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Draft Rehabilitation and Resettlement Scheme for the displaced families of **village- Bhaunripathar, P.S.-Purunakatak No.76** in the District of Boudh in connection with acquisition of land for construction of Khurda Road-Bolangir New B.G. Rail Link Project.

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Draft Rehabilitation and Resettlement Scheme showing particulars of Rehabilitation and Resettlement whose lands are being acquired, where resettlement of the affected families is involved.

Name of the village:- Bhaunripathar.  
Name of the G.P.:- Banibhusanpur.  
Name of the P.S.:- Purunakatak No.76.  
Name of the Tahasil :- Harabhanga  
Name of the District:- Boudh.  
Land being acquired :- Ac.9.970 dec  
Name of the Project :- Khurda Road-Bolangir New B.G. Rail Link Project.

Preliminary notification issued :- No.19590 dt.12.06.2020 of R&D.M. Deptt.  
U/s 11(1) of RFCTLAR7R Act,2013

Date of publication in the affected area :- 21.08.2020

Name of the Administrator R&R in respect of the Project :- Sri Sanat Kumar Naik, O.A.S-1 (SB)  
Sub-Collector, Boudh.

Most of the villagers of the village are cultivator and earning their livelihood through cultivation of paddy crop. Villagers are living a simple life and they are very much co-operative and peace lovers.

**Survey & Census of the affected families :-**

As required u/s-16(1) of the Act, door to door survey & census of the affected families has been conducted. The abstract of the information is as follows.

1. No. of affected families :-	15
2. No. of family under displacement :-	02
3. Land under occupation of tenants :-	15
4. S.T.& other forest dwellers who have lost their forest right :-	Nil.
5. Families of Agricultural labour, tenant, share-cropper or artigent Working in the affected area for 3 years prior to acquisition.:-	Nil.
6. Families who have been assigned land by State/Central Govt. Scheme:-	Nil.
7. Indirect impact by the Project(Gathers of Forest produce, hunters Fisher folk, boatman etc) :-	Nil.
8. Land use and livelihood :-	
9. Lively hood by affected families :-	Nil.
10. Whether cattle shed or petty shop is displaced.:-	Nil

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The detailed particulars of the displaced families as per survey conducted on dt.04.12.2020 are mentioned below.

Sl. No.	Name of displaced person	Age	Relation	Occupation	Lively hood	Whether cattle shed or petty shop is displaced	Name of R.T	Khata No	Plot No.	Kissam	Total area	Acquired area
1	2	3	4	5	6	7	8	9	10	11	12	13
1. (a)	Kumari Nayak, W/o- Sanyasi Nayak	51	Head of family	Cultivation			Kumari Nayak, W/o- Sanyasi Nayak	16/13	76/189/206	Gharabari	Ac.0.040 dec	Ac.0.040 dec
(b)	Sanjukta Bhoi, W/o- Sudam Bhoi	31	Daughter									

From the above table, it was ascertained that **02 families** are to be displaced under the definition as laid down in clause (m) of Section 3 of the Act.

As required under sub-section (5) of Section 16 of the Act, public hearing in the premises of Banibhusanpur G.P. was conducted on **17.03.2022 at 12.30 P.M.** In the public hearing meeting 34 nos. of petitions were received from the villagers present alleging that the survey has not been conducted properly. Their land and houses are being affected for the Khurda Road-Bolangir New B.G Rail Link Project for which they are to be compensated along with Rehabilitation and Resettlement assistance. Immediately after public hearing is over, the Sub-Collector –Cum-Administrator, R&R and LAZO, Boudh along with the RI/Amin conducted spot enquiry and found the petitioners are staying over their land which are proposed to be acquired for the above project.

On verification of their land records, it was ascertained that all the above petitioners have acquired the said land by way of registered sale deed. The details of the sale deed is furnished below:-

Details of applications received for Rehabilitation and Resettlement entitlements in village Bhaunripathar										
Sl. No	Name of the Applicant	Village	Land under Occupation			Manner of occupation	If purchases			Remarks
			Khata No.	Plot No.	Area (In Acre)		RSD No.	Date	Name of Vender	
1	2	3	4	5	6	7	8	9	10	11
1	Laba Meher S/o Trilochan	Bhaunripathar	Old Khata 9 New Khata 16/26	Old plot 148, New plot No.148/216	0.02	Purchase	10372000526	20.05.2020	Saroj Kumar Pradhan	Mutataed RoR issued on 03.09.2021
2	Dingar Meher S/o Darshani Meher	Bhaunripathar	Old Khata 9 New Khata 16/27	Old plot 148, New plot No.148/217	0.02	Purchase	10372000527	20.05.2020	Saroj Kumar Pradhan	Mutataed RoR issued on 03.09.2021
3	Ratnakar Pradhan S/o Raghunath	Bhaunripathar	Old Khata 9 New	Old plot 148, New plot.148/219	0.02	Purchase	10372000609	05.06.2020	Saroj Kumar Pradhan	Mutataed RoR issued on 03.09.2021

