



Rehabilitation & Resettlement (R&R) Policy for Kochi Metro Rail Project

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Kochi Metro Rail Project

Rehabilitation and Resettlement Policy and Entitlement Framework

1.0 DEFINITIONS

The definitions of various terms utilized in this policy are:

- a) **Acquired land** means the land acquired under Land Acquisition Act 1894 or the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for the Kochi Metro Rail Project or any other prevailing GOs.
- b) **Agricultural Land** means lands being used for the purpose of (i) Agriculture or horticulture; (ii) Dairy farming, poultry farming, pisciculture, sericulture, seed farming breeding of livestock or nursery growing medicinal herbs; (iii) Raising of crops, trees, grass or garden produce; and (iv) Land used for the grazing of cattle;
- c) **Affected Area** means such area as may be notified by the Government of Kerala under the relevant land acquisition acts for the purposes of land acquisition for the Project;
- d) **Affected family** means:
 - i. A family whose land or other immovable property has been acquired for the Kochi Metro Rail Project;
 - ii. A family which does not own any land but a member or members of such family may be agricultural labourers, tenants including any form of tenancy or holding of usufruct right, share-croppers or artisans or who may be running a commercial establishment in the Affected Area, whose primary source of livelihood stand affected by the acquisition of the land;
 - iii. The Scheduled Tribes and other traditional forest dwellers who have lost any of their forest rights recognized under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 due to acquisition of land;
 - iv. Family whose primary source of livelihood for three years prior to the acquisition of the land is dependent on forests or water bodies and includes gatherers of forest produce, hunters, fisher folk and boatmen and such livelihood is affected due to acquisition of land;
 - v. A member of the family who has been assigned land by the State Government or the Central Government under any of its schemes and such land is under acquisition;
 - vi. A family residing on any land in the affected area for preceding three years or more prior to the acquisition of the land or whose primary source of livelihood for three years prior to the acquisition of the land is affected by the acquisition of such land;
- e) **Family** means a person, his or her spouse, children, brothers and sisters dependent on him:
 - i. Provided that Widows/divorcees and women deserted by families shall be considered as separate families.

- f) **Below poverty line or BPL Family** means below poverty line families as defined by the Planning Commission of India, from time to time, and those included in the State BPL list in force.
- g) **Compensation** refers to the amount paid as compensation under various provisions of the Land Acquisition Act 1894 or RTFCTLARRA 2013, for private property, structures and other assets acquired for the project, excluding rehabilitation and resettlement entitlements as per this policy.
- h) **Cutoff Date** is the date of Notification under Section 4(1) of Land Acquisition Act 1894 or Section 11(1) of the RTFCTLARRA, 2013.
- i) **Displaced Family** means any Affected Family, (i) who on account of acquisition of land has to be relocated from the affected area; (ii) a family whose primary place of residence or other property or source of livelihood is adversely affected by the acquisition of land for the Project (iii) any tenure holder, tenant, lessee or owner of other property, who on account of acquisition of land in the affected area, has been involuntarily displaced from such land or other property; (iv) any agricultural or non-agricultural laborer, landless person (not having homestead land or agricultural land) rural artisan, small trader or self-employed person; who has been residing or engaged in any trade, business, occupation or vocation in the acquired land, and who has been deprived of earning his livelihood or alienated wholly or substantially from the main source of his trade, business, occupation or vocation because of the acquisition of land in the affected area
- j) **Employee** means an individual engaged by a displaced commercial establishment in the Acquired Land, for compensation under a contract for employment whether oral or written, express or implied.
- k) **Encroachers** are those persons who have extended their building, business premises or work places or agriculture activities into government lands.
- l) **Land acquisition** means acquisition of land under Land Acquisition Act 1894 or under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 or any other prevailing Government Orders.
- m) **Minimum Wages** means the minimum wage of a person for his/her services/labour per day as per notification published by Department of Labour, Government of Kerala.
- n) **Non-Perennial Crop:** means any plant species, either grown naturally or through cultivation that lives for a particular harvest season and perishes with harvesting of its yields.
- o) **Notification** means a notification published in the Gazette of India, or as the case may be, the Gazette of State;
- p) **Perennial Crop:** means any plant species that live for years and yields its products after a certain age of maturity.
- q) **Project** means the Kochi Metro Rail Project covering 25.612 KM in the first phase from Aluva to Petta including the Muttom Depot.
- r) **Rehabilitation and Resettlement** means carrying out rehabilitation and resettlement as per KMRL Policy on rehabilitation and resettlement or under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 or as

per any other law in force as may be applicable for rehabilitation and resettlement benefits to be provided to the affected families.

