

SUSTAINABLE MINING AND GEOINFORMATION

Prof. Basanta Kumar Prusty

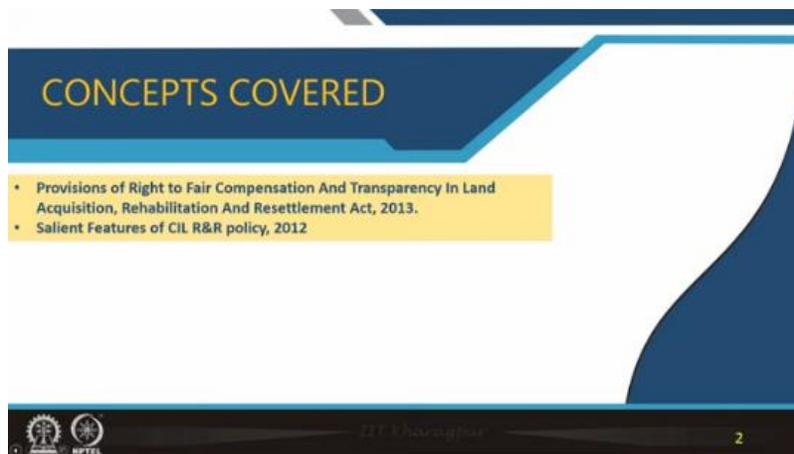
Department of Mining Engineering

Indian Institute of Technology Kharagpur

Week – 09

Lecture 43: Land Acquisition, R&R Act -III

Welcome student to the lecture number 43 of the NPTEL online certification course on Sustainable Mining and Geoinformation. Since last two classes we are discussing on the land acquisition rehabilitation and resettlement act which has special relevance to sustainable development of the mining industry.



In this class we are continuing our discussion on provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013. Now, we will cover the some of the salient features of resettlement and rehabilitation policy of Coal India Limited which is one of the major mining companies of the country. The CIL R&R policy which they have brought in the year 2012. Some of the salient points of that policy, we shall discuss in today's class.

PROCEDURE AND MANNER OF R & R

43. Appointment of Administrator.

(1) Where there is involuntary displacement of PAP due to acquisition of land, the State Govt. shall, appoint in respect of that project, an officer **not below the rank of Joint Collector or Additional Collector or Deputy Collector or equivalent official of Revenue Department to be the Administrator for R & R.**

(3) Subject to superintendence, directions and control of the Govt. and Commissioner for R & R, the formulation, execution and monitoring of the R & R Scheme shall vest in the Administrator.



3

We are continuing our discussion on the Land Acquisition and Resettlement and Rehabilitation Act 2013. Section 43: Appointment of the administrator; So, wherever there is involuntary displacement of PAP, due to the acquisition of the land, the state government will appoint a administrator who will be responsible for formulation of the R & R scheme, execution and monitoring of the R & R scheme. So, who can be appointed as a administrator? The state government will appoint an officer not below the rank of joint collector or additional collector or deputy collector or he may be an official from the revenue department with a equivalent rank. So, this administrator will be responsible for formulating execution and monitoring of the R and R scheme for that particular project.

PROCEDURE AND MANNER OF R & R

44. Commissioner for rehabilitation and resettlement–

(1) State Govt. shall appoint **officer of rank of Commissioner or Secretary** to be the **Commissioner for R & R.**

(2) Commissioner shall be responsible for supervising the formulation of R & R schemes or plans and its proper implementation.

