ODISHA R&R POLICIES
ODISHA R&R GUIDELINES
MCL R&R GUIDELINES



Department of Land & Revenue, MCL

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UNIFORM GUIDELINES FOR REHABILITATION OF THE DISPLACED PERSONS / FAMILIES DUE TO S.E.C.L. PROJECTS AT SAMBALPUR AND DHENKANAL DISTRICTS, 1989

GE(SBP)96/88.71/R.
Bhubaneswar, dated the 2.1.89

GOVERNMENT OF ORISSA
REVENUE AND EXCISE DEPARTMENT

3 JAN 1989

NO.GE(eap)96/88. 71 /R.,

Bhubaneswar, dt. 2-1-89

From

B. C. Patnaik,
Secretary to Government.

To

The Collector,
Sambalpur/Dhenkanal.

Sub: Uniform guidelines for rehabilitation of the displaced persons/families due to S.E.C.L, Projects at Sambalpur and Dhenkanal districts.

Sir,

I am directed to say that Government after careful consideration have been pleased to approve the following guidelines for rehabilitation of families/persons displaced due to acquisition of land for Coal Mining Operation in the districts of Sambalpur and Dhenkanal.

2. A family/person shall be eligible for rehabilitation benefit if :

a) all the lands of the family have been acquired.

b) more than 1/3rd agricultural lands alongwith homestead land has been acquired.

c) only homestead land has been acquired.

d) Homesteadless persons residing in the village.

This is to be ascertained through joint enquiry by a committee consisting of representative of the South Eastern Coal Fields Ltd. and the Government.(Collector of the District).

3. A family in the aforesaid context shall include the husband and wife as the case may be and their un-married children but does not include a major son who has been separated from the family on or before the date of notification under section 4(1) of the Land Acquisition Act, 1894 in respect of area/village. He shall be treated as a separate family.

Contd..... 2p

4. Employment :

a) One member from each family sustaining loss of dwelling houses, homestead land and agricultural land not less than 1/3rd of the total holding shall be provided with employment on a priority basis.

b) One member of each family having sustained loss of 3 acres of non-irrigated land or 2 acres of irrigated land shall be provided with employment on second priority.

c) In case of families having lost only homestead land or the total agricultural holding, one member from each family shall be provided with employment according to availability.

d) In case of families who have lost 1/3rd of the total agricultural holding, one member from each family shall be provided with employment according to availability.

e) Rehabilitation of other displaced families shall be made through self employment schemes.

5. Each displaced family shall be allotted reclaimed Government land up to 10 dec. for homestead purpose free of cost.

6. In the rehabilitation colonies facilities like road, street lights, school buildings, health centre, provisions of drinking water, recreation centres, ponds, tanks, play ground, veterinary centres, tree plantation, shopping centre shall be provided according to necessity.

7. Each displaced family shall be given assistance at the rate of Rs.20000/- for construction of temporary shed.

Subsequently amended to 20000/

8. Expenditure in respect of paras 5, 6 and 7 shall be borne by the S.E.C.L.

9. If any rehabilitation package is finalised by Government of India, Department of Coal, towards compensation in lieu of loss of earnings, it would automatically apply to the rehabilitation schemes.

10. This Department G.O. No.35318/R., dated 2.6.88 and No.70230 dt. 8.11.88 are hereby modified to the extent provided for in this order.

Yours faithfully,

B Patnaik.
Secretary to Government.
2/1

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ODISHA RESETTLEMENT AND REHABILITATION POLICY,1998

REH-43/98/58351/R.
Bhubaneswar, dated 09.11.1998

25

1998.
Policy

Government of Orissa
Revenue and Excise Department
....

No.REH-43/98...../R., dt.

From

Sri B. K. Parida, O.A.S.
Deputy Secretary to Government.

To

All Revenue Divisional Commissioners
All Collectors.

Sub:- Policy for rehabilitation of displaced persons/families in case of mining projects in the State.

Sir,

I am directed to enclose herewith the policy for rehabilitation and resettlement of displaced persons/families in case of mining projects in the State.

These guidelines will be applicable to all mining projects for which rehabilitation and resettlement plans have not yet been finalised and approved.

Yours faithfully,

Bijoy 9.xi.98
Deputy Secretary to Government

Memo No. /R., Dt.

Copy with a copy of policy forwarded to Principal Secretary, Department of Steel & Mines/ Principal Secretary, Industries Department/ Principal Secretary, Department of Energy/ Secretary, Board of Revenue, Orissa, Cuttack/M.D., IDCO, Bhubaneswar, for information.

Bijoy 9.xi.98
Deputy Secretary to Government

Sambalpur./Chief General Manager, Jagannath Area, M.C.L., P.O - Dera Colliery, Talcher, Dist. Angul/Chief General Manager, M.C.L.(Mahanadi Coalfields Ltd), Basundhara Area, Banakibahal, Dist. Sundargarh/General Manager, M.C.L., IB Valley Area, Brajarajnagar, Dist. Jharsuguda/ General Manager, Kalinga Area, Nehru Satabdi Nagar, Po-Balanda, Dist. Dhenkanal/General Manager, M.C.L. , Talcher Area, At/P.O - Talcher, Dist. Angul for information and necessary action.

Bijoy 9x196

Deputy Secretary to Government

Memo No. _____/ Dt.

Copy to L.A. (A), (B), (C) & (D) Branch/ G.E. & L.R. (C) Branch, for information

Bijoy 9x198

Deputy Secretary to Government

POLICY FOR REHABILITATION AND RESETTLEMENT OF DISPLACED PERSONS/ FAMILIES IN CASE OF MINING PROJECTS IN THE STATE

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1. Eligibility Criteria for Rehabilitation Benefits:

1.1 Only a 'Displaced' family/person shall be eligible for rehabilitation benefits.

1.2 A family/person shall be termed 'displaced' and, hence, eligible for rehabilitation benefits if such family/person has been a permanent resident of Orissa and ordinarily residing in the project area for atleast three years prior to the date of publication of notification U/S 4(1) of L.A Act, 1894 or notification U/S 7(1) of C.B.A. (Acquisition and Development) Act, 1957, or both and

(a) on account of acquisition of his/her homestead land is displaced from such areas, or

(b) he/she is a homesteadless or landless family/person who has been is required to be displaced.

NOTE: (i) The 'project area' means the land which is acquired for the mining projects.

(ii) The person/family who does not ordinarily reside in the homestead land acquired for the project can be termed "Displaced".

Cannot

2 Definition of family for the purpose of Rehabilitation:

2.1 The family in relation to displaced person would mean husband and wife and their unmarried children, except unmarried daughters above 30 years, on or before the date of notification U/S 4(1) of the LA Act. 1894 or U/S 7(1) of CBA (A.D) Act. 1957 in respect of the area/village.

2.2 The following category of persons will be treated as separate families:

(a) A major married son

(b) An unmarried daughter above 30 years

(c) A divorcee deserted woman or widow having no source of livelihood

NOTE: (i) For the purpose of treating a woman as divorcee, legal document if any in support of the claim will be sufficient. The claimant can also make an affidavit and file her claim alongwith a copy of such affidavit for eventual decision after due enquiry by the R & RO.

(ii) For the purpose of treating divorcees and widows having no source of livelihood as separate family, financial benefits like old age pension, etc. availed of by them should not be taken into account.

(d) Physically handicapped and/or mentally retarded person irrespective of age and sex to the extent and in the manner indicated below.

NOTE: (i) The blind, the deaf, the orthopaedically handicapped and mentally retarded persons suffering from more than 40% permanent disability may be enumerated as separate family for the purpose of rehabilitation.

(ii) Certificate issued by a registered and duly authorised medical practitioner in the particular discipline will form the basis for acknowledging the claims of physically and mentally retarded persons.

(iii) The certificate furnished by the medical practitioner should indicate the nature and percentage of disability.

(e) All unmarried brothers and sisters whose parents are not alive shall constitute a separate family.

3 Survey & Identification of displaced families:

3.1 Ordinarily within two months of publication of notice U/S 4(1) of the Land Acquisition Act or U/S 7(1) of CBA (A.D) Act 1957 for acquisition of land for the project, a survey would be undertaken in the manner to be decided by the Collector for identification of displaced families and for preparing their socio-economic profile.

3.2 An identity card to each displaced family shall be issued under the signature of the Collector concerned indicating the following particulars:

(a) Name of the village/GP/PS

(b) Name, Father's name and address of the head of the family

(c) Category of entitlement for employment/self employment (See para 4.1) :

(d) Whether S.C./S.T./O.B.C/ General :

(e) Age, Sex, educational qualification of the members of the family :

Name	Age	Sex	Relationship with the head of the family	Educational Qualification
1	2	3	4	5

(f) Name of the member in the family nominated for employment/training/ self employment.

(g) Passport size photograph of the nominated person to be affixed herewith attested by Collector or his authorised officer.

Signature of the head of the family

Signature of the Collector concerned

4 Employment:

4.1 The company setting up the Mining Project will have to give preference to the nominated members of the displaced families in providing employment either in the Project or in its ancillary units in the following order of preference.

(a) Displaced families losing all lands including homestead land.

(b) Displaced families losing more than 2/3rd of land and homestead land.

(c) Displaced families losing more than 1/3rd of land and homestead land.

(d) Other displaced families.

4.2 For nominated members of displaced families not provided with employment in the manner indicated above, the company will assist in their self employment through allotment of shops, service premises and other activities in the company's township or otherwise.

4.3 The Company shall provide appropriate training facilities to the nominated persons of the displaced families to acquire skill as required for such employment.

who refuse to avail of such employment/self employment as indicated in Para-4 entitled to a one time cash grant as follows;

1. Families coming under category a and b of para –4 .... Rs. 1.00 lakh.

2. Families coming under category c and d of para-4 .... Rs. 50.000/-

5 Land for homestead purpose:

5.1 Each displaced family will be given 1/10th of an acre of land for homestead purpose free of cost in a resettlement colony with basic infrastructure facilities.

5.2 Each of the displaced families who opts for self relocation elsewhere other than in the resettlement colony will be given a one time cash grant of Rs. 50.000/-.

6 Facilities to be extended to homesteadless and landless encroachers:

6.1 Encroachers who are landless (as defined in the OPLE Act, 1972) will get exgratia equal to compensation admissible under L.A. Act, 1894 for a similar category of Rayati land to the extent of land under their physical possession upto a maximum of one standard acre, if the encroachment is unobjectionable.

6.2 The encroachers who are homesteadless (as defined in the OPLE Act, 1972) will get exgratia equal to compensation for similar category of Rayati land, against the encroached homestead land up to a maximum of 1/10th of an acre if the encroachment is unobjectionable and in addition the actual cost of structure thereon. If the encroachment is objectionable, they will be entitled to the cost of the structure only.

7 Incentive for timely vacation:

In order to ensure timely vacation an allowance of Rs.500/- per month per displaced family shall be provided for a period of one year on vacation by the date fixed by the Collector.

8. Indexation of Rehabilitation Grant:

Rehabilitation Grant in cash, provided in para – 4.5 and 5.2 will be indexed to the official wholesale price Index (WPI) with 1.4.99 as the reference date and will accordingly be revised once in two years.

9. **Formulation and Monitoring of the Rehabilitation Plan:**

The Rehabilitation Advisory Committee (RAC) as constituted by the Government from time to time shall prepare a comprehensive rehabilitation plan on the basis of the policy parameters outlined above and also monitor its implementation.

10. **Modification of the Policy:**

The State Government reserves the right to modify the policy at any time for all or any of the Mining Projects to which the policy is applicable.

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The Orissa Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

ODISHA RESETTLEMENT AND REHABILITATION POLICY,2006

18040-R & REH-1/06/R.
Bhubaneswar, dated 15.05.2006

No. 18040-R & REH.-1/2006-R

GOVERNMENT OF ORISSA

REVENUE DEPARTMENT

RESOLUTION

The 14th May 2006

ORISSA RESETTLEMENT AND REHABILITATION POLICY, 2006

In order to ensure sustained development through a participatory and transparent process, Government have framed a comprehensive Resettlement and Rehabilitation Policy. Basic objectives of the policy are :–

1. to avoid displacement wherever possible and minimize it exercising available options otherwise;
2. to recognize voices of displaced communities emphasizing the needs of the indigenous communities and vulnerable sections;
3. to ensure environmental sustainability through participatory and transparent process; and
4. to help guiding the process of developing institutional mechanism for implementation, monitoring, conflict resolution and grievance redressal.

With the above objectives in view, Government has been pleased to lay down the following policy guidelines.

Orissa Resettlement and Rehabilitation Policy, 2006

Preamble :

Government of Orissa has been pursuing various development initiatives to improve the quality of lives. Ensuring social justice being one of the major cornerstones of development, the Government always proactively tries to make sure people's participation in development process. In spite of Government's intention to bring development to the people, development interventions do at times create undesirable consequences. Displacement due to large development projects is one such phenomenon. Government of Orissa has been responding to this problem through various projects specific Resettlement & Rehabilitation Policies and Plans. The current intervention of Policy formulation has actually taken note of the lessons learnt through these past policies, which essentially reflects Government's genuine spirit of learning and retrospection. The present Policy draws its strength from experiences from the implementation of past policies, best practices in other states and Orissa Government's Industrial Policy Resolution, 2001. Consultation with various direct and indirect stakeholders including civil society of the state has been conducted and the views of the academicians, and specialists in the field of resettlement and rehabilitation have been considered as a part of democratic response of the Government in Policy formulation. Limitations of the past policies have been acknowledged and analyzed and a flexible frame work has been attempted, which nonetheless demonstrates the dynamism of the Government. Unlike many other policies, there is a strong focus on the modalities of implementation of this Policy that makes it a vibrant instrument to promote sustainable development in the state.

1. Short Title, Application and Commencement

(i) This Policy may be called as "The Orissa Resettlement and Rehabilitation Policy, 2006" and shall come into effect from the date of its publication in the *Orissa Gazette*.

(ii) It shall apply to all those projects *[1][including ongoing Irrigation Projects] for which, acquisition of private land under Land Acquisition Act, 1894 or under any other law's for the time being in force or proclamation inviting objections in case of Government land is notified;

*[2]["Provided that no rehabilitation assistance shall be provided to the ongoing Irrigation Projects as per this policy where any rehabilitation assistance has been provided to the displaced family or affected family in respect of ongoing project immediately before commencement of this policy."

NOTE–For the purpose of this Para., the expression "ongoing projects shall not include the projects which are completed prior to commencement of this policy and 'commencement of this policy' means the 15th May, 2006.".]

(iii) This shall also be applicable to all projects for which land is acquired through negotiation under the provisions of this Policy.

2. Definitions–In this Policy unless the context requires otherwise:

(a) "Agricultural Land" means land used or capable of being used for raising of crops, grass or garden produce, horticulture, dairy farming, fish farming, breeding and keeping of livestock and used as pasture or for any other purpose where such use is ancillary to agriculture.

*[3]["(a-1) 'affected family' means a family whose land is affected by construction of the project but not displaced or required to be displaced.".]

(Included vide R. & D. M. Department Resolution No. 21392/R. & D. M., dated 4-6-2007 & E.O.G. No. 990, dated 6-6-2007).

(b) "Compensation" has the same meaning as assigned to it under the Land Acquisition Act, 1894.

(c) "Cut-off date" for the purpose of compensation shall be the date on which the notification declaring the intention to acquire land under the relevant Act or under the provisions of this Policy is published.

NOTE :–For the purpose of declaring eligibility for R. & R. benefits, the list of displaced families, will be updated on the 1st of January of the year in which physical displacement is scheduled to take place provided that those families who move into the project area after determination of the "cut-off date", will not be eligible for any benefit.

(d) "Displaced Family," means a family ordinarily residing in the project area prior to the date of publication of notification under the provisions of the relevant Act and on account of acquisition of his/her homestead land is displaced from such area or required to be displaced.

*1 Inserted vide Rev. & D.M. Department Resolution No. 21392/R. & D.M., dated 4-6-2007 & E.O.G. No. 990, dated 6-6-2007

*2 Inserted *Ibid*

*3 Inserted *Ibid*

(e) "District Compensation Advisory Committee (D.C.A.C.)" means the Committee constituted by Government under relevant provisions of this Policy.

(f) "Family" means the person and his or her spouse, minor sons, unmarried daughters, minor brothers or unmarried sisters, father, mother and other members residing with him or her and dependent on him or her for his / her livelihoods.

NOTE :–Each of the following categories will be treated as a separate family for the purpose of extending rehabilitation benefits under this Policy :

(i) A major son irrespective of his marital status

(ii) Unmarried daughter / sister more than 30 years of age

(iii) Physically and mentally challenged person irrespective of age and sex; (duly certified by the authorized Medical Board). For this purpose, the blind/ the deaf/the orthopaedically handicapped/mentally challenged person suffering from more than 40 per cent permanent disability will only be considered as separate family.

(iv) Minor orphan, who has lost both his/her parents

(v) A widow or a woman divorcee.

(g) "Government" means the Government of Orissa in Revenue Department

(h) "Land Acquisition Officer (L.A.O.)" means an Officer appointed by the Government by an order to perform duties as such under Land Acquisition Act, 1894, for the project and shall include a Special Land Acquisition Officer.

(i) "Non-Government Organization (N.G.O.)" means any organization duly registered under the Society Registration Act, 1860 and functioning for public cause outside the Government.

(j) "Original Family" means the family, which at the time of Notification under provisions of relevant Act(s) is living together in a single household with a common kitchen.

(k) "Periphery" means the district(s) in which the project is geographically situated

(l) "Project" means the construction, extension or improvement of any work such as Reservoir, Dam, Canal, Highway, Industrial Plant, Factory, Mining, National Park, Sanctuary, etc. as notified by the Government from time to time and includes its offices and establishment within the State.

(m) "Project area" for the purpose of extending R. & R. benefits means the land, which is acquired / alienated / purchased for establishment of any project.

(n) "Project Director, Resettlement & Rehabilitation (P.D., R.R.)" means an Officer appointed by the Government by an order to perform such duties under R. & R. Policy of the State, for the project.

(o) "Rehabilitation & Periphery Development Advisory Committee (R.P.D.A.C.)" means the Committee constituted by the Government under relevant provisions of this Policy by Government to look after rehabilitation and periphery development matters.

(p) "State Level Compensation Advisory Committee" means a Committee constituted by Government under the relevant provisions of this Policy.

(q) "State Level Council on Resettlement & Rehabilitation (S.L.C.R.R.)" means the Council headed by the Chief Minister constituted by a notification of Government to that effect.

3. Policy Objectives–Objective of the Policy of the Government in general shall be :

(a) To avoid displacement where possible and minimize it, exercising available options otherwise.

(b) To facilitate resettlement/ rehabilitation process :

(i) Recognizing voices of the displaced communities (emphasizing the needs of the indigenous communities and vulnerable sections); and

(ii) Ensuring environmental sustainability through participatory and transparent process; and

(c) To help guiding the process of developing institutional mechanisms for implementation, monitoring, conflict resolution and grievance redressal.

4. Survey and Identification of Displaced Families–

(a) Ordinarily within two months of publication of notice for acquisition of land for the development project, a socioeconomic survey would be undertaken in the manner to be decided by the Government for identification of displaced families; and for preparing their socioeconomic baseline.

(b) The list of displaced families shall be placed before and approved by the respective R.P.D.A.C.

(c) The list of displaced families so approved will be displayed at Collectorate/Block/ Tehsil / Panchayat and other conspicuous locations for wider dissemination.

(d) R.D.C. shall realistically assess the requirement of land for acquisition before issue of notification under the relevant law(s) or under the provisions of this Policy.

(e) A socio-cultural, resource mapping, and infrastructural survey shall be conducted by an independent agency to be identified by the Government to ensure proper benchmarking. It will be the responsibility of the concerned Project Authority to conduct the survey within two months of notifying the intention to acquire land under the provisions of the relevant law(s) or under the provisions of this Policy.

(f) A comprehensive communication plan for awareness creation shall be formulated and executed in the affected area. The detailed modalities of this exercise that include involvement of civil society will be notified by the Government. The cost of implementation of this communication plan shall be borne by the project(s).

(g) Gram Sabha or Panchayats at the appropriate level shall be consulted in scheduled areas before initiating Land Acquisition Proposal.

(h) Normal development programmes implemented by different agencies should be dovetailed with resettlement and rehabilitation package in resettlement habitats and made available to the displaced community on a priority basis.

(i) An identity card shall be issued to each displaced family in a manner prescribed by Government.

5. Project Types

For the purpose of R. & R benefits under this Policy, Development Projects are classified into the following :

A. Industrial Projects,

B Mining Projects,

C Irrigation Projects, National Parks and Sanctuaries;

D. Urban Projects and Linear Projects like roads and railways, power lines; and

E. Any other Projects

6. Land Acquisition and Payment of Compensation/Award

Procedure prescribed by Government shall be followed in acquiring land and other property and for payment of compensation / award. All compensation money due to the "displaced families" shall be paid through account payee cheques.

As regards "public property" like School Building, Club House, Hospital, Panchayat Ghar, electrical installation, place(s) of worship, value of such property affected shall be deposited with the concerned District Collector. Either Project or District Administration shall take up construction at the place as would be determined in consultation with representatives of displaced persons.

The Project proponent may opt for direct purchase of land on the basis of negotiated price after issue of notification requiring acquisition of land under relevant Act (s). If acquisition of land through direct purchase fails, other provisions of the relevant Act may be invoked.

Land not utilized by the Project within the prescribed time limit and for the required purposes shall be resumed.

7. Resettlement and Rehabilitation Plan

Based on the list approved by Government and option of displaced families, Resettlement and Rehabilitation Plan shall be prepared by the Collector for resettlement and rehabilitation after due consultation with displaced communities in the manner determined by the Government. Such plan should address the specific needs of the women, vulnerable groups and indigenous communities. The same will be placed before the R.P.D.A.C. for approval.

While preparing the plan, the following aspects should be taken into consideration :

(i) Site for the resettlement habitat shall be selected by the R.P.D.A.C. in consultation with the displaced families.

(ii) No physical displacement shall be made before the completion of resettlement work as approved by the R.P.D.A.C. The certificate of completion of resettlement work will be issued by the Collector.

(iii) Gram Sabha shall be consulted

(iv) Where there is multiple displacement additional compensation amounting to 50 per cent of the normal compensation payable, shall be paid to each displaced family over and above the normal compensation in form of *ex gratia*.

(v) Provisions relating to rehabilitation will be given effect from the date of actual vacation of the land.

(vi) Project Authority shall abide by the provisions laid down in this Policy and the decisions taken by R.P.D.A.C. from time to time provided they are within the ambits of the approved Policy of the Government.

(vii) District Administration and Project Authorities shall be jointly responsible for ensuring that the benefits of R. & R. reach the target beneficiaries in a time bound manner.

(viii) Record of Rights of the land and houses allotted to the displaced persons should be handedover to them by the District Administration while resettling them in the resettlement habitat. The District Administration shall take steps for immediate declaration of the new resettlement habitat as a Revenue Village if it is not a part of an already existing Revenue Village.

(ix) Steps will be taken by the Project Authorities for acclimatization of the resettled people in new habitat including development of cordial social relationship between the host and resettled communities and to ensure as far as practicable overall improvement of standard of living of the displaced families.

(x) Subject to the details regarding provision of employment as enunciated elsewhere in the Policy the Project Authorities shall give preference in the matter of employment, both direct and indirect as well as through contractors employed by them, for execution, operation and maintenance of the project, to local persons as per the detailed guidelines issued by the State Government from time to time.

8. Rehabilitation Assistance

Rehabilitation Assistance will be specific to the 'type' of project as mentioned at Para. 5 above, because of difference in nature of projects, their source(s) of funding and magnitude of displacement / impact.

I. Type A : Industrial Projects

(a) Employment :–Families shall be eligible for employment, by the project causing displacement or loss of all agricultural land. For the purpose of employment, each original family will nominate one member of such family. However, the families as mentioned at Para. 2 (f); (i), (ii), (iii), (iv), or (v) will not be considered separately for employment. Any one from among these categories may, subject to eligibility, be nominated by the family as defined in Para. 2 (f) for the purpose of employment. The project proponent will give preference to the nominated members of the displaced / other families in the matter of employment. The order of preference will be as follows :–

(i) Displaced families losing all land including homestead land,

(ii) Displaced families losing more than 2/3rd of agricultural land and homestead land,

(iii) Displaced families losing more than 1 /3rd of agricultural land and homestead land,

(iv) Displaced families losing only homestead land but not agricultural land,

(v) Families losing all agricultural land but not homestead land.

The Project Authority will make special efforts to facilitate skill upgradation of the nominated member of each displaced/other family to make him/her 'employable' in their project.

1. In case of nominees of displaced/other families eligible for employment otherwise, the upper age limit shall be relaxed by five years.

2. Project Authorities should notify their employment capacity sufficiently in advance.

3. As far as practicable, the objective shall be to provide one member from each displaced/other family as mentioned above with employment in the project. However, where the same cannot be provided because of reason to be explained in writing, cash compensation as mentioned below shall be provided to the displaced/other families. Displaced/other families, who do not opt for employment/ self-employment as mentioned in sub-paras. (a) and (b), shall be provided by the Project Authority with one time cash assistance in lieu of employment at the scale indicated below :

Categories of families referred to in clauses (i) to (v) of Para. 2 (f) shall not be considered separately for employment in the project. However, they will be paid one time cash compensation in lieu of employment :

Provided that if any industry is willing to offer employment to more than one member of a family, it may do so in lieu of one time cash assistance.

Displaced/other families who are eligible to be considered for employment and families defined under clauses (i) to (v) shall be provided with one time cash assistance in lieu of employment/self-employment in the scale indicated below :

Sl. No.	Families under category as per sub-para. (a) above	Amount of one time cash assistance (Rs. in lakhs)
(i)	Displaced Families coming under category (i)	5.00
(ii)	Displaced Families coming under category (ii)	3.00
(iii)	Displaced Families coming under category (iii)	2.00
(iv)	Families coming under categories (iv) and (v)	1.00

(b) Training for Self-employment :–Project Authority under the guidance of the Collector concerned will make adequate arrangement to provide vocational training to at least one member of each displaced/other family so as to equip him/her to start his/her own small enterprise and refine his/her skills to take advantage of new job opportunities. For those engaged in traditional occupations/ handicrafts/ handlooms, suitable training shall be organized at the cost of Project Authority to upgrade their existing skills.

