



RESETTELEMENT & REHABILITATION POLICY FOR VARIOUS PROJECTS



THDC Limited

(A Govt. of India Enterprise)



Preamble

The Hydro Projects are generally located in the remote areas, therefore to execute these projects THDC needs to acquire land for the same which in turn may relocate the inhabitants of that locality or affect their livelihood.

THDC's Tehri HPP has been commissioned and the construction activities on the other components of Tehri Hydro Complex are in full swing. THDC has now been assigned to carry out the construction of many other Hydro Projects in Uttarakhand, which will require traces of land. This may relocate people or affect their livelihood.

In those instances, THDC will take measures or resettlement and rehabilitation (R&R) of project-affected persons (PAFs) with the intention that the PAF will improve or at least regain their previous standard of living. Accordingly THDC effort is corresponding to the Government's efforts for the upliftment of the people.

A National Policy on resettlement and Rehabilitation of Project Affected Families –2007 has been issued by Ministry of Rural Development, Department, Department of Land Resources, Government of India, which aims at laying down basic norms and packages for the project affected families (PAFs). National resettlement and Rehabilitation policy 2007 has been duly notified in the official gazette of India. THDC has in vogue an updated revised policy on Resettlement & Rehabilitation for Tehri Project effective from 09.12.1998. THDC now proposes to review and modify its R&R policy to make it in line with the NPRR 2007 and in light of the experience gained over the years.

The R&R policy will be implemented in close cooperation with the concerned State authorities as may be set up as per the NPRR 2007.

This Policy will be implemented within the framework of local applicable law. Though this policy takes into account of local factor and good practices adopted in R&R along with making it in line with NPRR-07, any practices & policy measures required specific to any sector in future will be incorporated.



List of abbreviations:

BPL	Below Poverty Line
CBO	Community Based Organization
CC	Corporate Center
CEO	Chief Executive Officer
CPI	Consumer Price Index
CSR	Corporate social Responsibility
DDGS	Decentralized Distributed Generation Scheme
GOUK	Government of Uttarakhand
Ha	Hectare
HPP	Hydro Power Plant
HR	Human Resource
HSO	Homestead Oustee
ICR	Implementation Completion Report
LA Act	Land Acquisition Act
LFL	Land for Land
LO	Land Oustee
MAW	Minimum Agricultural Wage
NGO	Non Govt. Organization
O&M	Operation and maintenance
PAF	Project Affected Families
PAP	Project Affected Person
PCO	Public Call Office
PH	Physically Challenged
PIC	Public Information Center
PURA	Providing Urban Facilities in Rural Areas
R&R	Resettlement & Rehabilitation
RAC	Rehabilitation Advisory Committee
RAP	Rehabilitation Action Plan
RC	Resettlement Colony
RG	Rehabilitation Grant
RHQ	Regional Headquarter
SC	Schedule Caste
SDM	Sub Divisional Magistrate
SES	Socio Economic Survey
SIE	Social Impact Evaluation
SOLI	Standard of Living Index
ST	Schedule Tribe
UT	Union Territory
VDAC	Village Development Advisory Committee
WBM	Water Bound Macadam



Chapter –1

Basic Issues and Strategies for R&R

1.1 Basic Issues

- 1.1.1** The land that is acquired for power projects is for a public purpose. Resettlement and Rehabilitation (R&R) of project affected families (PAFs), is a task often accompanied by socio-economic adjustment problems. The PAFs have to involuntarily face the new social setup.
- 1.1.2** The land acquisition and consequent displacement disrupts the traditional social system. The changes in the land use pattern alter the agro based rural economy and affect the life style of the people. This calls for a concerted effort to provide means to ensure sustainable livelihood of these PAFs considering them as stakeholders.
- 1.1.3** The Rehabilitation Action Plan (RAP) is to be formulated so that after a reasonable transition period, the affected families improve, or at least regain their previous standard of living, earning capacity and production levels.
- 1.1.4** THDC's involvement in the R&R activities will continue until THDC has taken all actions in accordance with RAP, preparation of Implementation Completion Report (ICR) and evaluation of activities post completion.
- 1.1.5** This policy aims at setting up broad guidelines for the formulation of project specific RAPs as per the culture / project specific requirement of each project, the categories and the entitlements of R&R benefits, which are in addition to the payment of compensation for the assets acquired as per the law of the land.

1.2 Principles and Strategies

- 1.2.1** THDC should understand that most effective way of addressing the R&R issues is through proactive approach and appropriate planning on land acquisition. Towards this, THDC shall adopt the following principles and strategies:
- 1.2.2** Minimize the land requirement through compact and efficient layout plan, township and other facilities. Multi-storeyed facilities like township etc. shall be planned wherever possible to reduce the land requirement.
- 1.2.3** Minimize the acquisition of prime agricultural land & other assets to the extent possible and avoid acquisition of homesteads. This will be one of the principal criteria in selecting a site among the techno – economically feasible alternatives and for finalizing the boundaries /layout of the plan, township and other facilities.



- 1.2.4** THDC may consider acquiring an entire village / settlement even if all land in the village is not acquired if the community will be significantly * affected due to construction activities, and if the villagers opt for relocation of the entire village.
- 1.2.5** Resettlement sites shall wherever possible be planned close to the affected zone to reduce the hardship of the affected persons.
- 1.2.6** All PAFs residing in working area doing business or cultivating land or having rights over resources within the project area as per the categorization and provisions for eligibility in the policy are entitled for compensation for their lost assets as per the law of the land and for other R&R benefits as detailed in chapter II of this policy, sufficient to assist them to improve or at least regain their previous standard of living.
- 1.2.7** THDC may also adopt negotiated settlement in agreement with the PAFs. negotiated settlement shall include land compensation as decided by the competent authority and R&R assistance. The compensation will also be payable as per the law of the land to those persons who are denied R&R benefits as per the cut off date but losing assets. Determination of amount of compensation payable will be carried out through negotiation with the affected persons in presence of district administration.
- 1.2.8** Loss of common property resources/ Community Assets will be suitably addressed as outlined in the chapter II.
- 1.2.9** Efforts will be made to minimize the resettlement transition period.
- 1.2.10** One important aspect in addressing the R&R issues is of maintaining total transparency in planning and implementation of an activity related to PAFs. Therefore consultation and participation of PAFs and their representatives is a must to ensure transparency and a conducive environment of fairness, trust confidence and co- operation.
- 1.2.10.1** THDC will share information and carryout consultation through formal mechanism of Public Information Center (PIC) and Village Development Advisory Committee (VDAC/SHIST MANDAL) during the implementation of Rehabilitation Action Plan (RAP). This will be supplementary to the setup proposed by NPRR. Informal consultations and participation will also be carried out through community-based organizations (CBOs), Non Governmental Organizations (NGOs), Clubs engaged in social activities etc. After implementation of RAP, sharing of information will be carried out through the neighboring village panchayats.

*** If more than 50% of the total families are getting affected.**



1.2.10.2 A Socio Economic Survey (SES) will be conducted by a professional agency to collect detailed demographic details of the area, which shall form the basis for the preparation of RAP. A local NGO will assist with the implementation of the RAP. A Social Impact Evaluation (SIE) will also be under taken after the completion of RAP to evaluate the effects of the R&R programme, and the need for follow-up actions. The details have been outlined in Para 3.4.2

1.2.10.3 A. Social Impact Evaluation (SIE) will also be under taken after the completion of RAP to evaluate the affects of the R&R programme. The details have been outlined at Para 4.2.6.

1.2.10.4 Initial videography will be done by THDC i.e. inside and outside if any, house structures, water, road, water drainage due to project, same shall be made good by THDC

1.3 Financial and physical resources for R&R will be made available by THDC as and when required.

1.3.1 R&R programmes will include adequate institutional arrangements to ensure effective and timely design, planning, consultation and implementation of compensation, resettlement and rehabilitation measures.

1.3.2 Adequate arrangements will be made for effective and timely supervision, internal & external monitoring and evaluation of the implementation of the R&R measures.

1.4 The core values of THDC is an important and integral part of its relationship with the project affected persons, as described below:

1.4.1 Customer focus- All PAFs will be considered as important customers of THDC

1.4.2 Organizational Pride – Implementation of R&R policy within specified time and with a consensual approach with co-operation and participation of all stakeholders will be a matter of pride for THDC.