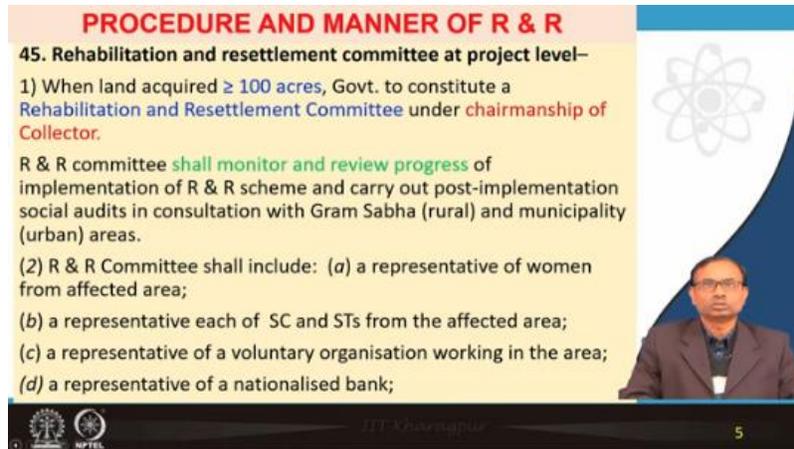
(3) Commissioner shall be responsible for post-implementation social audit in consultation with Gram Sabha (rural areas) and municipality in urban areas.



4

Section 44: Commissioner for rehabilitation and resettlement. The state government shall appoint an officer who is of the rank of commissioner or secretary to the post of commissioner of rehabilitation and resettlement. Here I would like to distinguish the position of R&R administrator and R&R commissioner. R &R administrator is with respect to a particular project or for certain mine where displacement is taking place. But the R &R commissioner, his office will be mostly in the state capital. The R&R commissioner shall

be responsible for supervising the formulation of R and R schemes or plans and its proper implementation. Commissioner shall be responsible for post implementation of social audit in consultation with the Gram Sabha where project is located in the rural area or with the municipality when the project is located in the urban area. So, R & R commissioner is the top most official responsible for the resettlement and rehabilitation plans schemes policy. So, the state government will execute the rehabilitation and resettlement through the commissioner's office.



PROCEDURE AND MANNER OF R & R

45. Rehabilitation and resettlement committee at project level—

1) When land acquired ≥ 100 acres, Govt. to constitute a Rehabilitation and Resettlement Committee under chairmanship of Collector.

R & R committee shall monitor and review progress of implementation of R & R scheme and carry out post-implementation social audits in consultation with Gram Sabha (rural) and municipality (urban) areas.

(2) R & R Committee shall include: (a) a representative of women from affected area;

(b) a representative each of SC and STs from the affected area;

(c) a representative of a voluntary organisation working in the area;

(d) a representative of a nationalised bank;

5

Similarly, you have the state capital, you have the administrator at the project level. Let us say we have a big open cast mines for example, Deepka mine. Say Dipka mines wants to acquire 500 acres of land. In the mine level, in the project level, we will have some governance structure who will be responsible for the rehabilitation and resettlement. In the project level we have a committee because the acquisition will take place at the mine level, a the project by the state government. But different stakeholder will be involved there. The different stakeholders or their representatives, will be part of the committee. Section 45 says that when the land to be acquired is more than 100 acres, the state government have to constitute a rehabilitation and resettlement committee under the chairmanship of the district collector. The R&R committee shall monitor and review the progress of the implementation of the rehabilitation and resettlement scheme and carry out post-implementation social audits in consultation with the Gram Sabha for rural projects or in consultation with the municipality for urban projects. The rehabilitation and resettlement committee shall include several members. The committee will have a representative of women from those who are residing in the project area—one woman committee member. The committee will have a representative from scheduled caste (SC) people residing in that area. The committee will have a representative of scheduled tribe (ST) people who are residing in the affected area. The committee will have a representative of a voluntary

organization working in that area. The committee will have a representative of a nationalized bank because the distribution of the compensation will take place through a nationalized bank, through a bank account. So, a bank official will be a member of the committee.

PROCEDURE AND MANNER OF R & R

- e) Land Acquisition Officer of the project;
- (f) Chairpersons of panchayats or municipalities located in the affected area or their nominees;
- (g) Chairperson of the District Planning Committee or his nominee;
- (h) Member of Parliament and Member of the Legislative Assembly of the concerned area or their nominees;
- (i) a representative of the company ; and
- (j) Administrator for R & R as the Member-Convenor

6

The committee will have as a member the land acquisition officer of the project. Every mine where they are acquiring land will have a land acquisition office. The land acquisition officer will be part of the R&R committee. The committee will also include the chairperson of the panchayat or the chairperson of the municipalities located in that project area or their nominee. The committee will include the chairperson of the district planning committee or their nominee as a committee member. The committee will also include a member of parliament and a member of the legislative assembly of the concerned area or their nominee. Finally, one representative of the company, other than the land acquisition officer. For example, in a Coal India mine, the land acquisition officer of the project and also one member from Coal India will be a member. Lastly, the administrator will be the convener of the project-level R&R committee.