- s) **R & R Entitlements** means the benefits awarded as per the R & R Framework given in the KMRL Policy on Rehabilitation & Resettlement and as subsequently approved by the Government.
- t) **Severance of Land** means a land holding divided into two or more pieces due to acquisition of land mainly for laying new project alignment or a re-alignment.
- u) **Squatter** means those persons who have illegally occupied government lands for residential, business and or other purposes for a minimum of 3 years prior to 4(1) notification or 11(1) notification.
- v) **State Government/Government** refers to the Government of Kerala;
- w) **Tenants** are those persons having *bonafide* tenancy agreements for three years prior to the acquisition of the land, with a property owner with clear property titles, to occupy a structure or land for residence, business or other purposes.
- x) **Vulnerable groups:** persons such as differently abled, widows, and women headed household, persons above sixty years of age, Scheduled Caste and Scheduled Tribes and other groups as may be specified by the State Government.
- y) **Women Headed Household** means a family headed by a woman and does not have a male earning member. This woman may be a widowed, separated or deserted person.

2.0 INTRODUCTION

This Rehabilitation and Resettlement (R&R) Policy (The Policy) is being adopted by Kochi Metro Rail Limited in order to address any adverse social and economic impacts accrued to identified families or persons in the Affected Area. This Policy has been developed generally in accordance with the requirements of the Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013 (RTFCTLARRA, 2013) and the Agence Francaise de Developpement (AFD) social safeguard guidelines. The AFD adopts the World Bank Social Safeguard Operational Procedures to address involuntary resettlement issues under development projects globally (given as **Annexure I**). The RTFCTLARRA, 2013 adheres to the requirements of the World Bank Social Safeguard guidelines also and thus the Policy has adopted the RTFCTLARRA, 2013 in general.

The Policy provides appropriate monetary entitlements to the Affected Families under each category of loss identified.

3.0 BASIC PRINCIPLES

The basic principles of the Policy are:

- a) Transparency
- b) Just and fair provisions to ensure rehabilitation and resettlement measures, commensurate with the hardships faced by the Affected Families, for mitigating the impacts of the acquisition or displacement.
- c) Provide for improvement in the social and economic status of the Affected Families, post-acquisition.

- d) Any amendments to RTFCTLARRA, 2013 or the rules thereunder that may be adopted/modified or amended by the Appropriate Government will be adopted by Kochi Metro Rail Limited from time to time, if such amendments casts an obligatory compliance requirement on the part of KMRL or in any manner increases the benefits available as per the Policy to any of the Affected Families.

4.0 OBJECTIVES OF THE POLICY

The main objective of the Policy is to appropriately identify, address and mitigate all adverse socio-economic impacts accrued to the communities, families or people due to the implementation of the Project.

5.0 GUIDELINES AND APPLICABLE ACTS

These include

- a) World Bank Operational Policies and Procedures – Involuntary Resettlement OP 4.12 (at **Annexure I**)
- b) The Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013 (RTFCTLARRA 2013) (at **Annexure II**)
- c) Interim Resettlement and Rehabilitation Policy and Package for the Kochi Metro Rail Project, 2011 (at **Annexure III**) ; and
- d) Rehabilitation and Resettlement Policy of Government of Kerala, 2011 (at **Annexure IV**)

Since the guidelines and principles of the international funding agencies (like the AFD – [which primarily adopts the World Bank Policies], World Bank, ADB, etc.) has been considered in the RTFCTLARRA 2013 hence the same has been taken as the guiding document for the preparation of the Policy. A brief description of RTFCTLARRA 2013 and World Bank Guidelines is given in **Appendix 1**.

6.0 METHODOLOGY

All the Affected Families along the metro corridor were identified based on the data available with the Revenue Department. A 100% survey was conducted for collecting relevant information directly from the Affected Families. Based on the survey, duly considering the relevant Guidelines and Acts, the impact of the project on each Affected Families were categorised and accordingly the R & R Policy is framed which also includes the R & R Entitlement Framework. In order to implement the R & R Policy and Entitlement Framework, an R & R Action Plan (RAP) report is also formulated.

The different categories of impacts that were identified has been classified under three categories, viz., loss of land, loss of structures and loss of livelihood. The quantification of the Rehabilitation and Resettlement entitlements for these losses has been done based on the provisions of schedule II of RTFCTLARRA 2013. The category of losses is tabulated in **Table 1**.