1.4.3 Mutual Respect and Trust – This will be ensured through total transparency, sharing of information and mutual consultation.

1.4.4 Initiative and Speed – THDC will be proactive rather than reactive and will implement the R&R activities in a time bound manner and will make efforts to complete all R&R activities ahead of scheduled dates as in case of project implementation. THDC will ensure that the planning and the implementation of LA/R&R activities are synchronized with the planning of the civil works.

1.4.5 Total Quality – The implementation of R&R activities will be carried out with a concept of total quality. All infrastructure constructed will be compatible with



the national norms and similar construction undertaken by other projects and organizations with a concerted effort to maintain quality.

1.5 This policy has a paradigm shift not only in identifying the options based on the practicality of the option and feedback from the stakeholders but also extending the facilities to the PAFs beyond the boundaries of R&R obligations.

1.5.1 The land for land option is for PAFs, who are owning agricultural land in the affected zone & whose entire land has been acquired. A custom-made implementation procedure has been evolved to make it friendly to PAFs. This is however subject to availability of Govt. land for allocation for such purpose.

1.5.2 Keeping in view that the Hydro projects are capital intensive with state of the art technology and therefore do not offer much employment opportunity, particularly in unskilled category, the option of providing job with THDC is not considered as a rehabilitation option.

1.5.3 Though extremely limited, other economic opportunities such as allotment of shops and other self-employment options, award of petty contracts and jobs with contracting agencies shall be encouraged as income generation schemes to rehabilitees.

While the cost of R&R is to be borne by THDC, the State Government will be closely involved during the whole process. This includes certification of list of PAFs forming of VDAC/SHIST MANDAL, allotment of government land for Resettlement Colonies (RCs), allotment of plot in RC to HSOs on free hold basis, formulation and implementation of RAP etc. The State Govt. will also be involved in taking over the maintenance of RCs, if any, including various infrastructures created by THDC in RCs as well as in Project Affected Villages.

1.6 Should there be any amendment / modification required due to site-specific requirements, Chairman and Managing Director (CMD) can modify / approve Rehabilitation Action Plan (RAP) in confirmity with approved policy. Any changes in policy due to any site specific reason shall be considered by the Board.



Chapter II

CATEGORIES OF PAFs AND THEIR ENTITLEMENTS

2.1 ELIGIBILITY

2.1.1 Cut off date for R&R package

i) For titleholders: Cut off date for title holders shall be two years prior to the date of publication of notification under section-4 of LA act 1894.

ii) Non titleholders: To eliminate / minimize the possibilities of usurpation of rights by agricultural or non agricultural labourer in order to reap the advantage of various R&R benefits, 3 years of residence, in the acquired area, before the date of publication of the notification –under section- 4 of the LA Act, 1894 or similar section prescribed for publication of first notification indicating the intention of acquisition under any other act currently in force, will be required in order to avail R&R package. However in such cases who are left out due to the cut off date of three years, THDC approach will be flexible and they will be reviewed on a case to case basis and genuine cases such as family transactions amongst legal heirs due to death in family/ marriage etc. will be considered for R&R benefit. The intention is to eliminate / minimize those who obtain rights in property with ulterior motive of grabbing R&R benefit only. Evidence of status as a PAF is to be provided by a person in the form (a) Written legal document or (b) Reference to a record such as revenue officer certificate, electoral roll or ration card etc .The list shall be finally verified by Gram Panchayat and duly certified by Collector.

Payment of compensation benefits for the assets acquired, however, will be determined as per the law of the land.

2.1.1.1 Members of Scheduled tribe (ST) in possession/occupation of forest land prior to 13th day of December 2005 will however be entitled for benefits as laid down. The list compiled and recommended by Forest Deptt. Shall be verified by Gram Panchayat and certified by District Collector.

2.1.2 Definition

2.1.2.1 Project Affected Family (PAF)

- (i) Project Affected Family (PAF) means family whose place of residence or other properties or source of livelihood are substantially affected by the process of acquisition of land for the project or involuntary displacement for any other reason.
- (ii) Any tenure holder, lessee or owner of other property, who on account of acquisition of land (including plot in the abadi or other property) in the affected area or otherwise has been involuntarily displaced from such land or other property: or
- (iii) Any agriculture or non agricultural labourer, landless person(not having homestead land, agricultural land or other homestead or agricultural land), rural artisan, small trader or self employed person: who has been residing or



engaged in any trade, business, occupation or vocation continuously for a period of not less than three years preceding the date of declaration of the affected area, or date of publication of notification under section-4 of the LA act,1894 and who has been deprived of earning his livelihood or alienated wholly or substantially from the main source of his trade, business, occupation or vocation because of the acquisition of land in the affected area or being involuntarily displaced for any reason.

Family means Project Affected Family consisting of such persons, his or her spouse, minor sons, unmarried daughters, minor brothers or unmarried sisters, father, mother and other members residing with him and dependent on him / her for their livelihood.

- (iv) Any son immaterial of marital status above the age of 18 will be considered as separate family.

2.1.2.2 Project Affected Persons (PAPs)

Project Affected Person (PAPs) means person belonging to or member of Project Affected Family (PAFs).

2.1.2.3 Homestead oustees (HSOs)

A PAF whose homestead has been acquired by the process of law and who has to be relocated shall be considered a Homestead Oustee. An unauthorized structure shall not be considered for any benefit. However in case of any such regularization by the Government 3 years prior to Sec 4 notification, will be considered as a HSO. An allottee of any government scheme like Indira Awas Yojana, homestead allottee on Government lands etc. shall be considered as HSOs.

2.1.2.4 Vulnerable Persons:

Persons such as the disabled, destitute, orphans, widows, unmarried girls, abandoned women or persons above 50 years of age who are not provided or cannot be immediately provided with alternative livelihood and who are not otherwise covered as part of family and families below poverty line. Suitable insurance policy should be taken for them

2.1.2.5 "Affected area":

Means area of village or locality notified by the appropriate Govt., where the appropriate Govt. is of the opinion that there is likely to be involuntarily displacement of families in plain, tribal or hilly areas; DDP blocks or areas mentioned in the schedule V or schedule VI to the constitution due to acquisition of land for the project or due to any other reason.



REHABILITATION PACKAGE- OPTION- I

2.2 Categories of PAFs

A	PAFs owning agricultural land in the acquired area two years before the Sec 4 notification and whose entire land has been acquired. The list shall be prepared based on the revenue records as on the date of Section 4 notification under LA Act.
B	PAFs owning agricultural land in the acquired area two years before the Sec 4 notification and losing partial land and becoming marginal farmer (left with un irrigated land holding up to 1 Ha or ½ Ha. Irrigated land). The list shall be prepared based on the revenue records as on the date of Section 4 notification under LA Act.
C	PAFs owning agricultural land in the acquired area two years before the Sec 4 notification and losing partial land and becoming small farmer (left with un irrigated land holding up to 2 Ha. or irrigated holding up to 1 Ha.). The list shall be prepared based on the revenue records as on the date of Section 4 notification under LA Act
D	PAFs owning agricultural land in the acquired area before the Sec 4 notification and losing partial land but not covered in either category B or C. The list shall be prepared based on the revenue records as on the date of section 4 notifications under LA Act.
E	Agricultural laborer PAF including squatters and encroachers who normally is a resident of the affected area for a period not less than three years immediately before Sec 4 notification, who does not own land in the acquired area but who earns his/her livelihood principally by manual labor & have been deprived of his /her livelihood due to acquisition. The list should be prepared and verified by Gram Panchayat and duly certified by collector or his/ her authorized representative.
F	Non agricultural laborers PAF including squatters and encroachers who is not an agricultural labour PAF, but is normally residing in the affected zone for a period of not less than three years immediately before the Sec 4 notification and who does not own any land but who earns his livelihood principally by manual labour or as a rural artisan or having any client relationship with PAF community, immediately before acquisition and has been deprived of his/her such livelihood due to acquisition. The list shall be prepared based on the socio-economic survey, verification by the Gram Panchayat and duly certified by Collector or his/her authorized representative.
G	PAFs losing partial land in case of projects/schemes related, connecting approach roads & bridges outside the project and its associated area etc., wherein only a narrow stretch of land extending several kilometers is being acquired. The list shall be prepared based on the revenue records as on the date of Section 4 notification under LA Act. (In case of acquisition of homesteads in such a case shall fall in Category I). In case of acquisition of major portion of their land holding (say 25% of land or more, however, in such a case shall fall in Cat A to D, subject to a minimum acquisition of one acre).
H	Occupiers i.e. PAFs of STs in possession of forest land since 13 th December 2005. The list shall be prepared based on the socio economic survey, verification by the Gram Panchayat, State/Central Forest Department and duly certified by Collector or his/her authorized representative.
I	PAFs who are Homestead Oustees (HSO), residing in the area and owning house since before the Sec 4 notification under LA Act and whose house has been acquired by the process of law.



