

# The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Maharashtra) Rules, 2014

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## The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Maharashtra) Rules, 2014

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REVENUE AND FORESTS DEPARTMENT

Hutatma Rajguru Chowk, Madam Cama Marg, Mantralaya,

Mumbai 400 032, dated the 27th August 2014.

*NOTIFICATION*

Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and  
Resettlement Act, 2013

No. LQN. 12/2013/C.R. 190/A-2.—In exercise of the powers conferred by sub-sections (1) and (2) of section 109 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013), and of all other powers enabling it in this behalf, the Government of Maharashtra hereby makes the following rules, the same having been previously published as required by section 112 of the said Act, as follows, namely:—

## **RULES**

### **Rule 1. Short title and commencement,-**

(1) These rules may be called the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Maharashtra) Rules, 2014.

(2) They shall extend to the whole of the State of Maharashtra.

### **Rule 2. Definitions,-**

(1) In these rules, unless the context otherwise requires,—

(a) “Act” means the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013);

(b) “Administrative Cost” means the cost for acquisition of land as specified by the State Government by issue of notification under paragraph (A) of sub-clause (vi) of clause (i) of section 3;

(c) “Administrator” means an officer appointed by the State Government under sub-section (10) of section 43;

(d) “Agency” means an agency appointed by the appropriate Government to do the Social Impact Assessment Process and prepare the Social Impact Management Plan;

(e) “Appropriate Government” means the State Government in relation to acquisition of land situated within the territory of the State of Maharashtra and includes the Collector of the District concerned, appointed by the State Government for the area notified therein;

(f) "Authority" means the Land Acquisition, Rehabilitation and Resettlement Authority established by the State Government under sub-section (1) of section 51;

(g) "Collector" means the District Collector and includes the Additional Collector,

Deputy Collector (Land Acquisition) and Sub-Divisional Officer functioning in the district;

(h) "Commissioner" means the Commissioner for Rehabilitation and Resettlement appointed by the State Government under sub-section (1) of section 44;

(i) "Form" means the Forms appended to these rules;

(j) "Gram Sabha" means a body consisting of persons registered in the electoral rolls relating to village comprised within the areas of the *Panchayat* (III of 1959);

(k) "local bodies" means and includes rural local bodies and urban local authorities constituted or established under the respective Acts;

(l) "Municipal Council" means a municipal council constituted or deemed to have been constituted for a smaller urban area specified in a notification issued under clause (2) of article 243-Q of the Constitution of India or under sub-section (2) of section 3 of the Maharashtra Municipal Council, Nagar Panchayats and Industrial Townships Act, 1965 (Mah. XL of 1965.);

(m) "Municipal Corporation" means a Municipal Corporation constituted or deemed to have been constituted under the provisions of the Mumbai Municipal Corporation Act (III of 1888) and the Maharashtra Municipal Corporations Act (LIX of 1949), respectively;

(n) "*Panchayat*" means a *Panchayat* established or deemed to have been established under the Maharashtra Village Panchayats Act (III of 1959);

(o) "*Panchayat Samiti*" means a *Panchayat Samiti* constituted under the Maharashtra Zilla Parishads and Panchayat Samitis Act (Mah V of 1962);

(p) "rural area" means any area in the State except the areas covered by any urban local body or a cantonment board established or constituted under any law for the time being in force;

(q) "Scheme" means the Rehabilitation and Resettlement Scheme prepared by an Administrator according to sub-section (2) of section 16;

(r) "section" means a section of the Act;

(s) "Social Impact Assessment (SIA)" means an assessment being made under subsection (1) of section 4;

(t) "Social Impact Assessment Plan" means the Plan prepared as part of Social Impact Assessment Process under sub-section (6) of section 4;

(u) "State Government" and "Government" means the Government of Maharashtra;

(v) "urban area" means any area in the State covered by any urban local body or a cantonment board established or constituted under any law for the time being in force;

(w) "Urbanization Purpose Project" means the public purpose projects proposed in any urban area;

(x) "Zilla Parishad" means a Zilla Parishad constituted under the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (Mah.V of 1962.);

(2) All words and expressions used but not defined in these rules shall have the meanings assigned to them in the Act.

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## CHAPTER I

### SOCIAL IMPACT ASSESSMENT (SIA)

#### **Rule 3. Social Impact Assessment Study,-**

(1) The Appropriate Government shall, for the purposes of the Act, issue a notification in the *Official Gazette*, regarding commencement of consultation and of the Social Impact Assessment

Study and the same shall be made available in local language to the *panchayat*, Municipal Council or Municipal Corporation, as the case may be, and in the offices of the District Collector, the Sub-Divisional Magistrate and the *Tahsildar*. The notification shall also be published in two daily newspapers circulating in the affected area, and also by way of a public notice to be published by affixing it at some conspicuous places in the affected areas and shall be uploaded on the website of the Government of Maharashtra. The Appropriate Government shall notify the name of an Agency to carry out such Social Impact Assessment study:

Provided that, such notification shall be issued within a period of thirty days after the deposit of the processing fee for carrying the Social Impact Assessment study by the Requiring Body, as determined by the Appropriate Government:

Provided further that, no such notification of the commencement of the Social Impact Assessment study shall be issued if the Requiring Body had not deposited the cost towards Social Impact Assessment study, the administrative cost study, the administrative cost and the cost towards allowances of the Rehabilitation and Resettlement Committee at project level at the time of submitting the proposal in the Personal Ledger Account (PLA) of the officer who is to acquire the land or in the account of the Administrator, as case may be.

(2) The Social Impact Assessment shall be conducted in consultation with the concerned *panchayat*, Municipal Council or Municipal Corporation, at village level and ward level in the affected areas, for the purpose of section 4, followed by a public hearing at 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 recorded in writing.

(3) The Social Impact Assessment Report shall be submitted in Form-I to the Appropriate Government within a period of six months from the date of commencement of the Social Impact Assessment study along with the views of the affected families recorded in writing.