Table 1 : Category of loss under the project		
Sl. No.	Category of loss	Description of the loss
1.	Land	▪ Agriculture

		<ul style="list-style-type: none"> ▪ Non-Agriculture.
2.	Structures	<ul style="list-style-type: none"> ▪ Owners and tenants (commercial and residential)
3.	Livelihood	<ul style="list-style-type: none"> ▪ Due to direct loss of commercial property

In accordance with the above, the entitlements and provisions have been made in the Rehabilitation and Resettlement Action Plan that is being formulated for the Project. The entitlement framework that has been designed is based on the RTFCTLARRA 2013. The categories mentioned in Table 1 are in accordance with the categories provided in the entitlement framework (Section 8) of the Policy. Each category of losses for purpose of R&R entitlements are classified under two major categories, which include the titleholders (owners) and non-titleholders (Tenants in the commercial/residential properties, Encroachers and Squatters).

7.0 CORRELATION OF FUNDING AGENCY GUIDELINES WITH RTFCTLARRA 2013

In order to have an understanding of the correlation of provisions of RTFCTLARRA 2013 with the guidelines and principles of the international funding agencies (like the AFD – [which primarily adopts the World Bank Policies], World Bank, ADB, etc.), on the basis of which the Policy is framed, a comparative study of various guiding principles of these enactments were carried out as detailed in Appendix 2. The RTFCTLARRA 2013 incorporates all the guiding principles of the World Bank and hence the Policy is ultimately aligned with the RTFCTLARRA 2013. A brief on the RTFCTLARRA 2013 provisions is provided in Appendix 3 of the Policy.

8.0 RESETTLEMENT AND REHABILITATION

The Policy provides appropriate monetary entitlements to the Affected Families under various categories of loss detailed in the Policy based on the applicable guidelines and Acts. The adverse impact due to displacement caused by land acquisition for the Project on the various categories of PAPs has been identified and quantified. The provisions of Second Schedule of RTFCTLARRA 2013 have been adopted for quantifying the entitlements. The R&R Entitlement Framework covers all the categories of PAPs along with the R&R benefits for each such categories of Affected Families.

9.0 R&R ENTITLEMENT FRAMEWORK

The R&R entitlement framework has been formulated based on the guiding principles outlined in the Policy. This R&R framework will be adopted to formulate the Resettlement Action Plan. The R&R entitlement matrix includes various components of R&R benefits as provided in **Appendix 4**. This matrix addresses all categories of people being affected and all categories of impacts accrued to the affected families due to the Project.

Appendix 4 indicates the entitlements for all categories of impact as per the RTFCTLARRA 2013 and the AFD guidelines that are applicable for the Project. The same can be classified under three major categories of impact, viz, loss of land, loss of structures and loss of livelihood, which covers the entire gamut of the affected population.

The Compensation is provided as per the relevant laws of the land and hence is not covered in the policy. However the basic principles governing present Compensation structure for the Project is indicated in **Appendix 5**

10.0 RESETTLEMENT PLANNING

To achieve the objectives of this policy, the planning instruments used are:

- a) The Resettlement Policy, which is required for providing basic policy guidelines for all Project operations that may entail involuntary displacement.
- b) The Resettlement Action Plan which is required implementing the Policy

The full costs of resettlement and rehabilitation activities necessary to achieve the objectives of the project are included in the total costs of the project. The costs of resettlement, like the costs of other project activities, are treated as a charge against the economic benefits of the project; and any net benefits to resettlers (as compared to the "without-project" circumstances) are added to the benefits stream of the project. Resettlement components or free-standing resettlement projects need not be economically viable on their own, but they should be cost-effective.

11.0 IMPLEMENTATION AND MONITORING OF THE POLICY

In accordance with this Rehabilitation and Resettlement Policy, the Rehabilitation and Resettlement Action Plan (RAP) for the affected families will be devised. The RAP will provide the strategy for implementation of the Policy along with the institutional arrangements and the budgetary estimates for rehabilitation and resettlement packages, monitoring and evaluation as may be necessary for effective implementation of the policy. The monitoring of the implementation will be done by an appropriate authority/committee of KMRL. The external monitoring and evaluation of the RAP will be done third party agency as appointed by KMRL.

This Policy would ensure a fair and transparent rehabilitation and resettlement to all the affected families or persons as applicable. This Policy is adopted by Kochi Metro Rail Limited to provide rehabilitation and resettlement benefits as defined under the entitlement framework of this Policy.

APPENDIX- 1
BRIEF DESCRIPTION OF RTFCTLARRA 2013 AND WORLD BANK GUIDELINES
A) The Right To Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RTFCTLARRA)

This Central Act ensures, in consultation with institutions of Local Self-Government and Gram Panchayats established under the Constitution, a humane, participative, informed and transparent process of land acquisition for industrialization, development of essential infrastructural facilities and urbanization. It also ensures that the same is achieved with the least disturbance to the owners of the land and other affected families and provide just and fair compensation to the affected families whose land has been acquired or proposed to be acquired or are affected by such acquisition. The Act also makes adequate provisions for such affected persons for their rehabilitation and resettlement and ensures that the cumulative outcome of compulsory acquisition should be such that the affected persons become partners in development leading to an improvement in their post-acquisition social and economic status and for matters connected therewith or incidental thereto.