2.3 Rehabilitation Package

The PAFs of Category A to I will be entitled for any one of the following rehabilitation packages. If a PAF falls in more than one category of A to G, he/she will be entitled for only one of the rehabilitation package. For the Category H and I the package will vary depending upon the type of PAF as per Category A to G. The additional benefits to this category are delineated in para 2.6.

2.3.1 Land for land (LFL)

The “Land for land” option will be applicable to PAF owning agricultural land in the affected zone, whose entire land has been acquired or has been reduced to status of marginal as a consequence of the acquisition or loss of land may be allotted agricultural land or cultivated land to the extent of actual loss of land subject to a maximum of one Ha of irrigated land or two Ha of an irrigated/cultivable wasteland preferably in the command area subject to availability of Government land in the district. Land availability for allotment for this purpose will be explored by State Government. If Government land is not available, PAFs will be facilitated for purchase of land on a “willing buyer-willing seller” basis. The limit of purchase of land in this case will be two Ha. For this purpose, the following process will be adopted.

Land price for the purpose of purchase of land will be fixed after consultation with the State Government and the VDAC/SHIST MANDAL on the basis of market price of the good agriculture land in the vicinity generally within 25 Km radius but normally not exceeding the 1.3 times of the rate paid for the acquisition of good agriculture land as per LA Act. The basic land compensation amount paid (i.e. excluding solatium and interest) will be adjusted against this amount. In addition, land development amount @ Rs. 10,000/- (Rs. ten thousand) per acre as per entitlement (Based on price CPI as on 31.12.2006 and subject to revision from time to time) and actual land registration and stamp duty charges as per entitlement will also be paid as per entitlement to those, who actually purchase the land and submit the required papers. The PAFs who though, losing less than one acre of land, purchase land up to one acre out of the grants and compensation money they would be reimbursed the actual stamp duty and registration charges of up to one acre. The implementation process has been delineated in Para 3.4.3.

In situation, where the LFL option is not feasible because of scarcity of land in the particular area, this option shall not be applicable to PAFs and they will be eligible for Rehabilitation Grant as stated in Para 2.3.2.

In case of Category E & Category F, PAFs who are landless but are dependant only on the acquired land for livelihood, also buy land through the grants



provided to them, THDC will consider incentivising their purchase by reimbursing actual stamp duty and registration charges up to one acre of purchase of land.

2.3.2 Rehabilitation Grant (RG)

One time RG will be paid to eligible categories. If a category –A PAF does not wish to go for LFL option, he/She will also be paid one time RG in lieu of LFL. The RG will be generally 1000 days Minimum Agriculture Wage (MAW) in the concerned State/UT at the time of Section 4 notification under LA act. For the categories B to F, the RG will be generally 750 days MAW. For the category G a one time RG 500MAW normally will be payable with no other additional rehabilitation benefit. For the category H, the RG will vary depending upon the type of PAF as per Category A to G. The implementation process has been delineated in Para 3.4.4. The amount of rehabilitation grant to various categories of PAFs shall be worked out as per the following table:

S No.	Category	Amount
1	A	1000 days of MAW
2	B to F	750 days of MAW
3	G	500 days of MAW

2.3.2.1 In case of non feasibility of Land option due to local constraints, the RG however could be suitably fixed on per acre of land loss for the category A to D subject to a maximum of 5 acres in consultation with the stakeholders, to cover replacement value of land not normally exceeding 1.3 times the basic compensation of good agricultural land or terms of MAW specified above for these categories whichever is higher.

2.3.2.2 In case of rehabilitation of any rural artisan/small trader and a self employed person falling in category F who was having a shop in the affected area, a one time financial assistance of Rs. 25,000 will also be provided in addition to RG for construction of working shed/shop, in case he continues with his earlier vocation.

2.3.3 Subsistence Grant

Keeping in view the time required for stabilizing the resettlement process, each PAF shall normally get a monthly subsistence allowance equivalent to 25 days of minimum Agriculture Wages per month for a period of one year up to, starting



from the date of relocation/displacement and physically handing over of the acquired land.

2.4 Resettlement Package

2.4.1 Self-resettlement Grant for House

PAFs of category I and willing to resettle on their own or shift to some alternate location will be encouraged for self resettlement. In addition to the compensation a financial assistance for self-resettlement shall be provided at the rate assessed by PWD/SLAO of the basic compensation payable for the house, excluding solatium and interest, under Land Acquisition Act subject to a minimum of Rs.50,000/- and a maximum of Rs. 1,00,000/- in each case (Based on price CPI as on 31.12.2006 and subject to revision from time to time). The implementation process has been delineated in para 3.4.5. No other benefit like allotment of plot in RC, infrastructure at place of resettlement etc shall be extended in case of individual self-resettlement. However, if a group of 25-30 PAFs resettle at one place, basic infrastructure facilities could be considered as detailed at para 2.4.3.

PAFs whose 50% or more land has been acquired but house has not been acquired shall be given house construction assistance of Rs. 30,000/- in addition to other entitled Rehabilitation benefits.

2.4.2 En-masse resettlement (Resettlement Colony)

The resettlement colony shall be considered where the PAFs are those HSOs who have not opted for self-resettlement and are 100 (hundred) or more. If the number of such HSOs is less than 100, they shall have to opt for self-resettlement as per 2.4.1. The land for RC will be made available by the State Government free of cost and free of any encumbrance preferably at one place at the time of inception of the project. In case the Government has to acquire private land for the purpose of resettlement, it should be ensured that such acquisition of land should not lead to another list of PAFs. The Government may also purchase land through consent award and may enter into agreement for this purpose. The cost of this land should not however, exceed than that of the land being acquired for the project. The cost in that case also be borne by THDC.

2.4.2.1 Allotment of homestead land: The HSOs, who have not opted for self-resettlement, shall be settled in Resettlement Colony developed by THDC. Each HSO will be provided a plot of area to the extent of actual loss of area of the acquired house but not more than 250 sqm. of land in rural area and 150sqm. of land in Urban areas, as the case may be for each nuclear family.

2.4.2.2 Title of the land in RC: The land title for the plot allotted shall be transferred in the joint name of allotted and his/her spouse on free hold will be allotted in



his/her name. The registration charges, if any, will be paid by THDC as per actuals. The remaining common land in RC will be treated, as revenue/Gram Sabha land in the revenue record will be made accordingly. This will be implemented in consultation with State Government.

2.4.2.3 In case of resettlement of more than 25-30 PAFs of category H in an area or a village, THDC may consider provision of basic infrastructure depending upon the need and requirement and consultation with the stakeholders.

2.4.3 Additional resettlement benefits

2.4.4.1 Shifting Grant: THDC shall bear the actual cost of transportation of the building materials and other movable properties including self, family members, cattle etc. belonging to the PAFs from the place of displacement to resettlement colony or the place of resettlement generally within 25 Kms. of accessible roads in any transport arranged by THDC. Alternatively, a lump sum grant of Rs.20,000 will be paid to each HSO for self transportation/shifting. This is inclusive of transportation of man, material, a reusable goods, wood, cattle etc, if any. The implementation delineated in para 3.4.5

2.4.4.2 Resettlement Grant: A fixed resettlement grant of Rs.40,000/- -will also be provided to each HSO. The implementation process has been described in para 3.4.5. This is inclusive of Rs.15,000/- towards assistance for construction cattle shed, if any.

2.5 Assistance for transit accommodation in case of emergency acquisition: In the case of acquisition of land in emergent situation such as section 17 of the land acquisition Act 1894 or similar provision of other act in force, each PAF shall be provided with transit accommodation or suitable monitoring assistance for the same, pending resettlement and rehabilitation scheme.