(4) The Social Impact Assessment study report shall be prepared and divided into three

parts,—

(i) the Project Feasibility Report;

(ii) the Project Impact Report; and

(iii) the Social Impact Management Plan for the Project.

The agency shall also provide summaries of the Feasibility Report, the Project Impact Report and the Social Impact Management Plan.

(5) The Social Impact Management Plan shall be submitted in Form-II along with the list

of ameliorative measures required to be undertaken for addressing the impact of the Project as mentioned in sub-section (6) of section 4.

(6) The Social Impact Assessment study report and the Social Impact Management Plan shall be made available in the local language to the concerned *panchayat*, Municipal Council or Municipal Corporation, at village level or ward level in the affected area and in the offices of the District Collector, the Sub-Divisional Magistrate and the *Tahsildar*. It shall also be published in two daily newspapers circulating in the affected area, and also by way of a public notice to be published by affixing it at some conspicuous places in the affected areas and shall be uploaded on the website of the Government of Maharashtra.

#### **Rule 4. Appointment of Agency for Social Impact Assessment study and its fees,—**

(1) The Appropriate Government shall invite an applications from the Departments of Social Work of the recognized Universities and colleges, faculties, non-Government Organizations and professionals, which shall be responsible for ensuring that the Social Impact Assessment are commissioned and conducted by such Agency as per the provisions of the Act.

(2) The Appropriate Government shall, after assessing their capacity through an interview and assessment of their experience accredit them to evaluate the Social Impact Assessment study for the Project; and draw out a list of such accredited Departments of social work of the Universities and colleges, faculties, non-Government Organizations and professionals.

(3) The Appropriate Government shall specify the rates for the Social Impact Assessment study per affected family which could be further enhanced by five per cent as the area of acquisition increases after every 250 hectares for additional land acquisition.

(4) While calling for the applications, the rates for Social Impact Assessment study per

affected family plus percentage escalation for area under acquisition may also be called.

(5) After selecting the expert institutions as an Agency for the Social Impact Assessment study, the Appropriate Government shall also specify the fees of the Social Impact Assessment based on the unit of per affected family and the area of the land acquisition.

(6) After discussing with accredited Social Impact Assessment Agency and experts and the institutions concerned the Appropriate Government shall arrive at mutually agreed workable rate.

(7) The Requiring Body shall deposit the necessary amount towards fees of the Social Impact Assessment as mentioned above to the Appropriate Government along with the proposal.

(8) The Agency shall give an adequate training to its staff before initiating the Social Impact Assessment study.

(9) The Agency conducting the Social Impact Assessment study shall have to attend public hearing to be taken place in the affected area and shall attend the meetings of the Expert Group so formed according to sub-section (2) of section 7 of the Act.

(10) During the process of Social Impact Assessment study an adequate representation shall be given to the representatives of *panchayat*, *Gram Sabha*, Municipal Council or Municipal Corporation, at the stage of carrying out the study. At least two members shall be the representative of the local bodies out of which at least one shall be a woman, shall be there, however, no the *Sarpanch* or President of the Municipal Council or Mayor of the Corporation, of the concerned local body in the affected areas shall be represented in the process of the Social Impact Assessment study. In case, where the affected area lies in the jurisdiction of more than one local body, then each local body shall have the representation in the manner stated above.

(11) The Agency shall attach in addition to the matters mentioned in sub-section (4) of

section 4 the following annexure to the Social Impact Assessment study report, namely:—

(i) List of likely to be displaced families.

(ii) List of infrastructure in the affected area.

(iii) List of land holdings in the affected area.

(iv) List of businessmen in the affected area.

(v) List of landless people in the affected area.

(vi) List of disadvantage groups like Scheduled Castes or Scheduled Tribes, handicapped people in the affected area.

(vii) List of landless agricultural labours in the affected area.

(viii) List of prospective youth for employment in the affected area.

(ix) Socio economic and cultural profile of the affected area and the affected families.

(12) The Agency shall make a hundred per cent coverage of the affected families.

(13) In the Social Impact Assessment study, in no case, a forest land shall be considered as an alternative land for land to the project affected person.

#### **Rule 5. Procedure relating to public hearing,—**

(1) Whenever a Social Impact Assessment is required to be prepared under section 4, the Appropriate Government shall conduct a public hearing through the district administration when a draft of Social Impact Assessment study report is prepared by the Agency, in the affected area by giving a notice in two daily newspapers in the local language circulating in the affected area as well as by affixing it on some conspicuous

places in the affected area, not less than fifteen days before the public hearing indicating its time, place and date.

(2) Public hearing shall be conducted in all the village *Panchayats* and local bodies in the affected area.



(3) While selecting the date, time and place for public hearing convenience of the affected families shall be considered with top priority.

(4) No two public hearings shall be conducted simultaneously.

(5) All public hearings shall be video recorded and transcribed. This recording and transcription shall be handed over along with the final Social Impact Assessment Report.

(6) The views and suggestions expressed by the affected families in the public hearing shall be recorded and duly considered in the Social Impact Assessment Report.

(7) The responsible representatives from the Requiring Body, designated land acquisition functionaries and the rehabilitation and resettlement functionaries shall remain present in the public hearing and address the questions and concerns raised by the affected families.

(8) The members of the non-Government Organizations and the media shall be allowed to attend the public hearing.

(9) The public hearing shall be conducted in local language only.

(10) The draft Social Impact Assessment study report alongwith the Social Impact Management Plan shall be distributed to all members of the *panchayat* in the affected area eight days prior to the date of public hearing. The copies of the said report shall also be kept in the offices of *Tahsildar*, Sub-Divisional Magistrate, Block Development Officer and the Collector eight days prior to the date of public hearing. A copy of the report shall also be given to the Requiring Body. The copy shall also be made available to any person whosoever demanded so by charging copy fees as chargeable for documents made available under the Maharashtra Right to Information Rules, 2005.

