

# **Haryana Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2018**

HARYANA

India

## **Haryana Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2018**

### **Rule**

### **HARYANA-RIGHT-TO-FAIR-COMPENSATION-AND-TRANSPARENCY-I of 2018**

- Published on 3 January 2018
- Commenced on 3 January 2018
- [This is the version of this document from 3 January 2018.]
- [Note: The original publication document is not available and this content could not be verified.]

Haryana Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2018Published vide Notification No. S.O.-1/C.A. 30/2013/S. 109/2018, dated 3.1.2018No. S.O.-1/C.A. 30/2013/S. 109/2018. - In exercise of the powers conferred by section 109 read with section 112 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013), and with reference to Haryana Government, Revenue & Disaster Management Department, notification No. S.O.-52/C.A.30/2013/S.109/2017, dated the 19th July, 2017, the Governor of Haryana hereby makes the following rules, namely:

## **Chapter I**

### **General**

#### **1. Short title, extent and commencement.**

(1)These rules may be called the Haryana Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2018.(2)They shall extend to the whole of the State of Haryana.(3)They shall come into force from the date of their publication in the Official Gazette.

## 2. Definitions.

(1) In these rules, unless the context otherwise requires, - (a) "Aadhaar authentication service" means electronic authentication carried out by Unique Identification Authority of India (UIDAI), or agencies appointed by it, after matching the biometric information of an individual at his request or with his consent, with the information maintained by UIDAI in its own central servers, and includes a 'Yes/No' response, or a response containing the demographic information and photograph of that individual; (b) "Aadhaar number" means a twelve digit unique identification number generated and issued to an individual by the Unique Identification Authority of India after de-duplication of demographic and biometric information pertaining to that individual; (c) "Act" means the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013); (d) "Competent Authority" means the Additional Chief Secretary to Government of Haryana, Revenue and Disaster Management Department; (e) "District Collector" means the Collector of the District or any other officer notified by the Government to perform the functions of District Collector; (f) "Expert Group" means the expert group constituted under sub-section (1) of section 7; (g) "Form" means the Form appended to these rules; (h) "Government" means the Government of the State Haryana in the Administrative Department concerned with the acquisition of land for the Requiring Body; (i) "published" means published, - (i) in the Official Gazette; (ii) in two daily newspapers having circulation in the area under acquisition, at least one of which shall be in local vernacular; (iii) by affixing the notification at conspicuous places in the affected areas in the Panchayat Ghar, Chaupals, Patwar Ghar, Dharamshalas, Community Center, the office of Municipality, Municipal Corporation, District Collector, Sub Divisional Officer (C) and the Tehsil, as the case may be. If the land is acquired on behalf of Haryana Urban Development Authority or any such other authority then the notification shall be affixed in their offices also; (iv) a proclamation shall be made by beat of drum followed by announcement to inform the general public; and (v) to be uploaded on the website of the Government: Provided that the date of last publication by any of the mode as mentioned above, shall be considered for calculation of limitation, if any. (j) "section" means section of the Act. (k) "Social Impact Assessment" means the assessment made under section 4; (l) "Social Impact Management Plan" means a plan prepared as part of Social Impact Assessment process under sub-section (6) of section 4; (m) "Social Impact Assessment Unit" means a society, Corporation or any other body constituted by the Competent Authority or a unit accredited by the Government which is authorized to conduct Social Impact Assessment Study about any proposed acquisition; (n) "Urban area" means the area declared as Municipal area under clause (d) of article 243 p of the Constitution of India. (2) words and expressions used but not defined in these rules and defined in the Act, shall have the same meanings respectively assigned to them in the Act.

## Chapter II

### Request for Land Acquisition

### **3. Requisition for acquisition of land [Section 4].**

(1) Any requiring body or its representative duly authorized by it shall file the requisition to the concerned District Collector in FORM-I along with the following documents, namely:-(i) detailed project report; (ii) three copies of Record of Rights and revenue maps of the affected areas; (iii) information as available about the classification of land i.e., irrigated multi-cropped, single cropped, wasteland, etc.; (iv) any other information required by the District Collector. (2) Where the Requiring Body is the Government, the request shall be filed by the Secretary of the concerned Department or a person authorised by him.

### **4. Action by District Collector on receiving requisition [Section 4].**

(1) The District Collector, on receiving the requisition under sub-rule (1) of rule 3, shall constitute a committee consisting of officers from all the concerned departments involved, as he may deem necessary, to make a field visit along with the representatives of the Requiring Body to make a preliminary enquiry regarding -(i) correctness of the particulars furnished in the request under sub-rule (1) of rule 3; (ii) bare minimum land required for the project; (iii) whether the request is consistent with the provisions of the Act, and submit a report to the District Collector. (2) The report of the committee referred to in sub-rule (1) shall include its opinion on the following issues, namely:-(i) that the proposed acquisition of land serves public purpose; (ii) that the extent of land proposed for acquisition is the absolute bare-minimum needed for the project; (iii) that the acquisition of land at an alternate place has been considered and found not feasible; (iv) that there is no unutilised land suitable for the project which has been previously acquired in the area; (v) that the land, if any, acquired earlier and remained unutilised, may be used for such public purpose; and (3) If the District Collector, on the basis of the report of the committee referred to in sub-rule (2), other information available with him and instructions issued by the Government in this regard, is satisfied that the requisition is consistent with the provisions of the Act, shall submit a report to the Government.

## **Chapter III**

### **Social Impact Assessment**

### **5. Social Impact Assessment study [sections 4,5,6].**

(1) The Government after being satisfied with the report of the District Collector shall, publish a notification for initiating consultation with concerned local authority, in the affected area and for carrying out Social Impact Assessment study in accordance with PART-A of FORM-II of these rules: Provided that such notification shall be published within thirty days of the deposit of the processing fee for carrying Social Impact Assessment by the Requiring Body, as determined under rule 7. (2) The Social Impact Assessment shall be conducted in consultation with concerned local authority at village level or ward level in the affected areas, for the purposes of section 4, followed by a public hearing in the affected areas by giving adequate publicity about the date, time and venue for the public hearing, to ascertain the views of the affected families, which shall be duly

recorded.(3)The Social Impact Assessment Report shall be submitted in FORM-III to the Government within a period of six months from the date of its commencement and shall include the recorded views of the affected families.(4)The Social Impact Management Plan listing the ameliorative measures required to be undertaken for addressing the impact of the project under sub-section (6) of section 4 shall also be submitted in FORM-IV along with the Social Impact Assessment Report.(5)The Social Impact Assessment Report and the Social Impact Management Plan shall be published.

## **6. Institutional support and facilitation for Social Impact Assessment [Section 4].**

- The Social Impact Assessment Unit shall undertake the following tasks, namely:-(a)build and continuously expand a Database of Qualified Social Impact Assessment Resource Partners and Practitioners, which shall serve as a network of individuals and institutions with the required skills and capacities to conduct Social Impact Assessments for land acquisition and Rehabilitation and Resettlement;(b)respond immediately to the Government's request for a Social Impact Assessment to be conducted by preparing a project-specific terms of reference;(c)conduct training and capacity building programmes for the Social Impact Assessment team and community surveyors and make available manuals, tools, comparative case study reports and other materials required for the analysis;(d)provide ongoing support and corrective action, as required during the Social Impact Assessment process;(e)ensure that the transaction based web-based work-flow for Social Impact Assessments and Management Information System for land acquisition and rehabilitation and resettlement as specified in rule 22 is maintained and that all relevant documents are disclosed as per the provisions of the Act;(f)maintain, catalogue of all Social Impact Assessments and associated primary material; and(g)continuously review, evaluate and strengthen the quality of Social Impact Assessments and the capacities available to conduct them.