(c) Convertible Preference Share :–At the option of the displaced family and, subject to the provisions of relevant law(s) in force for the time being, the Project Authority may issue Convertible Preference Share(s) or Secured Bond (s) up to a maximum of 50% out of one time cash assistance as mentioned in sub-para. (a) above.

(d) Provision for Homestead Land :–Subject to availability, each displaced family will be given at least 1/10th of an acre of land free of cost in a resettlement habitat for homestead purpose.

(e) Assistance for Self-relocation :–Each of the displaced family who opts for self-relocation elsewhere other than the resettlement habitat shall be given a one time cash grant of Rs. 50,000 in lieu of homestead land.

(f) House Building Assistance :–Besides, Project Authority shall construct house for each of the displaced families in the resettlement habitat or provide house building assistance of Rs. 1,50,000 to each of the displaced families settling in the resettlement habitat or opting for self-relocation elsewhere.

(g) Shops and Service Units :–Project Authorities will also construct shops and service units at feasible locations at their own cost, which will be allotted in consultation with Collector to project displaced families opting for self-employment. While allotting such units, preference will be given to physically challenged persons and members of displaced S.C. & S.T. families.

II. Type B : Mining Projects

(a) Employment :–Displaced and other affected families shall be eligible for employment, by the project causing displacement. For the purpose of employment, each family will nominate one member of the family. The project proponent will give preference to the nominated members of the displaced and other affected families in the matter of employment. The order of preference will be as follows :–

(i) Displaced families losing all land including homestead land,

(ii) Displaced families losing more than 2/3rd of agricultural land and homestead land,

(iii) Families losing all agricultural land but not homestead land,

(iv) Displaced families losing more than 1/3rd of agricultural land and homestead land,

(v) Displaced families losing only homestead land but not agricultural land,

(vi) Families losing agricultural land in part but not homestead land.

The Project Authority will make special efforts to facilitate skill upgradation of the nominated member of the displaced family to make him/ her 'employable' in their project.

1. In case of nominees of displaced families eligible for employment otherwise, the upper age limit shall be relaxed by five years.
2. Project authorities should notify their employment capacity sufficiently in advance
3. As far as practicable, the objective shall be to provide one member from each displaced/other family as mentioned above with employment in the project. However, where the same cannot be provided because of reason to be explained in writing, cash compensation as mentioned below shall be provided to such families. Families, who do not opt for employment/self-employment as mentioned in sub-para. (a) above

and (b) below, shall be provided by the Project authority with one time cash assistance in lieu of employment at the scale indicated below :

Sl. No.	Families under category as per sub-para. (a) above	Amount of one time cash assistance (Rs. in lakhs)
(i)	Displaced Families coming under category (i)	5.00
(ii)	Displaced Families coming under category (ii)	3.00
(iii)	Families coming under category (iii)	2.00
(iv)	Families coming under categories (iv) (v) and (vi)	1.00

(b) Training for Self-employment :–Project authority under the guidance of the Collector concerned will make adequate arrangement to provide vocational training to at least one member of each displaced/other family so as to equip him/her to start his/her own small enterprise and refine his/her skills to take advantage of new job opportunities. For those engaged in traditional occupations/ handicrafts/ handlooms, suitable training shall be organized at the cost of Project authority to upgrade their existing skills.

(c) Convertible Preference Share :–At the option of the displaced family, the Project Authority may issue convertible preference share up to a maximum of 50% out of the one time cash assistance as mentioned in sub para (a) above.

(d) Provision for Homestead Land :–Subject to availability, each displaced family will be given at least 1/10th of an acre of land free of cost in a resettlement habitat for homestead purpose.

(e) Assistance for Self-relocation :–Each of the displaced family who opts for self-relocation elsewhere other than the resettlement habitat shall be given a one time cash grant of Rs. 50,000 in lieu of homestead land.

(f) House Building Assistance :–Besides, Project authority shall construct house for each displaced families in the resettlement habitat or provide house building assistance of Rs. 1,50,000 to each of the displaced family settling in the resettlement habitat or opting for self-relocation elsewhere.

(g) Shops and Service Units :–Project authorities will also construct shops and service units at feasible locations at their own cost which will be allotted in consultation with Collector to project displaced families opting for self-employment. While allotting such units, preference will be given to physically challenged persons and members of displaced S.C. & S.T. families.

III. Type C : *1[Irrigation Projects] / National Parks and Sanctuary

Rehabilitation Package for Displaced Family (DF) *2[and Affected Family]

(a) Homestead Land :–@ 0.10 acre in rehabilitation habitat or cash equivalent @ Rs. 50,000 to each displaced family opting for self-relocation elsewhere.

(b) House Building Assistance :–Rs. 1,50,000 to each displaced family which includes cattle shed. This will be admissible to all displaced families whether settling in a resettlement habitat or elsewhere.

*1 Substituted, replacing the words "Water Resources" vide Rev. & D.M. Department Resolution No. 21392/R. & D.M., dated 4-6-2007 & E.O.G. No. 990, dated 6-6-2007.

*2 Inserted *Ibid*

(c) Assistance for Agricultural Land :–Each displaced family belonging to S.T. category shall be provided two and a half acres of irrigated agricultural land, or five acres of non-irrigated agricultural land. Each displaced family belonging to all other categories shall be provided two acres of irrigated agricultural land, or four acres of non-irrigated agricultural land. In case of non-availability of land, cash equivalent will be provided @ Rs. 1,00,000 per acre of irrigated land and Rs. 50,000 per acre of non-irrigated land including the cost of reclamation or at the rate decided by the Government from time to time.

(d) Registration Cost of land up to 5 acres of unirrigated land or two and half acres of irrigated land in case of indigenous households or 4 acres of unirrigated land or 2 acres of irrigated land for other displaced households who opt for cash based rehabilitation in lieu of land shall be paid by the Project authority within a period not exceeding five years from the date of displacement.

*["(e) Training for Self-employment :–Project authority under the guidance of the Collector concerned may make adequate arrangements to provide vocational training or skill development training to willing displaced or affected families so as to equip them to start their own small enterprise and refine their skills to take advantage of new job opportunities. For those engaged in traditional occupations, handicrafts or handlooms the Project authority shall arrange suitable training programme at his own cost to upgrade their skills.

(f) An affected family who is losing more than seventy-five per centum of his total extent of land in the irrigation project area, he shall get the benefit as provided in items (a), (b), (c) and (d).

(g) An affected family who is losing less than seventy-five per centum of his total extent of land in the irrigation project area, other than for the purpose of canal, he shall get land to equal extent of acquired land subject to maximum as provided in items (a) or (c), as the case may be, and also benefit of registration cost as provided in item (d).

(h) An affected family who is losing homestead land, on account of acquisition for canal where he ordinarily resides shall get benefit as provided in items (a), (b) and (d)".]

IV. Type D : Urban Projects and Linear Projects

Each displaced family will get–

(a) Homestead Land :–@ 1/10th of an acre in rural area and @ 1/25th of an acre in urban area or cash equivalent of Rs. 50,000 preferably near growth centres like land by the side of roads and important junctions, land by the side of railway stations etc., subject to availability. If required, Project authority may acquire such suitable land under the relevant Act for the purpose.

(b) House Building Assistance :–Rs. 1,50,000 to each displaced family will be admissible whether settling in a resettlement habitat or elsewhere.

(c) If house/homestead land of any landholder is acquired for linear project or if there is total displacement due to acquisition for such project, the Project authority shall provide employment to one of the members of such displaced family in the project. Wherever

* Inserted vide Rev. & D.M. Department Resolution No. 21392/R. & D.M., dated 4-6-2007 & E.O.G. No. 990, dated 6-6-2007

R.P.D.A.C. decides that provision of such employment is not possible, one-time cash assistance as decided by the Government will .be paid by the Project Authority.

V. Type E : Any other Projects

Government may issue separate Policy guidelines for any other projects not covered above specifying R. & R. packages to be extended to displaced families.

9. Benefit to Landless & Homesteadless encroachers common to all categories

(a) An encroacher family, who is landless as defined in the Orissa Prevention of Land Encroachment Act, 1972, and is in possession of the encroached land at least for a period of ten years continuously prior to the date of notification under relevant law(s) declaring intention of land acquisition, will get *ex gratia* equal to compensation admissible under the Land Acquisition Act, 1894 for a similar category of land to the extent of land under his/her physical possession up to a maximum of one standard acre, if the encroachment is unobjectionable. While determining the extent of land for such compensation, the rayati land held by him/her is to be taken into account.

(b) An encroacher family, who is homesteadless as defined in the Orissa Prevention of Land Encroachment Act, 1972, and is in possession of the encroached land at least for a period of ten years continuously prior to the date of notification under relevant law(s) declaring intention of land acquisition, will get *ex gratia*, equal to compensation for the similar category of homestead land against the encroached homestead land up to a maximum of 1 /10th of an acre in rural areas or 1 /25th of an acre in urban areas, if the encroachment is unobjectionable. While determining the extent of land for such compensation, the homestead land held by him/her is to be taken into account. The *ex gratia* will be in addition to the actual cost of structures thereon. If the encroachment is found to be objectionable(s), he will be entitled to the cost of structure only.

10. Other Assistance common to all categories of Projects

(a) Maintenance Allowance :–In order to ensure timely vacation, an allowance of Rs. 2,000 per month per .displaced family shall be provided on vacation of land/house for a period of one year from the date of vacation as determined by the Collector concerned.

(b) Assistance for Temporary Shed :–An assistance of Rs.10,000 shall be provided to each displaced family.

(c) Transportation Allowance :–Transportation allowance of Rs. 2,000 or free transportation to the resettlement habitat or their new place of inhabitance shall be provided to each displaced family by the Project Authority :

Provided that State Government in Revenue Department shall review and may revise the rate, if necessary, once every two years basing on the index point.

11. Additional provisions for Assistance

Notwithstanding anything contained elsewhere in the Policy, the Government or the Project Authority may extend any additional benefits and provisions to the displaced families keeping in view the specific nature of displacement *[and to the affected families in irrigation project area keeping in view the gravity of damage.]

* Inserted vide Rev. & D.M. Department Resolution No. 21392/R. & D.M., dated 4-6-2007 & E.O.G. No. 990, dated 6-6-2007

12. Special benefits to displaced Indigenous Families and Primitive Tribal groups

(a) While developing the resettlement plans, the socio-cultural norms of indigenous and primitive tribal groups will be respected.

(b) Each displaced family of indigenous category shall be given preferential allotment of land.

(c) As far as practicable, indigenous communities should be resettled in a compact area close to their natural habitat.

(d) Indigenous displaced families resettled outside the district shall be given 25 per cent higher R. & R. benefits in monetary terms.

13. Indexation of Rehabilitation Grant

Rehabilitation grant will be indexed to the Wholesale Price Index (W.P.I.) with 01-04-2006 as the reference date and will be revised by the Government once in every two years thereafter on the basis of W.P.I.

14. Periphery Development

The Project Authorities shall be responsible for periphery development as decided by the R.P.D.A.C. within the guidelines issued from time to time by the State Government.

15. Compensation Advisory Committee

Government in Revenue Department may constitute a District Compensation Advisory Committee (D.C.A.C.) under the chairmanship of the Collector to determine negotiated price. Adequate representation will be given to women and indigenous communities (wherever applicable) in the Committee.

If any dispute arises on recommendation of the D.C.A.C., the matter will be referred to the State Level Compensation Advisory Committee (S.C.A.C.) chaired by the Member, Board of Revenue whose decisions shall be final and binding on all concerned. The composition of this State Level Compensation Advisory Committee will be notified by the Government.

16. Rehabilitation and Periphery Development Advisory Committee (R.P.D.A.C.)

In order to encourage participation of displaced people and their elected representatives in implementation and monitoring of R. & R. package to oversee and monitor periphery development, the Government may constitute a Rehabilitation-*cum*-Periphery Development Advisory Committee (R.P.D.A.C.) for each or a group of projects falling in one district. The detailed composition of the Committee shall be notified by the Government and it may include people's representatives, one or two leading NGOs of the affected area and select Government officers and any other persons to be notified by the Government. Adequate representation will be given to women and indigenous communities (wherever applicable) in the Committee. Chairman of the Committee will be at liberty to co-opt members for efficient discharge of its functions.

17. State Level Council on Resettlement and Rehabilitation (S.L.C.R.R.)

At the State level, there will be a Council headed by the Chief Minister to advise, review and monitor implementation of Resettlement and Rehabilitation Policy. The Council may comprise of Ministers, select representatives of the people, leading social activists, academicians and experts of national and international repute and senior officials of the Government.

18. L.A. and R. & R. Structure

(a) **State Level**

A Directorate of R. & R. will be constituted to discharge and oversee the implementation of the R. & R. Policy. Detailed structure and functions of this Directorate will be notified by the Government.

(b) **District/Project Level**

(i) Depending on magnitude of the R. R. works at the project level, there may be a Project Director, Resettlement and Rehabilitation (P.D., R.R.), who shall be assisted by such other officers as Government may decide. The P.D., R.R. shall be the Chief Co-ordinating Officer between all the line departments in the matter of resettlement and rehabilitation. He will be responsible for implementation of the Policy and timely execution of R. & R. works under the overall supervision and guidance of the Collector and the Directorate of R. & R.

(ii) Where R. & R. work is of lesser magnitude, the same can be undertaken by the L.A.O. of the Collectorate.

19. Budgetary Provision and Allotment

Wherever required, adequate budget provision will be kept towards land acquisition and R. & R. establishments to ensure effective implementation of R. & R. Policy. The Directorate of R. & R. should submit such budgetary estimate/ works by 1st January of every year. Government will ensure timely release of allotment to the concerned authorities.

20. Grievance Redressal Mechanism

An effective Grievance Redressal Mechanism will be set up at District and Directorate level to deal with grievance of the project displaced people relating to land acquisition, resettlement and rehabilitation. Besides, all the project authorities shall be asked to set up an effective Grievance Redressal Mechanism relating to their project.

Effective participation of the displaced communities will be ensured in the process.

21. Assessment of Policy Implementation

Government may from time to time undertake assessment of the implementation of this Policy through appropriate agencies.

22. Interpretation and Amendment

(a) Any issue or doubt regarding this Policy shall be referred to Government in Revenue Department whose decision shall be final and binding on all concerned.

(b) Government in Revenue Department may from time to time amend the provisions as contained in this Policy as considered necessary.

(c) Government in Revenue Department shall have the powers to issue guidelines and instructions from time to time to operationalise this Policy.

ORDER— Ordered that the resolution be published in the extraordinary issue of *Orissa Gazette* for general information of the public and copies of the same be forwarded to Government of India, Ministry of Rural Development/Ministry of Tribal Affairs/Ministry of Social Justice and Empowerment/All Departments of Government/All Heads of Departments/All Revenue Divisional Commissioners/All Collectors/Secretary, Board of Revenue/C.M.D., IDCO/C.M.D., IPICOL/ A.-G., Orissa, Bhubaneswar/D.A.-G. (Works), Orissa, Puri for information.

By order of the Governor
TARUN KANTI MISHRA
Principal Secretary to Government

OGP–MP–PTS-U7 (REVENUE) 3–1,000–14-8-2007

The Orissa Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 990 CUTTACK, WEDNESDAY, JUNE 6, 2007 / JAISTHA 16, 1929

No.21392-R.Reh.-149/06-R&DM.

GOVERNMENT OF ORISSA
REVENUE & DISASTER MANAGEMENT DEPARTMENT

RESOLUTION

The 4th June 2007

In pursuance of Para. 22 (b) of the Orissa Resettlement and Rehabilitation Policy, 2006, the State Government do hereby make the following amendments in the Orissa Resettlement and Rehabilitation Policy, 2006, namely :-

AMENDMENTS

1. In the Orissa Resettlement and Rehabilitation Policy, 2006, (hereinafter referred to as the said Policy), in Para. 1 under the heading "Short title, application and commencement", -

(a) in clause (ii), after the words "those projects" and before the words "for which acquisition of private land", the words "including ongoing irrigation projects" shall be inserted ;

(b) after clause (ii), the following proviso and note shall be inserted, namely :-

"Provided that no rehabilitation assistance shall be provided to the ongoing irrigation projects as per this policy where any rehabilitation assistance has been provided to the displaced family or affected family in respect of ongoing project immediately before commencement of this policy."

NOTE – For the purpose of this Para., the expression "ongoing projects shall not include the projects which are completed prior to commencement of this policy and 'commencement of this policy' means the 15th May, 2006."

2. In the said policy, in Para. 2 under the heading "definition", after clause (a) the following clause shall be inserted, namely :-

"(a-1) 'affected family' means a family whose land is affected by construction of the project but not displaced or required to be displaced."

3. In the said policy, in Para. 8, in sub-para. III, Type C, -

(a) for the heading "Water Resources, National Parks and Sanctuary", the heading

"Irrigation Projects, National Parks and Sanctuary" shall be substituted;

(b) for the words "Rehabilitation Package for Displaced Family (DF)", the words "Rehabilitation Package for Displaced Family and Affected Family" shall be substituted; and

(c) after item (d), the following items shall be inserted, namely :-

"(e) Training for self-employment-Project authority under the guidance of the Collector concerned may make adequate arrangements to provide vocational training or skill development training to willing displaced or affected families so as to equip them to start their own small enterprise and refine their skills to take advantage of new job opportunities. For those engaged in traditional occupations, handicrafts or handlooms, the project authority shall arrange suitable training programme at his own cost to upgrade their skills.

(f) An affected family who is losing more than seventy-five per centum of his total extent of land in the irrigation project area he shall get the benefit as provided in items (a), (b), (c) and (d).

(g) An affected family who is losing less than seventy-five per centum of his total extent of land in the irrigation project area, other than for the purpose of canal, he shall get land to equal extent of acquired land subject to maximum as provided in items (a) or (c), as the case may be, and also benefit of registration cost as provided in item (d).

(h) An affected family who is losing homestead land, on account of acquisition for canal, where he ordinarily resides shall get benefit as provided in times (a), (b) and (d)."

4. In the said policy, in Para. 11, after the works "nature of displacement", the works "and to the affected families in irrigation project area keeping in view the gravity of damage" shall be inserted.

ORDER-Ordered that the Resolution be published in the extraordinary issue of *Orissa Gazette* for the general information of the public and copies of the same be forwarded to Government of India, Ministry of Rural Development/ Ministry of Tribal Affairs/ Ministry of Social Justice and Empowerment/ all Heads of departments/ all Revenue Divisional Commissioners/ all Collectors/ Secretary, Board of Revenue/ CMD, IDCO/CMD, IPICOL/ A.-G., Orissa, Bhubaneswar/ D.A.-G. (Works), Orissa, Puri for information.

By order of the Governor

G.V.V. SARMA
Commissioner-cum-Secretary to Government

The Odisha Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 1546, CUTTACK THURSDAY AUGUST 8, 2013/ SRAVAN 17, 1935

[No. 29828-R&REH-1/2013/R&DM.]

REVENUE & DISASTER MANAGEMENT DEPARTMENT

RESOLUTION

The 5th August, 2013

In this Department Resolution No.18040-R&REH-1/2006-R&DM., dated the 14th May, 2006, published in the *Orissa Gazette* Extraordinary No. 651 of 15th May 2006, notifying the Orissa Resettlement and Rehabilitation Policy, 2006 , which was subsequently amended vide this Department Resolution No. 21392/R&DM., dated the 4th June 2007, published in the *Orissa Gazette* Extraordinary No.990, dated the 6th June, 2007, the State Government, after careful consideration, do hereby make the following amendments, namely:—

AMENDMENTS

1. In the Orissa Resettlement and Rehabilitation Policy, 2006, (hereinafter referred to as the said Policy), for the word "Orissa" appearing wherever in the said policy , the word "Odisha" shall be substituted and this substitution shall be deemed to have come into force on the 1st day of November, 2011.

2. In sub-clause (i) under clause (f) of Para. 2, for the words "A major son irrespective of his marital status", the words "A major son/grandson irrespective of his marital status" shall be substituted.

3. In sub-clause (ii) under clause (f) of Para. 2, for the words "Unmarried daughter/ sister more than 30 years of age", the words "Major unmarried daughter/ Major unmarried grand daughter/ Major unmarried sister" shall be substituted.

4. Amendment to Para. 2(f) (i) is made to clarify and restate the provision of the said policy. Therefore, it shall take retrospective effect from the date of commencement of the said Policy, i.e. 15th May, 2006.

5. Amendment to Para. 2(f) (ii) shall take effect from the date of issue of this Government Resolution.

ORDER

Ordered that the Resolution be published in the Extraordinary issue of *Odisha Gazette* for the general information of the public and copies of the same be forwarded to the Ministry of Rural Development , Government of India/ Ministry of Tribal Affairs, Government of India/Ministry of Social Justice and Empowerment, Government of India/all Departments of Government/all Heads of Departments/all Revenue Divisional Commissioners/all Collectors/ Secretary, Board of Revenue/ C.M.D, IDCO/C.M.D,IPICOL /A.G., Odisha, Bhubaneswar/D.AG (Works), Odisha, Puri for information.

By Order of the Governor

TARA DATT

Additional Chief Secretary to Government

Printed and published by the Director, Printing, Stationery and Publication, Odisha, Cuttack-10
Ex. Gaz. 967-193+200

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

RESOLUTION

No- R&REH-31 2017- 13265 / R&DM 15-12-17

In this Department Resolution No 18040-R&REH-1/2006-R&DM dated the 14th May. 2006 published in the Odisha Gazette Extraordinary No 651 of 15th May. 2006. notifying the Odisha Resettlement and Rehabilitation Policy. 2006 which was subsequently amended vide this Department Resolution No 21392 / R&DM. dated the 4th June 2007. published in the Odisha Gazette Extraordinary No 990. dated the 6th June. 2007 and this Department Resolution No 29828 / R&DM dated the 5th August. 2013 published in the Odisha Gazette Extraordinary No 1546 dated the 8th August 2013 the State Government after careful consideration do hereby make the following amendments namely

AMENDMENTS

Spl LAO MCL

1 In the Odisha Resettlement and Rehabilitation Policy 2006 (hereinafter referred to as the Policy). for the NOTE under para 2 (C) the following shall be substituted namely -

"for the purpose of declaring eligibility for R&R benefits only the 1st date of January of the year in which physical displacement is scheduled to take place i e when the Collector issues certificate of completion of resettlement. Government would give one date and once for all for declaring the eligibility of the deserving persons / families to the R&R benefits The families deciding to opt for self-relocation would also be bound by the said cutoff-date

In case the entire village opt for self relocation the 1st January of the year in which the 1st installment of R&R assistance is paid or ordered to be paid to the displaced families of the village shall be the cutoff date for determining eligibility for R&R assistance."

2 The following shall be substituted in the first proviso to Para-7 -

" Based on the list approved by Government and 1st option of displaced families the Resettlement and Rehabilitation Plan shall be prepared by the Collector for resettlement and rehabilitation after due consultation with displaced communities in the manner determined by the Government The change of option shall be allowed only once within a period of six months from the date of exercising the first option Such plan should address the specific needs of the women vulnerable groups and indigenous communities The same will be placed before the RPDAC for approval

PTO

3 The following new para -2(r) shall be inserted after para-2 (q) -

"The villages whose major portions (more than 75% land of the village) have been submerged by irrigation projects shall be declared as fully submerged villages"

ORDER

Ordered that the Resolution be published in the extraordinary issue of the Odisha Gazette for the general information of the public and copies of the same be forwarded to Government of India, Ministry of Rural Development / Ministry of Tribal Affairs / Ministry of Social Justice & Empowerment / All Department / All Heads of Department / State SIA Unit /All Revenue Divisional Commissioners / All Collectors / Secretary, Board of Revenue, Odisha Cuttack / C M D, IDCO / C.M.D, IPICOL /A G Odisha, Bhubaneswar / All Sub-collectors-cum-Administrator, R&R / All P D R&R / All L A Os / All Special L A Os for information

By order of the Governor

15.12.17

Principal Secretary to Government

Memo No. 43266 **/R&DM, dated.** 15-12-17

Copy along with soft copy (CD) forwarded to the Director, Printing, Stationery and Publication, Odisha Cuttack / Odisha Secretariat Gazette Cell, Commerce & Transport(Commerce) Department with a request to publish the Resolution in the Extraordinary issue of Odisha Gazette and supply 200 copies to this Department at the earliest

15/12/17

Director, R&R & Ex-Officio
Additional Secretary to Government

Memo No. 43267 **/R&DM, dated.** 15-12-17

Copy forwarded to Principal Secretary to the Hon'ble Chief Minister, Odisha for kind information of the Hon'ble Chief Minister

15/12/17

Director, R&R & Ex-Officio
Additional Secretary to Government



GUIDELINES

OF

GOVERNMENT OF ODISHA

DRAFT FOR APPROVAL

ତାରିଖ 3/2/ 1989

ନମ୍ବର. Rlf(1)(SP) 39/89

To

The Collector, Sambalpur/Dhenkanal.

Sub: Uniform guidelines for rehabilitation of the displaced persons/families due to implementation of S.L.C.L. Projects at Sambalpur/Dhenkanal Districts.

Ref: Government letter No. 71-R, Dt. 2-1-89

Sir,

I am directed to invite a reference to the communication cited above on the subject and to say that the figure Rs. 20,000/- occurring in paragraph-7 of the letter under reference is a typographical mistake for the figure Rs. 2,000/- (rupees two thousand only). Paragraph-7 may be read as follows.

" Each displaced family shall be given assistance at the rate of Rs.2,000/- (Rupees two thousand only) for construction of temporary sheds ".

All other conditions remain unchanged.

Yours faithfully,

Addl. Secretary to Government

Memo No. 7641 /R, Dt. 3/2/89

Copy forwarded to R.D.C., N.D./ I.A.P. Department for information in continuation of this department Memo No. 72-R, Dt. 2-1-89.

Addl. Secretary to Government

P.T.O.

Memo No. 7642 /R, Dt. 3/2/89

Copy forwarded to the General Manager, S.E.C.L. Project, Ib Valley, Jharsuguda/Talcher for information in continuation of Govt. ~~letter~~ memo No. 73-R, Dt. 2-1-89.