2.6 Additional benefits to ST PAFs

2.6.1 Each PAF of ST category shall be given preference in allotment of land for land option.

2.6.2 Each tribal PAF shall get additional financial assistance equivalent to 500 days MAW for loss of customary rights/usages of forest produce in case the acquisition has affected their such rights.



- 2.6.3** Efforts will be made to resettle such PAFs close to their natural habitat in a compact block to the extent possible so that they can retain their ethnic, linguistic and cultural identity.
- 2.6.4** If an RC is built for these PAFs, a provision for their community and religious gathering will be ensured.
- 2.6.5** Tribal PAFs resettled out of the District/Taluk will get 25% higher R&R benefits in monetary terms.
- 2.6.6** If any reservoir is constructed and owned by THDC as a result of its construction of any hydro electric project, the tribal PAFs of the affected area having fishing rights in the river/ ponds/dam will be given the fishing rights in the reservoir area.
- 2.6.7** In case during acquisition of any land for THDC project. It is found out by the State Government that tribal land has been alienated in violation of the laws and regulation in force on the subject, it would be treated as null and void and R&R benefits would be available only to the original tribal owner.
- 2.6.8** Tribal PAFs enjoying reservation benefits in the affected zone shall be entitled to get the reservation benefits at the resettlement zone.
- 2.6.9** In case, land being acquired from ST, at least 1/3 of compensation amount due shall be paid to the affected families at the outset as first installment and rest at the time of taking over possession of land.

2.7 Loss of common Property resources (Community assets)

During the construction of hydro projects, should any common property resources like grazing lands, cremation, religious, structure/places etc or any existing facilities such as irrigation, water supply, road, electricity, communication system, path etc. be adversely affected due to execution of the project, remedial measure will be taken and incorporated in the project specific RAP. The extent of such measure shall be decided in consultation with the stakeholders.

Each affected family will be paid 100 days of MAW per year for a period of 5 years. The amount will be paid as a grant towards the loss of fuel and fodder.



2.8 Summary of Entitlement

Category of PAF	Summary of R&R entitlement	
	Rehabilitation Package	Resettlement Package
A,	1000 days of MAW	As per I if losing a homestead
B, C, D, E, F & G	RG as laid down in para 2.3.2	As per I if losing a homestead
H	Depending upon the category as per A to G and additional benefit as per para 2.6	As per I if losing a homestead
I	Nil	Grant for self-resettlement or plot in RC+ transportation and resettlement grant



REHABILITATION PACKAGE – OPTION -II

(Negotiated Settlement)

- 2.9** THDC will approach the affected community for a negotiated settlement. The unit of negotiation would be per *nali* (one fiftieth of a hectare or a land parcel of 200 sq. m). The negotiated amount would include the compensation amount, solatium (30% of the compensation amount), interest (12% from the date of award) and R&R assistance. The negotiated amount would be the prevailing market rate and will also consider the post project value of the land.
- 2.10** The compensation amount including solatium and interest (if payable) will be disbursed by the competent authority and balance amount will be paid by THDC as R&R assistance. Even if any PAP has a landholding of less than a *nali* or is a landless, he / she will be entitled for an R&R package of at least one and half (1.5) *nali*.

Loss of Residential and/ or Commercial Structures

- 2.11** THDC will pay the replacement value of the structure based on concerned PWD's latest schedule of rates (SOR). The compensation of the land will be calculated as per the process followed for agriculture land. The minimum compensation for homestead land will be of 200 sq. m even if the PAP holds less than 200 sq. m of homestead.
- 2.12** In case entire village is displaced, THDC will in consultation with the PAPs construct a new resettlement colony which will include (i) individual developed plots of 250 sq. m; (ii) basic amenities such as roads (access and internal), electricity, storm water drains, drinking water and sanitation facilities.
- 2.13** All PAPs losing agriculture land or getting displaced (whether en-mass or individually) or losing livelihood will be supported by THDC for restoration of income. For income restoration, the NGO contracted for RAP implementation along with the Environmental and Social Cell of THDC will take following steps: (i) conduct need assessment survey to identify trades; (ii) would identify master trainers for training; (iii) would establish backward and forward linkages for each of the trade selected; (iv) would arrange for training logistics. The NGO would also monitor each PAP and would document the progress. The external agency that will be hired for mid and end term evaluation of RAP implementation will also evaluate the implementation of income restoration schemes.



Loss of Community Property

2.14 Any community property that will be affected by the project will be replaced by THDC before the demolition or acquisition of such properties. In case of grazing land and van panchayat land, THDC will provide access roads to the residual van panchayat and / or grazing land. In addition each affected family will be paid 100days of MAW per year for a period of 5 years. The amount will be paid as a grant towards the loss of fuel and fodder.

2.15 Additional Efforts

2.15.1 Capacity building

Based on consultation and need assessment, capacity-building efforts will be made for PAFs who are otherwise entitled for any individual rehabilitation benefit. These efforts would aim at skill up gradation through various training schemes and training institutes of THDC /State Government in order to make them self-reliant. Depending upon the need and requirement as discussed in VDAC/SHIST MANDAL and included in the RAP, the project will grant scholarship and/ or reimbursement of tuition fees to a limited number of PAFs and their dependents not more than one per family for promoting educational and technical training. Approach of THDC on this aspect will be flexible and it will promote capacity building efforts through providing infrastructure support to build training centers, organize training programmes, sponsor/reimburse tuition fees for vocational courses etc. Provision of training however, will be solely with the purpose and intention of skill enhancement with out any commitment for job.

All vulnerable families affected due to acquisition of Van Panchayat land (as established by SIA) shall be entitled for income restoration training in the trade of their choice.



2.15.2 Incentive for adopting small family

In addition to the R&R package, one time incentive will be granted to PAFs, if the family undergoes family planning operation within the specified period of acceptance of R&R package as stated in para3.4.6. Only those PAFs who are between the age of 35 years and 50 years and have at least one child will be eligible for this incentive. The incentive will vary depending on the period within which he gets operated, as per details given below.

Time Period	Incentive
Within six months	Rs.5,000/-
Within twelve month	- Rs. 4000/-
Within twenty four month	Rs. 3000/-

2.16 Infrastructure Facilities:

2.16.1 The infrastructure facilities and basic minimum amenities shall be augmented to ensure that the displaced population (HSOs) in the resettled colony or the village may secure for themselves a reasonable standard of community life to minimize the problems associated with fresh settlement in new localities.

2.16.2 The facilities /amenities shall be considered in the resettlement colonies or the villages where more than 25-30 HSOs have resettled on their own.

2.16.3 In addition community development works will also be undertaken in the projected affected villages where PAFs continue to reside even after acquisition.

2.16.4 These facilities will also be available to the host population and the neighboring community and facilitate socio economic development of the area.



2.16.5 The land, if required shall be made available by the State Government. The location for these facilities shall be decided in consultation with the State Government and/or Panchayat.

2.16.6 The facilities/ amenities will vary depending upon local requirement and may include the following

- i) Internal and the approach WBM roads with proper drainage.
- ii) One or more sources of safe drinking water like hand pump for each 50 HSOs.
- iii) Tree plantation including fruit trees.
- iv) Community Halls/ Panchayat Ghar.
- v) Primary education facilities.
- vi) Primary health facilities.
- vii) Street lighting in the Resettlement Colonies.
- viii) Public cremation ground/burial ground.

The above list is only suggestive and may include any other activities based on local need and requirement.

2.16.7 Efforts will be made to involve the PAFs in the creation of infrastructure facilities by giving contracts to their cooperative societies or otherwise for construction works to the extent possible. This will also help in developing a sense of ownership among the PAFs and also help to involve the PAFs in a fruitful manner.

2.16.8 Maintenance of Facilities:

The responsibility of THDC shall be limited to one-time capital expenditure for such infrastructural facilities. The infrastructural facilities shall be set up by THDC on the basis of assurance from the respective State Government that it will take over the infrastructural facilities and maintain it properly. However, during the development phase, approach roads to project affected villages constructed if any, could be recarpeted / repaired as and when required.