## **7. Project-specific Terms of Reference and Processing Fee for the Social Impact Assessment [Section 4(5)].**

(1)Where the Government intends to acquire land, the proposal for such land acquisition shall be sent alongwith all the documents to the Social Impact Assessment Unit, which shall,-(a)prepare a detailed project-specific terms of reference for each proposal of land acquisition, listing all the activities that shall be carried out indicating the appropriate team size (and number of field teams) and profile of the team members, and stipulate the schedule and deadlines for key deliverables for the Social Impact Assessment as detailed in PART-B of FORM-II to these rules;(b)determine an estimated Social Impact Assessment fee based on the terms of reference with clear break-up of costs for each item or activity. The fee amount shall be based on the parameters defined by the Government including area, type of project and number of affected families.(2)Ten percent of the Social Impact Assessment fee shall be allocated to Social Impact Assessment Unit as administrative expenses for preparing the terms of references, Social Impact Assessment report and Social Impact Management Plan and submitting the same to the Government.(3)The Requiring Body shall deposit in advance the Social Impact Assessment fee in the Scheduled Bank account of the concerned Social

Impact Assessment Unit for the purpose.

## **8. Selection of the Social Impact Assessment team [Section 4].**

(1)The Social Impact Assessment Unit shall be responsible for selecting the Social Impact Assessment team for each project from the individuals and institutions registered or empanelled in the Database of Qualified Social Impact Assessment Resource Partners and Practitioners.(2)The Requiring Body shall not be involved in any way in the appointment of the Social Impact Assessment team being appointed to carry out the Social Impact Assessment.(3)The size and selection criteria for the Social Impact Assessment team shall be as per the project specific terms of reference developed by the Social Impact Assessment Unit.(4)The Social Impact Assessment team may be constituted by appointing individuals or an organization with experience in conducting Social Impact Assessments or related field-based assessments and the team may include,-(a)a combination of independent practitioners, qualified social activists, academicians, technical experts, who are not directly connected with the Requiring Body; and(b)at least one woman member.(5)A team leader shall be appointed from amongst the members of the Social Impact Assessment team to liaison with the Social Impact Assessment Unit throughout the assessment period.(6)While selecting the Social Impact Assessment team, it is to be ensured that there is no conflict of interest involving the team members appointed to assess the concerned project.(7)All the members of Social Impact Assessment team shall give an undertaking by way of an affidavit mentioning that neither he nor any of his blood relations shall directly or indirectly receive any benefit from the Requiring Body or any other stakeholder in the project.(8)If at any stage, it is found that any team member or any family member of the team member directly or indirectly receives any benefit from the Requiring Body or any other stakeholder in the project, the said member shall be disqualified, besides any other action against him which may be decided by the competent authority and shall not be included in any other Social Impact Assessment.

## **9. Process of conducting Social Impact Assessment [Section 4].**

(1)The Social Impact Assessment team shall collect and analyze a range of quantitative and qualitative data, undertake detailed site visits, use participatory methods such as focused group discussions, participatory rural or urban appraisal techniques, as the case may be, and informant interviews in preparing the Social Impact Assessment report.(2)All relevant project reports and feasibility studies shall be made available to the Social Impact Assessment team throughout the Social Impact Assessment process, as required. Any request for information from Social Impact Assessment team shall be met at the earliest but not exceeding ten days. The District Collector shall be responsible to provide the information requisitioned by the Social Impact Assessment team.(3)A detailed assessment based on a thorough analysis of all relevant land records and data, field verification, review and comparison with similar projects shall be conducted by the Social Impact Assessment team. The assessment shall in addition to the matters provided under sub-section (4) of section 4, determine the following, namely:-(a)area of impact under the proposed project, including both land to be acquired and areas that shall be affected by environmental, social or other impacts of the project;(b)quantity and location of land proposed to be acquired for the project;(c)whether, the land proposed for acquisition in Scheduled Area is a demonstrable last resort;(d)land, if any, already

purchased, alienated, leased or acquired, and the intended use for every portion of land required for the project;(e)the possibility of use of any public, unutilized land for the project and whether any such land is under occupation;(f)nature of the land, present use and classification of land and if it is an agricultural land, the irrigation coverage for the said land and the cropping pattern;(g)whether the special provisions with respect to food security have been adhered to in the proposed land acquisition;(h)size of holdings, ownership patterns, land distribution, number of residential houses, and public and private infrastructure and assets; and(i)land prices and recent changes in matters of ownership, transfer and use of lands over the last three years.(4)Based on the land assessment, land records and field verification, the Social Impact Assessment team shall provide an accurate estimate of the number of affected families and the number of displaced families among them and ensure that as far as possible all affected families are enumerated:Provided that where enumeration is not possible, a representative sample shall be done by the Social Impact Assessment Unit.(5)A socio-economic and cultural profile of the affected area shall be prepared, based on available data and statistics, field visits and consultations as per FORM-III.Provided that in projects where resettlement is required, the identified resettlement sites shall be visited and a brief socio-economic profile of the land and its current resident population shall be indicated.(6)Based on the data collected in processes listed above and in consultation with the affected communities and key stakeholders, the Social Impact Assessment unit shall identify and assess the nature, extent and intensity of the positive and negative social impacts associated with the proposed project and land acquisition as per FORM-III.(7)(i)The Social Impact Assessment process includes preparation of a Social Impact Management Plan, which shall present the ameliorative measures to be undertaken to address the social impacts identified in the course of the assessment.(ii)The Social Impact Assessment team must assess the viability of impact mitigation and management strategies with clear indication of costs, timelines and capacities.(iii)The Social Impact Management Plan shall include the following measures, namely :-(a)that have been specified in the terms of rehabilitation and resettlement and compensation for all the categories of affected families, as outlined in the Act;(b)that the Requiring Body has stated that it shall undertake in the project proposal and other relevant project documents; and(c)the additional measures being undertaken by the Requiring Body in response to the findings of the Social Impact Assessment process and public hearings.(8)The Social Impact Assessment team shall provide a conclusive assessment of the balance and distribution of the adverse social impacts and social costs and benefits of the proposed project and land acquisition, including the mitigation measures, and provide an assessment as to whether the benefits from the proposed project exceed the social costs and adverse social impacts that are likely to be experienced by the affected families or even after the proposed mitigation measures, the affected families remained at risk of being economically or socially worse, as a result of the said land acquisition and resettlement.

## **10. Submission of Social Impact Assessment Report and Social Impact Management Plan [Section 6].**

- The final Social Impact Assessment Report and Social Impact Management Plan shall be prepared in the local language and shall be forwarded to local authority, and the offices of the District Collector, Sub-Divisional Officer (C) and the Tehsildar and shall also be published.