ADM 3/2/89
Secretary to Government.

Memo No. 7643 /R, Dt. 3/2/89

Copy to the Land Acquisition branch for information and necessary action in continuation of Govt. Memo No. 74-R, Dt. 2-1-89.

ADM 3/2/89
Secretary to Government.

Memo No. 7644 /R, Dt. 3/2/89

Copy along with a copy of the original G.C. forwarded to the M. & G. Department for information and necessary action.

ADM 3/2/89
Secretary to Government

Government of Orissa
Revenue & Excise Department

No. GE(Coal)-7/89. 62285 /R.,
GE & LR(C) Br.
Bhubaneswar, Dated, 6.X.89

Rai Charan Das,
Addl. Secretary to Government.

To

The Collector, Sambalpur/Dhenkanal.

Sub:- Uniform guidelines for rehabilitation of displaced persons/ families due to S.E.C.L. Projects at Sambalpur and Dhenkanal districts.

Ref:- (i) Government letter No.71/R, dt. 2.1.89
(ii) Government letter No.7640/R dt.3.2.89
(iii) Government letter No.28501/R dt. 9.5.89 to the address of Collector, Dhenkanal.
(iv) Proceeding of the meeting taken by C.M. on 13.7.89 communicated in letter No.9944 dt.6.8.89 and memo No.7945/R dt. 6.8.89.

Sir,

I am directed to invite a reference to the subject cited above and to say that instances have come to the notice of Government where the oustee families have no adult members suitable for employment and who are dependant on other relatives. After careful consideration Government have been pleased to decide that where an oustee has no adult member in his family, who is suitable for employment, his son-in-law would be eligible for employment in accordance with paragraph-4 of the Government letter dt. 2.1.89 cited at (i) above. For this limited purpose, the son-in-law of the concerned oustee would be treated as a member of his family. The oustee can nominate his son-in-law for the purpose of employment.

2. Further, Government have also been pleased to decide that an adopted son of an oustee would also be eligible for assistance provided that such adoption has been done in accordance with law.

Yours faithfully,

6/10/89

Addl. Secretary to Government.

GOVERNMENT OF ORISSA
REVENUE AND EXCISE DEPARTMENT

No.S-116/90(Pt). 236 /R., CH&S Br.

Bhubaneswar, dated the 3th January, 91.

From

B. C. Patnaik,
Secretary to Government.

To

The Secretary,
Board of Revenue,
Orissa, Cuttack.

Sub: Correction of Record of Rights and Maps by Tahasildars.

Ref: This Department's letter No.29827 dated 25.6.1990.

Sir,

I am directed to invite a reference to this Department's letter No.29827 dated 25th June, 1990 regarding exercise of jurisdiction by the Tahasildars for effecting corrections in the R.O.Rs. & Maps for maintaining these up-to-date as required under Sec. 16 of the Orissa Survey and Settlement Act, 1958.

2. Under Rule-32 of the Orissa Survey & Settlement Rules, 1962 the finally published R.O.Rs & Maps are required to be maintained and kept up to date by the Tahasildars by effecting necessary mutations on one or more of the grounds mentioned in Rule-34. In the letter cited above a distinction had been made between cause of action arising after final publication of the Maps and Records & that arising prior to such publication. It had been stipulated that the Tahasildars can effect mutations in the R.O.Rs and Maps on the basis of only those causes which arose after the final publication of the R.O.Rs. The Tahasildars had been instructed not to effect any mutations in case the cause of action had arisen prior to the final publication of R.O.Rs and Maps leaving these to be dealt with by the authorities exercising revisional jurisdiction under the Orissa Survey and Settlement Act.

3. In many cases the land holders fail to take timely action during the currency of the Settlement operation for getting their rights on land recorded. Besides, transfers of land taking place during the final stages of Settlement operation get excluded from being taken into account by the Settlement Authorities. In a large number of cases where

Contd..... /p

Government land and ceiling surplus land have been settled in favour of landless persons, these have not been recorded in their favour, either due to negligence on the part of the allotees or negligence of the authorities who were responsible for getting necessary changes effected in the R.O.Rs. Unless these changes are incorporated in the R.O.Rs after final publication by the Tahasildars, the R.O.Rs will remain out-of-date and the land owners will be put to unnecessary difficulties.

4. Government, therefore, after careful consideration have been pleased decide that the Tahasildars will effect mutations in the R.O.Rs where changes are required to be made on any of the grounds contained in Rule 34, irrespective of whether such deeds of transfer or orders of competent authorities or Decrees or any other document on which the prayer for mutation is based contain references to the lands in terms of the old (Sabik) R.O.R. or whether such documents were executed orders passed or the decrees obtained prior to the date of final publication of the R.O.R.

5. The Tahasildars, however, will not have jurisdiction to mutate R.O.R. and Maps on the basis of a claim which has been rejected in a Revenue Court during the preparation of the records of right. The principle of resjudicata will apply in all such cases and no fresh case for mutation on such claim can be entertained. The orders of the Settlement Courts shall be binding on the Tahasildars so far as the subject matter of the dispute is concerned.

6. Government have further decided that all mutation cases which have been dropped by the Tahasildars solely on the ground of lack of jurisdiction pursuant to this Department's letter No.29827, dated 25th June, 1990 will be reinstituted by the Tahasildars and proceeded with as if the cases had not be decided.

7. Copies of these instructions are being forwarded to the subordinate revenue authorities for guidance. The Board of Revenue are requested to ensure that the instructions are adhered to scrupulously by all

Tahasildars in dealing with applications for imitation and that the Tahasildars do not act in excess of the jurisdiction vested in them or exercise any jurisdiction not vested in them under the cover of these instructions.

Yours faithfully,

Secretary to Government.

2.1.91

Memo No. 237 /R., Dated. 2/1/91

Copy forwarded to all the Revenue Divisional Commissioners for information and necessary action.

Deputy Secretary to Government.

Memo No. 238 /R., Dated. 3/1/91 3-1-91

Copy forwarded to all the Collectors for information and necessary action.

Deputy Secretary to Government.

Memo No. 239 /R., Dated. 3/1/91 3-1-91

Copy forwarded to all the Sub Collectors/Tahasildars for information and necessary action.

Deputy Secretary to Government.

3-1-91

Jena/291

Annexure -'C'

Government of Orissa
Revenue & Excise Department.

No.GE(Coal)-5/91 5408 /R.,
Dated, Bhubaneswar the 30/11/92

From
Shri P.B.Das, O.A.S.,
Under Secretary to Government.

To
The Collector, Dhenkanal.

Subj:- Clarification on Uniform Guidelines for rehabilitation of persons displaced due to acquisition of land for S.E.C.L.Project.

Ref:- Your D.O.letter No.327 dt.27.4.91 and 583 dt.29.

Sir,

I am directed to invite a reference to your correspondence on the subject cited above and to say that in your D.O.letter No.327/SECL dt.27.4.91, you have raised the following two issues in connection with Uniform Guidelines issued by Government for rehabilitation of the displaced persons/families due to acquisition of land for S.E.C.L.Projects :-

i) Whether persons belonging to areas outside the State of Orissa/Dist.of Dhenkanal/Talcher Tahasil, who have purchased small patches of lands on or before publication of notification under section 4(1) of the L.A. Act with a view to getting employment can be considered eligible for rehabilitation benefit, and

ii) Whether a family of a major married daughter can be taken into consideration in the matter of rehabilitat

2. After careful consideration of the above issues raised in your letter under reference, Govt.have been pleased to decide as follows :-

i) In the matter of rehabilitation of persons losing land due to execution of S.E.C.L.Projects, a distinction should be made between a genuine inhabitant of the area and an outsider. A person may be made eligible to get a job under the existing policy only if he or his family loses the land which he or his family had held at least for a period of 12 years. However, in case of a person who, being landless, ha

contd...2

been given Govt.land on lease, the st.. years will not be applicable.

ii) Further, in the guideline regarding rehabilitatio assistance, the term family has been defined to include husband, wife and unmarried children. Therefore, the question of the family of a married daughter being eligible for employment under rehabilitation assistance does not arise.

3. Besides, you are requested to make a survey regarding purchase of land in those areas by outsiders and furnish a report in this regard to this Deptt. early. The instructions issued in this Deptt.G.O.N .71/R., dt.2.1.89, 7640-R., dt.3.2.8 28501-R., dt. 9.5.89 and 62285-R., dt. 6.10.89 are modified to the above extent.

Yours faithfully,

Under Secretary to Government.

Memo No. 5409 /Rdt. 30/1/92

Copy forwarded to
1. Secretary, Board of Revenue, Orissa, Cuttack.
2. Irrigation Deptt.
3. Energy Department.
4. Steel and Mines Department.
5. Secretary to R.D.C.(ND) Sambalpur.
6. Collector, Sambalpur for information and necessary action.

Under Secretary to Government.

Memo No. 5410 /R., dt. 30/1/92

Copy forwarded to L.A.Branch for information and necessary action.

Under Secretary to Government.

R.P. 1/2/92

ANNEXURE-IV.

/Copy/

GOVERNMENT OF ORISSA
REVENUE & EXCISE DEPARTMENT

No. 56785/R Dt. 24.12.93

From : Shri S.K.Habada, O.A.S.,
Under Secretary to Government.

To: The Collector, Angul/Sambalpur.

Sub : Uniform guideline for rehabilitation of the displaced persons/families due to S.E.C.L. Project at Sambalpur and Dhenkanal districts.

....

Sir,

I am directed to say that Government after careful consideration have been pleased to relax the restriction imposed in G.O.No.5408 dt. 30.1.92 in connection with uniform guidelines for rehabilitation of the displaced persons/families due to acquisition of land for mining operation in the districts of Sambalpur and Angul.

In the aforesaid G.O. it was stipulated that a person may be made eligible to get a job under the existing policy only if he or his family loses the land which he or his family held it atlease for 12 years. Now it is decided that a person may be given employment opportunities who held the land prior to the publication of notification u/s 4(i) of L.A.Act. The employment opportunity need not be given to the persons who purchase the land after notification u/s 4(i) of the L.A.Act. The other stipulation in the G.O. remain unchanged.

Yours faithfully,

Sd/- SK Habada
24.12.93

Under Secretary to Government.

Memo No. 56786/R Dt. 24.12.93

Copy forwarded to the Secretary, Board of Revenue/Irrigation Deptt./Energy Deptt./Steel & Mines Deptt./R.D.C.(ND),Sambalpur for information and necessary action.

Sd/- SK Habada
24.12.93
Under Secretary to Government

Memo No. 56787/R Dt. 24.12.93

Copy forwarded to L.A.Branch for information and necessary action.

Sd/- SK Habada
24.12.93

(20)

GOVERNMENT OF ORISSA

REVENUE DEPARTMENT

No. REH-4/95 - 28041/R.

Dated, Bhubaneswar the 29.06.1995.

From

Deputy Secretary to Govt.

To

The Collector, Balasore

Sub: Clarification on rehabilitation policy for displaced/oustee families on account of acquisition of land for the safety zone around L.C.-III of the I.T.R., Chandipur.

Sir,

I am directed to invite a reference to your letter No.19, dated.20.1.95 on the subject noted above and to say that, after careful consideration, Govt. have been pleased to clarify as follows :-

In order to determine 1/3rd loss of agriculture land and loss of dwelling house of displaced/oustee family, land & dwelling house existing elsewhere in the District-outside the district or State be pooled together while considering eligibility for rehabilitation package. For such determination, the head of the family or the Karta is to furnish affidavit indicating if the family has/have not any agricultural and/dwelling house elsewhere with name of Village/Tahasil/District/ State and area of such land. You may also obtain details from respective Tahasildars to ascertain the facts stated in the affidavit. So far as the migrant Bangali settlers are concerned the head of the family will have to make a specific

statement to the effect that the family does not own any agricultural or homestead lands in West Bengal or any other part of this State. So far as Tribal outstees are concerned, they may make a similar affidavit relating to the fact of not having any ownership over any agricultural or homestead lands in Orissa.

You are requested to take steps accordingly and complete the survey and determine the amounts required for payment of rehabilitation assistance early.

Yours faithfully,

Sd/-

Deputy Secretary to Govt.



GOVERNMENT OF ORISSA.
REVENUE AND EXCISE DEPARTMENT

NO.REH-2/95. 45943 /R., Date. 18.10.95

From

Shri C. R. Mishra, I.A.S.,
Addl. Secretary to Government.

To

The Revenue Divisional Commissioner
Northern Division, Sambalpur.

Sub: Uniform guidelines for rehabilitation of displaced persons/families due to M.C.L./ N.T.P.C. Projects.

Ref: i) Govt. letter No. 62235 R., dt. 6.10.89
ii) Proceedings of the 4th Rehabilitation Advisory Committee meeting of the Mahanadi coal fields Limited (M.C.L.) held on 21.2.1994.

Sir,

I am directed to invite reference to the above Government letter addressed to Collector, Sambalpur/Dhenkanal in which Government were pleased to decide that when an oustee has no adult member in his family, who is suitable for employment, his son in law would be eligible for employment and the oustee can nominate his son in law for the purpose of employment. But afterwards, instances came to the notice of Government, where the oustee families have no male child, and the head of the family is a widow. In some such cases, the son in law deserts his wife and also does not take care of the mother-in law who are dependant on him for their livelihood. After careful consideration, Government have been pleased to decide that in such cases, if the son in law either deserts his wife or does not take proper care of the mother in law, then he will be removed from service and will lose employment.

This department letter No. 62235 dated 6.10.89 is hereby modified to the extent provided for in this order.

Yours faithfully,

Addl. Secretary to Government.

Memo No. 45944 /R., Date. 18.10.95

Copy forwarded to the Collector, Sambalpur/Dhenkanal/Angul for information and necessary action.

Addl. Secretary to Government.

(14)

Memo No. 45945/R., Date. 18.10.95

Copy forwarded to
1. Secretary, Board of Revenue, Orissa Cuttack
2. Water Resources Department
3. Energy Department
4. Steel and Mines Department.

Addl. Secretary to Government.

Memo No. 45946/R., Date. 18.10.95

Copy forwarded to all Land Acquisition Branches G.E.& L.R. 'C) Branch for information and necessary action.

Addl. Secretary to Government.

10(ten) spare copies to Rehabilitation Branch.

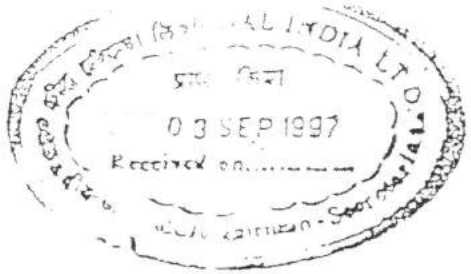
memo no 629 dt. 4/11/95

RJ/1610

Copy forwarded Spl Land Acq/IPC/MCL/NALCO/Nalco/K.G.M.V/IPC/K.G.M.M.C.L/ Revenue Collectable Angul/ All Sub-Collector/ All Tahasildar of the District for information and necessary action.

Copy to Guard File.

Addl. Dist. Magistrate
Angul
3/11/95



No.43020/6/97-LW
GOVERNMENT OF INDIA
MINISTRY OF COAL
.....

New Delhi, the 28th August, 1997.

To

The Chairman,
Coal India Ltd.,
10-Netaji Subhas Road,
CALCUTTA-1.

Subject : Land Acquisition - Decision of the Government.
.....

Sir,

I am directed to say that the Government recently considered, in depth, issues pertaining to rehabilitation of persons displaced by projects and concluded that the project authorities would have to go beyond the legally required minimum measures in regard to rehabilitation of the displaced persons so as to obtain the ready and willing co-operation of all local inhabitants in the successful implementation of the project.

2. The above decision is conveyed to CIL for their future guidance.

Yours faithfully,

(J.L. MEENA)
DIRECTOR

No.CIL:L&R:12:97:8950-57. Dt. 11-12-1997

Copy forwarded for kind information & needful action.

1. Shri R.N. Upadhyaya, General Manager(LRE), ECL.
2. Shri M.S. Sahamai, General Manager(Estate), BCCL.
3. Shri A.K. Shukla, General Manager(LR), CCL.
4. Shri G.H. Danga, General Manager (LR), WCL.
5. Shri C. Shankaran. General Manager(LR), SECL.
6. Shri B.R. Verma, General Manager(Rev-R/R), NCL.
7. Shri A.K. Sarangi, Estate Manager, MCL.
8. Shri S.N. Changmai, Supdt. Grade(LR), NEC.

(B.K. Mukherjee)
Dy.CME(PM)

/

386
8/5/98

GOVERNMENT OF ORISSA
REVENUE AND EXCISE DEPARTMENT

NO.CE(Coal)-6/96, 18758/R
Bhubaneswar, dated 7.4.98

F - Imp. circular

From

Sri D. K. Das, O.A.S.,
Deputy Secretary to Govt.

To

All Collectors.

Sub:- Payment of premium by the user agencies including M.C.L. for use of forest land for mining, industrial and other purposes.

S i r,

I am directed to say that the question of payment of premium in respect of forest land used for mining, industries and other purposes by the user agencies had engaged the attention of Government for some time past. After careful consideration of the issue, Government have been pleased to decide as follows :-

1. For mining purposes, the user agencies have to pay the market value of the land or the rate prescribed in the prevailing I.P.R., whichever is less. In case of forest land taken over for mining purpose under C.B.A. Act, the cost of the land would be determined by taking into consideration the date of notification u/s 7 (1) of the Act as the reference date. In other cases, the actual date of handing over of possession would be reckoned as the reference date for determination of the cost to be paid by the user agencies.

2. In case of the forest land diverted for establishment of industry, the rate prescribed in the prevailing I.P.R. would be applicable.

3. In case of land transferred for purposes other than those enumerated above, market value at the prevailing rate would be charged.

Suitable instructions may be issued accordingly to all concerned.

Yours faithfully,

Memo No. 18759 -: 2 :-

/R., Dated 7/4/98

Copy forwarded to the Secretary, Board of Revenue, Orissa, Cuttack/All Revenue Divisional Commissioners for information and necessary action.

Memo No. 18760

DEPUTY SECRETARY TO GOVERNMENT

/R., Dated 7/4/98

Copy forwarded to LRGE (A)/LRGE (B)/Coordination Branch for compilation of circulars/25 copies to Guard File for information and necessary action.

Memo No. 18761

DEPUTY SECRETARY TO GOVERNMENT

/R., Dated 7/4/98

Copy forwarded to the Mahanadi Coal Field Limited, Jaand Vihar, P.O. U.C.E., Burla, Dist-Sambalpur - 768018 (Orissa) for information and necessary action.

DEPUTY SECRETARY TO GOVERNMENT

BIJAYA/-

Satish Kumar Vashishth, IAS
District Magistrate & Collector
Angul

Off. : 230097
Res. : 230234
Fax : 230685
STD code : 06764
E-mail : dmangul@orissa.nic.in
dmangul@sancharnet.in

No. 573

Dt. 16.2.06

To

The Chairman-cum- Managing Director,
M.C.L., Jagruti Vihar, Burla, Sambalpur.

Sub: Construction of house on non- homestead Kisam of land.

Ref: Letter No. MCL/ D (P) Sectt./ 102/06/317 dated 23.3.2006 of Director (Personnel), MCL, Burla, Sambalpur.

Sir,

In inviting a reference to the letter cited above, I am to say that tenants all over Orissa construct houses over lands other than homestead Kisam. While acquiring land for mining and industrial purpose, these people can not be debarred from getting their legitimate compensation and rehabilitation benefits. Hence, the suggestion that 'houses constructed over Kisam of land other than 'Homestead' should not be considered under category 'A' can not be accepted as a general principle. If there is any instance of deliberate construction over non homestead land to get additional R&R benefits those can be dealt with individually. The Tahasildars are dealing with such cases under Orissa Land Reforms Act.

Therefore, it is requested that the genuine land oustees who have constructed houses over Taila Kisam of land should not be debarred from getting R&R benefits.

Yours faithfully

Collector, Angul

Government of Orissa
Revenue & Disaster Management Department
* * * *

No. 14284 / R&DM.; Dated 10.4.07
F.&R(P)-7 / 06

From :

P.K.Pattanaik, OAS(S)
Joint Secretary to Government

To

The Collector
Angul

Sub: Clarification on R&R issues.

Ref: Your letter No. 230 and 228 dated 6.3.2007

Sir,

I am directed to communicate the clarifications raised in your letters under reference as below:

1. **" Family already availed Rehabilitation and Resettlement benefit in one village prior to the R&R Policy, 1989, but now losing land along with home and homestead in other village, whether Rehabilitation & Resettlement benefits will be extended to them or not".**

R&R benefit is given to displaced persons. If somebody has already received R&R benefit in one village and the same family is losing land along with home and homestead in other village, he can be extended R&R benefit, if this home is housing the family at present. But if the family members have been provided with jobs, they can not nominate any member outside the family to be provided for a job again and if the home from which they are being displaced now, is not their residence at present and it is a second home and homestead no R&R benefit may be extended.

2. **" Persons constructed house over Government land and losing agricultural and Gharabari land in same village, whether, Rehabilitation and Resettlement benefits will be extended to them or not".**

For persons constructing house on Government land, para 9 of R&R Policy, 2006 should apply. However, if the persons has other homestead land and has still encroached Government land, no compensation should be payable on the land or the dwelling unit constructed in Government land. This is because, we can not afford to encourage encroachment of Government land.

P.T.O

3. " **Persons residing in the village permanently by constructing house over other's land, whether Rehabilitation and Resettlement benefit will be extended to them or not.**"

If a person has no gharabari land of his own and loses his home constructed on other's land, he may be compensated with the cost of constructed of the house. For employment, his case may be considered after all other claimants to employment are satisfied.

4. " **Whether payment of compensation to the recorded tenants for the land purchased after 4(1) and before Section 9 of CBA(A&D) Act will be made or not & whether Rehabilitation and Resettlement benefit will be extended to them or not".**

Under CBA(A&D) Act, there is maximum period of three years allowed between notification of intention of Government U/s. 4(1) and final declaration of acquisition u/s.7(1). Then U/s 9(1) the declaration gets authority for final acquisition. Payment of compensation can and should always be given to the land purchased after 4(1) and before Section 9 of CBA(A&D) Act. But R&R benefit may not be extended to these purchases, as knowingly, they have purchased a land meant for displacement. But if this is not allowed to invalidate after three years and notified fresh again and again the R&R benefit may be considered to the persons if he belongs to the village but not to an outsider.

Yours faithfully

Sd/-
4/4/07
Joint Secretary to Government

Memo No. 14285 / R&DM., dt. 10th April, 2007.
Copy forwarded to Collector, Jharsuguda / Sambalpur / Sundergarh for information and necessary action.

Sd/-
4/4/07
Joint Secretary to Government

Memo No. 14286 / R&DM., dt. 10th April, 2007.
Copy forwarded to Secretary to R.D.C.(ND), Sambalpur for information and necessary action.

Sd/-
4/4/07
Joint Secretary to Government

Memo No. 1428 7 / R&DM., dt. 10th April, 2007.
Copy forwarded to C.M.D, MCL, Sambalpur for information and necessary action.

Sd/-
4/4/07
Joint Secretary to Government

AKSHAYATB091@gmail.com

Mahanadi Coalfields Limited
(A Subsidiary of Coal India Limited)
OFFICE OF THE GENERAL MANAGER (R&R)
P.O. JAGRITI VIHAR, BURLA - 768 020
Dist. : SAMBALPUR (ORISSA)
Phone : (0663) 522457 (O) FAX (0663) 2542760

Ref. No. MCL/GM(R&R)/2007/6370 Dated 01.11.2007

CIRCULAR

In order to maintain uniform system of measurement and calculation of compensation of the structures standing over the acquired land of MCL, the following guidelines have been formulated for strict compliance in all Areas / Projects and Head Quarters of MCL :-

1. Cost of Structure below plinth level (Foundation):

The cost of superstructure of the buildings/structures shall be evaluated by accurate measurement of all the items existing above plinth level of the building/structures and a percentage shall be added uniformly towards the cost of foundation/structure below plinth level.

In respect of cost of foundation/structure below Plinth Level **(including plinth band and under floor items)**, the percentage of superstructure cost shall be considered for different types of structure as detailed below. -

Sl. No	Type of Structure	% Cost of Structure below Plinth Level	Remarks
1	RCC Roofing Structures (Multi-storied Building)	15% of the cost of superstructure.	Cost of superstructure includes building portion only excluding cost of electrification, water supply, sanitation & other development works.
2	ACC/CGI/Tile Roofing structures with Brick/Stone walling	15% of the cost of superstructure.	
3	Brick/Stone walling with thatched roofing structures.	7.5% of the cost of superstructure.	
4	Mud walling with thatched roofing structures.	5% of the cost of superstructure.	

Contd..p/2

Scanned by CamScanner

2. Specification to be assumed for valuation of superstructure.

In respect of measurement of superstructure the following assumptions shall be made. -

Sl. No.	Item	Specification
i)	Cement Mortar for brick work , plaster etc.	1:6
ii)	Cement concrete used in roof/beams Linteis/ column/ chajjha etc.	1:2:4
iii)	Reinforcement for roof & Chajjha	60 Kg/Cu.m
iv)	Reinforcement for lintel, beam & columns	80 Kg/Cu.m

3. Depreciation: -

In all future cases, as per 13th RAC decision **" NO DEPRECIATION"** is to be considered.

This issues with the approval of Competent Authority and shall come into force with immediate effect.

General Manager (L/R&R)

Distribution:

1. CGM/GM, Jagannath / Hingula /Bharatpur /Talcher /Lingaraj/Lakhanpur /IB Valley /Basundhara-Garjanbahal /Orient Area, MCL
2. Staff Officer (L/R&R), Jagannath/Hingula/Bharatpur/Talcher /Lingaraj/ Lakhanpur/IB Valley /Basundhara-Garjanbahal /Orient Area, MCL
3. Staff Officer (Civil), Jagannath / Hingula /Bharatpur /Talcher /Lingaraj /Lakhanpur/IB Valley /Basundhara-Garjanbahal/Orient Area, MCL
4. Area Finance Manager, Jagannath / Hingula /Bharatpur /Talcher /Lingaraj /Lakhanpur/IB Valley /Basundhara-Garjanbahal/Orient Area, MCL

Copy for kind information -

1. CMD, MCL.
2. D(P), MCL.
3. D(T), MCL.
4. D(F), MCL.
5. CVO, MCL.
6. CGM (F), MCL.
7. GM(Civil),MCL.
8. SE(C)/(L/R&R), MCL.