(11) If public hearing is disturbed by misbehavior of miscreants present, leading to disturb public law and order, one more public hearing after seven days shall be conducted. If on second occasion also public hearing is disturbed then in that case the public hearing shall be treated as deemed to have been conducted.

(12) The notification issued by the Appropriate Government for the commencement of

consultation and of Social Impact Assessment study under sub-section (1) of section 4, shall be published by the Administrator appointed under sub-section (1) of section 43, in local language in two daily newspapers circulating in the affected areas and by way of a public notice to be published by affixing it at some conspicuous places in the affected area.

(13) The Administrator appointed under sub-section (1) of section 43 shall publish the summary of the Social Impact Assessment study report, as provided by the Agency alongwith the Social Impact Assessment study report and also the summary of the Social Impact Management Plan referred in sub-section (6) of section 4, as provided by the Agency alongwith the Social Impact Management Plan, in the affected area by publishing the same in the local language, in two daily newspapers circulating in the affected area.

#### **Rule 6. Requiring Body to be heard,—**

The Administrator before submitting draft Rehabilitation and Resettlement Scheme as prepared by him to the Collector shall give an opportunity to the Requiring Body to make objections and suggestions on the draft Rehabilitation and Resettlement Scheme as well as on the claims and objections raised in the public hearing conducted under

sub-section (5) of section 16. The Requiring Body shall submit such objections and suggestions within a period of fifteen days after receiving a draft Rehabilitation and Resettlement Scheme from the Administrator. If no such suggestions are received within a period of fifteen days then it shall be presumed that the Requiring Body has accepted the draft Scheme.

#### **Rule 7. Multi-disciplinary Expert Group,—**

(1) The State Government shall constitute a multi-disciplinary Expert Group for evaluation of the Social Impact Assessment Report. The Expert Group shall consist of,—

(a) two non-official social scientists to be nominated by the State Government;

(b) two representatives from amongst the members of the *Gram Sabha, Panchayat*, Municipal Council or Municipal Corporation, who were not represented in the Social Impact Assessment Process, of which at least one shall be a woman;

(c) two persons who have understanding of rehabilitation or have contributed substantially in framing Rehabilitation Policy of the State;

(d) the Secretary of the Forests Department and the Secretary in whose jurisdiction the Project lies; and

(e) a technical expert not below the rank of an Executive Engineer in the field or subject relating to the Project.

(2) The Secretary of the Forest Department (Land Acquisition) shall be the Chairperson of the Expert Group from amongst the members.

**Rule 8. Appraisal of Social Impact Assessment Report by an Expert Group and its Consideration,**

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(1) The recommendations of the Expert Group referred in sub-sections (4) and (5) of section 7, shall be published by the Administrator in the affected area by publishing the

same in local language, in two daily newspapers circulating in the affected area and upload the same on the website of the State Government.

(2)(i) The decision taken by the State Government on recommendation of such area for

acquisition as provided in sub-section (3) of section 8, shall be published by the Administrator in the affected area by publishing the same in local language, in two daily newspapers circulating in the affected area and upload the same on the website of the State Government.

(ii) Till finalization of these rules and thereafter, the Appropriate Government may authorize any faculty of social work, sociology, economics in a recognized University or

Government College or Government Training Institute like YASHADA or Kundal Academy of Development Administration (Forest) for undertaking Social Impact Assessment study without calling for bids, after satisfying itself that the said Institutions has capacity to undertake the Social Impact Assessment study.

(iii) The rates may be fixed on the basis of per affected families with five per cent. escalation for every additional 250 hectares per affected family.

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## CHAPTER II

### CONSENT

#### **Rule 9. Requirement of consent,—**

(1) In case of acquisition of land for private companies, the Collector concerned shall initiate the process for obtaining consent as per the provisions of sub-section (2) of section 2.

(2) The Collector shall take steps to resolve outstanding issues related to land rights, land titling and land records in the affected areas, so that all the land owners can be correctly identified before initiating consent procedures. The Collector shall also take a special drive for this purpose and complete the said exercise within a period of forty-five days.

(3) The Collector shall, after completion of the aforesaid exercise of correcting and updating the land records shall draw out a list, of all affected land owners from whom consent must be sought, after considering the list prepared by the Social Impact Assessment Agency.

(4) The land owner shall give his individual consent before the Revenue Circle Officer in which the affected area lies.

(5) The land owner shall give his written consent on affidavit having his photograph affixed on it in the format attached and the digital impression of his thumb alongwith his signature (if he can make it) shall be printed on his affidavit.

(6) The authorized representative of the Requiring Body shall sign on the consent Form- III and shall put the seal of the Requiring Body towards its commitment to the consented terms and conditions.

(7) Any member of the *Village Panchayat, Panchayat Samiti* or *Zilla Parishad* or the Police Patil, *Gram Sevak*, Notary or any Government Servant may sign on the affidavit as a witness thereof that he recognizes the person who has given consent.

(8) The negotiated terms and conditions for Rehabilitations and Resettlement, compensation and mitigations measures committed to by the Requiring Body shall be read out to all the land owners present therein.

(9) A copy of the consent so obtained shall be given to the land owner who has given consent and the other copy shall be handed over to the Requiring Body.

(10) All the individual consent taking procedure shall be video recorded.

(11) All persons interested in the same land can give consent on a single form.

(12) Different forms shall be used for giving consent by a same person for his different lands under acquisition.

(13) No land holder can withdraw his consent once given in the above manner.

(14) The provisions relating to consent shall be translated in local language and a copy of that shall be given to each land holder present or read it out to him in case of illiterate person, before starting the consent procedure.

(15) In case of a land situated in the Scheduled Area mentioned in the Fifth Schedule appended to the Constitution of India, the consent of the *Gram Sabha* shall be sought prior to the consent of the land owners.

(16) The consent taking process shall be concluded before issuing the Preliminary Notification under sub-section (1) of section 11.