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			Khata 16/28							
4	Laxman Meher S/o Dwija	Bhaunripathar	9	154	0.02	Purchase	10372001058	21.08.2020	Saroj Kumar Pradhan	Mutation not done.
5	Sudhanshu Mahakud S/o Basant	Bhaunripathar	9	154	0.02	Purchase	10372001045	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
6	Bijay Karna S/o Dasarath	Bhaunripathar	9	154	0.02	Purchase	10372001042	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
7	Rabi Narayan Naik S/o Duryodhan	Bhaunripathar	9	154	0.02	Purchase	10372001060	21.08.2020	Saroj Kumar Pradhan	Mutation not done.
8	Narendra Meher S/o Bhagirathy	Bhaunripathar	9	154	0.02	Purchase	10372001044	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
9	Jagabandhu Mahananda S/o Sambhu	Bhaunripathar	9	148	0.02	Purchase	10372000702	17.06.2020	Saroj Kumar Pradhan	Mutation not done.
10	Duryodhan Meher S/o Jagannath	Bhaunripathar	9	154	0.02	Purchase	10372001055	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
11	Sushant Kumar Rath S/o Nanda	Bhaunripathar	9	148	0.02	Purchase	10372001021	19.08.2020	Saroj Kumar Pradhan	Mutation not done.
12	i. Samir Kumar Giri ii. Giridhari Pradhan iii. Chittaranjan Mahanandia iv. Jyotiranjan Mahanandia v. Susant Behera vi. Dharmudhar Behera vii. Debendra Kumar Dhal	Bhaunripathar	9	148	0.07	Purchase	10372001059	21.08.2020	Saroj Kumar Pradhan	Mutation not done.
13	Poulasti Danga S/o Gupte	Bhaunripathar	9	154	0.02	Purchase	10372001056	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
14	Lipun Kumar Badamali S/o Janmejaya	Bhaunripathar	13	155	0.32	Purchase	10372000512	15.05.2020	Saiban Pradhan	Mutation not done.
15	Dushmant Kumar Pati S/o Niranjana	Bhaunripathar	9	154	0.02	Purchase	10372001039	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
16	i. Bikram Pradhan ii. Binod Pradhan iii. Sunyabasi Pradhan iv. Badal Pradhan	Bhaunripathar	9	148	0.02	Purchase	10372001027	19.08.2020	Saroj Kumar Pradhan	Mutation not done.

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17	Digambar Meher S/o Dasarath	Bhaunripathar	9	154	0.02	Purchase	10372001046	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
18	Akshaya Kumar Dehuri S/o Dharmudhar	Bhaunripathar	9	154	0.02	Purchase	10372001041	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
19	Ranjan Kumar Bhokta S/o Nabaghan	Bhaunripathar	9	154	0.02	Purchase	10372001054	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
20	Premalata Behera S/o Fakir	Bhaunripathar	9	154	0.02	Purchase	10372001049	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
21	Prafulla Pradhan S/o Kishor	Bhaunripathar	9	154	0.02	Purchase	10372001036	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
22	Sunanda Pradhan S/o Bharat	Bhaunripathar	9	154	0.02	Purchase	10372001048	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
23	Dolagobinda Danta S/o Fakri	Bhaunripathar	9	154	0.02	Purchase	10372001043	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
24	Keshab Chandra Sahu S/o Narayan	Bhaunripathar	9	154	0.02	Purchase	10372001053	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
25	Baibasuta Pradhan S/o Shyama	Bhaunripathar	9	148	0.02	Purchase	10372001020	19.08.2020	Saroj Kumar Pradhan	Mutation not done.
26	Prafulla Pradhan S/o Bhakta	Bhaunripathar	9	154	0.02	Purchase	10372001050	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
27	Tahir Khan S/o Tayab	Bhaunripathar	9	154	0.02	Purchase	10372001051	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
28	Netrananda Mahar S/o Sambhu	Bhaunripathar	9	148	0.02	Purchase	10372001022	19.08.2020	Saroj Kumar Pradhan	Mutation not done.
29	i. Dinesh Kumar Sahu ii. Ramnas Sahu	Bhaunripathar	9	154	0.02	Purchase	10372001062	21.08.2020	Saroj Kumar Pradhan	Mutation not done.
30	Raj Kishor Malla S/o Duryodhan	Bhaunripathar	9	154	0.02	Purchase	10372001047	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
31	Kishor Ch Sahu S/o Biranchi	Bhaunripathar	9	154	0.02	Purchase	10372001040	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
32	i. Sachindra Patra ii. Chandramani Patra	Bhaunripathar	9	154	0.02	Purchase	10372001057	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
33	Kuni Bhoi W/o Sambhu	Bhaunripathar	9	154	0.02	Purchase	10372001052	20.08.2020	Saroj Kumar Pradhan	Mutation not done.
34	i. Duryodhan Bhoi ii. Hemant Bhoi	Bhaunripathar	9	154	0.02	Purchase	10372001063	21.08.2020	Saroj Kumar Pradhan	Mutation not done.