NATIONAL MONITORING COMMITTEE FOR R & R

47. **Quantification and deposit of R & R Amount**– If Collector is of view that obligations of the company wrt R & R can be quantified into monetary amount, he may allow payment of such amount by the Administrator.

48. **Establishment of National Monitoring Committee (NMC) for R & R**

- (1) Central Govt. may, for national / inter-State projects, constitute a NMC for reviewing and monitoring the implementation of R & R schemes or plans.
- (2) NMC to have representation of concerned Ministries/ Departments of Central and State Govt., and eminent experts from relevant fields.
- (4) Central Govt. to provide officers and employees to Committee for its efficient functioning.

50. **Establishment of State Monitoring Committee (SMC) for R & R**

- (1) State Govt. shall constitute SMC for reviewing and monitoring implementation of R & R schemes or plans.
- (2) SMC will have representatives of concerned Ministries and Departments of State Govt. and experts from relevant fields.

7

Now, apart from this, we have discussed that the commissioner, R&R commissioner, and R&R administrator are in the project R&R committee. Now, for monitoring all the rehabilitation and resettlement activities that are going on among different projects, districts, and states, we shall have a national monitoring committee (NMC). As per Section 48 of the Act, the central government, for national projects or interstate projects, may constitute a national monitoring committee for reviewing and monitoring the implementation of rehabilitation and resettlement schemes or plans. This national monitoring committee will have representatives of the concerned ministries from the central government and state government, representatives from the ministries and departments, and also eminent experts in the relevant field. For example, if you have a Coal India project, which has mines located in two states—Jharkhand and West Bengal. There are some mines where one part lies in one state and the other part lies in another state because geological reserves are contiguous. So, in that case, the NMC will have member representatives from West Bengal state and Jharkhand state. Let us say it is a coal mining project. So, representatives from the mining department of the government of India and both state governments can be included. You can have representatives of the revenue department of both state governments—Jharkhand and West Bengal—and one from the home ministry may be a committee member. So, whichever are the concerned departments and ministries—if it is a mining project, the mining department is the concerned department. If it is an irrigation project, then the water resource department is the concerned department. Relevant experts from the relevant field will be in the committee. If it is a mining project, mining experts will be in the committee. If it is an irrigation project, agricultural project, or port project, concerned technical experts will be in that national monitoring committee. The central government will provide officers and employees to the committee for its efficient functioning. Section 50: Similar to the national monitoring committee for rehabilitation and resettlement, the state government shall constitute a state monitoring committee for reviewing, monitoring, and implementing resettlement and rehabilitation schemes or plans that are ongoing in that particular state. The SMC will have representatives of concerned ministries and departments from the state government and will also have experts in the domain of the project.

If it is a mining project, mining experts; if it is an industrial project, industry experts; if it is an airport project, airport experts; if it is a roadway project, experts from the roadway domain will be there as technical members as part of the SMC.