2.17 Welfare Activities

In addition to the activities outlined above, activities will also be undertaken for socio economic upliftment for the affected population. This may include special efforts for education like providing scholarships, educational facilities for girls child, rural sports, medical camps , other medical benefits as applicable to the PAFs like access to THDC project dispensaries, cultural programmes etc depending upon the need and requirement. Such activities will be finalized in consultation and participation of the PAFs/ VDAC/SHIST MANDAL and will also be included in the RAP. This will vary from project to project depending upon the need and requirement and may also include activities as follows:

2.17.1 Education

Educational activities in and around the project area shall be given special focus during the preparation of the RAP. The needs and requirements will be finalized in consultation with stakeholders and may include providing scholarships including those during high school/vocational educational courses like ITI etc, providing assistance in terms of text books, stationery etc, assistance to schools in consultation with State Govt. Officials and VDAC/SHIST MANDAL organizing training programmes for developing special skills/modern trends in education like computer training etc., coaching for related education etc.

2..17.1.1 Focus on education of girl child

THDC will make additional efforts for education of girl children in and around project areas where the social indicators are lower than the national norms/ average in this regard. THDC will also provide special assistance to the girl children of PAFs in the township schools like relaxation in fees, assistance for text books, scholarships etc if they are among the top ten meritorious students in the class.

2.11.1.2 Health

PAFs shall be entitled to access to OPD facilities in dispensaries of THDC. However, the definition of family will be as per the existing policy. In addition, efforts will be made to improve the health standards of the PAFs and the neighboring community. This may include conduction of health surveys, awareness campaigns, assistance to run medical camps in villages, promotion of national programmes, organizing immunization programme and other medical camps with focus on marginalized and special groups like SC/ST, women, physically challenged etc. However, the list is suggestive and the actual activities will be finalized in consultation with VDAC/SHIST MANDAL depending upon the need and requirement and will vary from project to project.



2.18 Other Welfare activities

In association with the State Govt. authorities, other schemes like conduction of rural sports, providing playing equipments and other facilities in primary schools running in the affected areas preferably of the State Government, sponsoring local sportsman with identified potential for training and development etc, coaching camps, veterinary health and other related activities, social forestry, afforestation, schemes for socio economic development like organizing and facilitation of cultural programmes, training etc will also be taken up through consultation and depending upon the need and requirement of the stakeholders. In addition to the entitlements and package as envisaged in the policy, THDC will make special efforts for the welfare measures for vulnerable persons, women headed households physically challenged etc. These may include special vocational training programmes, priority in engagement for suitable jobs and facilities as detailed in Part II i.e. Guidelines on Facilities for PAFs, scholarships to dependant children in case they secure amongst first three positions in the class upto high school.

2.18.1 SC/ST Population

Special focus will given to this group in identifying special requirements for this group and additional and enhanced facilities in the areas of resettlement, rehabilitation and other welfare related activities. The intention is to facilities and supplements government's efforts to bring this section of persons in the mainstream. Priority treatment will be given in all spheres of R&R activities to this section of PAFs while formulating and implementing the RAP. However specific activities will vary from project to project and will be finalized in consultation within VDAC/SHIST MANDAL depending upon the need and requirement.

2.18.2 Physically Challenged

Special efforts will be made to facilitate economic self reliance of physically challenged persons, livelihood opportunities, economic assistance/ seed capital for self employment schemes, medical equipments and aids, educational aids, assistance to NGOs working in this sections etc. However, specific activities will vary from project to project and will be finalized in consultation within VDAC/SHIST MANDAL depending upon the need and requirement.



2.18.3 Adoption of Village

THDC may also explore adoption of village (s) in the vicinity of project area to develop them as a model village. Priority will be given to those villages, which have a majority population of underprivileged like SC/ST, BPL etc and / or are having scant infrastructure facilities. THDC may provide one time developmental assistance to provide community facilities so that socio economic upliftment of the villagers is facilitated. The facilities could also be developed on the Provision of urban amenities in rural area (PURA) concept as detailed by GOI. The facilities could also include check dams, Decentralized Distribution Generation Scheme (DDGS) schemes, provision of smokeless chulhas, social forestry/ afforestation, provision of low cost toilets/ soak pits, rain water harvesting systems etc. Certain other welfare activities like nutritional supplement for expectant mothers, working towards 100% literacy for girl children etc. The actual need assessment could be undertaken through a detailed survey, internally or externally through some agency, if so required.

The option of the adoption of Village (S) will be kept open however, depending upon the need and requirement and will be decided in consultation with the stakeholders and Administrator for R&R/ State Govt. representatives.

2.19 Budget

The implementation of RAP is considered as part of the project activity and the Budget for RAP will be part of the capital cost of the project.

Notes.

- i) Wherever a fixed amount has been mentioned as a part of R&R packages, the same where appropriate shall be subject to automatic upward revision as on date of notification under section 4 of LA Act, on the basis of increase in the consumer price index (CPI) over and above the base price of Dec.' 2006.
- ii) MAW stands for Minimum Agricultural wage in the State/UT
- iii) For all R&R packages, the unit of entitlement will be 'Project Affected Family' and the assistance under R&R package will be extended in joint name of PAF head and his/her spouse. In case of no spouse the package will be extended in his/her name.
- iv) "Land for Land" will be provided in joint name of the PAF head and his/her spouse.
- v) Financial package will be provided to PAF through bank, in joint name of the PAF head and his/her spouse.



2.20 Periphery Development:

THDC shall contribute to the socio-economic development of the area contiguous to its area of operation with the district administration. The local area development plan will be prepared in consultation with VDAC/SHIST MANDAL and district administration.

- 2.21** 100 units of free electricity to be provided to each affected house hold per month for a period of 10 years from the date of commissioning.
- 2.22** Out of 13% free power (12% for the Home State), 1% shall be utilised for contribution towards local area development .
- 2.23** THDC will insure all the residential structures falling “along the alignment” of tunnels and adits.



Chapter - III

GUIDELINES ON DELIVERY MECHANISM

3.1 Minimize the land requirement and avoid the acquisition of Homesteads

Efforts shall be made to minimize the requirement of private land and avoid the acquisition of homesteads. This will be ensured by the project while identifying the land and finalizing the project layout, including design of service facilities, townships etc.

3.2 Land acquisition:

The land required for setting up of project is Government land, Forest Land and private Land. These are acquired by the state Government and handed over to project authority for setting of the project. Private lands are normally acquired under land acquisition Act 1894 (Amended in 1984) with sec 4 notifications as the first step. This is followed by notification of other sections with passing of the award under Sec 11.

The lands may however, also be acquired under emergency acquisition under sec17 under LA Act depending upon the need and requirement.

3.2.1 Land Acquisition Group

Land acquisition group shall be established at each project before initiating notification under section 4 of LA Act and till the land acquisition process is completed and land mutated/ leased in the name of THDC. These groups will function under Project Environment & Social group and will interact with the State Govt. for all matters regarding land acquisition. Further, this group will be responsible for mutation of the acquired land as well as ensure vacation/physical possession of the entire acquired land. The group will also be responsible for safeguarding the acquired land by construction of boundary wall/fencing, immediately on possession.

3.2.2. Appointment of Administrator and Commissioner for Resettlement And Rehabilitation & Their Powers & Functions

3.2.2.1 The state govt. shall, by notification, appoint in respect of that project, an officer not below the rank of District Collector of the State Government to be the Administrator for R&R in respect of that project.