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From the above it is revealed that the sale deeds have been registered as per the following dates:-

On 21.08.2020 – 05 nos.  
On 20.08.2020 – 20 nos.  
On 19.08.2020 – 04 nos.  
On 17.06.2020 – 01 nos.  
On 15.05.2020 – 01 nos.  
On 20.05.2020 – 02 nos.  
On 05.06.2020 – 01 nos.

**34 nos.**

The Preliminary Notification u/s 11(1) of RFCTLAR&R Act, 2013 was issued by R&DM Department vide notification No.19590 dtd.12.06.2020 and the same was published in the village on dtd.21.08.2020.

As per section 16 of RFCTLAR&R Act, 2013 read with Rule 30 of RFCTLAR&R Rule-2016, the Administrator, R&R shall conduct survey and undertake census of the affected families either by his own staff or by outsourcing the work to any agency by way of collecting data from the social impact Assessment Study report and the Government records and verification of data by field survey and door to door visit of the affected families which shall be completed within a period of sixty days from the date of publication of the preliminary notification. In the instant case, the LAZO, Boudh has conducted survey on dt.04.12.2020 and has submitted report that only 2 families are to be displaced. Similarly, as per the SIA Study report, it has been mentioned that only one house hold is being affected due to acquisition of land in village Bhunripathar.

From the Registered sale deeds as mentioned above, it is ascertained that 29 sale deeds have been registered on 19.08.2020, 20.08.2020 & 21.08.2020. In the said registered sale deed, both the vendor and vendee have furnished a declaration that **“there is no structure or house exist over the transacted part of the Plot. If it is proved in future, then the sale deed would be treated as void”**. During enquiry conducted on dt.17.03.2022 it is observed that the house they have constructed over the land cannot be completed within a period of 1 or 2 days. Hence, it is a clear fact that the petitioners who have purchased land through RSD on dt.19.08.2020, 20.08.2020 & 21.08.2020 neither have house nor they were residing over the said land as on dt.21.08.2020 i.e. on the date of publication of the Preliminary notification u/s 11 (1) of the RFCTLAR & R Act, 2013 .

Subsequently, as per the decision taken in the review meeting for Railway Projects held on 20.06.2022 by the Revenue & Disaster Management Department, a joint enquiry was conducted on 22.06.2022 by the Joint Secretary to Govt., Revenue & Disaster Management Department, Odisha, BBSR, Additional District Magistrate, Boudh, Sub-Collector, Boudh, Land Acquisition Zone Officer, Boudh and Land Acquisition Officer, Collectorate, Boudh. The enquiry team ascertained that only following 02 (Two) families are the ordinary resident of the land proposed to be acquisitioned for Khorda Road Bolangir New BG Rail Link project. All

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other houses constructed over the proposed land to be acquisitioned in village Bhaunripathar have been made after issuance/publication of the preliminary notification. They are also outsiders to the village Bhaunripathar. They have acquired the land by way of Registered Sale Deed having knowing the facts that the said land would be acquired for the railway project in future ( Enquiry report of the Joint Enquiry team is enclosed).

In view of the above findings, the claim of all the petitioners is rejected and their grievances are disposed of.

The revised final list of displaced families for R&R assistance is prepared as annexed and submitted to the Collector, Boudh for kind recommendation to the RDC (SD), Berhampur kind approval.

The Administrator has also visited the houses of the families to be displaced and discussed with them. The displaced families are entitled to get Rehabilitation package as mentioned in Second Schedule of the Act in addition to those provided in the First Schedule. The entitlements are as follows.