## **11. Social impact Assessment Report and Social impact Management Plan [Section 4(6)].**

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

## **12. Process for conducting public hearings. [Section 5].**

(1)The public hearings shall be held in the affected areas to bring out the main findings of the Social Impact Assessment, seeking feedback on the findings and to seek additional information and views for incorporating the same in the final documents.(2)The public hearings shall be held in the affected area or as close to it as possible considering the ease of access, availability of resources, infrastructure etc. to conduct the public hearing. If the affected area encompasses more than one local authority, the public hearing shall be held in each of the local authorities within which land sought to be acquired is situated.(3)The date, time and venue of the public hearing shall be published by the Social Impact Assessment unit at least three weeks prior to such date of hearing in form of notice in FORM-V.(4)The draft Social Impact Assessment report and Social Impact Management Plan shall be published three weeks prior to the public hearing and distributed to all affected local authorities. One copy of the draft report shall be forwarded to the District Collector's office. The Requiring Body may also be served with a copy of the draft report. Adequate copies of the report and summaries shall be made available on the day of the public hearing. Accessible displays and other visual shall be used to share the findings of the Social Impact Assessment report.(5)A member of the Social Impact Assessment team shall facilitate the public hearing which shall be organized through the local administration alongwith the Government officers i.e. Sub Divisional Officer (C)/Tehsildar, as may be specified. Public representatives in the local authorities shall also be included in all the decisions regarding the arrangements for the public hearings in their respective areas.(6)All the proceedings shall be held in the local language with effective and credible translators, if needed, to ensure that all the participants may understand and express their views.(7)Representatives from the Requiring Body and land acquisition and rehabilitation and resettlement functionaries such as Naib Tehsildar/Kanungos etc. dealing with the subject shall also attend the public hearing and address the questions and concerns raised by the affected parties.(8)Public representatives, local voluntary organizations and media shall also be invited to attend the public hearings.(9)The proceedings of the public hearing shall be video recorded and transcribed accordingly. This recording and transcription shall be submitted along with final Social Impact Assessment Report and Social Impact Management Plan.(10)After the conclusion of the public hearings, the Social Impact Assessment team shall analyze the entire feedback received and information gathered in the public meetings and incorporate the same along with their analysis, in the revised Social Impact Assessment report accordingly.(11)Every objection raised in the public meeting shall be recorded and the Social Impact Assessment team shall ensure that every objection is considered in the Social Impact Assessment report.

### **13. Appraisal of Social Impact Assessment report by an Expert Group [Section 7].**

(1)The Expert Group shall evaluate the Social Impact Assessment report and shall make its recommendation to that effect within a period of two months from the date of its constitution.(2)The recommendations of the Expert Group shall be published.

### **14. Consideration of Social Impact Assessment Report, recommend-actions of Expert Group etc [Section 7].**

(1)The Government shall examine the report of the District Collector, Social Impact Assessment report, the recommendations of the Expert Group, if any, and decide such area for acquisition which shall ensure minimum displacement of people, minimum disturbance to the infrastructure, ecology and minimum adverse impact on the individuals affected.(2)The decision of the Government under sub-rule (1) shall be published.

## **Chapter IV Consent**

### **15. Consent of affected Land owners [Section 2(2)].**

(1)In Public Private Partnership projects and projects by private companies, a list of all affected land owners from whom consent is required to be obtained, shall be drawn up by the District Collector in consultation with the Social Impact Assessment team. The list shall be published at least ten days prior to obtaining consent.(2)In case of any objection, the views of the objector shall be considered and in case of rejection, the reasons for doing so shall be recorded in writing and conveyed to the concerned person within ten days.(3)The District Collector shall in consultation with the representatives of local authorities, notify the date, time and venue at least three weeks in advance, for holding the affected land owners meetings at the village or ward level.(4)The proposed terms and conditions agreed to by the Requiring Body shall also be made available in local language at least three weeks in advance of the meeting of the affected land owners, to each and every affected land owner.(5)The Requiring Body or its representatives, who are competent to take decision and negotiate terms of rehabilitation and resettlement and compensation shall be present at all such affected land owners meetings and respond to the queries raised by the affected land owners. The terms and conditions of rehabilitation, resettlement and compensation committed by the Requiring Body shall be explained to the members in the local language and signatures of the members as well as the representative of Requiring Body shall be obtained on such terms and conditions.(6)At the conclusion of the meeting, each individual land owner shall be asked to indicate in the signed declaration whether he gives or withholds consent for the acquisition of land involved. A copy of this declaration with the attached terms and conditions shall be given to the land owner concerned. The declaration shall be countersigned by the District Collector or any officer authorised by him in writing for this purpose.(7)Those who could not attend the affected land owners meeting may



submit their signed declarations to the District Collector within twenty one days from the date of land owners meeting. The declaration form shall be counter-signed by the District Collector or any officer authorised by him in writing for this purpose and a copy of the declaration, with the attached terms and conditions, shall be handed over to the affected landowner.(8)All proceedings of taking affected land owners consent during land owners meetings shall be recorded in video and all the proceedings must be documented in writing.(9)The outcome of the consent process shall be published.(10)The members of the Social Impact Assessment team shall be present to assist the affected land owners meeting.(11)No land owner shall withdraw his consent once given in the aforesaid manner.

## **16. Roles and responsibilities of the Collector for consent processes [Section 2 (2)].**

(1)The District Collector shall notify the date, time and venue of affected land owners meetings for obtaining the consent and organize public awareness campaigns to encourage participation of the affected land owners in the consent processes.(2)The District Collector shall ensure that the following are provided in the local language at least three weeks in advance to every land owner from whom consent is sought, namely:-(a)a copy of the draft Social Impact Assessment report (if readily available) in the local language;(b)initial package being offered for compensation and rehabilitation and resettlement;(c)a list of the rights currently enjoyed by the village and its residents under Revenue Laws, Forest Rights Act and other legislations;(d)a written statement signed by the Collector, certifying that there shall be no consequences, if consent is denied for a project and stating that any attempt to coerce or intimidate in order to obtain consent, shall be illegal; and(e)contact details of the officer or authority along with official telephone number to be contacted in case of any attempt to coerce for signing the declaration of consent process.(3)The District Collector shall attend the land owners meetings.(4)The District Collector shall ensure that all the documents relating to Social Impact Assessment are made available to the affected land owners and any information sought is provided within seven days.

## **17. Roles and responsibilities of the Requiring Body for consent processes [Section 2].**

(1)The Requiring Body shall appoint representatives competent to take decisions and negotiate terms and conditions of compensation and rehabilitation and resettlement, who shall be present in the meetings of affected land owners for obtaining the consent and reply to the queries raised by the land owners.(2)The Requiring Body shall provide all the information on the project, prior to the taking of consent as well as any additional information, if required.(3)The consent of affected land owners shall be obtained in FORM-VI.Chapter-V Preliminary Notification for Land Acquisition and Rehabilitation and Resettlement Scheme

## **18. Publication of preliminary notification [Section 11].**

(1)After completion of the Social Impact Assessment Study and after obtaining consent of the affected families, whenever required, if it appears to the Government that land is required or likely to be required in any area for any public purpose, a preliminary notification referred to in section 11 shall be published in FORM-VII.(2)After the preliminary notification is published under section 11, the Collector shall ensure completion of the exercise of updating land records as specified hereunder;-(a)delete the names of deceased persons;(b)enter the names of the legal heirs of the deceased persons;(c)take effect of the registered transactions of the rights in land such as sale, gift, partition, etc.;(d)make all entries of the mortgages in the land records;(e)delete the entries of mortgages in case the lending agency issues letter towards full payment of loans taken through registered re-conveyance of mortgaged property deeds;(f)make necessary entries in respect of all prevalent forest laws;(g)make necessary entries in case of the Government land and also in respect of land of local authorities;(h)make necessary entries in respect of assets on the land like construction, buildings, trees, wells, etc.;(i)make necessary entries of share-croppers in the land;(j)make necessary entries of crops grown or sown and the area of such crops; and(k)any other relevant entries.

## **19. Hearing of objections [Section 15].**

(1)The Collector after issuing notice in FORM-VIII and after hearing all objections and making enquiry as provided under sub-section (2) of section 15, shall submit a report under the said sub-section to the Government for its decision.(2)The report of the Collector shall include the following namely:-(a)suitability assessment as to whether the proposed acquisition serves public purpose;(b)whether the extent of land proposed for acquisition is the absolute bare-minimum extent needed for the project;(c)suitability as to whether land acquisition at an alternate place has been considered and found not feasible;(d)there is no unutilised land which has been previously acquired in the area;(e)the land, if any, acquired earlier and remained unutilised, is used for such public purpose and recommendations in respect thereof;(f)suitability recommendations on the objections;(g)suitability record of proceedings;(h)suitability as to approximate cost of land acquisition ;(i)particulars as to number of affected families likely to be resettled.