The provisions of this Act Under Section 2(1) relating to land acquisition, compensation, rehabilitation and resettlement, shall apply, when the appropriate government acquires land for its own use, hold and control, including for Public Sector Undertakings and for public purpose. Under RTFCTLARRA, 2013 for land acquisition for various types of project, provisions of consent has been inbuilt to secure the interest of the stakeholders. The details of the consent are given in **Table 2** as follows:

Table 2 : Consent Requirements across Project Types and Sites		
Project Type + Area	Consent	
	Land Owners and Tenants	Gram Sabha/ Panchayat/ Autonomous District Council
Public + Non-Scheduled Area	Not required	Not required
Public + Scheduled Area	Not required	Required
PPP + Non-Scheduled Area	Required (70%)	Not required
PPP + Scheduled Area	Required (70%)	Required
Private + Non-Scheduled Area	Required (80%)	Not Required
Private + Scheduled Area	Required (80%)	Required
<p>i. “Scheduled Areas” means the Scheduled Areas as referred to in Clause (1) of Article 244 of the Constitution. The Act extended the provisions of Panchayats to the tribal areas of nine states that have Fifth Schedule Areas.</p> <p>ii. Panchayats (Extension to Scheduled Areas) Act, 1996 or PESA is a law enacted by the Government of India to cover the "Scheduled areas", which are not covered in the 73rd amendment or Panchayati Raj Act of the Indian Constitution. It was enacted on 24 December 1996 to enable Gram Sabhas to self-govern their natural resources.[1] It is an Act to provide for the extension of the provisions of Part IX of the Constitution relating to the Panchayats to the Scheduled Areas.</p>		


Since the project type is public and the area wherein the project is being implemented is an urban area which is non-scheduled, consent is not required for this project.

B).World Bank Social Safeguard Policies—Policy Objectives and Operational Principles

The Operational Procedures (OP) is the Involuntary Resettlement OP 4.12. Description (as given in **Table 3**) of the operational principles includes:

Table 3 : Policy objectives and Operational Principles of the World Bank 4.12

<i>Objectives</i>	<i>Operational Principles</i>
Involuntary Resettlement OP 4.12	
<p>To avoid or minimize involuntary resettlement and, where this is not feasible, to assist displaced persons in improving or at least restoring their livelihoods and standards of living in real terms relative to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.</p>	1. Assess all viable alternative project designs to avoid, where feasible, or minimize involuntary resettlement.
	2. Through census and socio-economic surveys of the affected population, identify, assess, and address the potential economic and social impacts of the project that are caused by involuntary taking of land (e.g., relocation or loss of shelter, loss of assets or access to assets, loss of income sources or means of livelihood, whether or not the affected person must move to another location) or involuntary restriction of access to legally designated parks and protected areas.
	3. Identify and address impacts also if they result from other activities that are (a) directly and significantly related to the proposed project, (b) necessary to achieve its objectives, and (c) carried out or planned to be carried out contemporaneously with the project.
	4. Consult project-affected persons, host communities and local nongovernmental organizations, as appropriate. Provide them opportunities to participate in the planning, implementation, and monitoring of the resettlement program, especially in the process of developing and implementing the procedures for determining eligibility for compensation benefits and development assistance (as documented in a resettlement plan), and for establishing appropriate and accessible grievance mechanisms. Pay particular attention to the needs of Vulnerable Groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, Indigenous Peoples, ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation.
	5. Give preference to land-based resettlement strategies for displaced persons whose livelihoods are land-based.
	6. For those without formal legal rights to lands or claims to such land that could be recognized under the laws of the country, provide resettlement assistance in lieu of compensation for land to help improve or at least restore their livelihoods.
	7. Disclose draft resettlement plans, including documentation of the consultation process, in a timely manner, before appraisal formally begins, in an accessible place and in a form and language that are understandable to key stakeholders.