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### CHAPTER III

## NOTIFICATION AND ACQUISITION

### Rule 10. Issuance of Preliminary Notification,—

(1) The Preliminary Notification issued under sub-section (1) of section 11 shall be published in the affected areas by way of affixing written notice to the effect on the *Village Panchayat* office and office of the Village Revenue Officer.

(2) The date of last of such publications of the Preliminary Notification under sub-section (1) of section 11 shall be the date of publication of the Preliminary Notification.

(3) After issuing the notice under sub-section (1) of section 11, the Collector shall undertake and complete the exercise of updating land records within a period of two months as specified under:—

(a) Delete the entries of dead 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) Take all entries of the mortgage in the land-record;

(e) Delete the entries of mortgage in case the lending agency issues letter towards full payment of loans taken;

(f) Complete the process in respect of the tenants in the land under the Maharashtra Tenancy and Agricultural Lands Act (LXVII of 1948) and take necessary entries in the land records;

(g) Take necessary entries in respect of all prevalent forest laws;

(h) Take the necessary entries in case of the Government land;

(i) Take effect of sub-division of survey numbers;

(j) Take necessary entries of related to dating land revenue;

(k) Complete the process in respect of Scheduled Tribes according to prevalent laws and take necessary entries with respect of land belonging to the Scheduled Tribes;

(l) Take and update entries of the persons interested in an easement affecting the land;

(m) Take necessary entries in respect of assets in the land like trees, wells, etc.;

(n) Take necessary entries with respect of non-agriculture use of the land;

(o) Take necessary entries of share croppers in the land;

(p) Take necessary entries of crops grown or sown and the area of such crops;

(q) Any other entries or updation in respect of land acquisition, rehabilitation and re-settlement;

(r) Any applications made by the persons interested during the process of taking possession shall not be admitted once the preliminary notification is issued.

(4) Measurement of the land under section 20 of the Act can be done by satellite or any other electronic and mechanical means.

(5) Where a purchase price of the tenant tilling land is not decided by the Agricultural Land Tribunal and the said land is going to be acquired then the amount of compensation or the compensation shall be divided between the tenant and the land owner in the ratio of 60:40.

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## CHAPTER IV

### REHABILITATION AND RESETTLEMENT SCHEME

## **Rule 11. Preparation of Rehabilitation and Resettlement Scheme by Administrator,—**

(1) On publication of the Preliminary Notification under sub-section (1) of section 11 by the Collector, the Administrator for Rehabilitation and Resettlement shall, himself or authorize any Government Officer or by out-source work assigned to any Agency, conduct a survey and undertake a census of the affected families within a period of three months from the date of publication of Preliminary Notification under sub-section (1) of section 11.

(2) In the survey conducted and the census of the affected families so undertaken by the Administrator, he shall collect the data based on the Social Impact Assessment study report as well as collect the data from the secondary sources such as the *panchayat* and Government records and verify that data by door visit of the affected families and by paying site visits in case of an infrastructure in the affected area.

(3) The draft Rehabilitation and Resettlement Scheme prepared by the Administrator shall in addition to the particulars mentioned in sub-section (2) of section 16 of the Act, contain the following :—

(i) List of likely to be displaced families.

(ii) List of infrastructure in the affected area.

(iii) List of land holdings in the affected area.

(iv) List of businessmen in the affected area.

(v) List of landless people in the affected area.

(vi) List of disadvantage groups like persons belonging to Scheduled Castes or Scheduled Tribes, handicapped persons, in the affected area.

(vii) List of landless agricultural labourers in the affected area.

(viii) List of prospective youth for employment in the affected area.



(4) The Administrator shall as far as possible try to prepare comprehensive and detailed draft Scheme in order to reduce future objections.

(5) The Administrator shall by way of a public notice in two local daily newspapers circulating in the affected areas make known to the people about the draft Scheme as prepared by him under sub-section (2) of section 16 of the Act.

(6) The Administrator or an officer designated by him shall conduct a public hearing in the affected areas on such a date as he thinks fit but not earlier than fifteen days of the publication of the Scheme as prepared by him under sub-section (2) of section 16. The provisions of rule 5 relating to public hearing shall, *mutatis mutandis*, apply to the public hearing to be conducted as per the provisions of sub-section (5) of section 16.

#### **Rule 12. Powers, duties and responsibilities of Administrator,—**

The Administrator shall exercise the powers and perform the duties, and have responsibilities as follows:—

(a) To collect and prepare base data for the Social Impact Assessment study and make it available to the Agency that carries out the Social Impact Assessment study;

(b) To co-ordinate the Social Impact Assessment study process in the district;

(c) To publish the notification issued by the State Government under sub-section (1) of section 4 in the affected area;

(d) To publish the summary of the Social Impact Assessment study report by the modes as provided in the rules;

(e) To issue notices for public hearings in the Social Impact Assessment study process;

(f) To attend public hearings during Social Impact Assessment study;

(g) To make available the draft Social Impact Assessment study report to the affected families and others concerned;

- (h) To attend the meetings of the Expert Group assessing the Social Impact Assessment study report;
- (i) To publish the recommendations of Expert Group by the modes as provided in the rules, in the affected area;
- (j) To publish the decision of the Appropriate Government on the acquisition of land by the modes as provided in the rules, in the affected area;
- (k) To conduct a survey and undertake a census of the affected families in the manner and within the time as provided in the rules;
- (l) To prepare a draft Rehabilitation and Resettlement Scheme;
- (m) To make known to the people about the draft Rehabilitation and Resettlement Scheme by the mode as provided in the rules;
- (n) To make available the draft Rehabilitation and Resettlement Scheme to the concerned persons and authorities;
- (o) To issue and publish notices for public hearings on the draft Rehabilitation and Resettlement Scheme in the affected areas;
- (p) To conduct public hearings on the draft Rehabilitation and Resettlement Scheme in the affected areas;
- (q) To give an opportunity to the Requiring Body to make suggestions and comments on the draft Rehabilitation and Resettlement Scheme;
- (r) To submit the draft Rehabilitation and Resettlement Scheme to the Collector;
- (s) To publish the approved Rehabilitation and Resettlement Scheme in the affected area;
- (t) To help and assist the Collector in preparing the Rehabilitation and Resettlement award;

(u) To monitor and supervise the progress in Rehabilitation and Resettlement study;

(v) To assist in post implementation audit of Rehabilitation and Resettlement; and

(w) Any other work required to be done for Rehabilitation and Resettlement.