## **20. Preparation of Rehabilitation and Resettlement Scheme and public hearing [Section 16].**

(1)Upon publication of the preliminary notification under sub-section (1) of section 11, the Administrator for Rehabilitation and Resettlement, shall conduct a survey and undertake a census of the affected families within a period of two months from the date of publication of such preliminary notification.(2)For the purpose of the survey to be conducted and the census of the affected families to be undertaken by the Administrator, he shall in addition to factors as mentioned in sub-section (1) of section 16 of the Act, take into account -(a)the Social Impact Assessment report;(b)the records of the local authorities, and other Government records.(3)The Administrator shall get the data verified by door to door visit of the affected families and by site visits in case of

infrastructure projects in the affected area.(4)The draft Rehabilitation and Resettlement Scheme prepared by the Administrator shall, in addition to the particulars mentioned in sub-section (2) of section 16, contain the followings, namely:-(a)list of affected families, with Aadhaar number of its members, if available;(b)list of displaced families, with Aadhaar number of its members, if available;(c)list of infrastructure in the affected area;(d)list of land holdings in the affected area;(e)list of trees, buildings, other immovable property or assets attached to the land or building which are to be acquired;(f)list of trades or businesses in the affected area;(g)list of persons belonging to the Scheduled Castes or the Scheduled Tribes, divyangs in the affected area;(h)list of landless agricultural labourers in the affected areas;(i)list of unemployed youth in the affected families; and(j)time limit for implementing rehabilitation and resettlement Scheme:Provided that in case a person does not have an Aadhaar number, efforts shall be made to get him so enrolled, provided he gives his consent for such enrolment and the claims of the affected families may be facilitated by carrying out consent-based Aadhaar authentication service.(5)The Administrator shall prepare comprehensive and detailed draft Rehabilitation and Resettlement Scheme and publish the draft Rehabilitation and Resettlement Scheme.(6)The Administrator or an officer authorised by him shall conduct a public hearing in the affected areas by issuing advance notice of three weeks on the date, time and venue mentioned in the said notice in accordance with the provisions of rule 12 which shall, mutatis mutandis, apply to the public hearing in this case also.

## **21. Publication of approved Rehabilitation and Resettlement Scheme [Section 18].**

- After review of the Rehabilitation and Resettlement Scheme by the Collector as per provisions of sub section (1) of section 17 and approval of the scheme by the Commissioner as per provisions of sub section (2) of section 17 the approved Rehabilitation and Resettlement Scheme shall be published by the Commissioner in the affected area and the Commissioner shall also inform the State Monitoring Committee constituted under section 50 about the publication of the approved Rehabilitation and Resettlement scheme.

## **22. Web-based Work Flow and Management Information system.**

- The Government shall create a dedicated, user-friendly website that may serve as a public platform on which the entire work flow of each acquisition case shall be hosted, beginning with the notification of the Social Impact Assessment and tracking each step of decision-making, implementation and audit.

## **23. Development Plan for Scheduled Castes or Scheduled Tribes families [Section 41].**

- The Development Plan to be prepared in cases of a project involving land acquisition on behalf of a Requiring Body which involves, involuntary displacement of the Scheduled Castes or Scheduled Tribes families, referred to in section 41 shall be as per FORM IX.

## **Chapter VI**

### **Declaration and Award**

#### **24. Publication of declaration for acquisition [Section 19].**

- Upon receipt of a report of the Collector, as provided under sub-section (2) of section 15 and after examination and taking a decision on the objections, a declaration for acquisition of the land under sub-section (1) of section 19 alongwith the summary of the Rehabilitation and Resettlement Scheme, shall be published by the Government in Form-X.

#### **25. Determination of compensation [Section 26-30].**

(1)The compensation shall be determined as per the provisions laid down under Section 26 to Section 30 read with the notification issued under column 3 against serial number 2 of the First Schedule to the Act.(2)The manner in which fishing rights shall be allowed to affected families in cases of irrigation or hydel projects under item 9 of Second Schedule of Act shall be notified by the Fisheries Department in consultation with Irrigation Department and Revenue Department or any other Department, as may be required.(3)The payment of compensation shall be made through the account payee cheque/electronic mail transfer/Real Time Gross Settlement (RTGS) linked with Aadhar number.(4)Where any excess amount is proved to have been paid to any person as a result of the correction made in an award under sub-section (3) of section 33 and such person refuses to refund the said excess paid to him, then such amount shall be recovered as an arrear of land revenue. Land acquisition award. section 23.

#### **26. Rehabilitation and Resettlement Award [Section 31, 37].**

- The Collector, after enquiry into and disposal of the objections, if any, raised by the interested persons in pursuance of the public notice published and given under sub-section (1) of section 21, shall make land acquisition award under section 23 of the Act as per FORM-XI.

#### **27. Rehabilitation and Resettlement Award [Section 31, 37].**

(1)The Collector shall also make Rehabilitation and Resettlement Award for each affected family in accordance with section 31 in FORM-XII and hand over family wise awards to each affected family.(2)The recovery of any rehabilitation and resettlement benefit availed of by making a false claim or through fraudulent means, on refusal to refund shall be recovered as an arrear of land-revenue.(3)The provision of infrastructural facilities and basic minimum amenities as specified in the Third Schedule of the Act are in FORM-XIII.

## **Chapter VII**

# **Administration, Rehabilitation and Resettlement Committee and State Monitoring Committee**

### **28. Powers, duties and responsibilities of Administrator [Section 43].**

- The Sub Divisional Officer (C) or any officer not below the rank of extra Assistant Commissioner or any other officer of equivalent rank duly authorised by the Government in the State, shall act as Administrator for Rehabilitation and Resettlement. The Administrator shall have the following powers, duties and responsibilities, namely:-(a)to conduct a survey and undertake a census of the affected families and details of livestock possessed by each affected family in accordance with rule 20;(b)to prepare a draft Rehabilitation and Resettlement Scheme (hereinafter referred to as the draft scheme);(c)to give wide publicity to the draft scheme in accordance with sub-rule (5) of rule 20 in the affected areas;(d)to make the draft scheme available to the concerned persons and authorities;(e)to organise and conduct public hearings on the draft Scheme;(f)to submit the draft scheme to the Collector;(g)to execute and monitor the rehabilitation and resettlement scheme;(h)to assist the Commissioner in post-implementation of social audit of rehabilitation and resettlement scheme; and(i)any other work required to be done for rehabilitation and resettlement.

### **29. Rehabilitation and Resettlement Committee at Project Level [Section 45].**

(1)The Government shall constitute a Rehabilitation and Resettlement Committee at project level to monitor and review the progress and implementation of the Rehabilitation and Resettlement Scheme and to carry out post-implementation social audits in consultation with the Gram Sabha in the rural area and Municipality, Municipal Council or Municipal Corporation, as the case may be, in the urban area.(2)The Committee shall have its first meeting when a draft scheme has been prepared by the Administrator. The Committee shall discuss the draft scheme and make suggestions and recommendations. Thereafter, the Committee shall meet to review and monitor the progress of rehabilitation and resettlement once in a month till the process of rehabilitation and resettlement is completed;(3)For the purpose of carrying out the post-implementation social audits, the Committee shall meet once in three months;(4)The Committee may visit the affected area and discuss with the affected families, if it so desires and also visit the resettlement area to monitor the resettlement process.(5)The Member-Convener of the Committee shall be assisted by subordinate officers and staff provided by the Government.(6)The members of the Committee shall get traveling and daily allowance at the rate admissible to the Class I Officers of the Government and amount shall be paid by District Collector from the fund provided for these purposes by the Requiring Body.