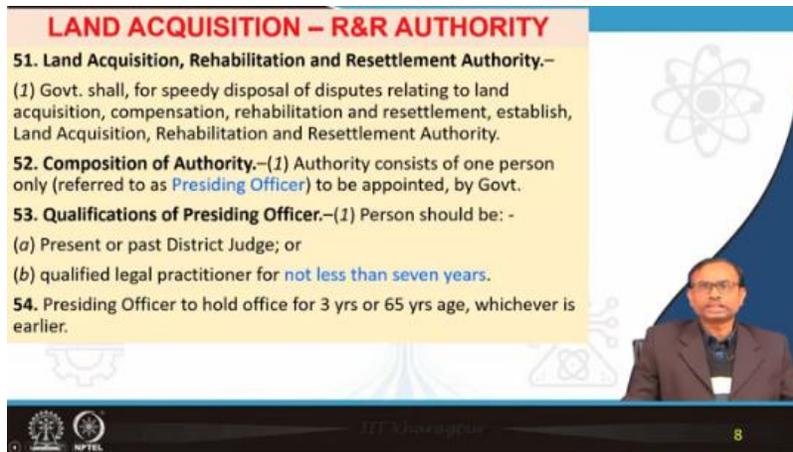
LAND ACQUISITION – R&R AUTHORITY

51. Land Acquisition, Rehabilitation and Resettlement Authority.–
(1) Govt. shall, for speedy disposal of disputes relating to land acquisition, compensation, rehabilitation and resettlement, establish, Land Acquisition, Rehabilitation and Resettlement Authority.

52. Composition of Authority.–(1) Authority consists of one person only (referred to as **Presiding Officer**) to be appointed, by Govt.

53. Qualifications of Presiding Officer.–(1) Person should be: -
(a) Present or past District Judge; or
(b) qualified legal practitioner for **not less than seven years**.

54. Presiding Officer to hold office for 3 yrs or 65 yrs age, whichever is earlier.



Section 51 provides for the Land Acquisition, Rehabilitation, and Resettlement Authority. The government, for speedy disposal of disputes relating to land acquisition, compensation, rehabilitation, and resettlement, will establish this Land Acquisition Rehabilitation and Resettlement Authority. Now, we know that the district collector is the authority for awarding compensation for resettlement and rehabilitation. There may be some disputes; the PAP may not be satisfied and may have some grievances. Now, who will address their grievances? It is this Land Acquisition and Rehabilitation and Resettlement Authority, formed under Section 51, to whom people having grievances will go with their complaints. Sec. 52: Composition of the Authority: The authority consists of one person only, who will be appointed by the state government. In most cases, land acquisition takes place at the state government level. So, it is the state government. If it is a union territory, then it will be the central government. The authority consists of one person whose designation is termed as Presiding Officer. So, the Presiding Officer will be appointed by the government. What is the qualification of the Presiding Officer? The Presiding Officer should be a present or past district judge and should have been a qualified legal practitioner for not less than seven years. The Presiding Officer will hold office for three years or up to 65 years of age, whichever is earlier.

LAND ACQUISITION – R&R AUTHORITY

69/73 . Determination of award by authority.–(1) The authority has power to review the compensation awarded by collector and re-determine amount of compensation.

96. Exemption from income-tax, stamp duty and fees– No income tax or stamp duty shall be levied on any award under this Act.

101. Return of unutilised land – When any land acquired remains unutilised for a period of **5 yrs** from the date of taking over possession, the same shall be returned to the **original owners/ legal heirs**, or to **Land Bank of the Govt.**

102. Difference in price of land when transferred for higher consideration – Whenever ownership of land acquired is transferred to any person for a higher consideration, without any development having taken place on such land, **40 %** of appreciated land value shall be shared amongst the persons from whom the lands were acquired or their heirs.

This benefit shall be applicable **only on first sale / transfer** after the conclusion of acquisition.





9

Now, what is the power of the R&R Authority? As per Sections 69 or 73, the determination of the award by the authority. Once somebody complains to the authority with respect to the R&R compensation, the authority has the power to review the compensation awarded by the collector and redetermine the amount of compensation. It can rework and recalculate how much should be paid to the project-affected family who is complaining. That power lies with the Land Acquisition and Rehabilitation and Resettlement Authority. Section 96: Exemption from income tax, stamp duty, and fees; The compensation given to the project-affected family members with respect to the land that was acquired or with respect to the displacement benefit entitlement, no income tax or stamp duty shall be levied on any award under this Act. When we are getting land as part of the compensation under the Land Acquisition Act, and we go for registration, there will be no stamp duty. Under this Act, any project-affected family getting land or a plot when going for registration will not have stamp duty levied. If the PAP is getting some monetary compensation under this Land Acquisition Act, no income tax will be levied on that compensation amount. This is as per Section 96 of this Act. Section 101: It is about the return of unutilized land; when any land that was acquired by the state for a certain developmental project and if, for any reason, that land remains unutilized for a period of five years from the date of taking over possession, the state shall return the land to the original owners or the legal heirs of the original owners. Or it should be given to the land bank created by the state government. You may know that the government is creating a land bank for giving to different industries because industries are finding it very difficult to get land for their developmental projects. So, some governments acquire land on behalf of investors and create a land bank. When an investor is ready, they can come, get the land from the land bank, and then start their project. So, if the acquired land has not been utilized for five years, it is either to be given to the original owners or their legal heirs, or it can be given to the land bank.