**Rule 13. Publication of Approved Rehabilitation Settlement Scheme,—**

(1) The Commissioner of Rehabilitation and Resettlement shall by way of a public notice in two local daily newspapers circulating in the affected areas make known to the people about the approved Rehabilitation and Resettlement Scheme as finalized by him under section 18 of the Act.

(2) The copies of approved Scheme shall be made available in the offices of *panchayat, Tahsildar, Sub-Divisional Magistrate, Collector and Administrator* in the concerned area. The copy shall also be made available whoever demanded so by charging copy fees as chargeable for documents made available under the Maharashtra Right to Information Rules, 2005.

**Rule 14. Publication of declaration by Collector,—**

(1) The Collector shall issue a declaration under sub-section (1) of section 19. The Collector shall also issue such declaration alongwith the summary of the Rehabilitation and Resettlement Scheme. However, no such declaration shall be made unless the Requiring Body has deposited an amount in full towards the cost of acquisition of the land.

(2) Such declaration shall be published in the affected areas by way of affixing a written

copy on the Board of village *panchayat* office and the office of the village revenue officer and urban local bodies.

(3) The date of last of such publications shall be the date of publication of declaration under sub-section (1) of section 19.

**Rule 15. Procedure to be followed in case of land offered in lieu of compensation,—**

(1) In the case of an Irrigation Project the Administrator shall consider the possibility of sufficient land in the command area of the Project, which shall be available after applying the slabs mentioned in the Annexure-I appended to these rules for the purpose of the acquisition of the land in the benefited zone. If the Administrator is satisfied that sufficient land in the command area is available, then he shall finalized, one of the slabs mentioned in the Annexure-I applicable to such Project for the purpose of acquisition of the land in the command area of the Project.

(2) Each affected family owning agricultural land in the affected area and whose land has been acquired or who has as the consequences of the acquisition of land been reduced to the status of the marginal farmer or landless shall be given notice in Form-IV that in lieu of the compensation to be paid for land acquired, the eligible area for the grant of land in command area and the cost of the land along with the proportionate administrative cost for the acquisition of land, the amount to be deposited with the Collector towards the occupancy price of the land at the time of payment of such compensation of such affected persons.

(3) The amount of the occupancy price of the land deposited by the affected person at the time of payment of compensation should be kept in the separate account in the name of the Administrator.

(4) After receiving the Notice, an affected person, eligible for the grant of land shall give in writing to the Administrator that, he is willing to accept the land for land in lieu of compensation for the land acquired. Such willingness shall be in Form-V.

(5) A register of names of persons who has given willingness to accept the land shall be maintained in Form-VI. Census Form shall be filled in by the officials of the Administrator and signature of the Project Affected Persons shall be taken on the said Form-VI.

(6) After receiving the Notice, an affected person, who is eligible for the grant of land but not willing to accept the land for land shall give in writing in Form-VII to the Administrator that, he is not willing to accept the land for land. Only after receiving such willingness in writing, the affected person shall be paid the amount of compensation for the land acquired and no further request from him or his heirs regarding land for land shall be considered at later stage.

(7) While allotting land for land to the affected family, the land should be given with the same occupancy status held by him before acquisition:

Provided that, if the allottee is an Occupant of Occupants-Class II land, then he shall be entitled to conversion of the land and an alternative land is allotted to such person then he shall be entitled to conversion of the land to Occupants-Class I after the period of ten years on payment of premium as specified by the State Government, from time to time.

**Rule 16. Choice of annuity or employment,—**

(1) In all Group C and Group D category of services under the establishment of the State Government Department, Public Sector Undertakings, Local Self Government, Government-Aided Institutions and the Co-operative Societies specified under section 73A of the Maharashtra Co-operative Societies Act, 1960 (Mah. XXIV of 1961), there shall be not less than five per cent priority quota for the employment of nominees of the Project Affected Persons.

(2) The beneficiary persons, societies, companies, factories, sugar-factories, spinning-mills assisted by the State Government in the form of matching share contribution shall provide employment, to not less than five per cent of the cadre strength of Group C and Group D services or equivalent of non-technical or technical employees, to the nominees of the Project Affected Persons:

Provided that, the aforesaid priority shall be treated as a preference among the open and different reservation categories in *pro-rata* manner.

(3) The appointment of the candidate holding the Project Affected Persons Certificate shall be made in Group C and Group D vacancies in five per cent priority quota and by giving an advertisement by the Appointing Authority. The appointments shall be after verifying the suitability of the candidate as per the recruitment rules of the said posts and strictly on the merit in the competitive examination, if any.

(4) When the appointment of the Project Affected Person in priority quota is made, his original Project Affected Person Certificate shall be sent for confirmation to the issuing

authority. The appointment of such person shall be confirmed only after receiving the confirmation letter from the Issuing Authority. The Issuing Authority shall take note in the

register and inform the appointing authority that, the certificate is verified and found it valid and keep the original certificate with them affixing “Cancelled” stamp on it.

(5) The affected person opting for one-time payment of rupees five lakh per affected family in lieu of an employment or annuity amount shall not be given Project Affected Person Certificate for the employment against the said five per cent priority quota.

(6) The Requiring Body shall arrange for training facilities for the affected persons, to enable such persons to take suitable jobs.

(7) The Requiring Body shall arrange for the necessary training facilities to the affected persons for development of entrepreneurship, technical and professional skills for self employment.