### **30. Procedure of State Monitoring Committee [Section 50(3)].**

(1)The State Monitoring Committee, shall review and monitor the implementation of the Rehabilitation and Resettlement Schemes for the projects within two months of the publication of the approved schemes by the Commissioner under section 18 and thereafter, the meetings of the

Committee shall be held once in three months to review and monitor the implementation of the rehabilitation and resettlement schemes.(2)For the purposes of sub-rule (1), the Committee may -(a)call for records and information of rehabilitation and resettlement schemes;(b)call the Requiring Body for discussion as and when required;(c)ask for report about implementation of its decision from Rehabilitation and Resettlement Committee.(3)The non-official experts associated with the State Monitoring Committee, shall be paid travelling and daily allowance at the rate admissible to an officer of the rank of Secretary in the Government.

## **Chapter VIII**

### **Land Acquisition, Rehabilitation and Resettlement Authority**

#### **31. Salaries, allowances, etc. of Presiding Officer, Registrar and other officers and employees of Authority [Section 56].**

- The salaries, allowances and conditions of service of the Presiding Officer and Registrar and other officers and staffs of the Authority, shall be specified separately by the Government after due consultation with the Chief Justice of Punjab and Haryana High Court.

#### **32. Power of Authority and Recovery of Rehabilitation and Resettlement benefits availed through false claim etc [Section 60 & 84].**

(1)If the Collector after inquiry comes to the conclusion that a person has wrongly been given compensation because of the claim based on fraud, misrepresentation or adopting illegal means etc., the Collector shall make a reference to the Authority for taking action against the erring person and the said action shall be without prejudice to the action which can be taken under any other law for the time being in force.(2)The land and houses so vacated shall be used for the Rehabilitation and Resettlement of the affected persons by the same project or for the purpose of community, as the case may be.Miscellaneous

#### **33. Limits on extent of land [Section 2(3)(a)].**

- The limits on extent of land beyond which provisions of which Rehabilitation and Resettlement under the Act in cases of purchase by a private company through Private Negotiation for public purpose with the owner of the land shall be as specified by the Government from time to time.

#### **34. Manner of return of unutilized land [Section 101].**

(1)When any land acquired under the Act remains unutilised for a period of five years, the same shall be returned to the original owner or owners or their legal heirs, as the case may be, or to the Land Bank of the Government by issuing a notice to the Requiring Body for whom the land was acquired and by giving an opportunity of being heard and by passing necessary order in writing by the Divisional Commissioner in this behalf for this purpose, as per terms and conditions decided by

the Government from time to time.(2)After passing the order by Divisional Commissioner under sub-rule (1), the District Collector shall take the possession of the acquired land for the purpose of returning the same to the original owner or owners or their legal heirs, as the case may be, or to the Land Bank of the Government and order for making any entries in this regard in the relevant record.(3)If the Requiring Body does not handover possession of the said land to the District Collector, the District Collector shall be competent to take the help of the concerned Executive Magistrate and police force to take the possession by giving prior notice to the Requiring Body.

## **35. Repeal.**

- The Haryana Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2014 shall stand repealed:Provided that any action taken under the rules so repealed, shall be deemed to have been taken under these rules.  
Form-I[(See rule-3(1)]Request for Acquisition of LandFrom:Nameand/or Designation of the Requiring BodyTo:

### **1. The District Collector.....**

### **2. Commissioner, R&R, .....**

It is requested to acquire ..... acre(s) of land for ..... project/purpose and the details are furnished in Annexure (Annexures) I, II & III alongwith three copies of Combined Sketch (to scale) showing the lands to be acquired. The gestation period of the project will be ..... years and .....months (applicable only if gestation period is more than 5 years).Requisite cost of acquisition including cost of social impact assessment study (SIA) is available and shall be deposited in your office, as provided under provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 as and when required by you. It is certified that the land to be acquired was demarcated on the field and all further necessary information and assistance shall be provided on the date/time appointed/stipulated by you.Yours faithfullyRequiring BodyAnnexure-IName of the project:-(1)Name of the village-(2)Name of the Tehsil-(3)Name of the Municipality/Municipal Corporation-(4)Name of the District-(5)Khasra Nos. to be acquired-(6)Total area under request (in acres)-(7)Boundaries of the area to be acquired-East-West-North-South-(8)Area of the agricultural and irrigated multi-cropped land (mentioned separately)(9)Reasons for inclusion of agricultural and irrigated multi-cropped land .....(10)Details of buildings and other structures, tanks, wells, tress, etc.,(11)Reasons for the inclusion of religious building, graveyard or tomb etc. for acquisition, if any.Requiring BodyAnnexure-IIName of the project:-

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

- 2. Official designation of the requiring body:-**
- 3. Purpose of Acquisition (in detail):-**
- 4. Whether the request is filed under/section 2(1) of the Act by the Government or Department for its own use hold and control:-**
- 5. Whether the request is filed u/s 2(1) (a) to 2(1) (f) of the Act:-**
- 6. Whether the request is filed u/s 2(2) (a) or (b) of the Act:-**
- 7. How many families are affected as described u/s 3 (c) (i) to (vi) of the Act:-**
- 8. Whether the request is filed under Section 40 of the Act:-**
- 9. If so, on what ground ?**
- 10. Has the land for the project been partially purchased from the owners by private negotiation?**
- 11. If so, on what date and on what terms (please state the terms of negotiation in short and attach the copy of it)**
- 12. Date of issue of administrative approval for the project (copy to be attached) in case of Government or department or local authority.**
- 13. Reasons for delay in filing request, if request is filed after six weeks from the date of administrative approval of the project in case of Government or Department or local authority.**
- 14. By what time possession of the land is required.**

Requiring BodyAnnexure-IIICertificate to be furnished along with the request for acquisition of land by the requiring authorities.Name of the project:- (1)Certified that the project for which the land is sought to be acquired has been administratively approved vide Department letter No. .... dated ..... for acquisition under the Act (Copy of letter attached).(2)The estimated cost of the project is of INR ..... and necessary budget was sanctioned and funds are available towards cost of acquisition.(3)The Department undertakes to pay the full amount in case of decree by the Land acquisition, Rehabilitation and Resettlement Authority/High Court/Supreme Court as and when asked to do so by the Collector.Requiring



BodyForm-II[For Part-A, see rule-5(1) and for Part-B, see rule 7(1)]Part-A. Notification of the Social Impact AssessmentNo. ....Chandigarh. ...., Dated .....Whereas, it appears to the Governor of Haryana that the land specified in the Schedule below is needed or likely to be needed for a public purpose, namely, .....;And whereas, in exercise of the powers conferred by sub section (1) of section 4 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, (Central Act 30 of 2013) the Governor of Haryana has decided to conduct a Social Impact Assessment in the area specified in the schedule below;Now therefore, sanction is accorded to the ..... a Social Impact Assessment Unit, ..... District to conduct a Social Impact Assessment Study and to prepare a Social Impact Management Plan as provided in the Act. The process shall be completed within a period of six months from the date of publication of this notification in the Official Gazette.