Sl.No.	Elements of Rehabilitation & Resettlement Entitlements	Entitlements/Provision
1.	Provision of housing units in case of displacement (As per Second Schedule)	<p>1. If a house is lost in rural areas, a Constructed house shall be provided as per the <b>Indira Awas Yojana</b> specifications. 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.</p> <p>2. The benefits listed above shall also be extended to any affected family which is without homestead land and which has been residing in the area continuously for a period of not less than three years preceding the date of notification of the affected area and which has been involuntarily displaced from such area. 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 <b><u>one lakh fifty thousand rupees</u></b>.</p>

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Provided further that if any affected family in rural areas so prefers, the equivalent cost of the house may be offered in lieu of constructed house.

Provided also that no family affected by acquisition shall be given more than one house under the provision of the Act.

**Explanation:- The houses in urban areas may, if necessary, be provided in multi- stored building complexes.**

2. Land for land:- For Irrigation Project.
3. Offer for developed Land :- For urbanization purposes.
4. Choice of Annuity or Employment :-

The appropriate Govt. shall ensure that The affected families are provided with the following options.

  - a) Where jobs are created through the project, 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 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 project as may be required, or
  - b) One time payment for Five lakh rupees per affected family, or
  - 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.
5. Subsistence grant for displaced families for 1 year.

Each affected family which is displaced From the land acquired shall be given a Monthly subsistence allowance equivalent to three thousand rupees per month for a period of one year from the date of award. In addition to this amount, the S.C.&S.T. displaced from scheduled areas shall receive an amount equivalent to fifty thousand rupees.

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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.

6. Transportation cost for displaced families:-

Each affected family displaced shall get a one-time financial assistance of **Fifty thousand rupees** as transportation cost for shifting of the family, building materials belongings and cattle.

7. Cattle shed/Petty shop cost:-

**Rs.25,000/-** for cattle shed.

8. 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 Govt. may by notification, specify subject to a minimum of **twenty five thousand rupees**.

9. Fishing rights :-

10. One time resettlement allowance:-

Each affected family shall be given a one time Resettlement Allowance of **Fifty thousand rupees only**.

11. Stamp duty & registration fee:-

1)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.

2)The land for house allotted to the affected families shall be free from all encumbrances.

3)The land or house allotted may be in the joint names of wife and husband of the affected family.

While the RFCTLAR&R Act,2013, in its Second Schedule provides entitlements for the affected families, Odisha Rehabilitation and Resettlement Policy,2006 (with the subsequent 7<sup>th</sup> biennial revision of rehabilitation grants in monetary terms issued vide Govt. of Odisha Revenue & Disaster Management Dept. Resolution No.15800 dt.25.05.2021 for Type-D linear Projects provides for each displaced family as follows:-

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a) Homestead land @1/10 of an acre or cash equivalent to Rs.91,000/- preferably near growth centre's like land by the side of roads and important junctions, land by the side of railway station etc subject to availability. If required, project authority may acquire such suitable land under the relevant Act for the purpose.

b) House building assistance of Rs.2,73,000/- to each displaced family will be admissible whether settling in a Resettlement habitat or elsewhere.

c) If house/homestead land of any land holder is acquired for linear project, the Project authority shall provide employment to one of the members of such displaced family in the Project. Wherever RPDAC decides that provision of such employment is not possible, onetime cash assistance as decided by Govt. will be paid by the Project authority.

11. (a) Maintenance Allowance:- In order to maintain timely vacation, an allowance of Rs.3,640/- per month per displaced family shall be provided on vacation of land/house for a period of one year from the date of vacation as determined by the Collector concerned.

(b) Assistance for temporary shed:- An assistance of Rs.18,200/- shall be provided to each displaced family.

(c) Transportation Allowance:- Transportation allowance of Rs.3,640/- or free transportation to the re-settled habitat or their new place of inhabitation shall be provide to each displaced family by the Project authority.

A comparison of the entitlement for the displaced families provided under RFCTLAR & R Act, 2013 and the State R&R Policy, 2006 is mentioned below for favour of kind perusal.

Sl. No.	Entitlements	As per central Act	As per State R & R policy 2006
1.	Land	-	1/10 acre of land or Rs.91,000/-
2	House units/ House building assistance	A constructed house under IAY specification or equivalent cost.	Rs.2,73,000/-
3	Subsistence allowance/ Maintenance allowance	Rs.36,000/- @ Rs.3,000/- per month for one year	Rs.3,640/- for 12 months = Rs.43,680/-
4	Transportation cost of displaced family.	Rs.50,000/-	Rs.3,640/- or free transportation
5	Cattle Shed	Rs.25,000/-	-----
6	One -Time resettlement allowance	Rs.50,000/-	-----
7	Assistance for temporary shed	---	Rs.18,200/-
8	Choice of annuity or employment & Employment for land holder	a. Job for at least one member per affected family or b. <u>Rs.5,00,000/-</u> or c. Rs.2,000/- per family per month for 20 years through annuity Policy.	Employment to one of the members or one-time cash assistance as decided by the Govt. (Not decided for Railway Project).