(8) In the case of the Irrigation Project the permission for gorge filling shall not be given by the Administrator to the acquiring body unless infrastructural facilities and basic minimum amenities as per the Third Schedule appended to the Act are completed and transferred to the Local Bodies and land for land is allotted to the eligible and willing Project Affected Persons.

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## CHAPTER V

### REHABILITATION AND RESETTLEMENT

#### **Rule 17. Elements of Rehabilitation and Resettlement,—**

(1) The affected families of the Projects where preliminary notification under sub-section (1) of section 11 of the Act, is issued, are only entitled for receiving elements of rehabilitation and resettlement as per the Second and Third Schedules of the Act. The affected families of the Projects where provisions of the Maharashtra Resettlement of Project Displaced Persons Act, 1976 (Mah. XLI of 1976), which is repealed subsequently by the Maharashtra Project Affected Persons Rehabilitation Act, 1986 (Mah. XXXII of 1989) and the Maharashtra Project Affected

Persons Rehabilitation Act, 1999 (Mah. XI of 2001) which has repealed the Act of 1986 are applied before the commencement of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013) are not entitled for receiving elements of rehabilitation and resettlement as per the Second and Third Schedule to the Act.

(2) While offering twenty per cent of the developed land when the land is acquired for urbanization purposes, then in that case the land used for components of infrastructure amenities shall not be taken into account for the calculation of twenty per cent of developed land.

(3)(a) If the land is acquired for urbanization purpose project, then twenty per cent of the developed land shall be reserved and offered to the land owner at the price equal to the cost of acquisition and the cost of development.

(b) The net land to be reserved or offered to the land owner shall be equal to twenty per cent of the developed land.

**Explanation.—** For the purpose of this sub-rule, the expression “developed land” means the land, which remains after calculation of gross developed land minus the land acquired for the non-urbanization; and the expression “gross development land” means the land, which remains after calculation of gross land acquired minus the land required for development, that is, infrastructure development and open spaces.

(c) Such developed land shall be allotted by recovering the cost of acquisition as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and the cost of developing as per the Acquiring Body norms for twenty per cent gross development land.

(4) In case of a Project involving land acquisition on behalf of a Requiring Body which involves involuntary displacement of the Scheduled Castes and Scheduled Tribes families, a Development Plan shall be prepared by the State Government in consultation with the concerned Social Justice Department of the State and the village Panchayats or urban local bodies in that area. The said Plan shall be read out and discussed in the *Gram Sabha* at the time of obtaining the consent of the *Gram Sabha* or the *panchayat* or the urban local bodies, as the case may be.

(5) The Collector while calling the claims of the persons interested in the land, which is to be acquired as per section 21, shall give a notice to the Requiring Body. The Requiring Body can express its opinion with the Collector regarding the amount of compensation of the land proposed to be acquired including the market value of the land to be acquired.

(6) While determining the market value of the land under clause (a) of sub-section (1) of

section 26 of the Act, the market value specified in the Indian Stamp Act, 1899 may be taken into consideration, however, in case of land situated in the Maharashtra, the market value of the land shall be determined as per the Bombay Stamp (Determination of True Market Value of Property) Rules, 1995 made under the provisions of the Maharashtra Stamp Act (LX of 1958).

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## CHAPTER VI

### LAND ACQUISITION AWARDS AND FINANCIAL POWER THEREOF

#### Rule 18.

(1) If an amount of compensation to be paid is less than rupees four crore, then the Deputy Collector (Land Acquisition) or the Sub-Divisional Officer, as the case may be, shall declare an award under section 23 of the Act.

(2) If an amount of compensation to be paid is more than rupees four crore and less than rupees ten crore, then the Collector of the District shall declare the Award.

(3) If an amount of compensation to be paid is more than rupees ten crore, then the Collector shall get the previous approval of the Divisional Commissioner of the concerned revenue division and then only declare the Award.

(4) The financial limit authorized for the Deputy Collector (Land Acquisition) or the Sub-

Divisional Officer or the Collector specified in sub-rules (8), (9) and (10) above shall automatically be raised by ten per cent on 1st January of every year.



(5) If the land to be acquired is situated out of the limits of the municipal council area or out of the area of the municipal corporation, then the market value calculated as per sub-section (1) of section 26 of the Act shall be multiplied by a factor notified by the State Government, from time to time.

(6) 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 (1) of section 33 and such person refuses to refund the said excess amount paid to him, then such amount shall be recovered from him as an arrear of land revenue.

(7) Before invoking the urgency clause to any land acquisition proceedings, the Collector shall take the previous sanction of the State Government.

(8) The provisions relating to rehabilitation and resettlement under the rules shall apply

in the rural areas or urban areas, in the cases where the private company purchases land through private negotiations with the owner of the land more than 1000 hectares.

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## CHAPTER VII

### SAVINGS OF LAND ACQUISITION PROCEEDINGS INITIATED UNDER LAND ACQUISITION ACT, 1894 AND EARLIER ACTS

#### **Rule 19. Land Acquisition Proceedings Initiated Under Land Acquisition Act, 1894,—**

(1) Any proceeding where a notification under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (I of 1894) has been issued before the 31st December 2013 and an award under section 11 of the said Land Acquisition Act, 1894 (I of 1894) has not been made before the 31st December 2013, then the proceeding shall be continued as per the formula provided in sections 26 to 30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013).

(2) Any proceeding where a notification is published under Chapter VI of the Maharashtra Industrial Development Act, 1961 (III of 1962) before the 31st December 2013 and before that date an award for land acquisition has not been made under section 32 of the said Act, then the proceeding shall be continued as per the formula provided in sections 26 to 30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013).

(3) Where the land is reserved for public purposes according to the Maharashtra Regional Town Planning Act, 1966 (Mah. XXXVII of 1966), and a declaration under sub-section (1) of section 6 of the Land Acquisition Act, 1894 (I of 1894) has been made before the 31st December 2013 and an award under section 11 of the Land Acquisition Act, 1894 (I of 1894) has not been declared before the 31st December 2013, then the proceeding shall be continued as per the formula provided in sections 26 to 30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013).