## **of the AreaDistrict:Village**

Tehsil:(The extent given is approximate)Extent of Land (in acres)Secretary to Government.Part -B. Terms of Reference and Processing Fee for the Social Impact(i)The Social Impact Assessment Unit shall review the proposal for land acquisition sent by the Government and produce a project-specific Terms of Reference and budget. Based on the Terms of Reference and budget, a processing fee shall be determined, which shall be deposited by the Requiring Body before the notification of the Social Impact Assessment is issued.(ii)The Terms of Reference shall include the following information:-(a)a brief description of the project, project area and the extent of lands proposed for acquisition.(b)the objectives of the Social Impact Assessment and all the activities that shall be carried out by the Social Impact Assessment team.(c)sequencing, schedule and deadlines for deliverables with dates for the Social Impact Assessment process, based on the size and complexity of the project and land acquisition, and whether consent of Gram Sabhas and/or land owners is required to be sought.(d)the appropriate size and profile of the Social Impact Assessment team required (including field surveyors, if needed) to conduct the Social Impact Assessment for the specific project.(e)a project-specific budget based on the Terms of Reference, with a clear break-up of costs for each item or activity.(f)the schedule for the disbursement of funds to the Social Impact Assessment team tied to clearly defined deliverables in the Social Impact Assessment process.(iii)The processing fee shall be determined based on the Terms of Reference and budget developed for each specific project and shall be based on the type, size, location, and sensitivity of the project and the land proposed for acquisition. Information regarding the processing fee bands and the cost for separate components or line items shall be made consistent and easily accessible, so that the Requiring Body can factor this into its costs in advance. These rates shall be reviewed and revised from time to time. A fixed proportion of the fee shall go towards meeting the costs of the Social Impact Assessment Unit.Form-III[See rules-5(3), 9(5) and 9 (6)]Social Impact Assessment ReportA. List of socio-economic and cultural parameters to be covered by the Social Impact Assessment

### **1. Demographic details of the population in the project area**

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

## **2. Poverty levels**

## **3. Vulnerable groups**

(a) Women, (b) children, (c) the elderly, (d) women-headed households, (e) the differently abled

## **4. Kinship patterns and women's role in the family**

## **5. Social and cultural organisation**

## **6. Administrative organisation**

## **7. Political organisation**

## **8. Civil society organisations and social movements**

## **9. Land use and livelihood**

(a) Agricultural and non-agricultural use (b) Quality of land - soil, water, trees etc. (c) Livestock (d) Formal and informal work and employment (e) Household division of labour and women's work (f) Migration (g) Household income levels (h) Livelihood preferences (i) Food security

## **10. Local economic activities**

(a) Formal and informal, local industries (b) Access to credit (c) Wage rates (d) Specific livelihood activities women are involved in

## **11. Factors that contribute to local livelihoods**

(a) Access to natural resources (b) Common property resources (c) Private assets (d) Roads, transportation (e) Irrigation facilities (f) Access to markets (g) Tourist sites (h) Livelihood promotion programmes (i) Co-operatives and other livelihood-related associations

## **12. Quality of the living environment**

(a) Perceptions, aesthetic qualities, attachments and aspirations (b) Settlement patterns (c) Houses (d) Community and civic spaces (e) Sites of religious and cultural meaning (f) Physical infrastructure (including water supply, sewage systems etc.) (g) Public service infrastructure (schools, health facilities, anganwadi centres, public distribution system) (h) Safety, crime, violence (i) Social gathering points for women

**B. Key impact areas**

## **1. Impacts on land, livelihoods and income**

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

## **2. Impacts on physical resources**

(a)Impacts on natural resources, soil, air, water, forests(b)Pressures on land and common property natural resources for livelihoods

## **3. Impacts on private assets, public services and utilities**

(a)Capacity of existing health and education facilities(b)Capacity of housing facilities(c)Pressure on supply of local services(d)Adequacy of electrical and water supply, roads, sanitation and waste management system(e)Impact on private assets such as bore wells, temporary sheds etc.

## **4. Health impacts**

(a)Health impacts due to in-migration(b)Health impacts due to project activities with a special emphasis on:-(i)Impact on women's health(ii)Impact on the elderly

## **5. Impacts on culture and social cohesion**

(a)Transformation of local political structures(b)Demographic changes(c)Shifts in the economy-ecology balance(d)Impacts on the norms, beliefs, values and cultural life(e)Crime and illicit activities(f)Stress of dislocation(g)Impact of separation of family cohesion(h)Violence against women

## **6. Impacts at different stages of the project cycle**

The type, timing, duration, and intensity of social impacts will depend on and relate closely to the stages of the project cycle. Below is an indicative list of impacts(a)Pre-construction phase(i)Interruption in the delivery of services(ii)Drop in productive investment(iii)Land speculation(iv)Stress of uncertainty(b)Construction phase(i)Displacement and relocation(ii)Influx of migrant construction workforce(iii)Health impacts on those who continue to live close to the construction site(c)Operation phase(i)Reduction in employment opportunities compared to the construction phase(ii)Economic benefits of the project(iii)Benefits on new infrastructure(iv)New patterns of social organisation(d)De-commissioning phase(i)Loss of economic opportunities(ii)Environmental degradation and its impact on livelihoods(e)Direct and indirect impacts(i)"Direct impacts" shall include all impacts that are likely to be experienced by the affected families (i.e. Direct land and livelihood losers)(ii)"Indirect impacts" shall include all impacts that

may be experienced by those not directly affected by the acquisition of land but those living in the project area(f)Differential impacts(i)Impact on women, children, the elderly and the different abled(ii)Impacts identified through tools such as Gender Impact Assessment Checklists, and Vulnerability and Resilience Mapping(g)Cumulative impacts(i)Measureable and potential impacts of other projects in the area along with the identified impacts for the project in question.(ii)Impact on those not directly in the project area but based locally or even regionally.C. Table of Contents for Social Impact Assessment Report and Social Impact Management Plan

Chapter	Contents
Executive Summary	(a) Project and public purpose(b) Location(c) Size and attributes of land acquisition(d) Alternatives considered(e) Social Impacts(f) Mitigation measures(g) Assessment of social costs.
Detailed Project Description	(a) Background of the project, including developers background and governance or management structure(b) Rationale for project including how the project fits the public purpose criteria listed in the Act.(c) Details of project size, location, capacity, outputs, production targets, cost, risks(d) Examination of alternatives(e) Phases of project construction(f) Core design features and size and type of facilities(g) Need for ancillary infrastructural facilities(h) Work force requirements (temporary and permanent)(i) Details of Social Impact Assessment or Environmental Impact Assessment if already conducted and any technical feasibility reports(j) Applicable legislations and policies
Team composition, approach, methodology and Schedule of the Social Impact Assessment	(a) List of all team members with qualifications. Gender experts to be included in team.(b) Description and rationale for the methodology and tools used to collect information for the Social Impact Assessment.(c) Sampling methodology used.(d) Overview of information or data sources used. Detailed reference must be included separately in the forms.(e) Schedule of consultations with key stakeholders and brief description of public hearings conducted.Details of the public hearings and the specific feedback incorporated into the Report must be included in the forms.
Land Assessment	(a) Information from land inventories and primary sources - Describe with the help of the maps(b) Entire area of impact under the influence of the project (not limited to land area for acquisition)(c) Total land requirement for the project(d) Present use of any public, unutilised land in the vicinity of the project area(e) Land (if any) already purchased, alienated, leased or acquired, and the intended use for each plot of land required for the project(f) Quantity and location of land proposed to be acquired for the project(g) Nature, present use and classification of land and if agricultural land, irrigation coverage and cropping patterns(h) Size of holdings, ownership patterns, land distribution, and number of residential houses(i) Land prices and recent changes in ownership, transfer and use of lands over the last 3 years.
Estimation and enumeration (where	Estimation of the following type of families that are-(a) Directly affected (own land that is proposed to be acquired):(i) Are tenants or occupy the land