General Manager (L/R&R)

OFFICE OF THE REVENUE DIVISIONAL COMMISSIONER
NORTHERN DIVISION: ORISSA: SAMBALPUR

No. XLII-56/07 _____ / L.A Dt.

From

Shri S. Tripathy
AFA-cum-Under Secretary.

GM'S Secretariat Lingaraj Area
Diary No. 252
Date 4.2.08

To

The Collector, Angul.

Sub: Fixation of Cut-off date for R&R benefits

Ref: Letter No.543 Dt.17.10.07, of the Dir.(Personnel) MCL, Burla.

Sir,

With reference to the letter on the subject cited above, I am directed to say that the RDC, ND, cum-Chairman, RPDAC has been pleased to pass orders for modification of para III of the proceeding of the 2nd RPDAC Meeting of MCL dt.22.6.07 on the issue of 'Fixation of cut off date' in line with the provisions in the R&R Policy, 2006.

Hence, para III of the proceedings may be substituted as below.

"III. Fixation of cut off date

There was a discussion on which date would be taken as cut off date so far as R&R benefit is concerned under CBA (A&D) Act. After detail discussion, it was unanimously decided that, the date of passing of award U/s 12(2) of L.A Act. and section 17 of CBA (A&D) Act, 1957 will be treated as 'Cut off date' for a particular village so far as R&R is concerned.

It is, therefore, requested that the above modification may kindly be communicated to all concerned under intimation to this office."

Yours faithfully,

Sd/-

AFA-cum-Under Secretary.

Nanda

Memo No. 97 / Dt. 16-1-08

Copy forwarded to the Director (Personnel) MCL, Jagruti Vihar, Burla, 768020 for information with reference to his letter No.543 dt.17.1.07.

AFA-cum-Under Secretary.

cc: APO
SDM(R&R)
DGM
Manager, KOCP

CCM, Lingaraj Area

SDM, KOCP 1003 05.02.08

MCL No. 847 Date 4.02.08

408(R) 1/2/08

29.1 Circulate All Areas

PM(R&R) 6/02/08

4/2/08

Government of Orissa
Revenue & Disaster Management Department
*****

No R&REH- 124/08-36358/R&DM, Dated the 21st August, 2008

RESOLUTION

Sub: Orissa Resettlement and Rehabilitation Policy, 2006 – biennial revision of the rehabilitation grants in monetary terms.

The Orissa Resettlement and Rehabilitation Policy, 2006 was published in Orissa Gazette Extraordinary No. 651 dated the 15th May 2006 and came into effect on that date. In the said policy, cash in lieu of rehabilitation assistance towards self-relocation, house building and employment etc. has been quantified. As per paragraph 13 of the Policy Rehabilitation Grant will be indexed to the Wholesale Price Index (WPI) with 01.04.2006 as the reference date and will be revised by the Government once in every two years thereafter on the basis of WPI.

In pursuance of the aforesaid provision, the State Government do hereby make the following revision of rehabilitation grant in monetary terms relating to the specified component:

Sl. No.	Description of the component	Relevant provision of the Policy	Existing rate	Revised rate
1	**Assistance for self-relocation** (elsewhere other than the resettlement habitat)	Paragraph 8.1 (e), 8.II (e), 8.III (a), 8.IV (a)	**Rs. 50,000/-**	**Rs. 56,000/-**
2	**House Building Assistance**	Paragraph 8.1 (f), 8.II (f), 8.III (b), 8.IV (b)	**Rs. 1,50,000/-**	**Rs. 1,66,000/-**
3	**One time financial assistance in lieu of employment for Industrial projects**	Paragraph 8.1 (a) (i) Displaced families coming under Category (i) (ii) Displaced families coming under Category (ii) (iii) Displaced families coming under Category (iii) (iv) Families coming under Categories (iv) & (v)	**Rs. 5,00,000/-** **Rs. 3,00,000/-** **Rs. 2,00,000/-** **Rs. 1,00,000/-**	**Rs. 5,52,000/** **Rs. 3,31,000/-** **Rs.2, 21,000/-** **Rs. 1,11,000/-**

4	**One time financial assistance in lieu of employment for Mining projects**	Paragraph 8.II 3 (i) Displaced families coming under Category (i) (ii) Displaced families coming under Category (ii) (iii) Families coming under Category (iii) (iv) Families coming under Categories (iv), (v) & (vi)	**Rs. 5,00,000/-** **Rs. 3,00,000/-** **Rs. 2,00,000/-** **Rs. 1,00,000/-**	**Rs. 5,52,000/-** **Rs. 3,31,000/-** **Rs.2, 21,000/-** **Rs. 1,11,000/-**
5	**Assistance for agricultural land**	Paragraph 8.III(c) Per acre of irrigated land Per acre of non-irrigated land	**Rs. 1,00,000/-** **Rs. 50,000/-**	**Rs. 1,11,000/-** **Rs. 56,000/-**
6	**Maintenance Allowance**	Paragraph 10 (a)	**Rs. 2,000/- per month**	**Rs.2,300/- per month**
7	**Assistance for temporary shed**	Paragraph 10 (b)	**Rs. 10,000/-**	**Rs. 11,100/-**
8	**Transportation Allowance**	Paragraph 10 (c)	**Rs. 2,000/-**	**Rs. 2,300/-**

This has been concurred in by Finance Department vide their UOR No.312-GSI dated the 2nd May, 2008

This Resolution will take immediate effect.

ORDER - Ordered that the Resolution be published in the extraordinary issue of Orissa Gazette for general information of the public and copies of the same be forwarded to Government of India, Ministry of Rural Development/Ministry of Tribal Affairs/Minister of Social Justice and Empowerment/All Departments of Government/All Heads of Departments/All Revenue Divisional Commissioners/All Collectors/Secretary, Board of Revenue/C.M.D., IDCO/C.M.D., IPICOL/ A.G., Orissa, Bhubaneswar/D.A.G. (Works), Orissa, Puri for information.

By Order of the Governor

21/8/2008

G. V. V. Sarma
Commissioner-cum- Secretary to Government

Memo No. 36359 /R&DM, Dated the 21st August, 2008.

Copy along with soft copy (CD) forwarded to the Director, Printing, Stationery and Publication, Orissa, Cuttack with a request to publish the Resolution in the Extra-ordinary issue of Orissa Gazette on 22.08.2008 and supply 50(fifty) copies to this Department.

Director, R&R and Ex-officio
Additional Secretary to Government

Memo No. 36360/R&DM, Dated the 21st August, 2008.

Copy forwarded to all Departments of Government/ All Heads of Departments/Revenue Divisional Commissioners/Collectors for information and necessary action.

Director, R&R and Ex-officio
Additional Secretary to Government

Memo No. 36361/R&DM, Dated the 21st August, 2008.

Copy forwarded to Accountant General, Orissa, Bhubaneswar/Deputy Accountant General (Works), Puri for kind information.

Director, R&R and Ex-officio
Additional Secretary to Government

Memo No.36362/R&DM, Dated the 21st August, 2008

Copy forwarded to Principal Secretary to Chief Minister, Orissa for kind information.

Director, R&R and Ex-officio
Additional Secretary to Government

Memo No. 36363/R&DM, Dated the 21st August, 2008

Copy forwarded to Private Secretary to Minister, Revenue & Disaster Management, Food Supplies and Consumer Welfare/ Private Secretary to Chief Secretary/Private Secretary to Commissioner-cum-Secretary, Revenue & Disaster Management Department for kind information of the Hon'ble Minister/Chief Secretary/Commissioner-cum-Secretary.

Director, R&R and Ex-officio
Additional Secretary to Government

Memo No. 36364/R&DM, Dated the 21st August, 2008

Copy to Guard File for record.

Director, R&R and Ex-officio
Additional Secretary to Government

ZONE OFFICE, MCL (WORKS), BRAJRAJNAGAR.

No. 19 / ZO Dated.27.02.2009.

To

The Chairman-Cum-Managing Director,
MCL Hqrs., Burla, Sambalpur.

Sub: Provision of employment to 'C' category land oustee families of village **Khairkuni** under Lakhanpur Area.

Sir,

In inviting reference on the subject cited above, I would like to communicate the clarification for the provision of employment to those families who are specifically residing in the village over " **Basti** " Kisam of land, as well as over un-objectionable land (only Homestead) and being displaced due to coal Mines Operation in the area. Since, they have been categorized as 'C' presently, they are at a disadvantageous position as they are loosing both land and dwelling house and not getting benefit accordingly due to revenue records.

Hence, for the bonafide interest of people of **Khairkuni** village who are loosing their homestead and agricultural land due to acquisition of land for mining operation by MCL, it is hereby clarified that awaiting due concurrence from Govt, as Chairperson of District Rehabilitation Sub-Committee, all the 58 (Families) cases under category-**'C'** who are residents of " **Basti** " plot/ **"un-objectionable"** land in village Khairkuni recommended for employment may be treated as category-**'A'** . All entitlements in terms of employment and other benefits will accrue to them as per R & R Policy of 1989.

Your early action on the above matter on providing employment to the Khairkuni villagers will be appreciated.

Yours faithfully,

COLLECTOR, JHARSUGUDA.

Memo No. 2 0 /ZO Dated. 27. 02.2009.

Copy to the General Manager, MCL, Lakhanpur Area for information and necessary action.

27/2/09

COLLECTOR, JHARSUGUDA.

ZONE OFFICE (MCL) , BRAJRAJNAGAR.
No. 8 4 /ZO, Dated. 06.07. 2009.

To

Sri S.C. Padhy,
Director (Personnel),
Mahanadi Coalfields Ltd,
PO-Jagruti Vihar, Burla.

Sub: Employment to Category-'C' Land oustees of village **Khairkuni** having dwelling houses over Government land.

Ref: Your letter No.MCL/D(P) Sectt./102/09/1131 dated.10.6.2009.

Sir,

In continuance to this Office letter No.71/ZO, dated.25.6.2009, it is further clarified that RORs can not be given to the land oustee families of village Khairkuni, whose dwelling houses are over Govt. basti plot/ unobjectionable land, as because the land is already vested with MCL since 1985, acquired under CBA (A&D) at 1957.

This is for your information and necessary action at your end.

Yours faithfully,

6/7/09

COLLECTOR, JHARSUGUDA.

ZONE OFFICE (MCL) , BRAJRAJNAGAR
No. 85 / Dated. 07.07.2009.

To

The General Manager,
MCL, Lakhanpur Area.

Sub: Clarification on un-objectionable Govt. land pertaining to village Khairkuni.

Ref: Your letter No.MCL/GM/LKPA/L&R/2009/180 dt.6.7.2009.

Sir,

In inviting reference on the subject cited above, it is further clarified that the Government land i.e. kisam - Ata Sadharan (A.sa) , Mal Sadharan (Ma.sa) and Bari.sa are un-objectionable Government land for extending R & R benefits to the land oustee families of village Khairkuni.

This is for your information and necessary action.

Yours faithfully,

Sd/-
COLLECTOR, JHARSUGUDA.

Memo No. 86 / ZO, Dated. 07.07.2009.
Copy to Director, Personnel, MCL Hqrs., Burla for information and necessary action.

COLLECTOR, JHARSUGUDA.

Government of Orissa

OFFICE OF THE REVENUE DIVISIONAL COMMISSIONER,
NORTHERN DIVISION, ORISSA, SAMBALPUR.

****

Letter No. 730 /Res.,
Dated, Sambalpur the 18 th November, 2009

From

Jamil Ahmmed Khan,IAS,
Revenue Divisional Commissioner.

To,

The Chairman-cum-Managing Director,
Mahanadi Coalfields Limited,
Jagruti Vihar, Burla.

Sub: **Clarification on implementation of R&R Policy, 1989 or 2006.**

Sir,

With reference to the above, I am to inform you that it has been clarified by the Government of Orissa in Revenue & Disaster Management Department that Orissa Rehabilitation & Resettlement Policy, 2006 will be applicable to village Kalamchhuin and Birabarpur in the district of Angul for providing R&R benefits by the MCL, Talcher.

This is for information and necessary action.

Yours faithfully,

Revenue Divisional Commissioner,
Northern Division, Sambalpur

D P Sectt. Sambalpur
Receipt No.... 1541 ...
Date.....23.11.09...

7809
28/11/09

GM (R&R)
28/11

AA50
24/XI/09

GOVERNMENT OF ORISSA

REVENUE AND DISASTER MANAGEMENT DEPARTMENT

No. R & R E H -56/10/42388 R&DM, Date. 28/10/2010

From

Sri R.K. Sharma

Commissioner-cum-Secretary to Government.

To

All RDCs/ All Collectors.

Sub: Clarification on "Displaced / Affected families" with reference to Orissa R&R Policy,2006.

Sir,

I am directed to say that it has been brought to the notice of the Government that there are instances of misuse of the provisions of R& R Policy, 2006 by persons who, anticipating acquisition of land for a development project in a particular area, purchase small extent of land and / or construct dwelling house thereon for availing benefits meant for displaced/ affected families.

The intention of the R&R Policy is to provide benefits to people who are actually displaced by projects or whose livelihood is affected by such projects. Persons who are not ordinarily residing in or near the project area, but purchase land just before the land acquisition can not be treated as affected or displaced families. In most such cases, the purpose of such transaction is to avail benefit from the resettlement and rehabilitation packages as per R&R Policy, 2006 often at the cost of the local original land owners who were actually residing in the project area for generations together.

Government after careful consideration have been pleased to clarify that the persons or families who were ordinarily not residing in or near the project area are not eligible for and shall not be enumerated as displaced or affected families for the purpose of Resettlement and Rehabilitation benefits. Persons or families who are normally residing in or near the project areas for a period of at least 3 (three) years prior to the date of section 4(1) notification (under Land acquisition Act) above may be considered as ordinarily residing therein for the purpose of R & R benefits.

The above clarification may be brought to the notice of all concerned.

Yours faithfully,

R.K. Sharma

Commissioner-cum-Secretary to Government.

Memo No. 42389 / R& DM., Dated 20/10/2010

Copy forwarded to All Departments of Government for information and necessary action.

Director(R & R) & Ex-Officio,
Addl. Secy. to Govt.

Memo No. 42390 / R& DM., Dated 20/10/2010

Copy to Director (R&R) and Ex-Officio Additional Secretary to Government, Water Resources Department/ All Spl. LAO's / All PD(R&R)/ All Sub-Collectors/ All LAO's for information and necessary action.

Director(R & R) & Ex-Officio,
Addl. Secy. to Govt.

Memo No. 42391 / R& DM., Dated 20/10/2010

Copy forwarded to Secretary, Board of Revenue, Orissa, Cuttack for information and necessary action.

Director(R & R) & Ex-Officio,
Addl. Secy. to Govt.

Memo No. 42392 / R& DM., Dated 20/10/2010

Copy forwarded to LA(A)/LA(B)/ LA(c) Branch of R & DM Deptt. for information and necessary action.

Director(R & R) & Ex-Officio,
Addl. Secy. to Govt.

Memo No. 42393 / R& DM., Dated 20/10/2010

Copy to Guard file of R&R Cell/ Spare copies (20)/ copy to all officers of Revenue & D.M. Department.

Director(R & R) & Ex-Officio,
Addl. Secy. to Govt.

GOVERNMENT OF ORISSA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
****

SM-132/09 **43974** / R&DM., dtd.29.10.2010

From

Shri B. N. Das,
Special Secretary to Government

To

Member, Board of Revenue, Orissa, Cuttack
All RDCs
All Collectors
DLRS & C, Orissa, Cuttack

Sub: Guidelines for correction of RoR and Maps for forest land in revenue villages for which title has been issued under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in Annexure-II appended to the Rules of 2007 made under the Act.

Sir,

I am directed to say that Government have been pleased to issue a set of guidelines for correction of RoR and Maps to incorporate the rights recognised under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in terms of the Title Certificates issued in respect of forest land in revenue villages. A copy of the said guidelines is sent herewith for favour of your information and necessary action.

Yours faithfully

Sd/-
Special Secretary to Government

Memo No. 43975 / R&DM, dtd. 29.10.2010

Copy with copies of the enclosures forwarded to Commissioner-cum-Secretary to SC & ST Dev. Department / Principal Secretary, Forest and Environment Department for kind information and necessary action.

Sd/-
Special Secretary to Government

GUIDE LINES FOR CORRECTION OF R.O.R. AND MAPS FOR FOREST LAND IN REVENUE VILLAGES FOR WHICH TITLE HAS BEEN ISSUED UNDER THE SCHEDULED TRIBES AND OTHER TRADITIONAL FOREST DWELLERS (RECOGNITION OF FOREST RIGHTS) ACT, 2006 IN ANNEXURE –II APPENDED TO THE RULES OF 2007 MADE UNDER THE ACT.

****

Introduction:

The Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 recognizes and vests forest rights including right to hold and live in the forest land under individual or common occupation for habitation or self-cultivation for livelihood by (i) the forest dwelling Schedule Tribes as defined in section 2(c) and (ii) other traditional forest dwellers who has for at least three generation prior to the 13th day of December, 2005 primarily resided in and who depend on the forest or forest land for bonafied livelihood needs as provided under section 2 (o). Among other forest rights, the provisions of section 3(g) and 3(h) of the Act read with section 4 there of vest in such forest dwelling Scheduled Tribes and other traditional forest dwellers the right for conversion of leases or grants on forest land to titles and settlement and conversion of all Forest villages, old habitation, un-surveyed villages and other villages in forest whether recorded, notified or not into revenue villages. Such rights are heritable but not transferable under sub-section (4) of section 4 of the Act. Sub-section (6) of section 6 of the Act provides that the decision of the District Level Committee on the record of forest rights shall be final and binding. District Level Committees have been formed in each district under sub-section (5) of section 6 of the Act read with rule 7 of the S.T. and OTFD (RFR) Rules, 2007.

Need for correction of R.O.R. and Map:

Rule 8(f) of the aforesaid rules provides that the District Level Committee shall issue directions for incorporation of the forest rights in the relevant government records including record of rights. Rule 8(g) further provides that the Committee shall ensure publication of the record of forest rights as may be finalised.

1. Manner of Correction of R.O.R. and Map:

In view of the above provisions of law, the Tahasildar who maintains the records of right shall on receipt of copies of title for forest land under individual tenure in Annexure-II issued under rule 8(h) of the ST & OTFD(RFR) Rules, 2007 and the sketch map of the said land from the District Level Committee in respect of revenue village, proceed to incorporate the contents of the title in the Record of rights of the Revenue village and correct the R.O.R. and Map accordingly. Wherever necessary, bata plots shall be carved out of original plots as is done during correction of records of rights to give effects to orders in mutation cases and such bata plots given bata numbers in the manner provided in paragraph 81 of the Orissa Mutation Mannual.

2. Joint records in the name of both spouses:

The record shall be prepared jointly in the name of both the spouses in case of married person and in the name of single head in the case of a household headed by a single person as required under sub-section (4) of section of the Act.

3. Status of the land:

In view of the peculiar status of land, new Khatians shall have to be prepared for such land covered under forest right after the existing Government khatas of the village and allotted new numbers following the last in serial of Government Khata. The

status column of the R.O.R. in respect of such forest land under individual tenure shall record the status as "Forest right recognized under the ST & OTFD (RFR) Act, 2006" which in Oriya may read as 'ଅନୁସୂଚିତ ଜନଜାତି ଏବଂ ଅନ୍ୟାନ୍ୟ ପାରମ୍ପରିକ ବନବାସୀଙ୍କର (ଜଙ୍ଗଲ ଅଧିକାର ସ୍ୱୀକୃତି) ଆଇନ୍, ୨୦୦୬ ମୁତାବକ ଦିଆଯାଇଥିବା ଅଧିକାର'

4. Non-transferability of the land :

The forest right conferred under the Act is heritable but not alienable or transferable as mentioned earlier. The special incidence column of the R.O.R. should, therefore, contain the note that the right is heritable but not transferable or alienable which in Oriya may read as "ଏହି ଜଙ୍ଗଲ ଅଧିକାର ପୁରୁଷାନୁକ୍ରମିକ ହେବ କିନ୍ତୁ ହସ୍ତାନ୍ତରିତ କିମ୍ବା ସ୍ଥାନାନ୍ତରିତ ହୋଇପାରିବ ନାହିଁ"।

5. Kissam :

Sub-section (7) of section 4 of the Act of 2006 provides that the forest rights shall be conferred free of all encumbrances and procedural requirements, including clearance under the Forest (Conservation) Act, 1980, requirement of paying the 'net present value' and compensatory afforestation' for diversion of forest land, except those specified in this Act. The jungle kissam of such forest land over which the forest right of individual occupants is recognised will remain unchanged.

6. Supply of certified copy of R.O.R. to the claimant :

Rule 8(h) of the Rules of 2007 provides that the District Level Committees is to ensure that a certified copy of the record of forest rights is provided to the concerned claimant. A certified copy of the

records of right newly created shall, therefore, be provided to the occupants.

7. Correction of records maintained by the R.I. :

The records maintained by the Revenue Inspector shall be similarly corrected for which intimation slip and sketch map may be sent to the Revenue Inspector in duplicate of which one copy will be returned by the R.I. with an endorsement that he has retained one copy with him.

GOVERNMMENT OF ORISSA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
***

No. R & REH-127/2010- **46580** /R&DM dt.15.11.10

From

Shri L.K.Samantaray, OAS (SAG),
Director, R. & R. and Ex-Officio
Additional Secretary to Government.

To

The Collector, Kalahandi.

Sub: **Providing D.P. status to ladies above 18 years of age at par with the males under Orissa R. & R. Policy, 2006.**

Sir,

In inviting a reference to your letter No. 217 dated 4.8.2010 on the subject cited above, I am directed to say that Government after careful consideration have decided that the daughters above 18 years but below 30 years of the land losers will not be treated as separate families for rehabilitation benefit under R. & R. Policy, 2006.

Yours faithfully,

15.11.10
Director (R&R) and Ex-Officio
Addl. Secretary to Government

Memo No. **46581** /R&DM dt.15.11.10

Copy forwarded to all Departments/ Secretary, Board of Revenue, Orissa, Cuttack/ All R.D.Cs./All Collectors (Except Collector, Kalahandi)/ All L.A.Os./All Spl. L.A.Os. for information and necessary action.

15.11.10
Director (R&R) and Ex-Officio
Addl. Secretary to Government

Memo No. **46582** /R&DM dt.15.11.10

Copy forwarded to all Officers/OIC., I.M.U./All Sections of Revenue & D.M. Department for information and necessary action.

5 (Five) copies to Guard File.

15.11.10
Director (R&R) and Ex-Officio
Addl. Secretary to Government

GOVERNMMENT OF ORISSA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
***

No. R & REH-127/2010- **46583** /R&DM dt. 15.11.10

From

Shri L. K. Samantaray, OAS (SAG),
Director, R. & R. and Ex-Officio
Additional Secretary to Government

To

The Collector, Angul

Sub: **Clarification on providing rehabilitation benefit to the grandsons of the land oustees / awardees.**

Sir,

In inviting a reference to your letter No. 1948 dated 18.10.2010 on the subject cited above, I am directed to say that Government have been pleased to decide that the grandsons of the land losers will not be treated as separate family for rehabilitation benefit under R. & R. Policy, 2006.

Yours faithfully,

15.11.10

Director (R&R) and Ex-Officio
Addl. Secretary to Government

Memo No. **46584** /R&DM dt.15.11.10

Copy forwarded to all Departments/ Secretary, Board of Revenue, Orissa, Cuttack/ All R.D.Cs./All Collectors (Except Collector, Angul)/ All L.A.Os./All Spl. L.A.Os. for information and necessary action.

15.11.10

Director (R&R) and Ex-Officio
Addl. Secretary to Government

Memo No. **46585** /R&DM dt.15.11.10.

Copy forwarded to all Officers/OIC., I.M.U./All Sections of Revenue & D.M. Department for information and necessary action.

5 (Five) copies to Guard File.

15.11.10

Director (R&R) and Ex-Officio
Addl. Secretary to Government

Government of Orissa
Revenue & Disaster Management Department
****

No.R&REH-70/10-**51633**/R&DM, dated **15.12.10**

Resolution

Sub: Orissa Resettlement & Rehabilitation Policy, 2006 – biennial revision of the rehabilitation grants in monetary terms.

The Orissa Resettlement & Rehabilitation Policy, 2006 was published in Orissa Gazette Extraordinary No.651 dated the 15th May 2006 and came into effect on that date. In the said Policy, cash in lieu of rehabilitation assistance towards self-relocation, house building and employment etc. has been quantified. As per paragraph 13 of the Policy, Rehabilitation Grant will be indexed to the Wholesale Price Index (WPI) with 01.04.2006 as the reference date and will be revised by the Government once in every two years thereafter on the basis of WPI. Accordingly, in the Resolution vide No.36358-R&REH-124/2008/R&DM dt.21.08.2008, revision has been made as indicated in Col-4 of the table noted below. There is need for revision of the rate for further two years.

Therefore, in pursuance of the aforesaid provision, the State Government do hereby make the following revision of rehabilitation grant in monetary terms relating to the specified component as indicated in Col-5 mentioned below.