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



- 3.2.2.2** The Administrator for Resettlement & Rehabilitation shall be assisted by such officers and employees as the appropriate Government may provide.
- 3.2.2.3** Administrator for Resettlement & Rehabilitation may, by order in writing, delegate such of the administrative powers conferred and duties imposed on him by or under this Policy to any officer not below the rank of Tehsildar or equivalent.
- 3.2.2.4** All officers and staff appointed by the appropriate Government under this Policy shall be subordinate to the Administrator for Resettlement & Rehabilitation.
- 3.2.2.5** The State Government shall appoint an officer of the rank of Commissioner/Secretary of the Government for resettlement and rehabilitation in respect of such projects to which this Policy applies to be called the Commissioner for Resettlement & Rehabilitation.
- 3.2.2.6** For the purposes of this Policy, the Administrator for Resettlement & Rehabilitation and other officers and employees appointed for the purposes of resettlement and rehabilitation of PAF shall be subordinate to the Commissioner for Resettlement and Rehabilitation.
- 3.2.2.7** The Commissioner shall be responsible for supervising the formulation of resettlement and rehabilitation plans/schemes, proper implementation of such plans/schemes and redressal of grievances. The state government will also appoint an Ombudsman (retd. District/Addl. District Judge) for time bound disposal of the grievances arising out of the provisions covered under this policy.
- 3.2.2.8** Subject to the superintendence, directions and control of the appropriate Government and Commissioner for R&R, the Administrator for Resettlement & Rehabilitation shall take all measures for the rehabilitation and resettlement of all project affected families (PAFs) in respect of that project.
- 3.2.2.9** The overall control and superintendence of the formulation of resettlement and rehabilitation plan and execution of the same shall vest in the Administrator, Resettlement & Rehabilitation. However, THDC will assist the Administrator in all R&R related activities.
- 3.2.2.10** Subject to any general or special order of the appropriate Government, the Administrator for Resettlement & Rehabilitation shall perform the following functions/duties: -
- (i) Minimize displacement of persons and identify non-displacing or least displacing alternatives in consultation with the requiring body ;



- (ii) Hold consultation with the project affected families while preparing a resettlement and rehabilitation scheme/ plan;
- (iii) Ensure that interest of the adversely project affected families of Scheduled Tribes and weaker sections are protected.
- (iv) Prepare a draft plan/ scheme of resettlement and rehabilitation as required .
- (v) Prepare a budget including estimated expenditure of various components of acquisition of land, resettlement and rehabilitation activities or programmes in consultation with representatives of the project affected families and requiring body for whom the land is acquired;
- (vi) Acquire adequate land for the project and also for settling the project-affected families;
- (vii) Allot land and sanction benefits to project affected families;
- (viii) Perform such other functions as the appropriate Government may, from time to time, by order in writing, assign.

3.2.3 Estate Officer

On setting up of the project, one of the officers shall be nominated as Estate Officer who will be custodian of estate acquired. The estate Officer will be appointed by Central Government by notification in the Official Gazette as envisaged under the public premises (Eviction of Unauthorized Occupant) act 1971 and will exercise the powers as prescribed under the said act. The estate office will also be responsible for preventing any unauthorized encroachment on THDC property and will be responsible for taking such necessary action, if any.

3.3 Environment & Social Group

Environment & Social Group shall be set up at site for liasioning, monitoring and making available funds to state Govt. for implementation of R&R aspects .This group will continue till the completion of implementation of RAP, preparation and submission of ICR (Implementation Completion Report) and evaluation of the completed RAP.

3.3.1 Content of the RAP

The Rehabilitation action Plan (RAP) will cover the Legal instruments and regulations; Objectives; Mass Community consultation & participation;



mechanisms to select alternate sites for RC; Plan resettlement and rehabilitation; Estimated cost; Financial plan; Responsibility, Organization and staffing; Time Table for implementation of RAP; and Monitoring and Evaluation arrangements.

The RAP will be formulated in consultation with the stakeholders through the VDAC/SHIST MANDAL and state Government and will be approved by the Collector and THDC before start of the implementation.

3.4 Planning and implementation of R&R schemes and Programmes

To develop an appropriate and effective RAP by the project authority the following procedure will be adopted:.

3.4.1 Identification of PAFs

3.4.1.1 The list of PAFs shall be prepared as part of SES (Social Economic Survey) On consultation with project Environment & Social group, and will be categorized as per the provision of this policy. The list will be got certified from the Distt. Collector, after publishing the list inviting the objections and examining each case, in a transparent manner through PIC with a consultative process through VDAC/SHIST MANDALS. Each PAF shall be assigned a unique identification number.

3.4.1.2 The list of PAFs for all nine categories shall be certified by the District Administration based on the criteria as stated in Para 2.1/2.2. The list for PAFs losing private land shall be prepared based on the revenue records as on the date of section 4 notifications under LA Act.

3.4.2 Socio-economic survey

3.4.2.1 A detailed socio- economic survey (SES) shall be carried out by THDC in association with the Revenue Staff, and through a professional agency and shall be authenticated by Revenue department. The SES should be conducted immediately after land boundaries are frozen. Apart from compiling the list of PAFs which shall also be got certified by the agency from the Distt. Collector or his/her authorized representative; SES will be conducted to collect the detailed information as given below:

3.4.2.2 Human resource base of each PAF including age as on date of notification U/S – 4 LA Act, Economic status of each PAF, Ownership of movable and immovable property, Deprivation of Property including lands, structures, trees, houses either occupied or owned with tenancy rights or even as encroachers. Loss of property loss of access to clientele, loss jobs due to physical re-location, loss of gainful employment, loss of access to income generating resources. Deprivation of community life, community properties and resource base, community amenities and services, socio-cultural relationship/ institutions.



3.4.2.3 The purpose of this survey is to create a baseline data for monitoring and evaluation of R&R Plans in future. The survey shall also help in collecting the informations to assess the needs of the people for starting self-employment and income generating schemes. The survey sheets shall be got authenticated/vetted by revenue deptt.

3.4.3 Implementation of Land for Land (LFL)

In case of availability of Govt. land the PAFs will be allotted the same as per entitlement on first come first serve basis. For the implementation of “Land for Land” option on a “willing buyer willing seller” basis, the following mechanism shall be adopted.

3.4.3.1 The PAF shall open a joint account in the bank. This account shall be in the name of PAF & his /her spouse. In case of unmarried or widow / widower, the PAF shall open the account in his/her own name. The opening of bank accounts will be facilitated by Administrator. This grant will be used for creation of any asset for enhancing his standard of living and cannot be withdrawn otherwise. The assistance would be disbursed in installments. Though the first installment would be released as soon as PAF signs the agreement with the administrator, subsequent installments would be disbursed after the utilization certificate is submitted by the PAFs.

3.4.3.2 After opening the bank account, the PAF shall enter in to a written agreement with Administrator/ THDC giving his/her acceptance to the R&R option as provided in the RAP as full and final settlement of all R&R obligations and that he /she will not have any further claims towards R&R. All grants including those for resettlement and rehabilitation will be released only on signing of such agreement. The details of the agreement would be as stated in Para 3.4.5.

3.4.3.3 On finalization of the agreement, Administrator shall deposit the entitled amount due, under the rehabilitation option for purchase of land in the escrow bank account of PAF. Money from this account can be transferred to the seller by PAF only for purchase of land on submission of requisite sale Papers. If the PAFs are unable to purchase land with in a year, the option will automatically be changed to RG and the balance money lying in escrow account will be reverted to Administrator.

3.4.3.4 For making the option effective, THDC shall constitute a task force. This shall comprise of two persons nominated by the Panchayat / Village Development Advisory Committee (VDAC/SHIST MANDAL)/ Shista Mandal. One person each nominated by THDC and District Administration. The representative of District Administration shall not be below the rank of Tehsildar. Apart from this, THDC shall endeavor to seek the assistance of any retired SDM/Tehsildar.



3.4.3.5 After the submission of photocopy of land registration documents , the PAF shall be entitled to receive the land development cost & land registration cost as per the entitlement. This will be applicable only for one year from the date of deposit of money in the joint account.

3.4.4 Release of Rehabilitation Grant (RG)

The PAF will sign an agreement with Administrator giving his / her acceptance of R&R options, the details of which would be as per Para 3.4.6 on signing of the agreement by the PAFs. Administrator will deposit RG amount in the bank in joint names of PAF head and his/her spouse. This grant will be used for creation of any asset for enhancing his standard of living and cannot be withdrawn otherwise, during the initial 6 months.

3.4.5 Release of resettlement & other related grants

On finalization of the agreement, Administrator shall deposit the various resettlement grants including that of self resettlement, if any, immediately on vacation of the acquired land by the PAF and handling of his property free of all encumbrances to Administrator/ THDC.

3.4.6 Signing of agreement by all PAFs

Each PAF will sign an agreement with Administrator/ THDC in which he / she will undertake acceptance of R&R option as provided in the RAP as full and final settlement of all R&R obligations and that he /she will not have any further claims towards R&R. All grants including those for resettlement and rehabilitation will be released only on signing of such agreement.

3.5 PAF info passbook

An info passbook giving relevant details of PAF viz. his name ,unique identification number assigned to individual PAF, address, family details as defined in para 2.1.2 , details of land and other assets acquired ,compensation paid ,R&R entitlements etc. would be prepared . The unique identification number assigned to individual PAF would be the reference for all his /her future communication. The passbook will have the photograph of the PAF and his/her spouse and will be attested both by the representative of the Revenue department and THDC. This passbook would also facilitate the PAF in getting the most benefits.