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Table 3 : Policy objectives and Operational Principles of the World Bank 4.12		
<i>Objectives</i>	<i>Operational Principles</i>	
Involuntary Resettlement OP 4.12		
	<p>8. Apply the principles described in the involuntary resettlement section of this Table, as applicable and relevant, to subprojects requiring land acquisition.</p> <p>9. Design, document, and disclose before appraisal of projects involving involuntary restriction of access to legally designated parks and protected areas, a participatory process for: (a) preparing and implementing project components; (b) establishing eligibility criteria; (c) agreeing on mitigation measures that help improve or restore livelihoods in a manner that maintains the sustainability of the park or protected area; (d) resolving conflicts; and (e) monitoring implementation.</p>	

APPENDIX 2
Correlation of funding agency guidelines with RTFCTLARRA 2013

Objectives	AFD/ World Bank	RTFCTLARRA, 2013
i. Avoid involuntary resettlement	Involuntary resettlement should be avoided wherever feasible	Yes
ii. Minimize involuntary resettlement	Minimize involuntary resettlement by exploring all viable alternative project designs	Yes
iii. Mitigate adverse social impacts	Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits.	Yes
iv. Identify, assess and address the potential social and economic impacts	Through census and socio-economic surveys of the affected population, identify, assess, and address the potential economic and social impacts of the project that are caused by involuntary taking of land (e.g. relocation or loss of shelter, loss of assets or access to assets, loss of income sources or means of livelihood, whether or not the affected person must move to another location) or involuntary restriction of access to legally designated parks and protected areas.	Yes
v. Prepare mitigation plans for affected persons	To address the Project impacts, prepare resettlement plan or a resettlement policy framework prior to Project appraisal, estimating to the extent possible the total population to be affected and the overall resettlement costs.	Yes
vi. Consider alternative project design	Assess all viable alternative project designs to avoid, where feasible, or minimize involuntary resettlement.	Yes
vii. Involve and consult with stakeholders	Consult project-affected persons, host communities and local nongovernmental organizations, as appropriate. Provide them opportunities to participate in the planning, implementation, and monitoring of the resettlement program, especially in the process of developing and implementing the procedures for determining eligibility for compensation benefits and development assistance (as documented in a resettlement	Yes

Correlation of funding agency guidelines with RTFCTLARRA 2013

Objectives	AFD/ World Bank	RTFCTLARRA, 2013
	plan), and for establishing appropriate and accessible grievance mechanisms. Pay particular attention to the needs of Vulnerable Groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, Indigenous Peoples, ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation.	
viii. Disclose and inform APs of RP and mitigation measures	Disclose draft resettlement plans, including documentation of the consultation process, in a timely manner, before appraisal formally begins, in an accessible place and in a form and language that are understandable to key stakeholders.	Yes
ix. Support existing social and cultural institutions of the affected persons	To the extent possible, the existing social and cultural institutions of resettlers and any host communities are preserved and resettlers' preferences with respect to relocating in pre-existing communities and groups are honored.	Yes
x. Build capacity of the borrower(s) in IR implementation	Financing of technical assistance to strengthen the capacities of agencies responsible for resettlement, or of affected people to participate more effectively in resettlement operations.	Yes
xi. Categorization	Categorization of the affected families is defined as titleholders, non-titleholders – including encroachers, Squatters, tenants, etc.	Yes
xii. Resettlement Plan	To cover the direct social and economic impacts that are caused by the involuntary taking of land and/or the involuntary restriction of access to legally designated parks and protected areas, the borrower will prepare a Resettlement plan or resettlement policy framework . The RP or framework will include measures to ensure that the displaced persons are provided assistance during relocation; provided with residential housing, or housing sites, or as required agricultural sites; offered transitional support; provided with development assistance in addition to compensation.	Yes

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Correlation of funding agency guidelines with RTFCTLARRA 2013		
Objectives	AFD/ World Bank	RTFCTLARRA, 2013
xiii. Supervision	The Bank regularly supervises resettlement implementation to determine compliance with the resettlement instrument.	Yes. Provision for R&R committee provided.
xiv. Monitoring Evaluation	The borrower is responsible for adequate monitoring & evaluation of the activities set forth in the resettlement instrument. Assess whether the objectives of the resettlement instrument have been achieved, upon completion of the project, taking account of the baseline conditions and the results of resettlement monitoring.	Yes
xv. Timeline for every process	World bank does not give any time schedule for activities	Under new LARRP, 2013 the act sets timeline for each activity and its process i.e. SIA, RAP, Compensation etc.