Sl. No.	Description of the component	Relevant provision of the policy.	Existing rate as per Resolution No.36358 dt.21.08.2008.	Revised rate
(1)	(2)	(3)	(4)	(5)
1.	Assistance for self-relocation (elsewhere other than the resettlement habitat)	Paragraph 8.I(e), 8.II(e), 8.III(a), 8.IV (a)	Rs.56,000/-	Rs.63,000/-
2.	House Building Assistance	Paragraph 8.I(f), 8.II(f), 8.III(b), 8.IV(b)	Rs.1,66,000/-	Rs.1,87,000/-
3.	One time financial assistance in lieu of employment for industrial projects	Paragraph 8.1 (a) (i) Displaced families coming under Category (i)	Rs.5,52,000/-	Rs.6,21,000/-
		(ii) Displaced families coming under Category (ii)	Rs.3,31,000/-	Rs.3,73,000/-
		(iii) Displaced families coming under Category (iii)	Rs.2,21,000/-	Rs.2,49,000/-
		(iv) Families coming under Categories (iv) & (v)	Rs.1,11,000/-	Rs.1,25,000/-
4.	One time financial assistance in lieu of employment for mining projects	Paragraph 8.1 (a) (i) Displaced families coming under Category (i)	Rs.5,52,000/-	Rs.6,21,000/-
		(ii) Displaced families coming under Category (ii)	Rs.3,31,000/-	Rs.3,73,000/-
		(iii) Displaced families coming under Category (iii)	Rs.2,21,000/-	Rs.2,49,000/-
		(iv) Families coming under Categories (iv) & (v)	Rs.1,11,000/-	Rs.1,25,000/-
5.	Assistance for agricultural land.	Paragraph-8.III (c) per acre of irrigated land.	Rs.1,11,000/-	Rs.1,25,000/-
		Per acre of non-irrigated land.	Rs.56,000/-	Rs.63,000/-

6.	Maintenance Allowance.	Paragraph-10 (a)	Rs.2, 300/- per month.	Rs.2, 500/- per month.
7.	Assistance for temporary shed.	Paragraph-10 (b)	Rs.11,100/-	Rs.12,500/-
8.	Transportation Allowance.	Paragraph-10 (c)	Rs.2,300/-	Rs.2,500/-

This has been concurred in by Finance Department vide their UOR No.4766/PSF dt.03.09.10.
This Resolution will take immediate effect.

ORDER

Ordered that the Resolution be published in the extraordinary issue of Orissa Gazette for general information of the public and copies of the same be forwarded to Government of India, Ministry of Rural Development/Ministry of Tribal Affairs/Ministry of Social Justice & Empowerment/All Departments of Government/All Heads of Department/All Revenue Divisional Commissioners/All Collectors/Secretary, Board of Revenue/C.M.D., IDCO/M.D., IPICOL/A.G., Orissa, Bhubaneswar/D.A.G. (Works), Puri for information.

By Order of the Governor

R.K.Sharma
Commissioner-cum-Secretary to Government.

Memo No.**51634**/R&DM, dated the **15.12.10**

Copy along with soft copy (CD) forwarded to the Director, Printing, Stationery and Publication, Orissa, Cuttack with a request to publish the Resolution in the Extraordinary issue of Orissa Gazette and supply 200 copies to this Department.

15/12/10
Director, R&R and
Ex-officio Addl. Secretary to Govt.

Memo No.**51635**/R&DM, dated the **15.12.10**

Copy forwarded to all Departments of Government/All Heads of Departments/Revenue Divisional Commissioners/Collectors for information and necessary action.

15/12/10
Director, R&R and
Ex-officio Addl. Secretary to Govt.

Memo No.**51636**/R&DM, dated the **15.12.10**

Copy forwarded to Accountant General, Orissa, Bhubaneswar/Deputy Accountant General (Works), Puri for kind information.

15/12/10
Director, R&R and
Ex-officio Addl. Secretary to Govt.

Memo No.**51637**/R&DM, dated the **15.12.10**

Copy forwarded to Principal Secretary to Chief Minister, Orissa for kind information.

15/12/10

Director, R&R and
Ex-officio Addl. Secretary to Govt.

Memo No.**51638**/R&DM, dated the **15.12.10**

Copy forwarded to P.S. to Minister, Revenue & Disaster Management/P.S. to Food Supplies & Consumer Welfare/P.S. to Chief Secretary/P.S. to Commissioner-cum-Secretary, Revenue & Disaster Management Department for kind information of the Hon'ble Ministers/Chief Secretary/Commissioner-cum-Secretary.

15/12/10

Director, R&R and
Ex-officio Addl. Secretary to Govt.

Memo No.**51639**/R&DM, dated the **15.12.10**

Copy to Guard file for record.

15/12/10

Director, R&R and
Ex-officio Addl. Secretary to Govt.

Memo No.**51640**/R&DM, dated the **15.12.10**

Copy to OIC, IMU/ All Spl. LAOs for information and necessary action.

15/12/10

Director, R&R and
Ex-officio Addl. Secretary to Govt.

GOVERNMENT OF ORISSA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
****

No. R&REH - 47/10 - 25975 /R&DM, Date.17.06.11

From
Sri R.K. Sharma,IAS
Commissioner- cum- Secretary to Government.

To
All Revenue Divisional Commissioners
All Collectors
Director, Land Records, Surveys & Consolidation, Orissa, Cuttack
The Secretary, Board of Revenue, Orissa, Cuttack

Sub: Clarification on issue of RoR in respect of Resettlement and Rehabilitation Colonies.

Sir/Madam,

The matter of prescription of guidelines for issue of Record of Rights (Pattas) in respect of land to be utilized for Resettlement and Rehabilitation (R&R) Colonies for various projects was under consideration of Government for some time. After careful consideration, Government have been pleased to prescribe the following guidelines in this regard.

In respect of each project involving displacement and resettlement, the project authority shall prepare a master plan showing details of the area to be allotted in favour of the individual oustee as well as details of land required for common facilities like road, dispensary, community centre, anganabadi centre, school, nursery, places for worship, burial/ funeral ground etc. and they shall furnish the same to Project Director, R&R and in case the land acquisition is done through IDCO a copy of the same is to be furnished to IDCO. In the districts where there is no Project Director, R&R, the Land Acquisition

Officer/Special LAO, as the case may be, shall carry out the functions of Project Director, R&R for the respective project.

1. **Procedure to be followed where the sanction of lease has been made and lease executed**:

IDCO/ Project Authority, as the case may be, shall execute a deed of surrender with the lessor i.e. the Collector represented by the Tahasildar in respect of the portion of land to be utilized for houses of the displaced persons. The possession, if already taken by the lessee, i.e. Project / Authority/ IDCO, will be handed over to the concerned Tahasildar. The procedure for distribution of RoR (Pattas) in favour of displaced persons will be as laid down in Para-3.

2. **Procedure to be followed where lease of land has been sanctioned but lease deed has not been not executed :**

The sanction order issued in favour of the project authority/ IDCO will be revised keeping in view the approved master plan of the rehabilitation colony so that land required for common facilities only shall be leased in favour of the project authority/ IDCO, as the case may be. The balance land meant to be allotted in fovour of displaced persons will be retained in the Government Khata (RoR). Out of this upto 0.10 decimals of land will be leased out without payment of premium afresh in favour of each displaced family. For such individual lease cases public notice inviting objections is to be dispensed with since before acquiring or alienating or leasing out the whole land for the rehabilitation colony, general notice of proclamation would have been issued and objections if any would have been heard and disposed of.

3. <u>Procedure to be followed in new cases where sanction will be made and there shall be construction of proposed R&R Colonies.</u>

The master plan of the rehabilitation colony as mentioned above has to be approved by the Collector. The land required for common facilities will be leased out in favour of the IDCO/ Project authority, as the case may. Thereafter Pattas (RoR) for the individual outstees is to be issued by the Tahasildar without payment of premium. For achieving this objective the procedure to be followed is as follows :

i) The land where individual plots are proposed to be allotted inside the R&R colony will remain in the Government Khata and the area earmarked for common facilities will be leased out for 15 years in favour of the project authority/ IDCO. In cases where lease is sanctioned in favour of IDCO, the IDCO may sub-lease the land to the project authority.

ii) The project authority will develop the area earmarked for individual plots as well as common infrastructure and will intimate the same to Project Director, R&R/ LAO/Special LAO, as the case may be, regarding the progress. A committee under chairmanship of Project Director, R&R with Tahasildar and representative of project authority as members will oversee the construction and maintenance of common facilities in the Rehabilitation Colony. A list of displaced families with plot numbers will be furnished by the project authority to the Project Director, R&R who will approve it before recommending to the Tahasildar for issue of Patta(RoR).

iii) After getting the letter from the Project Director, R&R/ LAO/ Special LAO, the Tahasildar will sanction lease in favour of the displaced families. The land so leased will not be transferable for a period of 20 years without the approval of the Collector. The amount of premium paid at the time of lease by the project authority will be deemed to have been premium paid by the lessee. He/ she shall not be required to pay premium afresh, but will be liable to pay ground rent and cess at the applicable rates every year.

4. <u>Maintenance of community assets in the R&R Colonies:</u>

i) The community assets in the R&R Colony such as schools, anganwadis, nurseries, health institutions, burial/ funeral grounds, play grounds etc. will be maintained by the Project Authorities for a period of at least 15 (fifteen) years or until their transfer to a government department/ agency/ local body. Respective government departments, for example, Health & Family Welfare, Youth and Sports, W&CD, Education etc. will be advised to accept the respective institutions coming under the community assets to be surrendered by the Project Authorities, wherever such arrangements are considered desirable.

ii) Efforts will be made by the RPDAC/ R&R officer to make arrangements for taking over of maintenance of the community assets by agency concerned beyond the period of 15 years. Until transfer of asset to another agency, the project authorities will continue to maintain the assets at their cost.

iii) On transfer of the assets to the respective government agency etc, the land relating to such asset will be alienated in favour of such agency and the revenue records will be corrected by the Tahasildar accordingly.

iv) In case of R&R Colonies of projects directly implemented by a government department/ agencies, land alienation/ lease in favour of such government departments will be made instead of sanctioning permissive possession for areas other than individual plots assigned to displaced families in these Colonies. Remaining provisions of these guidelines will, however, be applicable in such cases also.

These guidelines may be brought to the notice of all concerned. Rehabilitation and Periphery Development Advisory Committee (RPDAC) will be the overall supervisory body for implementation of this circular. Difficulties, if any, in implementation may be brought to the notice of the undersigned.

Yours faithfully,

Sd/-

Commissioner-cum-Secretary to Government

Memo No. 25976/R&D.M. dtd. 17.06.11

Copy to all Departments, of Government for information and necessary action.

Director, R&R &Ex-officio Addl. Secy. to Government

Memo No. 25977/R&D.M. dtd. 17.06.11

Copy to P.S to Chief Minister/ P.S to Minister, Revenue & D.M. Department for kind information of Hon'ble Chief Minister/ Hon'ble Minister, Revenue & D.M.

Director, R&R &Ex-officio Addl. Secy. to Government

Memo No. 25978/R&D.M. dtd. 17.06.11

Copy to OSD to Chief Secretary/ P.S to Development Commissioner for kind information of Chief Secretary/ Development Commissioner.

Director, R&R &Ex-officio Addl. Secy. to Government

Memo No. 25979/R&D.M. dtd. 17.06.11

Copy to CMD, IDCO/ Director (R&R), WR Department for information and necessary action.

Director, R&R &Ex-officio Addl. Secy. to Government

Memo No. 25980/R&D.M. dtd. 17.06.11

Copy to OIC, IMU, Revenue & D.M. Department/ Guard File/ all sections in LA and R&R branches for information and necessary action.

Director, R&R &Ex-officio Addl. Secy. to Government

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
***

No. R & REH -~~12705~~-1/12- 671 /R&DM, Date 05.01.12

From

Sri S.S.Nayak,
Director(R & R) and Ex-Officio,
Addl. Secy. to Government

To

The Revenue Divisional Commissioner (Northern Division), Sambalpur

GM(C&R)

Sub: Clarification related to implementation of R&R Policies in MCL

Sir,

In inviting a reference to the subject noted above, I am directed to say that the Mahanadi Coalfields Limited has sought some clarifications regarding R&R Policy vide their Letter No.2145 dated 8.7.11. A copy of the letter is enclosed for your reference. The matter has been carefully examined and the Government have been pleased to clarify as follows:

1. **Employment to grand child in the event if father is employed against the rehabilitation benefit for particular acquisition-** Employment to grand children is not contemplated in the Odisha R&R Policy, 2006. However, major sons of the land losers should be provided employment in terms of the Odisha R&R Policy as applicable for the mining projects.

2. **Employment to married daughter, who is awardees and resides in the village-** Employment is admissible only to the displaced families as defined in the Odisha R&R Policy, 2006. Daughter of the family, after marriage, ceases to be a member of the respective family and becomes a part of family of her husband. Even if she receives compensation in the land acquisition proceedings as her share in the ancestral property of her father, she would not be entitled for R&R benefits as she is not a part of the family of the land loser. Only the woman divorcees/widows have been treated as separate family and married daughter would not be eligible for R&R assistance even if she is residing in the same village.

3. **Rehabilitation package in respect of land acquired for infrastructure such as rehabilitation sites, roads etc. and not for mining purpose-** Provision of land for R&R Colony is an integral part of the mining project and the displaced family shall be entitled for the same R&R package as in the case of mining project. Only in the cases where land is to be acquired for roads beyond the mining area, the R&R benefits may be regulated by the R&R package applicable for linear projects.

4. **Allotment of Plot/cash in lieu of plot-** The MCL has suggested that where house sites are provided to the sons of the land loser, the land loser should not be provided a separate plot as his plot/ house will also ultimately devolve to his sons. This suggestion of the MCL is not

accepted. They may be advised to provide house site etc. separately to the original family as well as to each of the separate families as per the R&R Policy.

5. **Employment to unmarried daughter above 30 years-** MCL has pointed out that there are instances where the daughter was unmarried and more than 30 years old on the cut off date but got married by the time her case were processed for rehabilitation benefits and they are claiming employment as per the provisions of the R&R Policy which treats unmarried daughters above 30 years as separate family. Consequent to marriage, the daughter becomes part of the family of her husband and is not to be treated as a displaced family. However, such stand may result in unmarried daughter above 30 years of age to defer their marriage till their cases are processed for rehabilitation benefits. Taking a liberal view, it is clarified that the marital status of the daughter as on the cut-off date may be retained as the basis for determining her eligibility for R&R benefits. Unmarried daughters above 30 years of age as on cut-off age should not be deprived of R&R benefits if they get married after the cut-off date and before processing of the claim for R&R benefits.

Yours faithfully,

4.1.012

Director(R & R) & Ex-Officio,
Addl. Secy. to Govt.

Memo No. 672 / R& DM., Dated 05.01.12

Copy forwarded to Secretary, Board of Revenue, Odisha, Cuttack for information and necessary action.

4.1.012

Director(R & R) & Ex-Officio,
Addl. Secy. to Govt.

Memo No. 673 / R& DM., Dated 05.01.12

Copy forwarded to Revenue Divisional Commissioner (Central Division), Cuttack/ Revenue Divisional Commissioner (Southern Division), Berhampur / All Collectors of Government for information and necessary action.

4.1.012

Director(R & R) & Ex-Officio,
Addl. Secy. to Govt.

Memo No. 674 / R& DM., Dated 05.1.12

Copy forwarded to the Director(Personnel), Mahanadi Coalfields Limited, Jagruti Vihar, Burla, Sambalpur for information and necessary action with reference to his letter No.2145 dated 8.7.2011.

4.1.012

Director(R & R) & Ex-Officio,
Addl. Secy. to Govt.

Government of Odisha
Revenue & Disaster Management Department
****

No.R&REH-60/12- 31780 /R&DM, dated 10/ 7/ 2012

Resolution

Sub: Odisha Resettlement & Rehabilitation Policy, 2006 – 3rd biennial revision of the rehabilitation grants in monetary terms.

In pursuance of provision under paragraph 13 of the Odisha Resettlement & Rehabilitation Policy 2006, the State Government do hereby make the following revision of rehabilitation grants in monetary terms:-

Sl. No.	Description of the components	Relevant provision of the policy.	Existing rate as per Resolution No.51633 dt.15.12.2010.	Revised rate w.e.f. dt.01.04.2012
(1)	(2)	(3)	(4)	(5)
1.	Assistance for self-relocation (elsewhere other than the resettlement habitat)	Paragraph 8.I(e), 8.II(e), 8.III(a), 8.IV (a)	Rs.63,000/-	Rs.75,000/-
2.	House Building Assistance	Paragraph 8.I(f), 8.II(f), 8.III(b), 8.IV(b)	Rs.1,87,000/-	Rs.2,24,000/-
3.	One time financial assistance in lieu of employment for industrial projects	Paragraph 8.I (a) (i) Displaced families coming under Category (i)	Rs.6,21,000/-	Rs.7,47,000/-
		(ii) Displaced families coming under Category (ii)	Rs.3,73,000/-	Rs.4,48,000/-
		(iii) Displaced families coming under Category (iii)	Rs.2,49,000/-	Rs.2,99,000/-
		(iv) Families coming under Categories (iv) &(v)	Rs.1,25,000/-	Rs.1,50,000/-
4.	One time financial assistance in lieu of employment for mining projects	Paragraph 8.II .3 (i)Displaced families coming under Category (i)	Rs.6,21,000/-	Rs.7,47,000/-
		(ii) Displaced families coming under Category (ii)	Rs.3,73,000/-	Rs.4,48,000/-

		(iii) Displaced families coming under Category (iii)	Rs.2,49,000/-	Rs.2,99,000/-
		(iv) Families coming under Categories (iv), (v) & (vi)	Rs.1,25,000/-	Rs.1,50,000/-
5.	Assistance for agricultural land.	Paragraph-8.III (c) per acre of irrigated land.	Rs.1,25,000/-	Rs.1,50,000/-
		Per acre of non-irrigated land.	Rs.63,000/-	Rs.75,000/-
6.	Maintenance Allowance.	Paragraph-10 (a)	Rs.2, 500/- per month.	Rs.3, 000/- per month.
7.	Assistance for temporary shed.	Paragraph-10 (b)	Rs.12,500/-	Rs.15,000/-
8.	Transportation Allowance.	Paragraph-10 (c)	Rs.2,500/-	Rs.3,000/-

This has been concurred in by Finance Department vide their UOR No.3002/PSF dt.19.05.2012. and No.3468/PSF dated.22.06.2012

This Resolution will take effect from 1st April 2012

ORDER

Ordered that the Resolution be published in the extraordinary issue of Odisha Gazette for general information of the public and copies of the same be forwarded to Government of India, Ministry of Rural Development/Ministry of Tribal Affairs/Ministry of Social Justice & Empowerment/All Departments of Government/All Heads of Department/All Revenue Divisional Commissioners/All Collectors/Secretary, Board of Revenue/C.M.D., IDCO/M.D., IPICOL/A.G., Odisha, Bhubaneswar/D.A.G. (Works), Puri for information.

By Order of the Governor

6.7.12

Principal Secretary to Government.

Memo No. 31781 /R&DM, dated 10/7/2012

Copy along with soft copy (CD) forwarded to the Director, Printing, Stationery and Publication, Odisha, Cuttack / Commerce &Transport(Commerce) Department with a request to publish the Resolution in the Extraordinary issue of Odisha Gazette and supply 200 copies to this Department.

10.7.2012

Director, R&R and Ex-officio
Addl. Secretary to Govt.

Memo No. 31782 /R&DM, dated 10/7/2012

Copy forwarded to All Departments of Government/All Heads of Departments/ All Revenue Divisional Commissioners / All Collectors /All LAOs/All Spl. LAOs/ All PD(R&R)/ All Zone officers for information and necessary action.

6.7.012

Director, R&R and Ex-officio
Addl. Secretary to Govt.

Memo No. 31783 /R&DM, dated 10/7/2012

Copy forwarded to Accountant General, Odisha, Bhubaneswar/Deputy Accountant General (Works), Puri for kind information.

6.7.012

Director, R&R and Ex-officio
Addl. Secretary to Govt.

Memo No. 31784 /R&DM, dated 10/7/2012

Copy forwarded to Principal Secretary to Chief Minister, Odisha for kind information.

6.7.012

Director, R&R and Ex-officio
Addl. Secretary to Govt.

Memo No. 31785 /R&DM, dated 10/7/2012

Copy forwarded to P.S. to Minister, Revenue & Disaster Management/P.S. to Chief Secretary/P.S. to Principal Secretary to Government, Revenue & Disaster Management Department for kind information of the Hon'ble Minister/Chief Secretary/ Secretary /Principal Secretary

6.7.012

Director, R&R and Ex-officio
Addl. Secretary to Govt.

/Memo No. 31786 /R&DM, dated 10/7/2012

Copy to OIC, IMU/LA(A)/LA(B)/LA(C) Sections of Revenue & D.M. Department for information and necessary action.

6.7.012

Director, R&R and Ex-officio
Addl. Secretary to Govt.

Memo No. 31787 /R&DM, dated 10/7/2012

Copy to Guard file(R&R Cell) for record.

6.7.012

Director, R&R and Ex-officio
Addl. Secretary to Govt.

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

RDM-RRC-CLRFIC-0001-2012- 4507/RD dtd.- 19-10-12

From,

S. S. Nayak
Dir.,(R&R) and Ex-officio
Addl. Secretary to Govt.

To,

Collector, Jharsuguda

Sub: Regarding R&R benefit to married daughter (awardees)

Sir,

In inviting a reference to your L.No.5856 dated. 11.7.12 on the subject cited above, I am directed to say that after careful consideration , Government have been pleased to decide as follows in supersession of previous clarifications issued in the matter :

1. A married daughter primarily residing in the project area along with her spouse and children for a period of not less than 3 years prior to the date of publication of notification for acquisition of land under the provisions of relevant Acts and declared as an awardee, will be eligible for R&R benefits as displaced family provided that neither that married daughter nor her spouse possess any homestead land and dwelling house anywhere else in the State of Odisha and if on account of acquisition of her homestead land with dwelling house her family is displaced from the project area .

2. A married daughter primarily residing in the project area along with her spouse and children for a period of not less than 3 years prior to the date of publication of notification for acquisition of land under the provisions of relevant Acts and declared as an awardee , will be eligible for R&R benefits as an affected family and for determination of benefits, total extent of land owned by her as well as her spouse will be taken into account.

Yours faithfully,

19.10.2012

Dir., (R&R) and Ex-officio
Addl. Secretary to Govt.

46786

Memo No. /R&DM dtd. 19.10.12

Copy forwarded to all Departments / Secretary, Board of Revenue, Odisha,Cuttack/all RDCs/all Collectors(Except Collector, Jharsuguda)/all LAOs/all Special LAOs for information & necessary action.

19.10.012

Director, R&R and Ex-Officio
Addl. Secretary to Government

46787

Memo No. /R&DM dtd. 19.10.12

Copy forwarded to all officers /all sections of R&DM Department for information & necessary action.

IMU Cell is requested to upload this clarification on the web portal of R&DM Department.

20(Twenty) copies to Guard File.

19.10.012

Director, R&R and Ex-Officio
Addl. Secretary to Government

Government of Odisha,
Revenue and Disaster Management Department

R&REH-1/12- [illegible] /R&DM., Dated [illegible]

From

Dr. Taradatt, IAS
Principal Secretary to Government.

To,

All Collectors.

Sub: Clarification on providing rehabilitation benefits to the grandsons of land losers.

Sir,

In inviting a reference to this Department Letter No. 46583 dated 15.11.2010 and Memo No. 46584 dated 15.11.2010 on the subject mentioned above, I am directed to say that after careful reconsideration of the matter, Government have been pleased to decide as follows in supersession of the previous clarification issued vide this Department letter No.46583 dated 15.11.2010:

" As major sons of land losers irrespective of their marital status are not part of family as per definition of family provided under para 2(f) of the Odisha R&R Policy,2006 and are treated as 'separate family' for the purpose of extending rehabilitation benefits under the Policy; a grandson who has attained the age of 18 years on or before the cutoff date would be eligible to be treated as a 'separate family' for the purpose of extending rehabilitation benefits subject to the terms and conditions of Odisha R&R Policy,2006."

This is for your information and necessary action.

Yours faithfully,

Principal Secretary to Government

Memo No. 39853 /R&DM., dt. [illegible]

Copy forwarded to All Departments/ Board of Revenue, Odisha, Cuttack/All RDCs/ All LAOs/ All Spl. LAOs/All P.D (R&R) for information and necessary action with reference to this Department Memo No.46584 dated 15.11.2010.

Principal Secretary to Government

Memo No. 39854 /R&DM., Dt. [illegible]

Copy forwarded to all Officers and all sections of Revenue and Disaster Management Department for information and necessary action with reference to this Department Memo No.46585 dated 15.11.2010.

IMU Cell to immediately post this revised clarification on the web portal of R&DM Department.

10 copies to Guard File.

Principal Secretary to Government.

Government of Odisha
Revenue and DM Department
***

No 44019 /R&DM, Bhubaneswar, dated the 23rd Nov' September, 2013
GE(GL)-5-63/13

From
Dr Taradatt, IAS
Additional Chief Secretary

To
All RDCs
All Collectors
All Sub-Collectors
All Tehsildars

Sub:- Clarification regarding classification of land in the RoR

Sir,

I am directed to invite a reference to this Department's letter no 43968/R&DM, date 24-10-2011 and to say that doubts have been entertained at different quarters as to whether the provisions of Forest(Conservation) Act, 1980 are attracted to the land recorded as forest in the sabik records but subsequently classified as non-forest in the Hal Record of Rights.

Government after careful examination of the issue have been pleased to clarify that if RoR prepared under the statute does not recognize any land as forest, the same may be treated as non-forest land. So long the

entry of the Hal RoR as non-forest land stands good, the Forest (Conservation) Act, 1980 will not be applicable to those lands. However, presumption under the RoR is rebuttable and the unless the entry in the RoR is changed by the competent authority in due procedure of law the same shall hold good. In this regard, it should be seen that there is no mismatch between the RoR text and the corresponding cadastral maps.

Further, In view of the affidavit filed by the State Government in WP(C) no 202/1995, the lands included within the list filed before the Hon'ble Apex Court may be treated as forest land and which are not included in the list may be treated as non-forest land.

Yours faithfully

22.11.13

Additional Chief Secretary

Memo No 44020 Date 23.11.13

Copy forwarded to Principal Secretary, Forest and Environment Department/ Principal Chief Conservator of Forests, Odisha, for kind information and necessary action.

22.11.13

Additional Chief Secretary

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

******

RDM-RRC-POLICY-0008-2014- 22127 dtd. 28.7.14

RESOLUTION

Sub: Odisha Resettlement & Rehabilitation Policy, 2006 – 4th biennial revision of the rehabilitation grants in monetary terms.