3.6 PAF Identity Card

In addition to the issue of passbook, each eligible PAF will be issued an identity card by Administrator / THDC to facilitate his identification and for reference and availing various facilities. The unique identification number assigned to PAF along with his photograph and family details will be printed /written on the Identity card, which would be laminated. This will be issued immediately at the start of the implementation of the R&R activities.



Chapter – IV **INSTITUTIONAL SETUP**

4.1 Consultations and Participation

The consultation with PAFs and NGOs are vital for assessing their requirement of R&R. This will be done in a particular manner through following formal mechanism. The minutes of the meeting of all consultations will be uploaded on the website of THDC.

4.1.1 Public Information Center (PIC)

To maintain transparency and keep PAFs informed , THDC will establish PICs at projects where relevant documents would be kept for reference for the period of formulation and implementation of RAP. PAFs will also be encouraged to register their queries / grievances at PIC. R&R will be available at PICs for interacting with PAFs. The PIC shall function till completion and closure of RAP implementation.

4.1.2 Village Developing Advisory Committee (VDAC/SHIST MANDAL)

For institutionalizing the public consultation for preparation and implementation of rehabilitation schemes/RAPs, in a participative manner, THDC shall establish VDAC/SHIST MANDALs for the period of formulation and implementation of RAP. The members of VDAC/SHIST MANDAL may include representatives of PAFs, Gram panchayat , Block Development Officer, other representatives of state Government and NGOs etc.Regular meetings of the VDAC/SHIST MANDAL on a specified date of the month shall be held . The VDAC/SHIST MANDAL will be established immediately after initiating notification under section 4 of LA Act and establishment of project Environment & Social cell and shall continue till the completion and closure of RAP.

4.1.3 Sociologist

R & R requires complex mix of skills to address the need of understanding social cultural and traditional aspects of the people affected due to setting up of the project as also for better communication with the PAFs & stakeholders. To full fill these objectives, sociologist with requisite qualification will be deployed immediately on establishment of project Environment & Social group till completion & closure of RAP.

4.1.4 NGOs

NGOs are identified as important stakeholders & will be involved in consultation process as well as during the implementation of various activities of RAP. This will however depend upon specific requirements and need felt by the project.



In order to assist with the implementation of the Resettlement Action Plan, THDC will hire a local NGO. NGO contract will also be cover the consultation process during the implementation of RAP. The NGO will work in close coordination with E&S Cell at site level. The NGO would be hired initially for a period of one year and the contract will be extended depending on the requirement and performance of the NGO.

4.2 Implementation Monitoring and Evaluation

4.2.1 The R&R scheme will be monitored and evaluated periodically during the implementation of R&R plan by RHQ and Corporate Environment & Social Group. The external agency may be considered, if felt necessary.

4.2.2 The R&R activities are the responsibility of the Environment & Social group. A dedicated Environment & Social group shall be constituted at the project, and Corporate office Center.

4.2.3 Project Environment & Social Group

The Environment & Social (E&S) group at site will be in close interaction with the state authorities during the preparation and implementation of the plan. Although THDC will develop the plots and Infrastructure facilities in the resettling colony and actively implement the R&R Plan, assistance of the state authorities will be taken for the administrative services like allotment of plots etc. Constant dialogue and regular meetings with the concerned State Authorities will be maintained. Implementation will be planned, monitored and corrective measure, if required, will be incorporated in the plan. Involvement of Environment & Social group at site will continue till the completion of implementation of RAP, preparation and submission of ICR and evaluation of the completed RAP..

4.2.4 Corporate Environment & Social Group

Environment & Social Cell shall be set up at Corporate Office headed by a General Manager and supported by a Manager. Similar cell will also be set up at site for liaison, monitoring and making available funds to state government for implementation of R&R aspects.

The Environment & Social group at the CC will be primarily responsible for policy matters, providing guidance to RH and projects on R&R matters, assist in approval of Rehabilitation Action Plan (RAP) of the project and coordination with the external agencies. After approval of the RAP, the same will be handed over to Corporate Monitoring Group (CMG) for regular monitoring through Project review team (PRT), meetings etc.



4.2.5 Social Impact Evaluation (SIE)

The RAP implementation will be monitored and evaluated periodically by the Corporate Environment & Social Cell. The E&S Cell will internally monitor the RAP implementation which would include both physical and financial progress.

An audit of the RAP plan shall be conducted by the Project in the form of a Social Impact Evaluation (SIE) study /survey on completion of the plan in consultation with corporate Environment & Social group. Evaluation could be done through the development of a standard of living index (SOLI) and the same will be evaluated pre & post acquisition of affected vs. unaffected villages.

The external agency may be considered if felt necessary. Audit will also evaluate whether all activities identified in the RAP have been completed satisfactorily and will give recommendations for the necessary modification /corrective measures if any, for the future projects. Individual PAF –wise data will also be compiled for comparison of his pre & post acquisition status and restoration of livelihood.

4.3 Grievance Redressal System

4.3.1 In every Project, a village development Advisory Committee (VDAC/SHIST MANDAL) comprising of PAFs (Representatives), State Government THDC shall be formed.

4.3.2 Any PAF, if aggrieved for not being offered the admissible benefit may move for redressal of its grievance to the VDAC/SHIST MANDAL.

4.3.3 In case the aggrieved PAF is not satisfied by the action taken by the VDAC/SHIST MANDAL he may prefer an application to the Head of the Project.

4.3.4 In case the aggrieved PAF is still not satisfied by the action taken by the Head of the project he/she may appeal to the concerned director of THDC whose decision, however shall be final and binding.

4.3.5 Alternatively, THDC will set up a Grievance Redress Cell (GRC) for the project. The cell will be headed by a retired gazetted officer of class-I level. The other members of the cell will be representative of PAPs (preferably one from each village), Project In-charge, Manager – Social of THDC as member secretary, block development officer and representative of NGO. The GRC would meet at least once a month. If a PAP approaches, GRC with a grievance, GRC should take a decision within 15 days after hearing the aggrieved party. If PAP is not satisfied with the decision of GRC, he or she may approach the Commissioner R&R. In case the decision of Commissioner R&R is not to the satisfaction of the PAP, he or she can



approach the grievance Ombudsman. The decision of Ombudsman will be final and binding on the PAP and other parties.

4.4 Time Schedule for RAP

4.4.1 Formulation of RAP

The RAP will be formulated after the finalization and certification of the list of PAFs by the District Administration

4.4.2 Duration of RAP

The implementation of RAP will start after the signing of agreement with the individual PAF. The Duration of RAP will vary between Projects to Project but normally will not exceed the scheduled date of commissioning of the project.

4.4.3 Completion and Closure of R&R activities

On completion of Audit, R&R activities would be deemed as completed and the Environment & Social group at the Project would be closed and all data pertaining to R&R shall be handed over to the corporate environment & social group.. An Implementation Completion Report (ICR) will also be made and shared with the stakeholders.



CHAPTER- V

APPLICABILITY

5.0 Mode and Applicability

This revised policy shall be applicable to all Hydro Electric Project and the project approved by the Govt. subsequent to the adoption of this policy. It will not be applicable to the projects which are in operation or under construction and projects where a small quantity of land is required.



POLICY ON RESETTELEMENT & REHABILITATION

**GUIDELINES ON FACILITIES FOR PROJECT
AFFECTED FAMILIES**





GUIDELINES ON FACILITIES FOR PROJECT AFFECTED PERSONS/LAND OUSTEES

1.0 Basic issues & Strategies

1.1 The Formulation and Implementation of RAP is an integral part of the project activity and therefore, needs to be completed within a specified budget and time schedule. Thereafter, the RAP is to be considered as completed and closed. However, There are certain economic opportunities arising out of need for goods and services by the project and its township which are limited and could be extended to the project affected families /persons as additional facilities over and above the entitlements. Nonetheless these opportunities need to be extended to the PAFs / Land oustees to the extent possible and continued after the completion and closure of RAP.

1.2 The Economic Opportunities

1.2.1 The economic opportunities include preference to PAFs / Land oustees in the project and its township in following areas, subject to suitability.