Section 102: Difference in price of land when transferred for higher consideration: Sometimes the government acquires the land and gives the compensation to the land owner at certain rate. And then the land may be part of the land bank and the government gives the land to an investor for a higher value, without doing any development work over the land. In such case, the difference between the higher value at which the government has given to a third party and the price at which the original land owner has got the money. As per Sec 102, So, the difference 40 percent of the appreciated land value shall be shared among the persons from whom the lands were acquired. if the original land owners are still there, 40 percent of the difference will be shared to the original land owner. This provision of transferring some of the benefit because the land has been transferred to a person at a higher value, this profit sharing will be given to the original land owners only for one time. The benefit share shall be applicable only on the first sale or transfer after the conclusion of the acquisition. For second time if government is giving that land to a third party at a higher value, then that time profit will not be shared with the original owner. So these were the main points of the Land Acquisition, Rehabilitation and Resettlement Act 2013.



Now, we will discuss the rehabilitation and resettlement policy of a major mining company of India that is Coal India Limited. Coal India Limited is the biggest mining company of the country and as you know mostly the most of the coal production is coming from the open cast mines and open cast mines requires huge areas of land. So, Coal India has to acquire lot of land. We have seen in the recent past, that many disputes, resistances, agitations has taken place because of land acquisition issue. Because of that, this state governments, the government of India, have brought the land acquisition and the rehabilitation and resettlement act. Coal India, also have a R&R Policy. Mostly on the basis of the studying the central act, different R &R policy of state governments, CIL has formulated a rehabilitation and resettlement policy in the year 2012. Earlier they had a R

& R policy 2008 and then they modified the policy in the year 2012. CIL R and R policy 2012.

R & R POLICY OF COAL INDIA LIMITED- 2012

Objectives and general principles of CIL's R & R Policy- 2012

- a) Avoid / minimize disturbance of local population while opening new mines (expansion) by preparing, implementing R&R action plan.
- b) Ensure humane, participatory, informed consultative and transparent process for land acquisition with least disturbance to the owners of land and other PAPs.
- c) Provide just compensation to PAPs whose land is acquired, or are affected by such acquisition and make adequate provisions for loss of livelihood of such affected persons including their **rehabilitation and resettlement**.
- d) Ensure that cumulative outcome of compulsory acquisition should be that the affected persons become partners in development leading to an improvement in their post acquisition social and economic status.
- e) Through R & R action plans, subsidiaries will safeguard that PAP improve / regain their former standard of living and earning capacity after a minimum reasonable transition period.
- f) Involuntary resettlement is conceived and executed as a development programme with PAP being provided sufficient resources and opportunities to share in project's benefits. Efforts of subsidiaries are complementary to the Govt's schemes.

What is the objective of this CIL R and R policy? The objectives are: a) avoid or minimize disturbance of local population while opening new mines or expansion of the existing mines by preparing and implementing a suitable R&R action plan. b) Ensure human participatory, informed, consultative and transparent process of land acquisition with least disturbance to the owners of the land and other project affected persons. c) Provide compensation to the project affected family whose land is acquired or who are affected by the acquisition and through this policy make adequate provisions to provide compensation against loss of livelihood for the project affected family including suggesting their rehabilitation and resettlement measures. d) Ensure that cumulative outcome of the acquisition, land acquisition should be that affected persons become partners in the development leading to improvement in their post-acquisition social and economic status. So, from the project affected people, from whom coal India is acquiring the land, after the acquisition of the land, whatever benefit they are providing to the PAP, with that benefit, their social and economic status should be better than what it was before the acquisition of the land by Coal India. e) Through rehabilitation and resettlement plan, action plans, the mining or subsidiaries or mine will safeguard that PAPs improve or regain their former standard of living and earning capacity after a minimum reasonable transition period. So, you know, whenever we acquire certain land from a family, whose life was dependent on the land is acquired by the mine. This will destabilise their life.