In pursuance of provision under paragraph 13 of the Odisha Resettlement & Rehabilitation Policy 2006, the State Government do hereby make the following revision of rehabilitation grants in monetary terms:-

Sl. No.	Description of the components	Relevant provision of the policy.	Existing rate as per Resolution No.31780 dt.10.07.2012.	Revised rate w.e.f. dt.01.04.2014
(1)	(2)	(3)	(4)	(5)
1.	Assistance for self-relocation (elsewhere other than the resettlement habitat)	Paragraph 8.I(e), 8.II(e), 8.III(a), 8.IV (a)	Rs.75,000/-	Rs.85,000/-
2.	House Building Assistance	Paragraph 8.I(f), 8.II(f), 8.III(b), 8.IV(b)	Rs.2,24,000/-	Rs.2,55,000/-
3.	One time financial assistance in lieu of employment for industrial projects	Paragraph 8.I (a) (i) Displaced families coming under Category (i)	Rs.7,47,000/-	Rs.8,50,000/-
		(ii) Displaced families coming under Category (ii)	Rs.4,48,000/-	Rs.5,10,000/-
		(iii) Displaced families coming under Category (iii)	Rs.2,99,000/-	Rs.3,40,000/-
		(iv) Families coming under Categories (iv) &(v)	Rs.1,50,000/-	Rs.1,70,000/-

4.	One time financial assistance in lieu of employment for mining projects	Paragraph 8.II .3 (i)Displaced families coming under Category (i)	Rs.7,47,000/-	Rs.8,50,000/-
		(ii) Displaced families coming under Category (ii)	Rs.4,48,000/-	Rs.5,10,000/-
		(iii) Displaced families coming under Category (iii)	Rs.2,99,000/-	Rs.3,40,000/-
		(iv) Families coming under Categories (iv), (v) & (vi)	Rs.1,50,000/-	Rs.1,70.000/-
5.	Assistance for agricultural land.	Paragraph-8.III (c) per acre of irrigated land.	Rs.1,50,000/-	Rs.1,70.000/-
		Per acre of non-irrigated land.	Rs.75,000/-	Rs.85,000/-
6.	Maintenance Allowance.	Paragraph-10 (a)	Rs.3, 000/- per month.	Rs.3,400/- per month.
7.	Assistance for temporary shed.	Paragraph-10 (b)	Rs.15,000/-	Rs.17,000/-
8.	Transportation Allowance.	Paragraph-10 (c)	Rs.3,000/-	Rs.3,400/-

This has been concurred in by Finance Department.

This Resolution will take effect from 1st April 2014.

ORDER

Ordered that the Resolution be published in the extraordinary issue of Odisha Gazette for general information of the public and copies of the same be forwarded to Government of India, Ministry of Rural Development/Ministry of Tribal Affairs/Ministry of Social Justice & Empowerment/All Departments of Government/All Heads of Department/All Revenue Divisional Commissioners/All Collectors/Secretary, Board of Revenue/C.M.D., IDCO/M.D., IPICOL/A.G., Odisha, Bhubaneswar/D.A.G. (Works), Puri for information.

By Order of the Governor

28.7.14

Additional Chief Secretary to Government

URGENT
By FAX/ E-mail & POST

GOVERNMENT OF ODISHA
REVENUE & DISASTER MANAGEMENT DEPARTMENT

No. RDM-RRC-CLRFIC-0001-2012- 35231 /R&DM dated. 22.11.14

From,

Dr. Taradatt, IAS
Addl. Chief Secretary

To,

The Collector, Angul

Sub: Providing rehabilitation benefits to the grandsons of the land losers

Ref: Letter No. 880 dated 10.2.14 and Letter No. 910 dated 4.3.14 of the Director (Technical/Project and Planning), MCL, Jagruti Vihar, Burla, Sambalpur and this Department letter No. 8783 dated 20.3.14 letter No. 21550 dated 24.7.14 ,letter No. 23849 dated 13.8.14 and letter No. 28137 dated 22..9.14.

Sir,

In inviting a reference to your office letter No. 987 dated 15.9.14 on the subject cited above, I am say that as per the paragraph 18 (b) of the Odisha R&R Policy, 2006; the PD (R&R)shall be the Chief Coordinating Officer between all the line Departments in the matter of Resettlement and Rehabilitation and he will be responsible for implementation of the policy and timely execution of R&R works under the overall supervision and guidance of the Collector and the Directorate of R&R .In case of lesser magnitude of R&R work ,the same can be undertaken by the LAO of the Collectorate. Now, two officers i.e. one PD(R&R) and another Spl. LAO have been appointed and are discharging their duties under your active administrative control. Therefore, there is no necessity for appointment of another Class-I OAS Officer for the purpose of rehabilitation.

5238 02/12/14

As per the paragraph 1 of the Odisha R&R Policy, 2006, the Odisha R&R Policy shall apply to all those projects for which acquisition of private land under L.A. Act, 1894 or under any other law for the time being is in force or proclamations inviting objections in case of Government land is notified. Therefore, the Odisha R&R Policy, 2006 shall be made applicable for the cases where LA proceedings continued beyond 15.5.2006. Moreover, after careful consideration, the Odisha R&R Policy, 2006 was amended in 2013 which provides that major son / grandson, major unmarried daughter, major granddaughter and major unmarried sister will be treated as separate family. As such, the question of review by Government for such inclusion in the Odisha R&R Policy, 2006 as requested by the MCL does not arise.

You are, therefore, requested to take immediate steps for identification of the eligible beneficiaries and provide them benefits as admissible in terms of Odisha R&R Policy, 2006 without further lingering the matter.

This may please be treated as '**Extremely Urgent**'.

Yours faithfully

22.11.14

Addl. Chief Secretary

Kindly do the needful

महानदी कोलफील्ड्स लिमिटेड
नि (तक) यौ/परि/D (T) P&P
प्राप्ति/Rec. 7143
दिनांक/Dt. 26/11/14

Smt S.

All GMs.

04/12/2014.

Memo No. 35232 /R&DM dated 22-11-14

Copy forwarded to the Director (Technical/Project and Planning), MCL, Jagruti Vihar, Burla, Sambalpur for information & necessary action with reference to his Letter No. 880 dated 10.2.14 and Letter No. 910 dated 4.3.14.

22.11.14
Addl. Chief Secretary

Memo No. 35233 /R&DM dated 22-11-14

Copy forwarded to RDC(ND), Sambalpur /CMD, MCL, Angul for information & necessary action.

22.11.14
Addl. Chief Secretary

Memo No. 35234 /R&DM dated 22-11-14

Copy forwarded to the Additional Secretary to Govt., Govt. of India, Ministry of Coal, Shastri Bhawan , New Delhi for information & necessary action with reference to his D.O. Letter No. 54017/12/2010-PRIW-I dated 16.4.14 and dated 16.7.14 .

22.11.14
Addl. Chief Secretary

12

BY FAX / POST

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

******

No. RDM-RRC-CLRFIC-0001-2012 23453 /R&DM dated 14.08.15

From

Shri Julius Lakra, IAS,
Additional Secretary to Government

To

The Director, Technical (Project & Planning) Secretariat
PO- Jagruti Vihar, Burla
Dist- Sambalpur

R&R Deptt, MCL HQ. Receipt No. 6681 Dt. 24/8/15

Sub: Clarification on implementation of Resettlement and Rehabilitation Policy, 2006

Sir,

In inviting a reference to your letter No. MCL / HQ /`DT / (P&P) Sectt / 15 / 490 dated 10/07/2015, on the above subject, I am directed to say that it was request therein to Clarify on the applicability of rehabilitation benefits as per Odisha Resettlement and Rehabilitation Policy, 2006, on land acquisition for which 4(1) of Land Acquisition Act, 1894 and 9(1) of CBA Act has been done after 14/05/2006.

It is pertinent to indicate here that earlier the Collector, Angul has been intimated in this Department letter No. 35231 dated 22/11/2014 that Resettlement and Rehabilitation Policy, 2006 shall be made applicable for the cases where Land Acquisition Proceedings continued beyond 15/05/2006.

महानदी कोलफील्ड्स लिमिटेड नि (तक) को/कॉर्प/D (T) P&P Dt. Rec. 24/8/15

In view of above, the Resettlement and Rehabilitation Policy, 2006 shall be applicable to the new acquisition for which 4(1) Land Acquisition Act, 1894 and 9(1) of CBA were applied after 14/05/2006.

Yours faithfully,

13/8/15

Additional Secretary to Government

FAF

Memo No. 23454 **dated** 14.08.15

Copy forwarded to the RDC(ND) , Sambalpur / Collector, Angul / Collector, Jharsuguda / Collector, Sambalpur and Collector Sundargarh for information and necessary action.

Pl note

13/8/15

Additional Secretary to Government

CMD for information please
DT(O) / DP / DF

21/8/2015

Annexure-V

By FAX/Post

Government of Odisha
Revenue & Disaster Management Department
***

No. 31364 /R&DM, dated, the 13 November, 2015
RRC-CLRFIC-0001-2012

From:

Shri Julius Lakra, IAS
Additional Secretary to Government

To

The Director, Technical (Project & Planning) Secretariat
MCL, PO - Jagruti Vihar, Burla
Dist-Sambalpur (FAX-0663-2542844)

Sub: **Clarification on implementation of Resettlement and Rehabilitation Policy, 2006.**

Sir,

In inviting a reference to your Letter No.MCL/HQ/DT(P&P)Sect.15/490/dated 10.7.2015 on the subject cited above, I am directed to say that, the issues raised in the said letter may be placed before the RDC(ND), Sambalpur, if required by MCL.

It is pertinent to indicate here that clarification communicated vide this Department letter No. 35231/R&DM, dated 22.11.2014 under the signature of the Additional Chief Secretary, R&DM Department is required to be implemented in letter and spirit.

This Department letter No.23453/R&DM dated 14.8.2015 has not superseded the clarification communicated earlier vide letter No. 35231/dated 22.11.2014. Therefore, letter No. 23453/R&DM dated 14.8.2015 is hereby withdrawn.

Yours faithfully

13/11/15

Additional Secretary to Government

Memo No. 31365 /dated 13 November, 2015

Copy forwarded to the RDC(ND)Sambalpur / Collector, Angul / Collector, Jharsuguda /Collector, Sambalpur / Collector, Sundargarh for information and necessary action.

13/11/15

Additional Secretary to Government

Fax / e-Mail

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

******

No.LA (A) - 16/2016 (Clarific).- 31818 / R &DM dtd. 21-9-17

From

Dr. C.S. Kumar, IAS
Principal Secretary to Government

To

All Collector/ All LAOs.

Sub: Clarification regarding permission of Endowment Commission for acquisition of Debottar/ Deity land under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Sir,

I am directed to say that in many of the project proposals submitted by the Collectors/ LAOs for preliminary Notification U/S 11(1) of RFCTLAR & R Act, 2013, patches of Debottar/ Deity land are also included along with the private land. In these cases, prior permission of the Endowment Commissioner may be obtained in order to avoid legal complicacies arising out of disbursement of compensation amount in respect of these land. Since the Endowment Commissioner is a judicial Officer and engaged with various day to day works it may not be possible on his part to clear up permission for acquisition of Debottar/ Deity land within the shortest period i.e. before issue of preliminary notification on the said Act.

After careful consideration, Government have been pleased to clarify that if any deity land is likely to be acquired, prior intimation may be given to the Endowment Commissioner, Odisha for their future reference and necessary clearance. A copy of such communication is to be furnished to this Deptt. along with the proposal without waiting for written clearance of the Commissioner for issue of Notification U/S 11(1) of RFCTLAR&R Act.

Yours faithfully,

Principal Secretary to Government

Memo No. 31819 /RDM, dated 21-9-17

Copy forwarded to all Departments of Government/ All RDCs/ Secretary, Board of Revenue, Odisha, Cuttack for information and necessary action.

21/9/17

Joint Secretary to Government

Memo No. 31820 /RDM, dated 21-9-17

Copy forwarded to LA(B)/ LA(C) Section /R&R Cell/ IMU Cell, R&DM Deptt./ G.F.(2 copies) for information and necessary action.

21/9/17

Joint Secretary to Government

By e-Mail/FAX

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
******

No.RDM-RRC-POLICY-0007-2018- 39019 **/R&DM., dated** 15 OCT 2018

From

Sri Ashok Kumar Naik,
Special Secretary to Government
& Director, R&R

To

The Collector, Sundargarh

Sub: Clarification on R&R benefits to the project displaced family undergoing multiple displacement

Sir,

In inviting a reference to your letter No.692 dated 25.04.2018, on the above subject, I am directed to say that after careful consideration and legal opinion furnished by Law Department, Government have been pleased to issue the following clarifications as requested in the letter under reference.

Sl. No	Points on which clarification sought vide letter No. of	Clarifications
1	Whether normal compensation means for land acquisition which consists of land compensation along with rate of land so acquired and solatium of 30% with interest of 47.39% and escalation price etc.	Compensation is to be determined by the Collector as per the market value of the land to be acquired including all assets attached to it as per the provisions u/s 27 of the RFCTLAR&R Act, 2013. Further, section 28 of the said Act, 2013 speaks about certain parameters to be considered by the Collector in determination of the award. In view of the same, the Collector shall take into consideration the market value of the land to be acquired so also the damage sustained by the person interested by reason of taking of any standing crops and trees which may be on the land at the time of Collector's taking possession thereof and five other factors for determining the award. It is worth mentioning here that the Collector having determined the total compensation to be paid, shall arrive at the final
2	Whether normal compensation includes assets or not(trees and structures); if it includes assets then whether it will include the solatium part.	

		award; additionally, impose a solatium amount equivalent to 100% of the compensation amount together with 12% additional market value of the land calculated covering the period from the date of preliminary notification u/s 11(1) up to the date of actual award. These are in addition to the compensation payable to any person whose land has been acquired. So, the question of determining compensation for the acquired land alongwith the solatium of 30% with interest of 47.39% and escalation price etc., does not arise. This calculation and determination of award has nothing to do with the compensation relating to rehabilitation and resettlement award. The affected persons shall be entitled for rehabilitation and resettlement award as provided under Chapter-V of the Act, 2013 separately, which is to be awarded by the Collector over and above the calculation of normal compensation made under chapter-IV of the Act, 2013.
3	Whether normal compensation includes R&R compensation or not. If yes, then what part of R&R package is included or excluded.	Although the land for the project has been acquired by NTPC under the Coal bearing Act, 1957, yet the provisions of the Act, 2013 shall apply relating to determination of compensation, resettlement, rehabilitation and infrastructural amenities. Therefore, the negotiated price of Rs. 15.00 lakhs for one acre of land irrespective of its kisam for Dulinga Coal Mining Project and the calculation made vide Annexure-1&2 have no applicability to the case in hand owing to RFCTLAR&R (Removal of Difficulties) Order, 2015 on 28.08.2015.
4	Whether sons and married daughters, as survivors of recorded tenant of the acquired land are eligible to	It can be stated that if they are residing within the project area and are being displaced again, have to be relocated and resettled from the affected area to the resettlement area for the acquisition

	get benefit of multiple displacement.	of Dulinga Coal Mining Project of NTPC, certainly they shall be entitled to all the statutory benefits. However, the sons or daughters who are not residing within the project area and are not affected by this successive displacement, they shall not get the benefits envisaged under the Act, 2013. As per section 3(m) of the Act, 2013, "family" includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on him. The married daughters are admittedly not coming within the definition of "family". But, they are entitled to be granted patta rights on the land under the law of the State including assigned land, as explained under section 3(r)(iii) of the Act, 2013 while defining the term "land owner" for receiving any benefit of multiple displacements, if such married daughters are residing within the project area and are being displaced now from Dulinga Coal Mining Project of NTPC.

The above clarification may be brought to the notice of all concerned and necessary follow up action may please be taken accordingly..

Yours faithfully,

15/10/18

Special Secretary to Government
& Director, R&R

Memo No. 39020 /Rev., Dated in charge of IMUCell, 15 OCT 2018

Copy forwarded to the Joint Secretary to Government, Revenue & Disaster Management Department with a request to upload the said clarification in the Revenue & Disaster Management Department website for information of all concerned.

15/10/18

Special Secretary to Government
& Director, R&R

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
******

RDM-RRC-MISC-0002-2018- 40438 dated 31 OCT 2018

Resolution

Sub: Odisha Resettlement & Rehabilitation Policy, 2006 – 6th Biennial Revision of Rehabilitation Grants in Monetary Terms.

In pursuance of provision under paragraph 13 of the Odisha Resettlement & Rehabilitation Policy, 2006, the State Government do hereby make the following revision of rehabilitation grants in monetary terms:-

Sl. No.	Description of the components	Relevant provision of the policy.	Rate as per the 5th Biennial Revision vide Resolution No. 26711 dated 16.08.2017	Revised rate to be effective in the 6th Biennial period i.e from 1.04.2018 to 31.03.2020
(1)	(2)	(3)	(4)	(5)
1.	Assistance for self-relocation (elsewhere other than the resettlement habitat)	Paragraph 8.I(e), 8.II(e), 8.III(a),8.IV (a)	Rs.85,000/-	Rs.85,825/-
2.	House Building Assistance	Paragraph 8.I(f), 8.II(f), 8.III(b), 8.IV(b)	Rs.2,55,000/-	Rs.2,57,475/-
3.	One time financial assistance in lieu of employment for industrial projects	Paragraph 8.I (a) (i) Displaced families coming under Category (i)	Rs.8,50,000/-	Rs.8,58,250/-
		(ii) Displaced families coming under Category (ii)	Rs.5,10,000/-	Rs.5,14,950/-
		(iii) Displaced families coming under Category (iii)	Rs.3,40,000/-	Rs.3,43,300/-
		(iv) Families coming under Categories (iv) &(v)	Rs.1,70,000/-	Rs.1,71,650/-

4.	One time financial assistance in lieu of employment for mining projects	Paragraph 8.II.3 (i) Displaced families coming under Category (i)	Rs.8,50,000/-	Rs.8,58,250/-
		(ii) Displaced families coming under Category (ii)	Rs.5,10,000/-	Rs.5,14,950/-
		(iii) Displaced families coming under Category (iii)	Rs.3,40,000/-	Rs.3,43,300/-
		(iv) Families coming under Categories (iv), (v) & (vi)	Rs.1,70,000/-	Rs.1,71,650/-
5.	Assistance for agricultural land.	Paragraph-8.III (c) per acre of irrigated land.	Rs.1,70,000/-	Rs. 1,71,650/-
		Per acre of non-irrigated land.	Rs.85,000/-	Rs.85,825/-
6.	Maintenance Allowance.	Paragraph-10 (a)	Rs.3,400/- per month.	Rs.3,433/- per month.
7.	Assistance for temporary shed.	Paragraph-10 (b)	Rs.17,000/-	Rs.17,165/-
8.	Transportation Allowance.	Paragraph-10 (c)	Rs.3,400/-	Rs.3,433/-

This has been concurred in by Finance Department .

ORDER

Ordered that the Resolution be published in the extraordinary issue of Odisha Gazette for general information of the public and copies of the same be forwarded to Government of India, Ministry of Rural Development / Ministry of Tribal Affairs / Ministry of Social Justice & Empowerment / All Departments of Government / All Heads of Department / All Revenue Divisional Commissioners / All Collectors / Secretary, Board of Revenue / C.M.D., IDCO / M.D., IPICOL / A.G., Odisha, Bhubaneswar / D.A.G. (Works), Puri for information.

By Order of the Governor

31.1.11

Principal Secretary to Government

Memo No. 40439 **/R&DM, dated.** 31 OCT 2018

Copy along with soft copy (CD) forwarded to the Director, Printing, Stationery and Publication, Odisha, Cuttack / Odisha Secretariat, Gazette Cell, Commerce & Transport(Commerce) Department with a request to publish the Resolution in the Extraordinary issue of Odisha Gazette and supply 200 copies to this Department at the earliest.

31.10.18
Special Secretary to Government
& Director, R&R

Memo No. 40440 **/R&DM, dated.** 31 OCT 2018

Copy forwarded to Principal Secretary to the Hon'ble Chief Minister, Odisha for kind information of the Hon'ble Chief Minister.

31.10.18
Special Secretary to Government
& Director, R&R

Memo No. 40441 **/R&DM, dated.** 31 OCT 2018

Copy forwarded to P.S. to Minister, Revenue & Disaster Management / P.S. to Chief Secretary / P.S. to Principal Secretary, Revenue & Disaster Management Department for kind information of the Hon'ble Minister /Chief Secretary / Principal Secretary.

31.10.18
Special Secretary to Government
& Director, R&R

Memo No. 40442 **/R&DM, dated.** 31 OCT 2018

Copy forwarded to All Departments of Government / All Heads of Departments/ Secretary, Board of Revenue, Odisha, Cuttack / All Revenue Divisional Commissioners / C.M.D, IDCO / C.M.D, IPICOL / All Collectors /All Sub-Collectors / All Administrators for R&R / All LAOs / All Special LAOs / All PD(R&R) / All Zone officers / Director, Nabakrushna Choudhury Centre for Development Studies, Bhubaneswar for information and necessary action.

31.10.18
Special Secretary to Government
& Director, R&R

Memo No. 40443 **/R&DM, dated.** 31 OCT 2018

Copy forwarded to the Accountant General, Odisha, Bhubaneswar/Deputy Accountant General (Works), Puri for kind information.

Special Secretary to Government
& Director, R&R

Memo No. 40444 **/R&DM, dated.** 31 OCT 2018

Copy to IMU Cell / LA(A) /LA(B) / LA(C) Sections of Revenue & Disaster Management Department for information and necessary action.

Special Secretary to Government
& Director, R&R

Memo No. 40445 **/R&DM, dated.** 31 OCT 2018

Copy to Guard file(R&R Cell) for record.

Special Secretary to Government
& Director, R&R



Mahanadi Coalfields Limited
(A subsidiary of Coal India Ltd.)
PO: Jagruti Vihar, Burla
Sambalpur, Odisha, 768020

Circulars & Clarifications issued by MCL

(48)

19 (22)

Mahanadi Coalfields Limited
Personnel Department
Anand Vihar, Burla, Sambalpur

Ref : No. MCL/PD/MP&R/14/96/2491 Date : 14.11.96

To

The Dy. Chief Personnel Manager,
Ib Valley Area.

Dear Sir,

Please refer to your office letter No. MCL/GM/IBV/PER/13-B/1128 dated 30.8.96 seeking certain clarification regarding age, date of birth and under land loser's employment scheme. The matter was put up before the competent authority, and the clarification is given below :

(1) The maximum age limit for the purpose of employment of land oustees; as per the existing norm is 35 years. Generally, this age limit is to be adhered to as on the date of appointment. The essence of the norm is that a minor or overaged person as on the date of 4(i) notification should not be considered for employment.

(2) There is no provision for relaxation of age in the matter of appointment to land oustees in case of SC/ST or OBC.

This is for your information.

Yours faithfully,

(H.R. Chaudhuri) 14.11.96
Dy. General Manager (MP&R)

Copy to:-
The Estate Manager, MCL.

(29)

(5)

MAHANADI COALFIELDS LIMITED

(A Subsidiary Of Coal India Limited)
Po: Jagriti Vihar, Burla, Dist.-Sambalpur (ORISSA)

CGM's Secty (182) 27/3 Valley TO

Ref.: No. MCL/GM(A&R)/37/02/74

Date: 22.3.2002

The All CGMs/GMs of the Areas Mcvalley

Dear Sir,

Off late proposals for payment of one time cash grant/compensation in lieu of employment in respect of old cases against land oustees which had been regretted or rejected earlier on ground of overage, minor, female etc. are being submitted to Hqrs. The same was put up before the competent authority and it has been agreed by the competent authority that no such case should be processed which are prior to 18.6.2001 I.e. the date of 9th RAC meeting in which it has been agreed for considering cases of one time cash compensation to such eligible land oustees/nominees, but are regretted on the ground of overage, minor & female etc. Kindly adhere to the decision as has been approved by the competent authority.

APM/ASO(L) ACL POs

GM 27/3/02

Xerox Copy given to APM ASO(L)/MM, PO's

Yours faithfully,

(P.K. Das)
General Manager (W&MP)

Copy to:
ES to D(T), MCL
TS to D(P), MCL
Secy. to D(F), MCL
Dy. CM(L&R), MCL

Received

Sri M Patel for me

A. [illegible] 27/3/02

MAHANADI COALFIELDS LIMITED

(A Subsidiary of Coal India Limited)
P.O. Jagriti Vihar, Burla, Dist: Sambalpur Pin:-768020

Dy. No. 30
Date 15.4.
COM'S SEC
Jagannath A

Ref No. MCL/GM(W&MP)/37/02/ 215 Date : 12.4.2002

To

All the CGMs/GMs of the Areas Jagannath Area.

Sub : **One time cash grant in lieu of resettlement plot**

Dear Sir,

Reproduced below is the decision of the MCL Board held on 1st April, 2002 on the above subject.

> The Board deliberated on the subject and considering the recommendation of the Rehabilitation Advisory Commjttee, which has been duly constituted by the Govt. of Orissa, approved the proposed enhancement to Rs. 60,000/- in favour of PAF, who opt for the one time cash grant in lieu of resettlement plot. Further, the Board directed that this enhancement will be applicable from the date of 9th Rehabilitation Advisory Committee meeting i.e. 18th June, 2001.

This is for your kind information and necessary action.

Yours faithfully,

(P.K. Das)
General Manager(W&MP)

Copy to:

TS to D(P), MCL
Dy.CM(L&R), MCL

MCL
A Mini Ratna Company

ମହାନଦୀ କୋଲଫିଲ୍ଡସ ଲିମିଟେଡ
महानदी कोलफील्ड्स लिमिटेड
Mahanadi Coalfields Limited
(A Subsidiary of Coal India Limited)
P.O.- Jagruti Vihar, Burla, Dist. Sambalpur-768020(Orissa)
Fax : 0663-2542366, Phone : PBX - (0663) 2542461 to 2542469

गोपनीय/CONFIDENTIAL

Ref. No. MCL/SBP/CS/BD-99/Exct/2008/ 4612 Date : 13.9.2008

To
The General Manager(L&R)
Mahanadi Coalfields Limited,
Sambalpur.

Sub : Extract from Draft Minutes of the 99th meeting of the Board of Directors of MCL held at 11.30 AM on Sunday the 31st August, 2008 at Kolkata.

Dear Sir,

Reproduced below is the extract of minutes of the above meeting of the Board of Directors for your information and necessary action.

Item No. 99.C/10

Sub : One time Cash compensation in lieu of employment to land oustees.