required) of affected families and assets	<p>proposed to be acquired(ii) The Scheduled Tribes and other traditional forest dwellers who have lost any of their forest rights(iii) Depend on common property resources which will be affected due to acquisition of land for their livelihood(iv) Have been assigned land by the Government under any of its schemes and such land is under acquisition;(v) Have been residing on any land in the urban areas for preceding three years or more prior to the acquisition of the land(vi) Have depended on the land being acquired as a primary source of livelihood for three years prior to the acquisition(b) Indirectly impacted by the project (not affected directly by the acquisition of own lands)(c) Inventory of productive assets and significant lands</p>
Socio-economic and cultural profile (affected area and resettlement site)	<p>(a) Demographic details of the population in the project area(b) Income and poverty levels(c) Vulnerable groups(d) Land use and livelihood(e) Local economic activities(f) Factors that contribute to local livelihoods(g) Kinship patterns and social and cultural organisation(h) Administrative organisation(i) Political organisation(j) Community-based and civil society organisations(k) Regional dynamics and historical change processes(l) Quality of the living environment</p>
Social impacts	<p>(a) Framework and approach to identifying impacts(b) Description of impacts at various stages of the project cycle such as impacts on health and livelihoods and culture. For each type of impact, separate indication of whether it is a direct or indirect impact, differential impacts on different categories of affected families and where applicable cumulative impacts(c) Indicative list of impacts areas include: impacts on land, livelihoods and income, physical resources, private assets, public services and utilities, health, culture and social cohesion and gender based impacts</p>
Analysis of costs and benefits and recommendation on acquisition	<p>(a) Final conclusion on: assessment of public purpose, less-displacing alternatives, minimum requirements of land, the nature and intensity of social impacts, the viability of the mitigation measures and the extent to which mitigation measures described in the Social Impact Management Plan will address the full range of social impacts and adverse social costs.(b) The above analysis will use the equity principle as a criteria of analysis for presenting a final recommendation on whether the acquisition should go through or not</p>
References and Forms	For reference and further information
(Seal and signature of the Chairman and Members, Social Impact Assessment Unit.) Form-IV [See rule-5 (4)] Social Impact Management Plan	

## 1. Approach to mitigation

## **2. Measures to avoid, mitigate and compensate impact**

## **3. Measures that are included in the terms of Rehabilitation & Resettlement and compensation as outlined in the Act**

## **4. Measures that the Requiring Body has stated it shall introduce in the Project Proposal**

## **5. Additional measures that the Requiring Body has stated it shall undertake in response to the findings of the Social Impact Assessment process and public hearings**

## **6. The Social Impact Management Plan must include a description of institutional structures and key person responsible for each mitigation measure and timelines and costs for each activity.**

(Seal and signature of the Chairman and Members, Social Impact Assessment Unit.)Form- V[See rule- 12 (3) and section 5 of the Act]Notice for Public HearingNo.Dated:Notice under section 5 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) is hereby given that the land specified in the appended schedule and situated in village (s) ....., Tehsil ..... of District ..... is needed or likely to be needed for a public purpose, namely, ..... in accordance with the notification No. .... published on ....., under sub-section (1) of section 4 of the said Act. All persons interested in the said land are accordingly required to appear before the ..... on ..... at ..... for a public hearing in connection with the preparation of Social Impact Assessment Report.

### Schedule

Serial No. Khasra No. Description Extent required in hectares Name of Owners of Land/Interested  
Chairman Social Impact Assessment Unit.Form-VI[See rule-17(3)]Prior Written  
Consent/Declaration Form

Sr.

No.

Detail of person Concerned

- 1 Name of the person(s) as per section 3(c) (i) and (v) of the Act
- 2 Name of the spouse
- 3 Name of father/mother
- 4 Address
- 5 Village/Basti
- 6 Gram Panchayat/Municipality/Municipal Corporation

- 7 Tehsil:
- 8 District:
- 9 Name of other members in the family with age:(including children and adult dependents)
- 10 Extent of land owned
- 11 Area for the acquisition
- 12 Plot No
- 13 Record of Rights
- 14 Disputed lands if any
- 15 Pattas/leases/grants, if any
- 16 Any other right, including tenancy, if any:
- 17 Regarding the acquisition of my land by the government, I wish to state the following (please circle)

(i)

I have read/readout the contents of this consent form and explained to me in.....language and

Yes No

(ii)

I do not agree to this acquisition

Yes No

(iii)

I agree to this acquisition

Yes No

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

- 18 The terms and conditions, Rehabilitation and Resettlement, compensation and other measures committed by the Requiring Body have been explained in the local language. (These terms and conditions must be attached to the Form).

Date and Signature of designated district official receiving the signed form

It is a crime under law to threaten any person or to cause them any harm if they refuse to consent or if they choose to state that they do not consent on this form.

This includes any threat or act that causes them to lose money, that hurts them physically or that results in harm to their family. If any such threat has been made this form is null and void.

Declaration I hereby declare that all the facts stated above are true and correct to the best of my information, knowledge and belief and no material has been concealed there from. I have read the contents of this consent form/the contents of this consent form have been read out to me and

explained to me in language and I agree/do not agree to give my consent to the proposed acquisition of the land described above in my ownership. Signature of the person(s) giving the declaration: Signature or Thumb impression of the affected family(s) and date: Countersigned by: The Collector or the Officer Form-VII [See rule-18(1)] Preliminary Notification No.

..... Dated: ..... Whereas, it appears to the Governor of Haryana that a total of ..... acres land is required in the ..... Village ..... Tehsil ..... District for public purpose, namely, ..... Social Impact Assessment Study was carried out by Social Impact Assessment Unit and a report submitted/preliminary investigation was conducted by a team of officers constituted by the Collector as laid down under rule 9 of the Haryana Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2018. The summary of the Social Impact Assessment report/preliminary investigation is as follows (Attach copy of SIA report): .....

total ..... (no.) families are likely to be displaced due to the land acquisition. The reason necessitating such displacement is given below .....

is appointed as Administrator for the purpose of rehabilitation and resettlement of the affected families. Therefore, it is notified that for the above said project in the ..... village of ..... Tehsil ..... District a piece of land measuring, ..... acres viz, ..... hectare of standard measuring, whose detail description is as following, is under acquisition:

Serial Number	Khasra No.	Type of Title	Type of Land	Area under Acquisition (in acre)	Name and Address of person interested	Boundaries			
						N.	S.	E.	W.

Tress Structures

Variety Number Type Plinth area (in sq m)

This notification is made under the provisions of sub-section (i) of section-11 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013), to all to whom it may concern. A plan of the land may be inspected in the office of the Collector and ..... on any working day during the working hours. The Governor of Haryana hereby authorizes Officers ..... and his staff ..... to enter upon and survey land, take levels of any land, dig or bore into the sub-soil & do all other acts required for the proper execution of their work as provided and specified in section 12 of the said Act. Under section 11(4) of the Act, no person shall make any transaction or cause any transaction of land i.e. sale/purchase, etc., or create any encumbrances on such land from the date of publication of such notification without prior approval of the Collector. Objections to the acquisition, if any, may be filed by the person interested within a period of sixty days from the date



of publication of this notification as provided under section 15 of the Act before the Collector. Encl: As above Place: Date: Secretary to the Government Form-VIII [See rule-19 (1) and sub section (2) of section 15 of the Act] Notice by Collector No. .... Date.

..... Notice is hereby given that the land specified in the appended schedule and situated in the village of ..... in the Tehsil/other nomenclature ..... in the District of ..... is needed in accordance with the notification under sub-section (i) of section 11 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) published by the Government in Official Gazette dated ..... All persons interested in the land are accordingly required to lodge their objections before.....