So, it will take some time even if you give them compensation. So, it so, they have to move from one location to another location. There is a transition. So, it will take some time when again they become settled. So, a minimum reasonable transition period is required and after

that their social and economic status should be much better. This is the objective of this CIL R & R policy.

R&R POLICY OF CIL-2012

Objectives and general principles of CIL's R & R Policy- 2012

- g) Subsidiaries will work closely with NGOs of repute which have the confidence of PAPs in preparation and implementation of rehabilitation plans.
- h) Corporate Social Responsibility (CSR) activities shall be intensified in villages where land is being acquired.
- i) R&R package must be implemented after detailed survey project-affected villages to formulate the list of project, nature of the affect, the likely loss of income etc.

5. Socio-economic Survey and preparation of PAP

Baseline socioeconomic survey to be carried out to **identify PAPs** who will receive benefits. Survey will be conducted within 2 months of notification for land acquisition. Survey to be carried out with help of **reputed independent institutional agencies**, who are well versed with the social matrix of the area.

Objective of socio-economic survey is to generate baseline data on social and economic status of the PAPs who may lose livelihood/ homestead due to acquisition of land.

Data base will be used to formulate a viable and practical **Rehabilitation Action Plan** for PAP with their entitlement.

12

Subsidiaries will work closely with reputed NGOs who have the confidence of the project affected families in the preparation and implementation of rehabilitation plan. Then corporate social responsibility CSR activities shall be intensified. where land is being acquired, the CSR of the company will be oriented so that it can help the project affected family. R & R package must be implemented after detailed survey of the project affected villages to formulate the list of the project, nature of the effect and the likely loss of income etc. As per the policy there will be a socio economic survey and preparation of the list of PAP. Baseline socio-economic survey to be carried out to identify who are the project affected person who will receive the benefit. The socio-economic survey will be conducted within two month after the notification of the land acquisition. Survey will be carried out by independent institutional agencies, competent agencies who are reputed and well versed with the social matrix of that area. Now, objective of socio-economic survey is to generate baseline data on social and economic status of the PAP who may lose livelihood or homestead land due to the acquisition of land. This baseline database will be used to formulate a viable and practical rehabilitation action plan for the project affected persons and it will also specify what will be the entitlement of the project affected person with respect to the land loss, with respect to the opportunity loss.

Compensation and Rehabilitation Entitlement

Category of Persons affected	Compensation and Rehabilitation entitlement option
(i) Persons (including tribals cultivating land under traditional rights) from whom land is acquired.	<p>All land owners with titles will receive monetary compensation for the land acquired from them.</p> <p>The value of the land is determined on the basis of prevailing legal norms. In respect of tribals cultivating land under traditional rights, authentication of land held under traditional rights by state authorities will be necessary. In addition to above the following shall apply.</p> <p>A). Land Compensation- Land compensation shall be paid as per the provisions of the Act or State Govt. notification.</p> <p>In addition to above 50% will be paid as per provisions of the Act / as notified by the State Govt.</p> <p>Escalation of land compensation - Escalation will be paid as per provisions of the concerned Act / State Policy Escalation at the rate of 12% per annum for a maximum period of three years.</p> <p>(B). Employment provision: Apart from payment of the land compensation, employment may be given in the following manner -</p> <ol style="list-style-type: none"> 1) The maximum total number of employments that may be provided to the land losers would be limited to the total no. of acres of land acquired divided by two. 2) For every two acres of land one employment can be considered; 3) Mine may give an option to the Land losers having less than 2 acres of land to club together their land to the extent of 2 acres and nominate one land losers among the groups or their dependent for employment under package deal. 4) The land loser must be a domiciled resident and the certificate to this effect shall be issued by State Authority.