APPENDIX- 3

Summary of the RTFCTLARRA Sections as applicable		
Sl. No.	Section	Description of the section
1.	Section 4(1) – SIA notification	<ul style="list-style-type: none"> ▪ Social Impact Assessment Study ▪ Total duration 6 months
2	Section 5	<ul style="list-style-type: none"> ▪ Public Hearing for SIA
3	Section 6 (1)	<ul style="list-style-type: none"> ▪ Publication of SIA
4.	Section 7(1) – SIA evaluation and approval	<ul style="list-style-type: none"> ▪ Independent SIA Evaluation by Expert Group <ul style="list-style-type: none"> – 2 non official social scientist – 2 representatives of Panchayat, Gram Sabha, Municipality or Corporation – 2 experts on rehabilitation – 1 technical expert in subject area – Publication of recommendation

Summary of the RTFCTLARRA Sections as applicable

Sl. No.	Section	Description of the section
		– Total duration 2 months
8.	Section 8	<ul style="list-style-type: none"> Examination of proposals for land acquisition and Social Impact Assessment report by appropriate Government
9.	Section 11(1) – Notice to acquire land	<ul style="list-style-type: none"> Publication of Preliminary Notification for acquisition
10.	Section 11(5) – Land record Updation	<ul style="list-style-type: none"> Updating Land records Total duration 2 months
11.	Section 14 – SIA lapse period	<ul style="list-style-type: none"> If Section 11(1) not published within 12 months (18 months from the date of 4(1) notification) after the submission of SIA report under section 7, such report will lapse . Then fresh SIA to be done before acquisition under section 11. Appropriate government shall have the power to extend the period of 12 months
12.	Section 15(1) – Hearing of objections	<ul style="list-style-type: none"> Within 60 days from the date of 11(1) notification
13.	Section 16(1) – Preparation of R&R Scheme by Administrator (by state notification not below the rank of Joint Collector or Additional Collector or Dy. Collector or equivalent official of Revenue Department to be the Administrator for R&R)	<ul style="list-style-type: none"> After the publication of 11(1) notification by collector, Administrator for R&R shall conduct census survey of affected families.
14.	Section 16(5)	<ul style="list-style-type: none"> Public hearing of R&R Scheme
15.	Section 16(6)	<ul style="list-style-type: none"> Submission of draft R&R scheme to collector
16.	Section 17(1)	<ul style="list-style-type: none"> Review of R&R scheme by Collector with R&R committee
18.	Section 18 – Approval of R&R scheme by Commissioner	<ul style="list-style-type: none"> Officer off the rank of Commissioner or Secretary of that Government
19.	Section 19(1) – Publication of declaration and summary of R&R	<ul style="list-style-type: none"> To be published within a period of 12 months from the notification under section 11(1) excluding stay or court order
20.	Section 19(7) – Lapse of notification under section 11(1)	<ul style="list-style-type: none"> If no declaration is made within 12 months from the notification under section 11(1) excluding stay or court order
21.	Section 21(1)	<ul style="list-style-type: none"> Notice to person interested for taking possession.
22.	Section 23	<ul style="list-style-type: none"> Land Acquisition Award by collector
23.	Section 25 – Lapse of entire proceeding for acquisition	<ul style="list-style-type: none"> Award to be made within 12 months from the date of declaration under section 19. (Appropriate government shall have the power to extend the period with justification).
24.	Section 31(1)	<ul style="list-style-type: none"> R&R award by collector Collector shall take possession after ensuring 100% compensation payment and R&R entitlement or Tendered within a period of 3 months for compensation and 6 months for R&R entitlements.

Summary of the RTFCTLARRA Sections as applicable

Sl. No.	Section	Description of the section
25.	Section 38(1)	<ul style="list-style-type: none"> ▪ Power to take possession of land to be acquired by Collector
26.	Section 38(2)	<ul style="list-style-type: none"> ▪ R&R process to be completed in all respect before displacing the AFs
27.	Section 43(3)	<ul style="list-style-type: none"> ▪ Formulation, Execution and monitoring of R&R scheme shall vest in the Administrator under the direction and control of Government and Commissioner R&R.
28.	Section 44(1)	<ul style="list-style-type: none"> ▪ Appointment of R&R Commissioner
29.	Section 44(2)	<ul style="list-style-type: none"> ▪ Commissioner will be responsible for supervising the formulation of R&R schemes or plans and proper implementation of such schemes or plans.
30.	Section 44(3)	<ul style="list-style-type: none"> ▪ Commissioner shall be responsible for post implementation social audit in consultation with Gram Sabha in Rural areas and municipality in urban areas.
31.	Section 45(1) Composition of R&R committee: (acquisition of equal to or more than 100 acres of land)	<ul style="list-style-type: none"> ▪ Chairman (Collector) ▪ Women representative residing in affected area ▪ Representative of ST & SC residing in the affected area ▪ Representative of NGO working in the area ▪ Representative of Nationalized bank ▪ Land Acquisition officer of the project. ▪ Chairpersons of the Panchayats or municipalities located in the affected area or their nominees. ▪ Chairperson of the District Planning Committee or his nominee. ▪ MP and MLA of the concerned area or their nominees. ▪ Representative of the requiring body. ▪ Administrator for R&R as member-convenor.