10.1 The Board deliberated on the subject in detail and in consideration of the facts highlighted in the agenda note, approved the payment of one time Cash / Monetary Compensation in lieu of employment to land oustees in MCL as per the provisions of R&R Policy, 2006 of Government of Orissa at the scale indicated below :-

Sl.No.	Families under category as per agenda	Amount of one-time cash assistance (Rs in lakhs)
1.	Displaced Families coming under category (i)	5.00
2.	Displaced Families coming under category (ii)	3.00
3.	Displaced Families coming under category (iii)	2.00
4	Displaced Families coming under category (iv), (v) and (vi)	1.00

Item No. 99.C/11

Sub : Building assistance to the displaced families at rehabilitation site.

11.1 The Board deliberated on the subject in detail and in consideration of the facts highlighted in the agenda note, approved the proposal of payment of building assistance to the tune of Rs.1.5 lakhs to each displaced family in line with the provisions of R&R Policy, 2006 of Govt. of Orissa.

Yours faithfully,

(S.C. Behera)
Company Secretary

Mahanadi Coalfields Limited
(A Subsidiary of Coal India Limited)
A Mini Ratna Company

MAHANADI COALFIELDS LIMITED
(A Subsidiary of Coal India Limited)
Office of the Director (Personnel)
At / Po : Jagriti Vihar, Burla
Dist. Sambalpur – 768 020

Ref. No MCL/D(P) Sectt./10/ 1567 Date: 08.04.2010

To

All Area CGMs / GMs
All Area Personnel Managers
All Area Finance Managers

Sub: Extending cost of Land & Building Assistance towards resettlement plots and construction of house

Dear Sir,

As per the existing policy, the Project Affected Families, who loose their Gharbari are provided with land upto 10.00 Decimal in the R&R Site of MCL or Rs. 60,000.00 in lieu of land in the event the person wishes to purchase his own land. Considering the difficulties faced by the displaced persons and in view of providing them reasonable amount for construction of residential accommodation, in the 99th meeting of Board of Directors held on 31.08.2008 proposal for extending Rs. 1.50 lakh has been approved towards cost of land and building assistance. Hence, the bonafide land displaced families and eligible for allotment of plot upto 10.00 decimal, desirous of purchasing their own land and construct a house there on may be extended Rs. 1.50 lakh as composite package (towards land + house) and those who are provided with plot by MCL may be extended Rs. 90,000.00 towards building assistance as the case may be, to each displaced family. However, the amount as per above shall be released only after the project affected family hands over the vacant possession of the land acquired by MCL after demolishing the structure / dwelling house.

Yours faithfully,

(S. C. Padhy)
Director (Personnel) 09/04/2010

MCL HQ., BURLA Receipt No Date 9/4/10

Copy to:
CMD, MCL
D(F), MCL
GM (L/R&R), MCL

गोपनीय/CONFIDENTIAL

Mahanadi Coalfields Limited
(A Subsidiary of Coal India Limited)
A Mini Ratna Company

ମହାନଦୀ କୋଲଫିଲ୍ଡସ ଲିମିଟେଡ
महानदी कोलफील्ड्स लिमिटेड

Mahanadi Coalfields Limited
(A Subsidiary of Coal India Limited)
P.O.- Jagruti Vihar, Burla,
Dist. Sambalpur-768020(Orissa)
Fax : 0663-2542366
Phone : PBX - (0663) 2542461 to 2542469

Ref. No. MCL/SBP/CS/BD-119/Exct/2010/ 5553 Date : May 26, 2010

To
The General Manager(L&R)
Mahanadi Coalfields Limited,
Sambalpur.

Sub : Extract from the draft Minutes of the 119th meeting of the Board of Directors of MCL held on 15th May, 2010 at Kolkata

Dear Sir,

Reproduced below is the extract of minutes of the above meeting of the Board of Directors for your information and necessary action, if any.

Item No. 119.C/22

Sub: Approval for payment of Rs.1,50,000/- to each displaced family /PAF towards composite package for resettlement assistance.

22.1 The Board deliberated on the subject in detail. In consideration of the facts highlighted in the agenda note and based on the clarifications offered by Director(Personnel), MCL during deliberation that the proposal is a compliance of the RPDAC decision, the Board approved the proposal as per the following:

a) Payment of Rs.1.50 lakhs (Rupees one lakh fifty thousand only) as a composite package towards cost of land plus building assistance who opt to relocate elsewhere other than the Resettlement habitat not covered under 2006 R&R Policy of Govt. of Orissa.

b) Those who are provided with plot at the resettlement site by MCL may be extended Rs.90,000/- (Rupees ninety thousand only) towards building assistance, to each displaced family not covered under 2006 R&R Policy of Govt. of Orissa.

c) Payment of Rs. 1,50,000/- (Rupees one lakh fifty thousand only) to eligible PAFs as building assistance who are covered under R&R Policy 2006 of Govt. of Orissa, as approved earlier besides allotment of plot measuring upto 10.00 decimals. Those who opt to relocate elsewhere other than the Resettlement habitat will also be given Rs.60,000/- (Rupees sixty thousands) only as one time cash grant in lieu of resettlement plot measuring upto 10.00 decimals who are covered under R&R Policy 2006 of Govt. of Orissa.

Item No. 119.D/4

Sub: Leasing of Land to M/s Raipur Iron & Steel Company Pvt. Ltd. (RISCPL).

4.1 The Board noted the information as brought out in the agenda note.

Yours faithfully,

(S.C. Behera)
Company Secretary

Mahanadi Coalfields Limited
(A Subsidiary of Coal India Limited)
A Mini Ratna Company

Mahanadi Coalfields Limited
महानदी कोलफील्ड्स लिमिटेड
ମହାନଦୀ କୋଲଫିଲ୍ଡସ୍ ଲିମିଟେଡ
(A Subsidiary of Coal India Limited)
Office of the Director (Personnel)
PO: Jagruti Vihar, Sambalpur-768020
Ph. – (0663) 2542332 / Fax – (0663) 2542508

Ref. No. MCL/D(P) Sectt./10/ 1856 Date: 17.09.2010

CIRCULAR

Sub:- Payment of Rs.1,50,000/- to each displaced family towards composite package for resettlement assistance.

The Board of Directors of MCL in their 119th meeting held on 15th May 2010 at Kolkata, have kindly approved a composite package towards resettlement assistance to displaced families of villages acquired for Projects of MCL as shown below:-

1. a) Payment of Rs.1.50 lakhs (Rupees one lakh fifty thousand only) as a composite package towards cost of land plus building assistance who opt to relocate elsewhere other than the Resettlement habitat not covered under 2006 R&R Policy of Govt. of Orissa.

   b) Those who are provided with plot at the resettlement site by MCL may be extended Rs.90,000/- (Rupees ninety thousand only) towards building assistance, to each displaced family not covered under 2006 R&R Policy of Govt. of Orissa.

2) Payment of Rs.1,50,000/- (Rupees one lakh fifty thousand only) to eligible PAFs as building assistance who are covered under R&R Policy 2006 of Govt. of Orissa, as approved earlier besides allotment of plot measuring upto 10.00 decimals. Those who opt to relocate elsewhere other than the Resettlement habitat will also be given Rs.60,000/- (Rupees sixty thousands) only as one time cash grand in lieu of resettlement plot measuring 10.00 decimals who are covered under R&R Policy 2006 of Govt. of Orissa.

This supercedes earlier letter No.MCL/D(P) Sectt./10/1567 dated 08.04.2010.

17/09

Director (Personnel)

Distribution:
1) All Area CGMs/GMs of MCL.
2) GM (L&R), MCL.

Copy to:-
1) CMD, MCL.
2) Director (Tech/P&P), MCL
3) Director (Tech/Oprn), MCL.
4) Director (Fin.), MCL
5) CGM (Finance), MCL

Coalfields Limited
(A Subsidiary of Coal India Limited)
A Mini Ratna Company

महानदी कोलफील्ड्स लिमिटेड
ମହାନଦୀ କୋଲଫିଲ୍ଡସ ଲିମିଟେଡ
(A Subsidiary of Coal India Limited)
Office of the Director (Personnel)
PO: Jagruti Vihar, Sambalpur-768020
Ph. – (0663) 2542332 / Fax – (0663) 2542508

Ref: MCL/HQ/SBP/D(P)Sectt./2011/ 2059

Date: 12.04.2011

Confidential

To

The CGMs/GMs
(Kaniha/ Jagannath/ Hingula/ Lingaraj/ Bharatpur/ Talcher/ IB Valley/ Orient / Lakhanpur/ Basundhara-Garjanbahal) Area

Sub:- Enhancement of Cash compensation / Monetary package for Project Displaced Families (PDFs) in lieu of Resettlement Plot and Building Assistance.

Dear Sir,

The Board of Directors in their 128th meeting held on 26.03.2011 have kindly approved enhancement of Cash compensation / Monetary package for Project Displaced Families (PDFs) in lieu of Resettlement plot and Building Assistance, as given below:-

(A) **Payment of Cash in lieu of Plot for self relocation.**

Lump sum one time cash compensation of **Rs.3,00,000/- (Rupees Three lakhs only) per family in lieu of resettlement plot** in case no resettlement plot is provided and option for cash compensation in lieu of plot is exercised by the individual displaced family for self relocation.

(B) **Building & Other assistance in line with R&R Policy, 2006 of Govt. of Orissa.**

Building assistance, maintenance allowance, assistance for temporary shed, transportation allowance as provided for in the R&R Policy, 2006 of Govt. of Orissa amounting to Rs.2,32,000/- as per following table will be given to the displaced family irrespective of the coverage of R&R policy applicable i.e. 1989, 1998 or 2006.

1	House building assistance	Rs.1,87,000/-
2	Maintenance allowance @ Rs.2,500/-P.M. for 12(twelve) months	Rs. 30,000/-
3	Assistance for temporary shed	Rs. 12,500/-
4	Transportation allowance	Rs. 2,500/-
	Total	Rs. 2,32,000/-

Any increase by the Govt. of Orissa from time to time on the above heads will also be payable in addition to the above amount.

Contd..p/2

(C) **Additional incentive for early vacation & handing over home / homestead & agricultural land.**

In almost all the open cast project of MCL the mining operations have reached the Basti area of villages due to which demolition of dwelling houses is very essential for further progress of mines besides safety aspects. To encourage immediate shifting, additional incentive will be offered to the displaced families as per the table given below:-

Sl. No	Period of shifting	Total amount per family
1.	Within 01 Month	Rs.1,00,000/-
2	Within 02 Months	Rs. 75,000/-
3	Within 03 Months	Rs. 50,000/-

This assistance will be payable prospectively only on physical handing over of the vacant possession of home / homestead & agricultural land after demolition of structure etc. completely by all the displaced families under the ROR holder within the stipulated time.

(D) **Financial compensation in lieu of land for the quantum of land less than 10 decimal land for resettlement.**

As per the R&R Policy, 1989 of Govt. of Orissa, a displaced family is to be given upto 0.10 acres of land for resettlement plot and as per R&R Policy, 2006 of Govt. of Orissa, 1/10th of an acre is to be given to the displaced family at resettlement site. Due to shortage of suitable Govt. land for resettlement, each and every displaced family cannot be given 0.10 acres of land at the available resettlement site. For example, they may be offered 0.04 to 0.08 acres of land per family as per availability and for the remaining portion of 0.02 to 0.06 acres of land, cash compensation will be extended @ Rs.30,000/- per decimal of land. This has been worked out on the logic that, those who are opting for cash in lieu of land will be provided Rs 3.00 lakhs per 10 decimal of land. As and when the amount mentioned at (A) – **Payment of Cash in lieu of Plot for Self relocation** is increased, the same increase also be given here.

(E) The benefits will be extended to all those taken cash in lieu of plot, building assistance and other assistance w.e.f. 15.05.2010. Further, for those who have already got cash / consented for cash in lieu of plot prior to 15.05.2010 and have not yet shifted will only be eligible to get the building assistance and other assistance.

Yours faithfully,

12/07

(S. C. Padhy)
Director (Personnel)

Copy to:
1) CMD, MCL.
2) Director (Tech/P&P), MCL
3) Director (Tech/Operation), MCL.
4) Director (Finance), MCL
5) CGM (Finance), MCL.
6) OSD (L&R), Talcher Coalfields, Deulbera Colliery, Talcher Area.
7) Estate Manager, Talcher Coalfields. Deulbera Colliery, Talcher Area.

गोपनीय/CONFIDENTIAL

Mahanadi Coalfields Limited
(A Subsidiary of Coal India Limited)
A Mini Ratna Company

ମହାନଦୀ କୋଲଫିଲ୍ଡସ ଲିମିଟେଡ
महानदी कोलफील्ड्स लिमिटेड
Mahanadi Coalfields Limited
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P.O.- Jagruti Vihar, Burla,
Dist. Sambalpur-768020(Orissa)
Fax : 0663-2542366
Phone : PBX - (0663) 2542977

Ref. No. MCL/SBP/CS/Bd-129/Exct/2011/ 6090 Date : June 10, 2011

To
The Manager(P, L&R)
Mahanadi Coalfields Limited,
Sambalpur.

Sub : Extract from the Minutes of the 129th meeting of the Board of Directors of MCL held at 11.00 AM on Wednesday the 18th May, 2011 at Registered Office of the Company, Jagruti Vihar, Burla, Sambalpur.

Dear Sir,

Reproduced below is the extract of minutes of the above meeting of the Board of Directors for your information and necessary action, if any.

129.C/18 Proposal for enhancing the amount of cash compensation in lieu of employment to the eligible land oustees in MCL.

18.1 Initiating discussion, Director(Personnel), MCL apprised the Board the need to amend the present R&R policy and to bring in minor modifications with reference to unique conditions prevailing at MCL in conformity with the decision taken in CIL Board.

18.2 Thereafter, the Board deliberated on the subject and in consideration of the facts highlighted in the agenda note, approved the proposal of enhancement of cash compensation of ₹10.00 lakhs in lieu of employment to the eligible land oustees as per the detail terms and conditions brought out in the agenda note.

18.3 This decision of MCL Board be informed to CIL.

Yours faithfully,

(S.C. Behera)
Company Secretary

Mahanadi Coalfields Limited
(A Subsidiary of Coal India Limited)
A Mini Ratna Company

Mahanadi Coalfields Limited
महानदी कोलफील्ड्स लिमिटेड
ମହାନଦୀ କୋଲଫିଲ୍ଡସ୍ ଲିମିଟେଡ
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Office of the Director (Personnel)
PO: Jagruti Vihar, Sambalpur-768020
Ph. – (0663) 2542332 / Fax – (0663) 2542508

Ref: MCL/HQ/SBP/D(P) Sectt./ 2011/ 2160 Date: 02.08.2011

CIRCULAR

The Board of Directors of MCL have kindly approved the proposal for enhancing the amount of cash compensation in lieu of employment to the eligible land oustees in priority categories for employment to Rs.10.00 lakhs per employment. The land oustees whose cases have been approved and already received the cash compensation shall not be considered for enhanced cash compensation of Rs.10.00 lakhs.

Pending cases including the cases already approved and are yet to be given cash in lieu of employment will also be extended the revised amount of Rs.10.00 lakhs.

Director (Personnel)

Distribution:
1) All Area CGMs/GMs of MCL.
2) CGM (Finance), MCL HQ
3) GM (L&R), MCL.

Copy for kind information to:-
1) CMD, MCL.
2) Director (Tech/P&P), MCL
3) Director (Tech/Oprn), MCL.
4) Director (Fin.), MCL

and / R&R Deptt, MCL HQ
eceipt No...1456 Dt...03/08/11

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Mahanadi Coalfields Limited

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A Mini Ratna Company

ମହାନଦୀ କୋଲଫିଲ୍ଡସ ଲିମିଟେଡ
महानदी कोलफील्ड्स लिमिटेड
Mahanadi Coalfields Limited
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P.O.- Jagruti Vihar, Burla,
Dist. Sambalpur-768020(Orissa)
Fax : 0663-2542366
Phone : PBX - (0663) 2542977

Ref. No. MCL/SBP/CS/Bd-128/Exct/2011/ 5996 Date : April 11, 2011

To
The Manager (P, L&R)
Mahanadi Coalfields Limited,
Sambalpur.

Sub : Extract from the Minutes of the 128th meeting of the Board of Directors of MCL held at 11.00 AM on Saturday the 26th March, 2011 at Bhubaneswar.

Dear Sir,

Reproduced below is the extract of minutes of the above meeting of the Board of Directors for your information and necessary action, if any.

128.C/2 Rehabilitation and Resettlement benefits to the land oustees of Gopal Prasad OCP under MJSJ Coal Ltd.

2.1 The Board had a threadbare deliberation on the issue and was of the opinion that offer of employment to the land oustees shall be given only by MJSJ and not by MCL under any circumstances as because MJSJ Coal Limited is a separate company and a separate entity.

2.2 However , a legal opinion may be taken on the matter, the Board directed.

128.C/3 Employment claim of Sri Tapanendu Kumar Mishra S/o. Sri Chakrabarti Ajit Kumar Mishra of village Khandualbahal of Jagannath Area.

3.1 It was apprised to the Board that all the five sons of Srinibash Mishra, the RORH have jointly sworn in an affidavit to the effect that they have no objection if Sri Tapanendu Mishra S/o. Chakrabarti Ajit Kumar Mishra is given employment and that they will not have any further claim for employment against acquisition of their land measuring 43.520 Acres acquired by MCL in village Khandualbahal.

3.2 Thereafter, the Board deliberated on the subject in detail and in consideration of the facts that two eligible families have relinquished their legitimate claim and also a large quantum of land have been acquired, approved the proposal of Employment of Sri Tapanendu Kumar Mishra S/o. Sri Chakrabarti Ajit Kumar Mishra of village Khandualbahal of Jagannath Area as per the details brought out in the agenda.

3.3 This case shall not be cited as a precedence in future.

128.C/18 **Extending rehabilitation benefit on compassionate ground in the family of dismissed land oustees of Lingaraj Area & Hingula Area.**

18.1 The Board was apprised of the views expressed by MCL Vigilance on the matter and also the views of State Govt. as communicated by the Rehabilitation Officer, Angul.

18.2 Thereafter, the Board based on the above and in consideration of the facts highlighted in the agenda note, approved the proposal for extending rehabilitation benefit on compassionate ground in favour of the dismissed land oustees / RORH / RT as per the details brought out in the agenda note to nominate new family member from each family in place of the dismissed employee, for employment subject to fulfilling of the eligibility criteria under applicable R&R policy and compliance of other formalities.

18.3 The Board directed further that preference be given to the younger persons for employment, nominated by the dismissed land oustees.

128.C/19 **Enhancement of Cash compensation/Monetary Package for Project Displaced Families (PDFs) in lieu of Resettlement Plot and Building Assistance.**

19.1 The Board deliberated on the subject in detail and in consideration of the facts highlighted in the agenda note, approved the following :

(1) Cash in lieu of plot for self relocation @ ₹3.00 Lakhs per family as given at proposal (A) of the agenda note.
(2) Building and other assistances as proposed at (B) of the agenda note.
(3) Additional financial incentive for early vacation of home/ homestead, agricultural land etc. as proposed at (C) of the agenda note.
(4) Financial compensation for land in resettlement site for the part less than 10 decimals of land (difference between 10 decimal and actual) as proposed at (D) of the agenda note.
(5) Extending the benefit to all those taken cash in lieu of plot, building assistance and other assistance w.e.f. 15.05.2010. Further, for those who have already got cash /consented for cash in lieu of plot prior to 15.5.2010 and have not yet shifted will only be eligible to get the building assistance and other assistance.

19.2 The Board directed that the matter be informed to CIL.

19.3 The Board directed further to adhere to the following :

1. An undertaking from the concerned be taken that he/she accepts cash in lieu of land/plot and will not make any further claim for plot in future.
2. The early-bird scheme will be applicable for those whom MCL has provided resettlement site which is ready for occupation and also for persons willing to shift to a place of his/her own choice and payable only after physically handing over of entire Home, Home stead, agriculture land etc.

Yours faithfully,

(S. C. Behera)
Company Secretary

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Mahanadi Coalfields Limited
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ମହାନଦୀ କୋଲଫିଲ୍ଡସ ଲିମିଟେଡ
महानदी कोलफील्ड्स लिमिटेड
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Tele Fax : 0663-2542977

Ref. No. MCL/SBP/CS/Bd-132/Exct/2011/ 6270 Date : September 27, 2011

To
The Manager(P, L&R)
Mahanadi Coalfields Limited,
Sambalpur.

Sub : Extract from the Minutes of the 132nd meeting of the Board of Directors of MCL held at 3.30 PM on Friday the 16th September, 2011 at MCL Office, Bhubaneswar

Dear Sir,

Reproduced below is the extract of minutes of the above meeting of the Board of Directors for your information and necessary action, if any.

132. A/2 Confirmation of the minutes of the 131st meeting of the Board of Directors of MCL held at 10.30 AM on Sunday the 7th August, 2011 at MCL Office, Bhubaneswar

2.1 The minutes were confirmed subject to the following modification :

131.B/1 - Performance Review.

2.2 The Para 1.7 of the existing minutes under the above mentioned subject be replaced by the following :

2.3 "The Board was of the opinion that some machines can be repaired. Therefore, possibility of refurbishment of the machine be examined through Original Equipment Manufacturer."

2.4 The Para 1.8 (ii) of the existing minutes under the above mentioned subject be replaced by the following :

2.5 "No new Dumper be purchased until the Operator issue is sorted out and operators are available as required."

132.C/14 **Approval of employment cases of land oustees by the Board of Directors of MCL.**

14.1 The Board deliberated on the subject and decided as follows in consideration of the facts and circumstances highlighted in the agenda note.

1) That a Board Sub-committee of Functional Directors under the Chairmanship of CMD, MCL be and is hereby constituted, henceforth to consider and approve all the cases of employment, cash compensation etc. as per existing norms of R&R policy being followed in the Company.
2) A Quarterly Report on the land oustee employment be submitted to Board for information.

132.C/15 **Proposal for considering 14 employment to displaced families of Chharla village.**

15.1 The Board did not agree to the proposal and directed that possibility, if any, may be explored to absorb these land oustees under existing R&R Policy.

132.C/18 **Posting of Bench Clerk in the Camp Office of Claims Commission at Sundargarh.**

18.1 The Board deliberated on the subject in detail and approved the proposal of Posting of a Bench Clerk in the Camp Office of Claims Commission at Sundargarh as per the details brought out in the agenda note.

18.2 The tenure of the post will be co-terminus with the closure of the commission's office or as per the direction of the commission whichever is earlier.

18.3 Regarding pay and perks it will be at par with the pay and perks given to other staff engaged for the commission and the same be finalized with approval of CMD, MCL.

Yours faithfully,

(S.C.Behera)
Company Secretary

Mahanadi Coalfields Limited
महानदी कोलफील्ड्स लिमिटेड
ମହାନଦୀ କୋଲଫିଲ୍ଡସ ଲିମିଟେଡ
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Telefax: 0663-2542157

MCL/GM(L&R)/2011/ 693 Date 07/11/2011

The General Manager,
Basundhara-Garjanbahal Area.

Sub:- Payment of ₹ 45,000/- (equivalent to Indira Awas Yojana) to the families of Balinga & Bankibahal villages having dwelling house only over Govt. land acquired by MCL.

Dear Sir,

The proposal of your Area vide ref No. MCL/GM/BGA/EM/ASO/2011-12/726 dated 09-10-2011 was placed before the Board of Directors of MCL in their 133rd meeting held on 18th October, 2011. The Board deliberated on the subject in detail and in consideration of the facts and as clarified by D(P) that the proposed amount can be in addition to the amount to be received by the individual on account of the structure on Govt. land, approved the proposal as under:-

1) Providing ex-gratia of ₹ 45,000/- to all the families in village Balinga and Bankibahal who have lost their dwelling house only in Govt. land in addition to the cost of structure.

2) Similar provision for extending ex-gratia to the families who have lost their dwelling house only over Govt. land in other villages also acquired by MCL depending upon the prevalent unit cost of Indira Awas Yojana applicable at the time of physical displacement in addition to the cost of structure.

3) Provision of addition incentive of ₹ 25,000/-, ₹ 15,000/ and ₹ 10,000/ for shifting within the stipulated time period.

This is for your information.

Yours faithfully,

General Manager (L&R)

Copy to:
1) Area CGM/GMs – Jagannath, Bharatpur, Lingaraj, Kaniha, Hingula, Talcher, IB Valley, Lakhanpur, Orient Area.
2) TS to CMD/DT (P&P)/DT (Oprn)/D(P)/D(F), MCL.
3) CGM (Finance), MCL

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PO: Jagruti Vihar, Sambalpur-768020
Telefax: 0663-2542157

Ref.: No. MCL/GM(L&R)/2011/ 719 Dt: 17.11.2011

To

The CGM/GMs
(Jagannath/Hingula/Bharatpur/Lingaraj/Kaniha/Talcher/
Lakhanpur/ IB Valley/Orient/ Basundhara-Garjanbahal) Area

Sub :- Provision of infrastructure facilities to the displaced families settled at a place of their own choice.

Dear Sir,

The proposal for providing basic infrastructure facilities to the displaced families settled at a place of their own choice was placed before the Board of Directors of MCL in their 132nd meeting held on 16th September, 2011.

The Board of Directors of MCL has approved the proposal for providing infrastructure facilities like "electricity, water, roads, drainage and boundary wall", at the places other than MCL resettlement sites where 20 or more displaced families prefer to settle on their own choice.

However, Board cautioned that all care be taken to see that the expenses relating to infrastructure facilities are need based.

This is for your information and needful action at your end.

Yours faithfully,

17/11/11

General Manager (L&R)

Copy to:
1) CGM (Finance), MCL.
2) GM (CSR), MCL.
3) GM (Civil), MCL.
4) TS to CMD, MCL
5) TS to Director (Tech/P&P), MCL
6) TS to Director (Tech/Oprn), MCL.
7) TS to Director (Pers.), MCL
TS to Director (Fin.), MCL

Mahanadi Coalfields Limited
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महानदी कोलफील्ड्स लिमिटेड
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PO:Jagruti Vihar, Sambalpur-768020
Telefax: 0663-2542157

Ref. No. MCL/HQ/GM (L/R&R)/12/ 613 Date: 15/11/2012

To
The CGM/GMs
(Jagannath / Hinguia / Lingaraj / Bharatpur / Kaniha / Talcher / IB Valley / Lakhanpur / Orient / Basundhara- Garjanbahal) Areas.