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## CHAPTER VIII

### REHABILITATION AND RESETTLEMENT COMMITTEE AND STATE MONITORING COMMITTEE

#### **Rule 20. Constitution of Rehabilitation and Resettlement Committee at project level,—**

(1) The State Government shall constitute a Rehabilitation and Resettlement Committee at project level to monitor and review the progress of implementation of the Rehabilitation and Resettlement Scheme and to carry out post-implementation social audits in consultation with the *Gram Sabha* in rural areas and Municipal Council in urban areas.

(2) The Committees shall have its first meeting when a draft Rehabilitation and Resettlement Scheme has been prepared by an Administrator. The Committee shall discuss the Scheme and make suggestions and recommendations. Thereafter, in subsequent meetings, the Committee shall meet and discuss the progress of the Rehabilitation and Resettlement once in a month till the process of resettlement is concluded.

(3) For the purpose of discussing the post-implementation of social audits, the Committee shall meet once in three months.

(4) The members of the Committee shall get travelling allowance at the rate specified, from time to time, by the State Government for the Government servants.

(5) The Committee can visit the affected area and discuss with the affected families if it so desires and pay site visits to the resettlement areas to monitor the resettlement process.

#### **Rule 21. Constitution of State Monitoring Committee,—**

(1) The State Government shall constitute a State Monitoring Committee for reviewing and monitoring the implementation of rehabilitation and resettlement schemes or plans under the Act.

(2) The State Monitoring Committee shall have its first meeting for reviewing and monitoring the implementation of Rehabilitation and Resettlement Scheme for the Project within a month of the publication of the approved Rehabilitation and Resettlement Scheme by the Commissioner of Rehabilitation and Resettlement under section 18, and thereafter in the subsequent meetings the State Monitoring Committee shall held after six months. If the Committee desires it can have its meeting even before the period of six months.

(3) The allowances payable to the experts shall be the as those of the Commissioner of Rehabilitation and Resettlement.

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### **CHAPTER IX**

#### **LAND ACQUISITION, REHABILITATION AND RESETTLEMENT AUTHORITY**

#### **Rule 22. Land Acquisition, Rehabilitation and Resettlement Authority,—**

(1) The State Government shall establish, by notification in the *Official Gazette*, the Land Acquisition, Rehabilitation and Resettlement Authority for the purpose of providing speedy

disposal of disputes relating to land acquisition in each revenue division in the State having its seat at headquarter of that Division.

(2) The said Authorities shall function as per the declaration made by the State Government.

(3) The Presiding Officer of the said Authority shall be appointed by the State Government by issuing notification in the *Official Gazette*.

(4) There shall be a Registrar of the rank of *Tahsildar* from the Revenue Department of

the State and other staff including two employees of the rank of *Aval Karkuns*, one stenographer, four clerks, one driver and three peons to be appointed from the different cadres of the Government servants including from the Revenue Department of the State Government.

(5) The salaries and allowances of the Registrar and other officers and employees of the said Authority shall be the same as they are getting in their parent Departments and a deputation allowance at the rate of ten per cent of their basic salary (which includes Grade Pay) shall be paid to them. Their conditions of service shall be the same as those applicable to them under the Maharashtra Civil Services Rules.

(6) The Presiding Officer of the said Authority shall get the salary as under:—

(a) If he is the serving District Judge – His last salary in the Government service plus ten per cent deputation allowance of the basic salary (which includes Grade Pay).

(b) If he is not the serving District Judge – in the scale of the District Judge and ten per cent deputation allowance of the basic salary (which includes Grade Pay).

(c) The benefits of pension, gratuity and other retirement benefits shall be applicable to the Presiding Officer as per the concerned Rules applicable to them.

**Rule 23. Power of Establishment of Land Acquisition, Rehabilitation and Resettlement Authority.—**

The Establishment of Land Acquisition, Rehabilitation and Resettlement Authority shall have the power of civil court in the matter when any rehabilitation and resettlement benefit is availed of by making a false claim or through fraudulent means. The benefits shall be liable to be recovered by the State Government as an arrear of land revenue, in case of the said benefits have availed in terms of money, and by evicting a wrongdoer from the land and houses if the said benefits have availed in the terms of land and houses. The land and houses so vacated shall be used for the rehabilitation and resettlement of the affected persons by the same Project only and shall not be used for any other purpose.

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## CHAPTER X

### RETURN OF UNUTILISED LAND

#### **Rule 24. Reversion of Land to Original Land Owner,—**

(1) If any land acquired under this Act remains unutilized for a period of five years from the date of taking over the possession, then a notice shall be issued by the Appropriate Government to the Requiring body to hand over the possession of the said land to the Appropriate Government.

(2) On handing over the possession of the land as aforesaid, the Appropriate Government shall, within a period of one month from the date of possession issue notices to all Government Departments or public agencies asking them whether they need the said land for any public purpose or any public project.

(3) A claim for unutilized land by any State or Central Government or Government Agency or Authority shall be taken into consideration only if full budgetary provision is provided for and administrative sanctions by competent authority is granted.

(4) If sub-rules (2) and (3) are satisfied, the said land may be granted to the State Government Department or Central Government or Public Authority by the Appropriate Government.

(5) If no State Government Department or Central Government or Public Authority requests for said unutilized land, then the land shall be returned to the original owner or owners or their legal

heirs free of all encumbrances after passing a written order by the Appropriate Government, after recovering the land acquisition amount which was paid to the owner at the time of Award with the amount of interest, from the date of the possession of such acquired land, at the simple interest rates of the Nationalized Bank.