Entitlement Matrix					
Sr. No	Category of Impact	Eligibility for Entitlement	Relevant RTFCTLARRA 2013 Provisions		KMRL Adopted Policy/Entitlements
			Entitlement	Provisions	
1	2	3	4	5	6
Rehabilitation Package					
1.	Loss of Residential Structure	Title-holder of a Displaced Family whose residential structure is lost due to acquisition)	Provision of Housing unit in case of displacement.	<ul style="list-style-type: none"> ▪ If a house is lost in urban areas, a constructed house shall be provided, which will be not less than 50 sq. mtrs. in plinth area. ▪ Provided also that no family affected by acquisition shall be given more than one house under the provisions of this Act. ▪ Provided that any such family in urban areas which opts not to take the house offered, shall get a one-time financial assistance for house construction, which shall not be less than one lakh fifty thousand rupees. (Rs. 1,50,000) ▪ Explanation: The houses in urban areas may, if necessary, be provided in multi-story building complexes. 	<ul style="list-style-type: none"> ▪ Rs. 1,50,000 will be given to all residential owners who are displaced due to lose of their housing units.
2.	Loss of Livelihood	Affected Family	Annuity or a. Employment (a) Job OR (b) 5 lakh one-time payment OR (c) Rs. 2000.00 per month for 20	Where jobs are created through the project, affected families will get after providing suitable training and skill development in the required field, make provision for employment at a rate not lower than the minimum wages provided for in	The head of the household of all Affected Families losing primary source of livelihood due to land acquisition will be provided with Rs. 5,00,000 (per Affected Family as defined under the Policy).

			years (with increment) (the option of availing a, b, or c shall be that of the affected family)	<p>b. any other law for the time being in force, to at least one member per affected family in the project or arrange for a job in such other project as may be required; or onetime payment of five lakhs rupees (Rs. 5,00,000) per affected family;</p> <p>or</p> <p>c. Annuity policies that shall pay not less than two thousand rupees per month per family for twenty years, with appropriate indexation to the Consumer Price Index for Agricultural Labourers (Refer: http://labourbureau.nic.in).</p>	
3.	Loss of Livelihood	Displaced Family	Subsistence grant for displaced families for a period of one year (for the families displaced due to land acquisition)	<p>Each affected family which is displaced from the land acquired shall be given a monthly subsistence allowance equivalent to Rs. 3000.00 per month for a period of one year from the date of award. (3000 x 12months= Rs. 36000)</p> <p>In addition to this amount, the Scheduled Castes and the Scheduled Tribes displaced from Scheduled Areas shall receive an amount equivalent to Rs. 50000.</p> <p>In cases of displacement from the Scheduled Areas, as far as possible, the affected families shall be relocated in a similar ecological zone, so as to Preserve the economic opportunities' language, culture and community life of the tribal communities.</p>	<p>Each Displaced Family will be provided with Rs. 36,000.</p> <p>a. All Displaced Family belonging to the Scheduled Castes or the Scheduled Tribes shall receive an amount equivalent to fifty thousand rupees. (Rs. 50,000).</p> <p>b. This amount is additional to other rehabilitation measures being provided to all displaced families.</p>
4.	Loss of Structure	Displaced Family	Transportation cost	Each affected family which is displaced	One time financial assistance of Rs.

			for displaced families.	shall get a one-time financial assistance of Rs. 50,000.00 as transportation cost for shifting of the family, building materials, belongings and cattle.	50,000.00 for shifting family, building material, belongings and cattle shall be given to each Displaced Family.
5.	Loss of Structure	Affected Family	Cattle shed / petty shops	Each affected family having cattle or having a petty shop shall get one-time financial assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of twenty-five thousand rupees for construction of cattle shed or petty shop as the case may be.	Each Affected Family having cattle or having a petty shop in the Acquired Land shall get one time financial assistance of Rs. 25,000.00 for re construction of cattle shed or petty shop as the case may be.
6.	Loss of Livelihood	Affected Family	One time grant to artisan, small traders and certain others	Each affected family of an artisan, small trader or self-employed person or an affected family which owned non-agricultural land or commercial, industrial or institutional structure in the affected area, and which has been involuntarily displaced from the affected area due to land acquisition, shall get one-time financial assistance of such amount as the appropriate Government may, by notification. specify subject to a minimum of Rs. 25,000.00	Each Affected Family of an artisan, small trader or self-employed person or a Displaced Family which owned non-agricultural land or commercial, industrial or institutional structure in the Affected Area, shall get one-time financial assistance of Rs. 25,000.
7.	Loss of Land/Structure/Livelihood	Affected Family	One time resettlement allowance.	Each affected family shall be given a one-time "Resettlement Allowance" of Rs. 50000 only.	Each Affected Family will be given a one-time "Resettlement Allowance" of Rs. 50000.
8.	Loss of Livelihood	Employees	Not Covered	Not Covered	A onetime subsistence allowance of Rs. 36000 to each Employee, who has been working for a minimum period of three years prior to the date of acquisition of the land, in a commercial establishment other than banks, financial institutions,