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Total per Family	Rs.7,94,530/-	Rs.4,29,520/- or Rs.3,38,520/- with 1/10 <sup>th</sup> Acre Land.
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Now, the cost of one IAY house with Toilet comes to Rs.1, 58, 530/- (Rupees One lakh fifty eight thousand five hundred thirty) only.

Clause (k) of Sub-section (2) of Section 31 of RFCTLA R&R Act,2013 provides that appropriate Govt. may by notification increase the rate of rehabilitation and resettlement amount payable to the affected families taking in to account the rise in the price index.

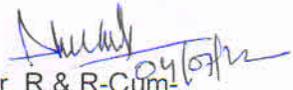
On perusal of the provisions of RFCTLAR & R Act,2013 mentioned in SECOND SCHEDULE for Rehabilitation and Resettlement of displaced family and the provisions laid down in Odisha Rehabilitation and Resettlement Policy, 2006 with its latest enhancement of monetary entitlements communicated vide Revenue & Disaster Management Department resolution No. 15800 dt.25.05.2021, it is revealed that rehabilitation entitlements made in RFCTLAR & R Act, 2013 is better than the benefits provided in the R&R policy 2006.

As such, the Rehabilitation and Resettlement package is decided to be given as per RFCTLAR & R Act, 2013.

The draft R & R Scheme is prepared according to the entitlements provided on the RFCTLAR & R Act, 2013 and Annexed.

On completion of draft R&R Scheme, a public hearing was made in the village on dt.17.03.2022 and the objection raised during the public hearing on the draft R&R Scheme has been disposed of.

As such, the revised draft R&R Scheme is recommended for review by the Collector U/s 17 & for onward transmission of the same to the Commissioner, Rehabilitation and Resettlement for approval.

  
Administrator, R & R-Cum-Sub-Collector, Boudh.

Perused the Draft Rehabilitation and Re-settlement scheme of village **Bhaunripathar** where **02 families** are to be displaced on acquisition of the land for construction of Khurda Road-Bolangir New B.G. Rail Link Project.

The R & R scheme is recommended to the Commissioner, Rehabilitation and Resettlement for favour of kind approval.

  
Collector and Chairman of R & R Committee, Boudh 4.7.22

R&R Entitlements for all displaced families of Village- Bhaunripathar, G.P- Banibhusanpur, R.I circle- Adenigarh, Tahasil- Harabhanga, Dist-Boudh

( Under the project of Khurdha Road-Balangir New BG Rail Link Project under Harabhanga Tahasil)

Sl No	Name, Address & Caste	Khata No	Plot No	Provision of Housing Unit IAY or equivalent cost SSS( Rs. 158530/-)	Land for land	Choice for Annuity / Employment (Rs. 5.00 Lakh)	Subsistence Grant for one year 0.36 lakh (0.50 lakh for SC & ST of schedule area)	Transportation cost for displaced families (Rs. 0.50 Lakh)	Cattle shed/ petty shops cost (0.25 lakh)	one time grant to artisans, Small traders (0.25 lakh)	one time resettlement allowance ( Rs. 0.50 lakh)	Annexure to be referred	Total amount under R&R in Rs
1	Kumari Nayak, W/o-Sanyasi Nayak, At-Bhaunripathar, Caste-OBC	16/13	76/189 /206	158530.00	-	500000.00	36000.00	50000.00	-	-	50000.00	-	794530.00
2	Sanjukta Bhoi, W/o-Sudam Bhoi, At-Bhaunripathar, Caste-OBC	16/13	76/189 /206	158530.00	-	500000.00	36000.00	50000.00	-	-	50000.00	-	794530.00
<b>Total</b>				<b>317060.00</b>		<b>1000000.00</b>	<b>72000.00</b>	<b>100000.00</b>			<b>100000.00</b>		<b>1589060.00</b>

*Sub Collector-cum-Administrator, Boudh*  
Sub-Collector  
Boudh

Recommended

*Collector, Boudh*  
Collector,  
Boudh

Approved

*RDC(SD), Berhampur-cum-Commissioner, R & R*