organization.

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 programme.
- (i) Co-operatives and other livelihood-related associations.

12. Quality of the living environment-

- (a) Perceptions, aesthetic qualities, attachments and aspirations.
- (b) Settlement patterns.
- (c) Houses.
- (d) Community and civic spaces.
- (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.

B. Key impact areas:

1. Impacts on land, livelihoods and income-

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

2. Impact on physical resources-

- (a) Impacts on natural resources, soil, air, water, forests.
- (b) Pressure 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.

(f) Stress of dislocation.

(g) Impact of separation of family cohesion.

(h) Violence against women.

6. Impact 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 (i.e. Direct land and livelihood losers).
- (ii) "Indirect impacts" will include all impacts that may be experienced by those not directly affected by the acquisition of land 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.

C. Table of Contents for Social Impact Assessment Report and Social Impact Management Plan:

Chapter	Content
Executive Summary	<ul style="list-style-type: none"> (a) Project and public purpose (b) Location (c) Size and attribute of land acquisition (d) Alternatives considered (e) Social Impacts (f) Mitigation measures (g) assessment of social costs and benefits.
Detailed Project Description	<ul style="list-style-type: none"> (a) Background of the project, including developers background and governance or management structure. (b) Rationale for project including how the project fits the public purpose criteria listed in the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. (c) Details of project size, location, capacity, outputs, production targets, cost and risks. (d) Examination of alternatives.

	<ul style="list-style-type: none"> (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 Social Impact Assessment or Environmental Impact Assessment if already conducted and any technical feasibility reports. (j) Applicable legislations and policies.
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 Social Impact Assessment. (c) Sampling methodology used. (d) Overview of information or 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.
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, unutilized 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.
Estimation and enumeration (where required) of affected	<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):

families and assets	<ul style="list-style-type: none"> (i) are tenants or occupy the land proposed to be acquired. (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 State 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 affected directly by the acquisition of own lands). (c) Inventory of productive assets and significant Lands.
Socio-economic and cultural profile (affected area and resettlement site)	<ul style="list-style-type: none"> (a) Demographic details of the population in the project area. (b) Income and poverty levels. (c) Vulnerable groups. (d) Land use and livelihood. (e) Local economic activities. (f) Factors that contribute to local livelihoods (g) Kinship patterns and social and cultural organization. (h) Administrative organization. (i) Political organization. (j) Community-based and civil society organizations. (k) Regional dynamics and historical change processes. (l) Quality of the living environment.
Social impacts	<ul style="list-style-type: none"> (a) Framework and approach to identifying impacts. (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 directly or indirect impact, differential impacts on different categories of affected families and where applicable cumulative impacts. (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.
Analysis of costs and benefits and recommendations on acquisition	<p>(a) Final conclusions on: assessment of public purpose, less-displacing alternatives, minimum 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 Social Impact Management Plan 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>
References and Forms	For reference and further information

Huy

FORM-4
(see rule 5)

Social Impact Management Plan

1. Approach to mitigation.
2. Measures to avoid, mitigate and compensate impact.
3. Measures that are included in the terms of Rehabilitation and Resettlement and compensation as outlined in the Act.
4. Measures that the Requiring Body has stated it will introduce in the Project Proposal.
5. Additional measures that the Requiring Body has stated it will undertake in response to the findings of the Social Impact Assessment process and public hearings.
6. The Social Impact management Plan must include a description of institutional structures and key person responsible for each mitigation measure and timelines and costs for each activity.

guy

FORM-5
(see rule 13)

PART-A
PRIOR WRITTEN CONSENT/DECLARATION FORM

Details of Person Concerned:

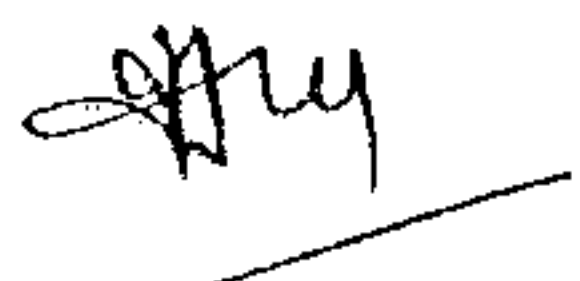
1. Name of the person(s) as per section 3(c) (i) & (v) of the Act:
2. Name of spouse:
3. Name of father/mother
4. Address:
5. Village/Basti:
6. Gram Panchayat/Municipality/ Township
7. Tehsil:
8. District:
9. Name of other members in the family with age: (including children and adult dependents).
10. Extent of land owned:
11. Area for the acquisition:
12. Plot No.
13. Record of Rights
14. Disputed lands if any
15. Pattas/lease/grants, if any
16. Any other right, including tenancy, if any:
17. Regarding the acquisition of my land by the government, I wish to state the following (please circle)-

(i) I have read/readout the contents of this consent form and explained to me in Hindi language. Yes /No

(ii) I do not agree to this acquisition. Yes /No

(iii) I agree to this acquisition. Yes /No

Signature or Thumb impression of
the affected family (s) and date



18. The terms and conditions, Rehabilitation and Resettlement, compensation and other measures committed by the Requiring Body have been explained in both Hindi and English languages. These terms and conditions must be attached to the Form.

Date and Signature of designated
District official receiving the signed form

Note: It is a crime under law to threaten any person or to cause them any harm if they refuse to consent or if they choose to state that they do not consent on this form. This includes any threat or act that causes them to lose money, that hurts them physically or that results in harm to their family. If any such threat has been made this form is null and void.

PART-B

FORMAT FOR GRAM SABHA RESOLUTION

We, the undersigned members of the Gram Sabha of _____ within _____ Panchayat of _____ tehsil in _____ 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 of ----- (unit) of private land.
- transfer of ----- (unit) of government land to the project
- transfer of ----- (unit) 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-6

(Rule 15)

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 (See section 31, 41 and Second Schedule of the Act)	Remarks
			<ol style="list-style-type: none"> 1. Land up to one acre for agricultural, horticultural, cattle grazing field per family shall be provided. 2. Provision of dwelling housing unit per family, Drinking Water facility toilette etc., 3. One time financial assistance of Rs. One lakh fifty thousand per family shall be given. 4. For landless labourers employment shall be provided under MNREGA or/and any other job providing scheme of the government, 5. Skill development through different training programmes for the youth of affected family. 6. Subsistence grant for displaced family allowance equivalent to Rs. Three thousand per month for a year from the date of award. 7. For cattle shed and petty shop minimum Rupees twenty five thousand. 	

(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.

(c) Programme for development of alternate fuel, fodder and non-timber forest produce resources on non-forest lands within a period of five years, sufficient to meet the requirements of tribal communities as well as the Scheduled Castes.

[Handwritten signature]

FORM-7

(see sub rule-(1) of rule 16)

Preliminary Notification

No.....

Dated

Whereas it appears to the Collector that a total of.....acres land is required in thevillage Mandal.....District for public purpose, namely,.....Social Impact Assessment Study was carried out by SIA Unit and a report submitted/preliminary investigation was conducted by a team constituted by District Collector as laid down under rule 16. The summary of the Social Impact Assessment Report/preliminary investigation is as follows (Attach copy of SIA report):.....A total.....(no.) families are likely to be displaced due to the land acquisition. The reason necessitating such displacement is given below.is appointed as Administrator for the purpose of rehabilitation and resettlement of the affected families. Therefore it is notified that for the above said project in theVillage of.....MandalDistrict a piece of land measuring,hectares viz,.... hectare of standard measurement, whose detail description is as following is under acquisition:

Sl.No.	Survey No.	Type of Title	Type of Land	Area under Acquisition (in acre)	Name & Address of person interested	Boundaries			
						N.	S.	E.	W.

Trees		Structures	
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 of 2013), to all whom it may concern.

A plan of the land may be inspected in the office of the District Collector andon any working day during the working hours.

The Government is pleased to authorize Officer.....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 said Act.

Under section 11(4) 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 District Collector.

