

RESETTLEMENT & REHABILITATION POLICY

8. Organisational Structure :

8.1 Organisation:

8.1.1 At the state level there should be a separate Directorate of Land Acquisition / Resettlement and Rehabilitation for all water resources projects of the state as in Schedule I of Annexure V to supervise the L.A. & R.R. works. The L.A. & R.R.O. will be directly responsible to the Director. Organisational Chart as well as duties and functions of main personnel of the Directorate are enclosed at Schedule I & II of Annexure V respectively.

8.1.2 At the project level, a full fledged Rehabilitation and Area Development Organisation (RADO) will be created for major projects where large scale displacement (i.e. over 200 families) is involved. Organogram at Annexure VI shows the reporting system, line of authority and linkages with district Collector(s) / Divisional Commissioner (s). Staffing requirements of the RADO will be determined according to the needs of the specific projects. For projects which do not involve large-scale displacement, a rehabilitation cell will be created under the Chief Executive or Deputy Chief Executive of the project to implement the R.A.P. The State Govt. or the district Collector shall nominate the L.A.O. and R.O. in such cases.

8.1.3 The RADO will be under the Chief Executive of the Project . The District Collector / Divisional Commissioner will coordinate the entire R&R work according as the project is located in one district or more than one districts. Within the RADO, the project organisation shall have a revenue official of appropriate rank to be designated as Rehabilitation Officer under the project implementing authority of the project area with necessary supporting staff. The R.O. shall have experience in developmental and community organisational matters. The Rehabilitation Officer shall identify and arrange reservation/procurement of lands necessary for rehabilitation of the displaced and affected persons, allot residential/commercial/agricultural lands free from encumbrances to them and carry out all activities (other than engineering work), required for their rehabilitation. In project areas where there is severe unemployment problem as a result of displacement, a representative of the Labour Department will also be included as member of RADO so as to enable man-power planning for such persons. The construction works pertaining to rehabilitation shall be executed by the Project Engineering Unit. For acquisition of land and properties needed for the projects, the rehabilitation unit shall have a Land Acquisition Officer (LAO) with supporting staff, who will be an officer from the Revenue Department or from the concerned Department with delegated powers to act as LAO.

8.1.4 The Rehabilitation Unit of the project headed by the Rehabilitation Officer shall provide counseling services to the PAPs/ PDPs regarding their problems of compensation and R&R.

8.2 Participation of Displaced and Affected Persons and Non-Government Organisations, in the R&R Projects:

8.2.1 The PDPs and PAPs, and the NGOs will be kept apprised throughout the process of compensation and R&R, so that transparency be maintained in all matters relating to determining and delivering rights of the PDPs and PAPs.

8.2.2 The PDPs and PAPs and NGOs shall be consulted in all matters of development work pertaining to the R&R.

8.2.3 Fair representation shall be given to the PDPs and PAPs and NGOs in all the committees of the project dealing with the compensation and R&R work such as price determination committee, allotment committees, Grievances removal/appeal hearing forums etc. The role / responsibilities and composition of Grievances redressal committee have been described in sub-section 10.2.1 below and those of price determination committee and allotment committee are as follows :-

Name of the committee	Role / Responsibilities of the committee	Indicative Composition
Price Determination Committee	To recommend to Govt. the concessional rates to be charged against allotment of lands to the PAPS	A.D.D.O (Chairperson), Local M.L.A., Distt. Agriculture Officer, Revenue Officer nominated by the Collector, Representative of Local Body, Local NGO.
Allotment Committee	To recommend to R.O. of the project, allotment of lands to the PAPS	R.O.(Chairperson), L.A.O. Local M.L.A., Head of the rehabilitation -construction unit of the project, Representative of the PAP, Local NGO.

The above composition is of indicative nature and subject to be changed by the state govt. depending upon the nature and circumstances of each project.

8.2.4 The representatives of the PDPs and PAPs and the NGOs are expected to play a constructive role in achieving the goals of satisfactory R & R by :-

- (a) Assisting the project authorities in collection of various local information/ data.
- (b) Exercising effective check on the activities of unscrupulous elements tending to exploit the PDPs and PAPs.
- (c) Preventing encroachments.
- (d) Creating congenial/harmonious atmosphere amongst the PDPs and PAPs and the host community.
- (e) Implementation of the R&R process including the shifting of the PDPs to their respective places of new settlements.
- (f) Recovery of dues outstanding, if any, from the PDPs and PAPs of recovery of compensation wrongfully taken by the PDPs and PAPs etc.

8.3 Appeal:

8.3.1 An affected person aggrieved by any decision of the Rehabilitation Officer in respect of extent of the project affected area, the identification of Project Affected persons and the publication of the lists of such persons, the civic facilities to be provided at the resettlement sites or by any other decision in the process of rehabilitation, may prefer an appeal against the decision before the Grievance Redressal Committee of the project headed by the District Collector. This Committee will comprise of not more than two local NGOs, local Member of the Legislative Assembly (MLAs), Pradhan of the affected blocks, one officer nominated by heads of the concerned departments and a representative of the displaced and affected persons.

8.3.2 Appeal against the decision of the Grievances Redressal Committee of the project, shall heard by the Divisional Commissioner of the area.