..... within a period of sixty days from the date of publication of the above notification in writing, if any, to the acquisition of the said land. Any objection statement which is received after the due date or which does not clearly explain the nature of the senders interest in the lands is liable to be summarily rejected. Objections received within the due date, if any, shall be enquired into on ..... at ..... when the objectors shall be at liberty to appear in person or by Advocate and to adduce any oral or documentary evidence in support of their objections.

## Schedule 2

Serial Number	Khasra No.	Total extent (in acres)	Extent under acquisition (in acres)	Name and address of the person interested	Boundaries N.S.E.W.	Details of Trees, Structures etc., if any
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Place: Date: Collector Form-IX [See rule-23] Format for Development Plan under Rehabilitation and Resettlement scheme for SC/ST families displaced due to land acquisition

Serial Number	Name of the Claimant/family head	Permanent Address	Entitlements (See section 31, 41 and Second Schedule of the Act)	Remarks
---------------	----------------------------------	-------------------	--	---------

1. Particulars of land for agricultural, horticultural, cattle grazing field per family shall be provided. 2. Provision of dwelling housing unit per family, Drinking Water facility to toilet etc., 3. One time financial assistance of INR ..... per family shall be given. 4. For landless laborers employment shall be provided under MNREGA or/and any other job providing scheme of the government. 5. Skill development through different training programs for the youth of affected family. 6. Subsistence grant for displaced family allowance equivalent to INR .....

permonth for a year from the date of award.7.

For cattle shed and petty shop minimum

Rupees.....

(a)Details of Land right due, but not settled:(b)Details of actions for restoring titles of the Scheduled Tribes as well as the Scheduled Castes on the alienated land by undertaking a special drive.(c)Programme for development of alternate fuel, fodder and non-timber forest produce resources on non-forest lands within a period of five years, sufficient to meet the requirements of tribal communities as well as the Scheduled Castes.Form-X[See rule-24]DeclarationNo.

.....The.....Whereas, it appears to the Governor of Haryana that a total of ..... acres land is required in the Village ..... Tehsil ..... District ..... for public purpose, namely,

.....Therefore declaration is made that a piece of land measuring ..... acres viz; ..... hectares of standard measurement under acquisition for the above said project in the Village ..... Tehsil ..... District ..... whose detailed description is as following:-

Serial Number	Khasra No.	Type of Title	Type of Land	Area under Acquisition (in acre)	Name and Address of person interested	Boundaries			
						N.	S.	E.	W.

Trees

Variety Number

Structures

Type Plinth area (in sq m)

This declaration is made after hearing of objections of persons interested and due enquiry as provided under section 15 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013). The number of families likely to be resettled due to Land Acquisition is ..... for whom Resettlement area has been identified, whose brief description is as following:-Village ..... Tehsil .....District ..... Area ..... (in acres).A plan of the land may be inspected in the office of the Land Acquisition Officer and ..... on any working day.A summary of the Rehabilitation and Resettlement Scheme is appended.Encl: As abovePlace:Date:Secretary to the GovernmentForm-XI[See rule-26]Land Acquisition AwardLand Acquisition Case No.

Name of the Project-

Number and date of declaration under which the land is to beacquired

Situation and extent of the land in acres,  
the number of fieldplots on the survey  
map, the village in which situated with  
thenumber of mile plan if any.

Description of land, i.e., whether fallow,  
cultivated,homestead, etc. if cultivated,  
how cultivated? Source ofirrigation.

Names of persons interested in the land  
and the nature oftheir respective interests.

Amount allowed for the land itself,  
without trees, buildingsetc, if any

Amount allowed out of such sum as  
compensation for the tenantsinterest in  
the land.

Basis of calculation:

Amount allowed for trees, house or any  
other immovableproperty

Amount allowed for crops.

Additional compensation on the market  
value under section30(3)

Damages under section 28

Solatum under section 30(1)

Award under sections 23 and 30

Particulars of abatement of Government  
Revenue, or of thecapitalized value paid,  
the date from which the abatement  
takeseffect.

Apportionment of the amount of  
compensation

Serial No Name of  
claimants

Amount payable to  
each Bank  
A/C No. \*

Remarks

Area (in  
acres)

Date on which possession was taken u/s  
38(1) of Act of30/2013.

Date:Seal & Signature of the Collector\* Bank account detail to be collected in all cases where  
Aadhaar number is not available or Aadhaar is not seeded in the bank account of the  
claimant.Form-XII[See rule-27 (1)]Award for Rehabilitation and ResettlementLand Acquisition  
Case No.

1. Name of the Project-
- 2 Number and date of declaration under which the land is to beacquired
- 3.

Situation and extent of the land in acres, the number of fieldplots on the survey map, the village in which situated with the number of mile plan if any.

4. Description of the housing units, transportation cost, housing allowances, annuity, employment subsistence grant, cattle shed, petty shop, one time resettlement allowances etc.

5. Name/Names of persons interested in the land and the nature of their respective claim for rehabilitation and resettlement.

Apportionment

6. of compensation area (in acres)	Serial Number	Name of claimants/affected family	R & R entitlements	Bank Amount A/C No.	Non payable to each	monetary entitlements	Remarks
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(i) House to be allotted

(ii) Land to be allotted

(iii) Fishing rights

(iv) Annuity

(v)

Employment

(vi)

Transportation cost

(vii) Housing allowances,

(viii)

Subsistence grant

(ix) Cattle shed, Petty shop,

(x) One time resettlement allowances

7. Date on which Rehabilitation and Resettlement entitlements given to the affected family.

8. Basis of calculation:

9. Amount allowed for trees, house or any other immovable things.

10. Amount allowed for crops.

11. Additional compensation on the market value under section 30(3) of the Act

12. Damages under section 28

13. Solatium under section 30(1)

## 14. Award under sections 23 and 30

- Particulars of abatement of Government Revenue, or of the capitalized value paid, the date from which the abatement takes effect.

Appointment of the amount of compensation	Serial Number	Name of claimants	Amount payable to each	Bank A/C No.*	Remarks
Area (in hectares)					
Date on which possession was taken under/section 38(1) of the Act.					

Date: Seal & Signature of the Collector\* Bank account detail to be collected in all cases where Aadhaar number is not available or Aadhaar is not seeded in the bank account of the claimant. Form-XIII [See rule-27(3)] Format for Provision of Infrastructural Amenities under Rehabilitation and Resettlement scheme for families displaced due to Land Acquisition

Sr. No. Components	Details of infrastructure amenities
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- |    |                                       |
|----|---------------------------------------|
| 1  | Roads                                 |
| 2  | Drainage                              |
| 3  | Drinking water                        |
| 4  | Drinking water for cattle             |
| 5  | Grazing land                          |
| 6  | Fair price Shops                      |
| 7  | Panchayat buildings                   |
| 8  | Post Offices                          |
| 9  | Fertilizer storage                    |
| 10 | Irrigation facilities                 |
| 11 | Transport facilities                  |
| 12 | Burial or cremation ground            |
| 13 | Toilet points                         |
| 14 | Electric connections                  |
| 15 | Nutritional services                  |
| 16 | Schools                               |
| 17 | Sub-health centre                     |
| 18 | Primary Health Centre                 |
| 19 | Play ground                           |
| 20 | Community centre                      |
| 21 | Places of worship                     |
| 22 | Separate land for tribal institutions |
| 23 | Timber forest produce                 |
| 24 | Security arrangements                 |

- 25 Veterinary services
- 26 Any other infrastructure amenity