Dear Sir,

This is to convey that Competent Authority has approved Building Assistance an Resettlement Benefits amounting to Rs. 2,78,000/- in place of Rs. 2,32,000/- as per resc Revenue & Disaster Management Department, Govt. of Odisha, vide No. R&REH-60/12-R&DM, dated 10.07.2012. with effect from Dt. 01.04.2012.as detailed below :

Sl. No.	Details of Building Assistance a Other Resettlement Benefits	Existing Rates of MCL (Rs)	Revised Rates MCL Dt.01.04.2012(
1.	House Building Assistance	1,87,000/-	2,24,000/-
2.	Maintenance Allowance. for 12 months.	@ Rs. 2500/- P.M 30,000/-	@ Rs. 3000/- P 36,000/-
3.	Assistance for Temporary Shed	12,500/-	15,000/-
4.	Transportation Allowance	2,500/-	3,000/-
	Total	2,32,000/-	2,78,000/-

You are requested to implement as above.

Yours faithfully,

General Manager (L&R)

G.M. (IA)

Copy to :
1. TS to CMD, MCL.
2. TS to D(T/P&P), MCL

Mahanadi Coalfields Limited
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Mahanadi Coalfields Limited
महानदी कोलफील्ड्स लिमिटेड
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PO: Jagruti Vihar, Sambalpur-768020
Telefax: 0663-2542157

Ref : MCL/GM(L&R)/Annuity/2013/ 757 Date 19/02/2013

ANNUITY SCHEME

To

The CGM/GMs
(Jagannath/ Hingula/ Bharatpur/ Lingaraj/ Kaniha/ Talcher/
Lakhanpur /IB Valley/ Orient/ Basundhara-Garjanbahal) Areas..

Dear Sir,

A proposal for payment of Annuity in lieu of employment to eligible land oustees was placed before the Board of Directors of MCL in their 146th meeting held on 06.02.2013. The Board deliberated in the matter in detail and approved as under:-

i) Annuity shall be paid at the rate of Rs.12,000/- per month to land oustees eligible for employment in priority category, as per provision of R&R policy till the age of 60 years.

Eligible families in Category 'A' & 'B' of R&R policy, 1989 and 1998 and Category – (i) & (ii) of R&R policy, 2006 of Govt. of Odisha, who are being considered for employment will only be entitled to avail the Annuity scheme.

ii) The Annuity amount of Rs.12,000/- will be increased by a fixed sum of Rs.1000/- once in 2 years to cover inflation.

iii) The persons eligible for employment as deliberated above including the dependent spouse of the deceased PAF, will have the option of availing this annuity scheme or the existing one time cash compensation of Rs.10.00 lakhs in lieu of employment.

iv) In case of death of the person availing the option of Annuity before attaining the age of sixty years his/her spouse will be entitled to get 75% of the Annuity amount up to the age of sixty years of the person who has been initially extended Annuity. For example, the person opted for Annuity at the age of 35 years dies at the age of 45 then his/her spouse/nominee will get 75% of the Annuity amount for a further period of 15 years (i.e. 60 – 45 = 15 years). This is further subject to the condition that the spouse is not employed in MCL either as land oustee or otherwise. In case the spouse is also not alive one major son or major unmarried daughter or widow of son or major grandson (son's son) will be eligible for the benefit of balance annuity if he / she is not employed in MCL as land oustee or otherwise and there is no objection from the legal heirs of the person who initially opted for the annuity. Such [illegible] will not have the option of getting employment in lieu of Annuity.

v) The provision of annual increase of Rs.1000/- payable once in two years will also be applicable in the cases of spouse/ nominees in the event of death of original PAF as indicated above.

The procedure for implementation of the above scheme will follow.

Yours faithfully,

22/2/13

General Manager (L&R)

Copy to:
1) TS to CMD, MCL.
2) TS to Director (Tech/P&P), MCL
3) TS to Director (Tech/Operation), MCL.
4) TS to Director (Fin.), MCL

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PO: Jagruti Vihar, Sambalpur-768020
Telefax: 0663-2542157

Ref : MCL/GM(L&R)/2013/ 988 Date 17/06/2013

To

The CGM/GMs
(Lakhanpur/ IB Valley/ Basundhara-Garjanbahal/
Jagannath/ Hingula/ Lingaraj/ Kaniha/ Bharatpur) Area, MCL

Dear Sir,

The proposal of methodology for valuation of structures over Govt. land and other structures not considered during basic compensation was placed before Board of Directors of MCL in their 149th meeting held on 10.06.2013 for approval. The decision taken by the Board in the matter is as under:-

"Quote

149.C/1 **Methodology for valuation of structures over Govt. land and other structures not considered during basic compensation**

1.1 The Board deliberated on the subject in detail and based on the facts brought out in the agenda note, approved the methodology for valuation of structures over Govt. land and other structures not considered during basic compensation as under:-

A. Structures constructed prior to 4(i) notification but not assessed in the compensation roll.

i. Compensation to be calculated considering the value of the structure as on date of 4(i) notification.
ii. The Rate of items adopted for tenancy land shall be applied.
iii. Solatium and Escalation to be paid.
iv. Interest may be considered till processing of the Compensation Roll of the entire village.
   a) 9% interest for the first year after 9(i) notification.
   b) 15% interest per year for subsequent years.

B. Structures constructed in between 4(i) and 9(i) notifications on tenancy land.

i. Compensation to be calculated considering the value of the structure as on date of 4(i) notification.
ii. The Rate of items adopted for tenancy land shall be applied.
iii. No Solatium.
iv. Escalation to be paid.
v. Interest may be considered till processing of the Compensation Roll of the entire village.
   a) 9% interest for the first year after 9(i) notification.
   b) 15% interest per year for subsequent years.

163

C. Structures constructed on Govt. land.

i. Compensation to be calculated considering the value of the structure as on date of 4(i) notification.
ii. The Rate of items adopted for tenancy land shall be applied.
iii. No Solatium and Escalation.
iv. Interest may be considered till processing of the Compensation Roll of the entire village.
   a) 9% interest for the first year after 9(i) notification.
   b) 15% interest per year for subsequent years.

D. New / Extended structures standing over tenancy land constructed after 9(i) notification..

i. Compensation to be calculated considering the value of the structure as on date of 4(i) notification.
ii. The Rate of items adopted for tenancy land shall be applied.
iii. No Solatium and Escalation.
iv. Interest may be considered till processing of the Compensation Roll of the entire village.
   9% interest per year after 9(i) notification for subsequent years.

E. In case of structures constructed over Govt. land as referred above in Clause-C, the compensation in excess of Rs.10,000.00 will be treated as ex-gratia.

F. In case of structures constructed over **Govt. land after 9(i) notification,** Clause-D as referred above shall apply.

G. In all the above cases payment shall be made only after demolition of structure.

H. The above benefits shall be applicable to all Areas of MCL.

1.2 'The Board directed further that cross check to be done before payment to avoid any double / duplicate payment for the same structure.

Unquote"

This is for your information and further necessary action.

Yours faithfully,

17/6/13

General Manager (L&R)

Copy to:
1) TS to CMD, MCL.
2) TS to Director (Tech/Operation), MCL.
3) TS to Director (Fin.), MCL
4) TS to Director (Tech/P&P), MCL

Mahanadi Coalfields Limited
(A Subsidiary of Coal India Limited)

महानदी कोलफील्ड्स लिमिटेड
ମହାନଦୀ କୋଲଫିଲ୍ଡସ୍ ଲିମିଟେଡ
MAHANADI COALFIELDS LIMITED
(A Subsidiary of Coal India Limited)
Sambalpur-768020 (Orissa)
Office of the General Manager (L&R), MCL, HQ
P.O. Jagriti Vihar, Burla, e-mail: gm-lnr.mcl@nic.in
Tele Fax No.0663 2542157

Ref.: No. MCL/GM(L&R)/2013/ 1232 Dt: 11.10.2013

To

The General Manager,
Hingula Area, MCL

Dear Sir,

The clarifications on the following points pertaining to R&R issues sought from MCL Hqrs. vide your Note Sheet No.MCL/GM/HA/L&R/2013 dated 03.05.2013 was placed before "MCL Board's Sub-Committee of FDs for land oustee cases" in their 27th meeting held on 21/06/2013.

1) Resettlement benefits to unmarried major son not separated from main family.

2) Resettlement benefits to possessioner of a house whose compensation has been paid to the recorded tenant of the land.

3) Amount of cash in lieu of plot who has demolished his house before cut off date (15.05.2010 as per Letter No.MCL/HQ/SBP/D(P) Sectt./2011/2059 dated 12/13.04.2011) but not given option for plot / cash in lieu of plot.

The decision taken by the Sub-Commttee is quoted below:-

"Quote

27.L-4 **Requirement of decision for resettlement benefit of village Gopalprasad**

The Sub-Committee did not agree to the proposal for providing resettlement benefits under the given circumstances as referred in the proposed note and directed GM (L&R) to issue necessary clarification to Hingula Area.

Unquote"

As directed by the Sub-Committee, pointwise clarifications are as under:-

1) As per R&R Policy, 1989, a family in the context of rehabilitation shall include the husaband, wife and their unmarried children. Hence, unmarried children who is not separated from the main family is not entitled for resettlement benefit even if he was major on cut off date.

2) The recipient of compensation of the house who is also the owner of the land is the owner of that house. Mere possessioner can not be treated as owner of a house, when compensation for such structure has not been awarded to the possessioner. As such he can not be treated as displaced family also. No resettlement benefit is therefore applicable.

Contd. 2

3) A person who has demolished his house can not be treated as a person residing in that house after the demolition. He can only be treated as a person who has shifted from that place. Hence, the Letter No. MCL/HQ/SBP/D(P) Sectt./2011/2059 dated 12/13.04.2011 regarding payment of cash in lieu of plot will not be applicable. The relevant portion of the circular is as under-

"The benefits will be extended to all those taken cash in lieu of plot, building assistance and other assistance w.e.f. 15.05.2010. Further, for those who have already got cash / consented for cash in lieu of plot piror to 15.05.2010 and have not yet shifted will only be eligible to get the building assistance and other assistance".

This is for your information.

Yours faithfully,

General Manager (L&R)

Copy to:
1) TS to CMD, MCL.
2) TS to Director (Tech/Operation), MCL.
3) TS to Director (Finance), MCL
4) TS to Director (Tech/P&P), MCL
5) TS to Director (Pers.), MCL.

ମହାନଦୀ କୋଲ୍ ଫିଲ୍ଡସ୍ ଲିମିଟେଡ୍
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Fax: +91 (663) 254 2844, e-mail: gm-lnr.mcl@nic.in

Ref : MCL/GM(L&R)/Resettlement/2014/ 548

Date 09/07/2014

सेवा में,

मुख्यमहाप्रबंधक/महाप्रबंधक,
इब वैली / लखनपुर / ओरिएंट / बसुन्धरा गरजनबहाल / ताळचेर /
जगन्नाथ / भरतपुर / ळिंगराज /हिंगुला / कनिहा एरिया

प्रिय महोदय,

A proposal on revision in the eligibility criteria for availing cash compensation / monetary package to the Project Displaced Families (PDFs) in lieu of resettlement plot and building assistance was placed before the Board of Directors of MCL for consideration in their 159th meeting held on 25.06.2014. The decision taken by the Board of Directors is as under:-

159.C-11 **Revision in the eligibility criteria for availing cash compensation / monetary package to the project displaced families (PDFs) in lieu of resettlement plot and building assistance.**

11.1 The Board deliberated on the proposal in detail and based on the facts brought out in the agenda note and clarification offered by GM(L&R), approved the proposal as per the details brought out in the agenda note.

The following resettlement benefit therefore, shall be continued to be extended to the displaced families.

I) *Cash compensation in lieu of plot for self relocation @ Rs.3.00 lakhs to each displaced family with effect from 15.05.2010.*

II) *Building assistance and other resettlement benefits to each displaced family amounting to Rs.2,78,000/- (with effect from 01.04.2012) or as may be fixed by the Govt. of Odisha from time to time.*

III) *Cash incentive for early shifting amounting to Rs.1,00,000/- to Rs.50,000/- if shifted within 30 days to 90 days of notice period.*

Under the above policy the actual amount of resettlement benefit payable at different situation shall be as under-

Contd.2

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A) Cash compensation in lieu of plot

Sl..	Status of the family			Amount payable
1	Family who has given their option for plot or cash in lieu of plot before 15.05.2010.	Amount not approved		Rs.3,00,000/-
2		Amount approved before 15.05.2010	Received	Nil (No further)
3			Not Received	Rs.3,00,000/-
4		Amount approved on or after 15.05.2010	Received	Nil (No further)
5			Not Received	Rs.3,00,000/-
6	Family who has given their option for plot or cash in lieu of plot on or after 15.05.2010.	Amount not approved		Rs.3,00,000/-
7		Amount approved on or after 15.05.2010	Received	Balance from Rs.3,00,000/- if any
8			Not received	Rs.3,00,000/-
9	Family who has not given their option for plot or cash in lieu of plot before 15.05.2010.	Amount not approved		Rs.3,00,000/-
10		Amount approved before 15.05.2010	Received	NIL (No further)
11			Not received	Rs.3,00,000/-
12		Amount approved on or after 15.05.2010	Received	Balance from Rs.3,00,000/- if any
13			Not received	Rs.3,00,000/-

Note: Date on which approving authority has put his signature shall be taken as the date of amount approved.

B) House building assistance and other resettlement benefit-

Sl.	Status of the family	Eligibility	Amount payable
1	Family who has demolished their structure before 31.08.2008. (Ref.: Circular No.MCL/D(P) Sectt/10/1567 dated 08.04.2010 & No.MCL/D(P) Sectt/10/1856 dated 17.09.2010.	Covered under 1989, 1998 & 2006 Policies.	NIL (No further)
2	Family who has demolished their structure in the period from 31.08.2008 to 14.05.2010 (Ref.:Circular No.MCL/D(P)Sectt/10/1567 dated 08.04.2010 & No.MCL/D(P) Sectt/10/1856 dated 17.09.2010.	Covered under 1989 & 1998 Policy	Rs.90,000/-
		Covered under 2006 Policy	Rs.1,50,000/-
3	Family who has demolished their structure on or after 15.05.2010 covered under all policies.	Resettlement beneficiary list approved before 01.04.2012.	Rs.2,32,000/-
		Resettlement beneficiary list approved on or after 01.04.2012.	Rs.2,78,000/- (subject to further revision by State Govt.)

Contd.3

ମହାନଦୀ କୋଲ୍ ଫିଲ୍ଡସ୍ ଲିମିଟେଡ୍
महानदी कोलफील्डस लिमिटेड
Mahanadi Coalfields Limited
(A subsidiary of Coal India Limited)

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C) ***Additional Incentive for early vacation & handing over home/ homestead and agricultural land-***

Incentive for early shifting @ Rs.1,00,000/- / Rs. 75,000/- / Rs.50,000/- shall be payable if shifting and handover of all structure, agricultural land, home and homestead has taken place on or after 12.04.2011 and within 30 days / 60 days / 90 days respectively from the date of notice for demolition, irrespective of issuance of notice before or after 12.04.2011.

D) ***An undertaking from the concerned will be taken that he / she accepts cash in lieu of land / plot and will not make any further claim for plot in future.***

11.2 The Board further directed that payment to be released only after taking the vacant possession of Land and Building.

11.3 The Board further directed that progress report be placed before MCL Board on quarterly basis.

This is for your information and further necessary action in the matter.

भवदीय,

महाप्रबंधक(एल एंड आर)

Copy to:-
1) TS to CMD, MCL.
2) TS to Director (Tech/Operation), MCL.
3) TS to Director (Finance), MCL
4) TS to Director (Tech/P&P), MCL
5) TS to Director (Pers.), MCL.

Mahanadi Coalfields Limited
(A Subsidiary of Coal India Limited)
A Mini Ratna Company

महानदी कोलफील्ड्स लिमिटेड
ମହାନଦୀ କୋଲଫିଲ୍ଡସ ଲିମିଟେଡ
Mahanadi Coalfields Limited

(A Subsidiary of Coal India Limited)
Office of the General Manager (L/R&R)
PO:Jagruti Vihar, Sambalpur-768020
Telefax: 0663-2542157

Ref. No. MCL/HQ/GM (L/R&R)/2014/808 Date: 14/11/2014

To
The CGM/GMs
(Jagannath / Hingula / Lingaraj / Bharatpur / Kaniha / Talcher /
IB Valley / Lakhanpur / Orient / Basundhara- Garjanbahal) Areas.

Dear Sir,

This is to convey that Competent Authority has approved Building Assistance and other Resettlement Benefits amounting to Rs. 3,16,000/- in place of Rs. 2,78,000/- as per resolution of Revenue & Disaster Management Department, Govt. of Odisha, vide No. RDM- RRC-POLICY-0008-2014 - 22127 dated 28. 07.2014. with effect from Dt. 01.04.2014.as detailed below :

Sl. No.	Details of Building Assistance and Other Resettlement Benefits	Existing Rates of MCL wef. Dt.01.04.2012(Rs)	Revised Rates of MCL wef. Dt.01.04.2014(Rs)
1.	House Building Assistance	2,24,000/-	2,55,000/-
2.	Maintenance Allowance. for 12 months.	@ Rs. 3000/- P.M 36,000/-	@ Rs. 3400/- P.M 40,800/-
3.	Assistance for Temporary Shed	15,000/-	17,000/-
4.	Transportation Allowance	3,000/-	3,400/-
	Total	2,78,000/-	Rs. 3,16,200/-

It may please be noted that the revised rates of Building assistance and other resettlement benefits will be applicable for the cases whose eligibility recommended by Area Resettlement Committee has been approved by the District Authority on or after dt. 01.04.2014.

Yours faithfully,
14/11/14
General Manager (L&R)

Copy to :
1. TS to CMD, MCL.
2. TS to D(T/P&P), MCL
3. TS to D(T/O), MCL
4. TS to D (P), MCL.
5. TS to D(F), MCL
6. General Manager(Fin), MCL Hqs

महानदी कोलफील्डस लिमिटेड
Mahanadi Coalfields Limited
(A subsidiary of Coal India Limited)

महाप्रबंधक(एल एंड आर) का कार्यालय
जागृति विहार,बुर्ला,संबलपुर-768020 (ओडिसा)
Office of The General Manager (L&R)
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Odisha-768020
Ph: +91 (663) 254 2157, Fax: +91 (663) 254 2157
e-mail: gm-lnr.mcl@nic.in

क्रमांक : एम.सी.एल /मुख्यालय/ महाप्रबंधक(एल एंड आर)/2016/ 2739 दिनांक: 12/11/16
Ref. No. : MCL/HQ/GM(L&R)/2016/

CIRCULAR

The Board of Directors of MCL in their 181st meeting held on 17.09.2016 have kindly approved the proposal for enhancing the amount of one time cash compensation in lieu of employment and resettlement plot as mentioned below to be paid to eligible families as per provision of R&R Policies of Govt. of Odisha.

Particulars	Existing Rate	Revised Rate
One time cash compensation in lieu of employment	Rs.10.00 lakhs	Rs.16.00 lakhs
One time cash compensation in lieu of resettlement plot	Rs.3.00 lakhs	Rs.6.00 lakhs

The above Revised Rates for one time cash compensation in lieu of employment and One time cash compensation in lieu of resettlement plot will be made effective from 1st November 2016.

The cases of cash compensation in lieu of employment and One time cash compensation in lieu of resettlement plot approved by the "MCL Board's Sub-Committee of FDs for land oustee cases" / competent authority on or after 1st November 2016 only will be covered under Revised Rates. Old cases which are approved before 01-11-2016 will not be eligible for Revised Rates.

Disputed cases, if any, will be dealt as per individual merit of the cases by MCL Board's Sub-Committee of FDs for land oustee cases.

This issues with the approval of competent authority.

12.11.16
(K. K. Roul)
General Manager (L&R)

Distribution:-
1) All Area CGMs/GMs of MCL.
2) GM (Finance), MCL.

Copy for kind information to:
1) CMD, MCL.
2) DT (Oprn.), MCL.
3) D(F), MCL.
4) D(P), MCL.
5) DT (P&P), MCL.

Mahanadi Coalfields Limited
(A Subsidiary of Coal India Limited)
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महानदी कोलफील्ड्स लिमिटेड
ମହାନଦୀ କୋଲଫିଲ୍ଡସ ଲିମିଟେଡ
Subsidiary of Coal India Limited)
Office of the General Manager (L/R&R)
PO:Jagruti Vihar, Sambalpur-768020
Telefax: 0663-2542157

Ref. No. MCL/HQ/GM (L&R)/2019/ 5760 Date: 21/05/2019

To
The General Managers,
(Jagannath / Hingula / Lingaraj / Bharatpur / Kaniha / Talcher /
IB Valley / Lakhanpur / Orient / Basundhara- Garjanbahal) Areas.

Dear Sir,

This is to convey that Competent Authority has approved Building Assistance and other Resettlement Benefits amounting to Rs.3,19,269/- in place of Rs.3,16,200/- as per resolution of Revenue & Disaster Management Department, Govt. of Odisha, vide No. RDM- RRC-MISC-0002-2018 - 40438 dated . 31.10.2018. with effect from Dt. 01.04.2018.as detailed below :

Sl. No.	Details of Building Assistance and Other Resettlement Benefits	Revised Rates of MCL wef. Dt.01.04.2016 to 31.03.2018 (in Rs)	Revised rate to be effective in the 6th Biennial period i.e from 01.04.2018 to 31.03.2020.
1.	House Building Assistance	2,55,000/-	2,57,475/-
2.	Maintenance Allowance. for 12 months.	@ Rs. 3400/- P.M 40,800/-	@3433/month = 41,196/-
3.	Assistance for Temporary Shed	17,000/-	17,165/-
4.	Transportation Allowance	3,400/-	3,433/-
	Total	Rs. 3,16,200/-	Rs. 3,19,269/-

It may please be noted that the revised rates of Building assistance and other resettlement benefits will be applicable for the cases approved by the competent authority on or after 01.04.2018.

Yours faithfully,

21/5/19

General Manager (L&R)

Copy to :

1. TS to CMD, MCL.
2. TS to D(T/P&P), MCL
3. TS to D(T/O), MCL
4. TS to D (P), MCL.
5. TS to D(F), MCL
6. General Manager (Fin), MCL Hqs

ମହାନଦୀ କୋଲଫିଲ୍ଡସ୍ ଲିମିଟେଡ
महानदी कोलफील्डस लिमिटेड
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Office of th Dy.GM (P-MP&IR/NEE)
At/Po: Jagru Vihar, Dist: Sambalpur,
Odisha-768 0, Ph: 0663-2542653,
Fax: 0663-2542482,PBX-5205,
E-mail: gmpir.mcl@gmail.com

Ref.No. MCL/PD/IR/2018/2472

Dtd.15.07.2018
16

CIRCULAR

In order to avoid ambiguity on matter of Age assessment of new appointees coming into employment under provisions of NCWA & Land acquisition etc., & to streamline the method, the matter was put for deliberation of the FDs in their 435th meeting held on 10.03.2018 & it has been agreed by the FDs that the provisions prescribed under of I.I. No. 76 of NCWA-III should be implemented in totality in such cases.

In order to ensure compliance of the provisions of the I.I. 76, NCWA-III in a dispute free manner, the following methodology / procedure has been advised to be followed by all concerned, as detailed below:-

Sl. No	Status of qualification	Procedure to be followed & documents to be relied upon
1	Matriculate & above	The date of birth as per Matriculation certificate is to be accepted as the correct date of birth.
2	Matric appeared or Matric failed	D.O.B of the candidate as recorded in his Matric Admit card / Matric fail Certificate issued by the concerned Board is to be accepted.
3	Literate with School qualification but not appeared in Matric examination i.e. Non-Matric but educated	(a) School leaving certificate issued by CBSE / ICSE / any Govt., School to be accepted. (b) In case of Schools other than the above, confirmation from District Education Officer should be obtained regarding status of recognition of the school & if the school is confirmed to be recognized, School Leaving Certificate issued by the school should be verified from the concerned school, prior to reference of the SLC to Age Assessment Board. Sup porting documents viz. copies of admission register, attendance register, SLC register etc., should be also verified from such schools. This exercise is to be undertaken by the Area Personnel Executive / L&R executive, as the case may be. (c) If, the school concerned is found to be not recognized, age of the candidates should be ascertained as an "Illiterate candidate" as discussed here under.
4	Illiterate	(a) For NCWA Cases The date of birth of the dependent coming for employment, as recorded in service records of the concerned deceased / unfit employee should be accepted. These records can be Service Excerpts / Service Book / PS-3 / PS-4 / Form-F / Health Card / LTC Option Form etc. Copy of the above record / s should be sent by the Personnel department of the Unit / Area to the Age Assessment Board at the time of reference of the candidate for his / her age assessment. (b) Land Employment cases. Genealogical Chart should be prepared based on supporting documents showing date of birth of a candidate / nominee / Family member e.g. birth certificate, Aadhar Card, Voter Card, PAN card, driving licence etc. Any of the above documents furnished before the Age Assessment Board at the first instance only, should be considered as proof of age. (c) In case no document in support of DOB / Age is available In such cases, the age of the candidates shall be assessed by the Medical Board in a range of 5 years & the mean / mid-point of the age range, as on date of examination should be accepted as DOB of the candidate.

Contd..P/2

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E-mail: gmpir.mcl@gmail.com

It has also been decided that henceforth, in all Age Assessment Boards, a Senior Executive of Personnel discipline should be included as member, for interpretation of norms.

This circular supersedes all previous circulars issued earlier on matter of age assessment of candidates coming into employment under provisions of NCWA / R&R policy.

15/7/14

(D.P.Pattanaik)
Dy.GM(P-MP&IR/NEE)

Copy to:

1. All Area GMs
2. CMS, MCL Hqtr. / CMS, NSCH Talcher / CMS I/C, CH, Ibvalley / CMS I/C, A.V.Hospital
3. Company Secretary, MCL
4. All Area PMs / All Area Medical Officers
5. TS to D(P),MCL
6. Sr. Manager (P-NEE)

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