- i) Employment with contracting agencies
- ii) Allotment of shops / Kiosk
- iii) Award of petty contracts
- iv) Vehicle Hiring
- v) PCO/Internet Kiosk
- vi) News Paper Vendors
- vii) Any other opportunity deemed fit by the project

1.2.2 The PAFs / LOs would be entitled for only one additional opportunity subject to suitability and availability and to the extent possible

1.3 Categories of Affected Population

The categories of the PAFs /Land Ousteas at each project will be regulated as per the respective guidelines / policies governing those projects from time to time.

2.0 Employment with contracting agencies

During the construction phase of the project ample opportunities will be available with the contracting agencies and other associates where the PAFs may seek employment. Further limited opportunities are also available during the operational phase of the project. However the intention is to only facilitate the PAFs and THDC has no obligation whatsoever to provide any employment.



3.0 Allotment of shops /Kiosk

- 3.1** THDC develops shopping complexes and kiosks in its townships to cater to the needs of its employees. These shops provide good opportunity for income generation. THDC Project will reserve 40% of the shops and 80% of the kiosks for the allotment to PAFs / Land oustees.
- 3.2** The process of allotment of shops and other conditions will remain same as applicable to general category.
- 3.3** As and when the applications are invited fro the allotment of shops / kiosks adequate publicity will be made in the village and gram panchayat of the affected villages will be informed in writing.
- 3.4** In case where the application are not submitted by the PAFs / Land oustees , these shops / kiosks will be kept reserved for a period of one year. During this period PAF/Land oustee can submit the application for allotment of shop/kiosk, which will be considered by the project.
- 3.5** However, if it is found that the allotted PAF has sublet the shop / kiosk the allotment shall be withdrawn immediately.

4.0 Award of Petty Contract

4.1 Formation of cooperative of PAFs/ Land oustees

- 4.1.1** In order to promote that the work of petty contract is only awarded to PAF/Land Oustee , but also implemented by them , formation of their cooperative is encouraged . Thus, the preference for award of petty contracts will be limited to such registered cooperatives involving 100% PAF workforce. In case cooperative is not feasible at some projects , the project may devise systems with the approval of RHQ for awarding contracts to individual PAFs / Land oustees ensuring 100% PAF workforce. However all legal and HR requirements as per the law of the land will have to be followed in letter and spirit by the cooperatives/PAFs. However the intention is to only facilitate the PAFs and THDC has no obligation whatsoever to provide any employment.

4.2 Eligibility

- 4.2.1** The project will facilitate the formation and registration of cooperatives and scrutinize the membership of the cooperative to ensure that only the eligible PAFs/ land oustees become the member of these cooperatives. A PAF / land oustee will be eligible to become member of only one cooperative. The cooperatives will have to comply with all application laws and their mandatory requirements, as applicable in various states and UTs from time to time. THDC may however, facilitate the process. The project will also prepare a roster of the



cooperatives to ensure that each cooperative gets equal opportunity in getting the award of petty contracts, taking in to consideration the number of members in each cooperative. Such co-operatives have to get registered with THDC.

4.3 Area of Petty Works

Each Project will identify specific works, which could be awarded as petty contract subject to suitability. These could include the following:

- i) The horticulture works (including grass cutting in township, planting and nursing of trees, tree maintenance / cutting works, supply of good earth and cow dung manure, surface dressing etc.
- ii) House keeping works in plant, township.
- iii) Drain cleaning dewatering of areas / drains.
- iv) Water cooler cleaning
- v) Material handling in stores
- vi) Scrap / waste collection & handling (Including segregation of bio degradable / non bio degradable, in plant, office & township) material.
- vii) Civil construction works in RCs / villages.
- viii) Painting and whitewashing of buildings / structures in township including petty painting works like banner etc.
- ix) Any other works deemed fit by the project.

4.4 Value of Petty Works

The value of petty works to be awarded, as petty contract shall be limited to Rs.2 lacs(Two Lacs) subject to registration with THDC.

4.5 Award of Work

The work will be awarded to the cooperatives on pre approved rate contract on single tender basis. Rate contract will be fixed by the project on yearly basis as per the established procedure with approval of competent authority. The project will also prepare a roster of the cooperatives to ensure that each cooperative gets equal opportunity in getting the award of petty contracts, taking in to the consideration the numbers of members in each cooperative. All prevalent guidelines / requirements of the government agencies however, will have to be followed in such contracts.



5.0 Vehicle Hiring

5.1 Need for Vehicle Hiring

- 5.1.1** The project would estimate the requirements of hiring of vehicles for the various departments of the project from time to time viz. Construction stage, O&M stage etc. Hiring of vehicles would be undertaken only from PAFs / land oustes . The PAFs would be encouraged & facilitated by THDC to get the vehicle financed through the Bank loans.
- 5.1.2** THDC would declare in advance its requirements of the type of vehicle viz. Open Jeep, closed vehicle, ambulance, bus etc.

6.0 PCO/ Internet Kiosk

- 6.1** THDC would reserve the right of allotment of PCOs / internet kiosk in its township and the project area . This area would also be exclusively reserved for PAFs / land oustees.
- 6.2** THDC would facilitate PAFs/ Land oustees in getting loans for establishing such kiosks .café from banks . Quality of service , however ,would not be compromised and any let up in this regard would allow the project authority to cancel the allotment to other willing / deserving PAF / land oustee . All bank requirements will however have to be fulfilled by the PAFs in availing the loan.
- 6.3** The timely repayment / setting of bills to the telecom authorities / ISPs would also have to be ensured by the allottee. All other terms and conditions as that applicable to shops / kiosks would also be applicable in this case.

7.0 News Paper vendor

- 7.1** It has been observed that requirement of newspaper , magazines etc. exists for township residents, clubs recreation centers, population , project etc. This will be exclusively reserved for PAFs / land oustees.
- 7.2** Project Authorities would facilitate willing PAFs / land oustees to get allotted such agency who in turn will also have to engage PAFs /Land oustees (who have not availed any other economic additional benefit mandatory. THDC role would be limited to facilitating the allotment. Once allotted, the same would have to be managed by the allottee who will be solely responsible for its day-to-day functioning including payment to its distributing boys etc.



8.0 Vendor permit

- 8.1** As has been observed once THDC township is established, there is a daily requirement of consumer goods such as vegetables, fruits, milk, poultry, products etc. collection of waste material (Kabadiwala) etc.
- 8.2** THDC shall exclusively reserve the rights of allotment of sale / collection of such items in its township area to PAFs / land oustees.
- 8.3** THDC shall issue time bound licenses for such vendor which could be renewed from time to time.

9.0 Courier services

- 9.1** An inter departmental requirement of daily transportation of dispatch documents / Dak exists at projects . this could be done through PAFs / Land oustees by awarding a contract to a small group of PAFs / Land oustees.
- 9.2** A number of stations could be identified for collection / distribution of Dak and a system could be devised for collection / disbursement once / twice in a day Depending upon the area / requirement from forward/reverse direction.

10.0 Employment Opportunity

The proposed project is a capital intensive & shall be executed with a state of the art technology & therefore don't offer much employment opportunity . However Employment opportunity, if any, 100% recruitment at the level of Workmen (Including technical & ministerial) required to be done will be done first from the land oustees & in case of non availability of suitable candidate among the land oustees, the recruitment will be done from other residents of Uttarakhand state, whose names are registered on live register of any Employment, Exchange located in the state subject to individual fulfilling the qualifications & job specification for the relevant posts.

11.0 Implementation

- 11.1** The implementation of these facilities to be provided to the PAFs / Land oustees shall be the responsibility of the project Environment & Social Group, right since inception, even during the implementation of RAP.
- 11.2** The Environment & Social Group shall prepare the lists of PAFs / land oustees and keep a track of the facilities provided to a PAF / land oustees . However it should be ensured that only one additional economic opportunity is provided to a PAF/ land oustee.



- 11.3** Any grievance recorded at PIC / VDAC/SHIST MANDAL or to any representative of the Environment & Social Group be forwarded to Environment & Social Group for redressal . However the contact point for interaction with PAF /Land oustee shall be project Environment & Social Group till such time it is in operation at the project. After closure of the Environment & Social Group responsibility of interaction / focal point shall be to the Environment & Social Group executive identified for the purpose.
- 11.4** THDC will facilitate each PAF/land oustee to open a bank account for the purpose of getting the wages credited directly into their bank account . Efforts will be made to encourage the cooperatives / contractors to make the payment to individual PAF /land oustee through their bank account only.