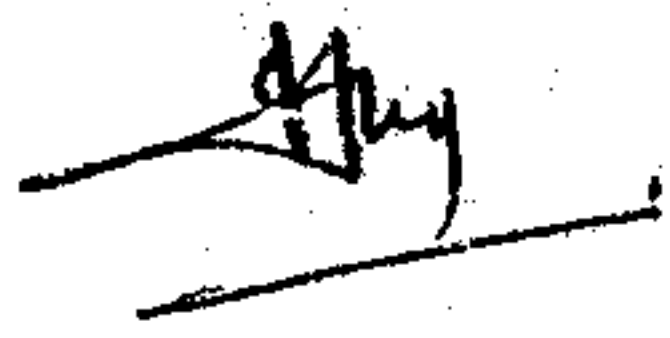
Since the land is urgently required for the project falling within the purview of section 40(2) and the same has approval of the Parliament, it has been decided not to carry out the social Impact Assessment Study, vide G.O.No.....dated.....(Strike if not applicable)

Encl: As above

Place:

Date:

District Collector



FORM-8

(see sub Rule (1) of rule 18)

NOTICE BY COLLECTOR

No.....

Dt.....

Notice is hereby given that the land specified in the appended schedule and situated in the village of in the Mandal/Tehsil/other nomenclature.....in the District ofis needed or is likely to be needed in accordance with the notification under section-11(i) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No. 30 of 2013) published by the District Collector at page.....of part I of the (name of State) Gazette, dated.....All persons interested in the land are accordingly required to lodge their objections

before.....

..... within sixty (60) days from the date of publication of the above notification a statement in writing of their objection if any, to the acquisition of the said land,

Any objection statement which is received after the due date or which does not clearly explain the nature of the senders interest in the lands is liable to be summarily rejected.

Objections received within the due date, if any, will be enquired into on.....atwhenthe objectors will be at liberty to appear in person or by Advocate and to adduce any oral or documentary evidence in support of their objections.

SCHEDULE

Sl. No.	Survey No.	Total Extent A.Cs.	Extent under Acquisition A.Cs.	Name & address of the person interested	Boundaries N.S.E.W	Details of Trees, Structures etc., if any
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Place:

Date:

Collector

FORM-9

(see sub-rule (1) of rule-21)

Declaration by District Collector

No.....

Dated.....

Whereas it appears to the Government that a total of.....acres land is required in the Village.....Mandal.....DistrictFor public purpose, namely,.....

Therefore declaration is made that a piece of land measuringacres viz,.... Hectares of standard measurement under acquisition for the above said project in the Village.....MandalDistrict.....for public purpose, namely,

Therefore declaration is made that a piece of land measuringacres viz;.... Hectares of standard measurement under acquisition for the above said project in the Village.....Mandal.....District.....whose detailed description is as following:

Sl.No	Survey No.	Type of Title	Type of Land	Area under Acquisition (in acre)	Name & Address of person interested	Boundaries			
						N.	S.	E.	W

Trees	
Variety	Number

Structures	
Type	Plinth area

This declaration is made after hearing of objections of persons interested and due enquiry as provided u/s 15 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No. 30 of 2013). The number of families likely to be resettled due to Land Acquisition isfor whom Resettlement area has been identified, whose brief description is as following:-

Village.....Mandal.....District.....Area.....(in acres).

Mines of coal, iron-stone, slate or other minerals lying under the said land or any particular portion of the said land, except such parts of the mines and minerals which may be required to be dug or removed or used during the construction phase of the project for the purpose of which the land is being acquired, are not needed.

A plan of the land may be inspected in the office of the Land Acquisition Officer &on any working day.

A summary of the Rehabilitation and Resettlement Scheme is appended.

Encl: As above

District Collector



FORM -10

(see sub-rule (1) of rule-23)

Land Acquisition Award

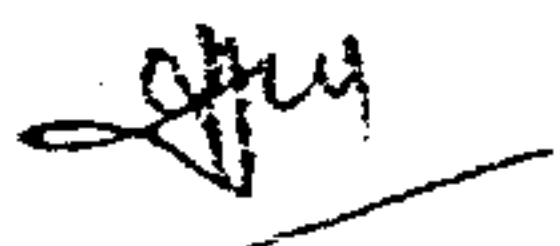
Land Acquisition Case No.