13

Compensation and Rehabilitation Entitlement

Category of Persons affected	Compensation and Rehabilitation entitlement option
(ii) Persons (including tribals cultivating land under traditional rights) from whom land is acquired.	<p>5) The modalities for offering employment as may be approved by the Board of the Subsidiary companies.</p> <p>(c) The land loser business shall be posted as per requirement, including underground duties.</p> <p>(C): Lumpsum Monetary Compensation -</p> <ol style="list-style-type: none"> 1. Land losers who are not eligible for employment are entitled to receive monetary compensation in lieu of employment at the rate of Rs. Five Lakhs for each acre of land on pro-rata basis . 2. Land losers who are offered employment will have the option either to opt for employment or to forego employment and opt for monetary compensation at the rate of Five lakhs for each acre of land on pro-rata basis with minimum of Rs. 50,000/- provided that the employment thus surrendered shall not be available for offer to any other person and will stand lapsed. 3. The Land losers who have clubbed their land in Package Deal can claim employment for only one land loser of the clubbed two acres of land and remaining land losers of the package cannot claim either employment or lump sum monetary compensation in lieu of the land contributed by them. 4. Annuity - All land losers who are entitled to get lump sum monetary compensation may opt for payment of compensation amount in the form of annuity made payable to the land losers monthly, annually. The annuity be paid for a maximum period extending to 60 years of age or the life of the project for which the land has been acquired, whichever is earlier. <p>i. Compensation for homestead shall be paid as per the standard valuation method of L.A Act. of the State Govt.</p> <p>ii. One time lump sum payment of Rs.3,00,000/- (three lakhs) shall be paid in lieu of alternate House Assistance in designing Shifting Allowance, compensation for construction of cattle shed, MRP compensation for construction of work shed etc. The compensation shall be paid to displaced persons on vacation and demolition of the homestead/ work shed etc.</p> <p>iii. Subsistence allowance: Each affected displaced family will get subsistence allowance at the rate of (Minimum Agricultural Wage) per month for one year.</p>

14

Compensation and Rehabilitation Entitlement

Category of Persons affected	Compensation and Rehabilitation entitlement option
(iii) Share croppers, land lessees, tenants and day labourers	<p>Mine will assist PAP to take up non-farm self employment through petty contracts or formation of cooperatives.</p> <p>Contractors will also be persuaded to give job to eligible PAPs on a preferential basis where feasible.</p> <p>Mine will help PAP to establish so-farm self employment through petty contracts, cooperatives, contractors .</p>
(iv) landless tribals, Tribal dependent on forest produce	<p>Contractors will also be persuaded to give job to eligible PAPs on a preferential basis where feasible.</p> <p>Mine will shift the entire community as a unit and provide facility specific to the community to maintain their unique identity.</p> <p>Tribal families will be given onetime financial assistance of 500 days of MAW for loss of customary rights.</p> <p>Tribal families resettled out of the districts to be given 25% higher R&R benefit.</p>

15

Now, this table is given where the Coal India has specified category of person affected and what will be the compensation and rehabilitation entitlement option. So, you can go through this table and you will also see that we have in the previous classes we have discussed the schedule 1, schedule 2 and schedule 3 and mostly the compensation and rehabilitation entitlement benefits are as per the scheduled benefit which was mentioned in the act. So, we can go through specific provisions of the table.

R&R POLICY OF CIL-2012

10. Community facilities –

The mine will provide at the resettlement site a school, road with street light, pucca drain, pond, dugwell and/or tubewell for drinking water supply, community center, place of worship, dispensary, grazing land for cattle and play ground.

Similar infrastructural facility, if necessary, will be extended to the host locality.

The community facilities and services would be available to all residents of the area, including PAPs and the host population.

The approach for operation of community facilities would be flexible and all efforts will be made to involve the State and local self Government / Panchayat for operating the facilities.

The planning of the community facilities and their construction should be undertaken in consultation with the affected community.



Dr. Manoj Kumar

16

One thing here I would like to mention that community facility which will be provided by the rehabilitation and resettlement colony to be provided by the coal India for the displaced people. Again, these provisions are also given in the annexures.