					companies incorporated under the Companies Act, shopping malls, cooperative societies, Public sector undertakings, Government organisations/ departments, Urban Local Bodies or an establishment which shifted its operations to another location.
9	Loss of Commercial Establishment(small)	Displaced Affected Family, being a small merchant or having a small Commercial establishment, in the acquired land.	Nil	Nil	The right of first refusal on allotments of commercial space being planned as part of the project in the Metro stations or in the adjoining area or being developed by KMRL for commercial purposes, provided the Affected Family had participated in the bidding process for allotment of such spaces and are willing to match the highest accepted financial offer. This entitlement will be limited to one commercial space per affected establishment, irrespective of the number of affected persons.
10	Land/Structure/Livelihood	Affected Family	Nil	Nil	Affected Family shall be given preference in employment opportunities in KMRL. This is subject to the availability of vacancies, suitability of the affected person for the employment and other requirement for employment being at par with other candidates. This entitlement is limited to only one person per Affected Family, within a period of 15 years from the date of

					the commercial operations in the first reach. The recruitment will be governed by the HR policies of KMRL on recruitment and the reservation policy of Government of India.
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APPENDIX 5 - Basic Principles Governing Compensation Structure

Sr. No.	Category of Impact	Eligibility for Entitlement	Relevant RTFCTLARRA 2013 Provisions	
			Entitlement	Provisions
1	2	3	4	5
1.	Loss of Land	Titleholder	<ol style="list-style-type: none"> 1. Market value of land. This will be determined as per Sections 26 to 29 of LARR Act 2013 by Collector. 2. Amount equivalent to current stamp duty and registration charges on compensation amount for replacement of lost assets. 	<ul style="list-style-type: none"> ▪ Applicable as per RTFCTLARRA 2013. ▪ PAPs that have received the compensation on or before 31st December 2013 will be provided additional compensation as per RTFCTLARRA 2013. ▪ This is as per Section 24 of RTFCTLARRA 2013 wherein it is mentioned: <i>... Provided that where an awarded has been made and compensation in respect of majority of land holdings has not been deposited in the account of the beneficiaries, then, all beneficiaries specified in the notification for acquisition under section 4 of the said Land Acquisition Act, shall be entitled to compensation in accordance with the provisions of this Act.</i>
			Land Value factor	<ul style="list-style-type: none"> ▪ Scale 1 to 2 based on the distance of project from urban area, as may be notified by appropriate government. Illustrative scale (0-10 km=1), (10-20=1.20), (20-30 km=1.40), (30-40 km=1.80), and (40-50 km=2).
		Affected Family/Person	Land for land	<ul style="list-style-type: none"> ▪ Not applicable
2.	Loss of other Immovable Assets	Titleholder	Value of Assets attached to land or building	<ul style="list-style-type: none"> ▪ This will be provided to affected families as per the RTFCTLARRA 2013 (provision under First Schedule Sl.No.2 (ref. Section 29 of the said Act). ▪ This will be provided along with the loss of land and/or the structure which will be finalised by the Collector (revenue department).
3.	Loss of Land, Structure and other immovable assets (1+2)	Titleholder	Solatum	<ul style="list-style-type: none"> ▪ As per RTFCTLARRA 2013 – Under section 30(1) of the said Act. ▪ The compensation is calculated for land, structures

Sr. No.	Category of Impact	Eligibility for Entitlement	Relevant RTFCTLARRA 2013 Provisions	
			Entitlement	Provisions
1	2	3	4	5
				and such assets attached to the building or land as applicable and the total of all considered before considering the solatium.
4.	Loss of Land and other assets	Titleholder	Additional 12% on market value of land.	<ul style="list-style-type: none"> In addition to the market value of land, additional 12% per annum to be paid on such market value commencing on and from the date of publication of notification of SIA u/s (2) of section 4 in respect of land, till award or date of taking possession of land whichever is earlier.
5.	Land/Structure	Titleholder	Stamp duty and registration fee.	The stamp duty and other fees payable for registration of the land or house allotted to the affected families shall be borne by the Requiring Body.