Name of the Project-						
Number and date of declaration under which the land is to be acquired						
Situation and extent of the land in hectares, the number of field plots on the survey map, the village in which situated with the number of mile plan if any.						
Description of the land, i.e., whether fallow, cultivated, homestead, etc. If cultivated, how cultivated? Source of irrigation						
Name of persons interested in the land and the nature of their respective interests.						
Amount allowed for the land itself, without trees, buildings etc., if any						
Amount allowed out of such sum as compensation for the tenants interest in the land.						
Basis of calculation:						
Amount allowed for trees, houses or any other immovable property						
Amount allowed for crops.						
Additional compensation on the market value under section 30(3)						
Damages under section 28 of Act No. 30 of 2013						
Solatium u/s 30(1)						
Award under section 23 and 30 of Act, No. 30 of 2013						
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 A/c No.	Remarks
Area (in hectares)						
Date on which possession was taken u/s. 38(1)& 40(1) of Act No. 30 of 2013						

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

Date

Signature



FORM-11

(see sub rule (3) of rule 23)

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 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 Area (in hectares)	Sl No.	Name of Claimants/ Affected Family	R & R entitlements	Bank A/c. No.	Amount Payable to each	Non monetary entitlement	Remarks
				(i) House to be allotted (ii) Land to be allotted (iii) Fishing rights (iv) Annuity (v) Employment Transportation cost, Housing allowances. (vi) Annuity (vii) Employment (viii) Subsistence grant (ix) Cattle shed, Petty shop. (x) One time resettlement allowances (xi) One time Resettlement allowances				
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.	Damage under section 28 of Act No. 30 of 2013					
13.	Solatium u/s 30 (1)					
14.	Award under section 23 and 30 of Act No. 30 of 2013					
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 A/c. No.	Remarks
	Area (in hectares)					
16.	Date on which possession was taken u/section 38(1) & 40(1) of Act No. 30 of 2013.					

If under section 40(1), the number and date of the order of Government giving authority to do so.

Date:

Signature

By order of the Governor,

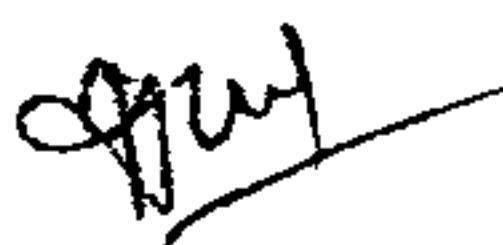


(Dr. Kunj Bihari Pandiya)


Joint Secretary to the Government

Copy: - Copy forward to the following for information and necessary action:-

- 1 P.S. to Hon'ble Chief Minister, Rajasthan Jaipur.
- 2 S.A. to Hon'ble Revenue Minister, Rajasthan Jaipur.
- 3 ✓ P.S. to Chief Secretary, Rajasthan Jaipur.
- 4 P.S. to Secretary, Revenue Department, Jaipur
- 5 Accountant General, Rajasthan, Jaipur
- 6 All Divisional Commissioners. Rajasthan
- 7 All Collectors, Rajasthan
- 8 Deputy Accountant General, SRA, Rajasthan, Jaipur.
- 9 Registrar, Board of Revenue, Rajasthan, Ajmer.



- 10 Director Printing and Stationary department for publication of the Notification in the Rajasthan Gazette dated along with additional copies.
- 11 Director, Public Relation, Rajasthan, Jaipur.
- 12 Registrar, Board of Revenue, Ajmer.
- 13 "RAVIRA" Board of Revenue, Rajasthan, Ajmer.
- 14 Director, Information & Technology (Computer), Jaipur.
- 15 Joint Registrar, Library Judges, Supreme Court, New Delhi.
- 16 Registrar General of High Court of Rajasthan, Jodhpur.
- 17 All Joint Secretaries/Dy. Secretaries Department of Revenue.
- 18 Joint Secretary Revenue (G-5) Department for uploading on website.
- 19 Guard file.


Joint Secretary to the Government