R&R POLICY OF CIL-2012

12. Monitoring and Evaluation Mechanism.

- The RAP will be monitored and evaluated periodically after the completion of the land acquisition process.
- I. R&R activities are the responsibility of a separate group, both at the projects and corporate level, which will be constituted for planning, implementation, monitoring and evaluation of the Rehabilitation Action Plan.
- II. At the corporate level the group will be headed by a senior manager, whereas at the project, an executive of the rank of manager will head the group.
- III. The project group should have at least one member with social science qualification / experience and skills.



Dr. Manoj Kumar

17

Lastly, we will talk about the monitoring and evaluation mechanism. Through our lecture we have seen that there has to be a post resettlement monitoring. whether our R&R schemes are working properly, whether we are providing the benefit and whether the life socioeconomic condition of the PAP, whether it has become better or not. So, for that we have to have a monitoring and evaluation mechanism. Salient point number 12 of the CIL R and R policy: The rehabilitation action plan will be monitored and evaluated periodically after the completion of the land acquisition process. So, R and R activities are the responsibilities of a separate group both at the project level and also at the corporate level. This group is constituted for planning, implementation, monitoring and evaluation of the rehabilitation action plan. So, we have the team at a corporate level and also at the project level. At the corporate level, the group will be headed by a senior manager whereas at the project level, it will be headed by an executive of the rank of manager. The project group

should have at least one member with social science qualification and experience and skills. Because in land acquisition process, there is a lot of interaction with the society so social science background is very very essential to deal with the people, how to evaluate the R &R success. So there has to be persons of experience from the social science background.

R&R POLICY OF CIL-2012

12. Monitoring and Evaluation Mechanism.

- The project group will closely interact with the state authorities for implementation of RAP.
- Although the subsidiaries will develop the plots and infrastructural facilities in resettlement colony and actively implement RAP, assistance of **State authorities** will be taken for administrative services such as allotment of land.
- **Resettlement & Rehabilitation Cell at corporate level** will evaluate the implementation of the RAP after its completion.

18

The project group will closely interact with the state authorities. When the Coal India is giving the R&R benefit or when they are providing the resettlement colony or any development plans they are executing for the betterment of the PAP and local community. State government also have their developmental plans. So, the company and the state government should be always in interaction. So, if their ideas and their projects converge, it will be much better. That is why the project group will closely interact with the state authorities for the implementation of the rehabilitation action plan. Although the subsidiaries will develop the plot and infrastructural facilities in the resettlement colony and implement the RAP, assistance from the State authority will be taken for administrative services such as allotment of land. Also, this project group will continuously interact with the representatives of the project-affected families and the local community to get their feedback, as these projects are for the PAP and the local community. So, their feedback is important. What are their requirements? What will make them happy? It needs to be ascertained. So, they also have to communicate with the PAP and the local community. The resettlement and rehabilitation cell at the corporate level will evaluate the implementation of the rehabilitation action plan after the completion of the land acquisition and rehabilitation and resettlement activities.



SUMMARY

This class discussed;

- Provisions of Right to Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013.
- Salient Features of CIL R&R policy, 2012

19

The slide features a blue and white color scheme with a stylized tree graphic in the background. The title 'SUMMARY' is in red. The content is in a yellow box. The footer includes the NPTEL logo and the number 19.

So, this is the end of today's class. So, in this class, we have discussed the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and also some of the salient features. of Coal India Limited's Rehabilitation and Resettlement Policy, 2012. With this lecture, we have completed the Land Acquisition, Rehabilitation and Resettlement Act. In the next lecture, we will discuss some other topics related to sustainable development. I hope this lecture was very informative and useful for you, and I thank you for a kind hearing.



REFERENCES

- THE RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013
- REHABILITATION & RESETTLEMENT POLICY, COAL INDIA LIMITED, 2012.

20

The slide features a blue and white color scheme with a stylized tree graphic in the background. The title 'REFERENCES' is in yellow. The content is in a yellow box. The footer includes the NPTEL logo and the number 20.

These are the references. You can see that this is basically the Act itself and then the policy, which is taken from the Coal India website. So, I thank you very much for your kind attention.