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## FORM-I

[See rule 3 (3)]

### SOCIAL IMPACT ASSESSMENT REPORT

#### Part-A. List of socio-economic and cultural parameters to be covered by the Social Impact Assessment

##### Demographic details of the population in the project area:-

\* Age, sex, caste, religion

\* Literacy, health and nutritional status

##### Poverty levels:-

\* Women Vulnerable group children the elderly women-headed households, the

differently abled Kinship patterns and women's role in the family

\* Social and cultural organisation

\* Administrative organisation

\* Political organisation

\* Civil society organisation and social movement

### **Land use and livelihood:-**

- \* Agricultural and non-agricultural use
- \* Quality of land-soil water, trees etc.
- \* Livestock
- \* Formal and informal work and employment
- \* Household division of labour and women's work
- \* Migration
- \* Household income levels
- \* Livelihood preferences
- \* Food security

### **Local economic activities:-**

- \* Formal and informal, local industries
- \* Access to credit
- \* Wage rates
- \* Specific livelihood activities women are involved in

### **Factors that contribute to local livelihood:-**

- \* Access to natural resources
- \* Common property resources

- \* Private assets
- \* Roads, transportation
- \* Irrigation facilities
- \* Access to markets
- \* Tourist sites
- \* Livelihood promotion programmes
- \* Co-operatives and others Livelihood-related associations

#### **Quality of the living environment:-**

- \* Perceptions, aesthetic qualities, attachments and aspirations
- \* Settlement patterns
- \* Houses
- \* Community and civic spaces
- \* Sites of religious and cultural meaning
- \* Physical infrastructure (including water supply, sewage systems etc.)
- \* Public service infrastructure (schools, health facilities, *anganwadi* centres, public distribution system)
- \* Safety, crime, violence
- \* Social gathering points for women



## Part-B. Key impact areas

### Impacts on land, livelihood and income:-

- \* Level and type of employment
- \* Intra-household employment Patterns
- \* Income levels
- \* Food security
- \* Standard of living
- \* Access and control over productive resources
- \* Economic dependency or vulnerability
- \* Disruption of local economy
- \* Impoverishment risks
- \* Women's access to livelihood alternatives

### Impacts on physical resources:-

- \* Impacts on natural resources, soil, air, water, forest
- \* Pressures on land and common property natural resources for livelihood

### Impacts on private assets, public services and utilities:-

- \* Capacity of existing health and education facilities
- \* Capacity of housing facilities

- \* Pressure on supply of local services
- \* Adequacy of electrical and water supply, road, sanitation and waste management system
- \* Impact on private assets such as bore wells, temporary sheds etc.

#### **Health impact:-**

- \* Health impact due to immigration
- \* Health impacts due to project activities with a special emphasis on
- \* Impact on women's health
- \* Impact on the elderly

#### **Impacts on culture and social cohesion:-**

- \* Transformation of local political structures
- \* Demographic changes
- \* Shifts in the economic- ecology balance
- \* Impacts on the norms, beliefs, values and cultural life
- \* Crime and illicit activities
- \* Stress of dislocation
- \* Impact of separation of family cohesion
- \* Violence against women

**FORM-II**

[See rule 3 (5)]

**SOCIAL IMPACT MANAGEMENT PLAN (SIMP)**

- (a) Approach to mitigation,
- (b) Measures to avoid, mitigate and compensate Impact,
- (c) Measures that are included in the terms of R & R and compensation as outlined in the Act,
- (d) Measures that the Requiring Body has stated it will introduce in the Project Proposal,
- (e) Additional measures that the Requiring Body has stated it will undertake in response to the findings of the SIA process and public hearings,
- (f) The Social Impact Management Plan (SIMP) must include a description of institutional structures and key person responsible for each mitigation measure and timelines and costs for each activity.

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**FORM-III**

[See rule 9 (6)]

**PART-A. PRIOR WRITTEN CONSENT OR DECLARATION FORM**

Sr.No.	Details of Person Concerned
1.	Name of the person(s) in whose name the land is registered:
2.	Name of the spouse:
3.	Name of father/mother:
4.	Address:
5.	Village / Basti:
6.	<i>Gram Panchayat</i> /Municipality/Township:
7.	Tehsil/Taluka:
8.	District:
9.	Name of other members in the family with age (Including children and adult dependents):
10.	Extent of land owned:
11.	Disputed lands if any:
12.	<i>Patta</i> /leases/grants, if any:
13.	Any other right, including tenancy, if any:
14.	<p>Regarding the acquisition of my land by the Government, I wish to state the following (please circle one of the below):</p> <p>I have read/readout the contents of this consent form and explained to me in _____ language and I agree/do not agree to this acquisition.</p> <p>_____</p> <p>Signature/Thumb impression of the affected family(s) and date</p>

All information about what will be given to this land owner in exchange for their land and to resettle them must be provided prior to seeking any-signature on this form. 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.

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## PART-B

### FORMAT FOR GRAM SABHA RESOLUTION

We, the undersigned members of the *Gram Sabha* of \_\_\_\_\_ within \_\_\_\_\_ *Panchayat* of \_\_\_\_\_ tehsil/taluka in \_\_\_\_\_ district wishes to state that the following certification is based on the information supplied by the administration and officials. If this information is incomplete or incorrect and/or if any consent has been obtained through any use of threats, fraud or misrepresentation, it is null and void. On this basis this *Gram Sabha* hereby certifies that it CONSENTS/ REFUSES TO CONSENT to the proposed \_\_\_\_\_ project, which will involves the:

\* acquisition of \_\_\_\_\_ hectare of private land

\* transfer of \_\_\_\_\_ hectare of Government land to the project

\* transfer of \_\_\_\_\_ hectare of forest land to the project

\* The terms and conditions of compensation, rehabilitation and resettlements benefits and social impact mitigation measures agreed to by the Requiring Body (state the name) are attached.

The *Gram Sabha* also states that any consent is subject to all of its residents receiving title to all of their individual and community rights over forests and forest lands, including their titles for forest land that they have been cultivating, ownership titles for all forms of minor forest produce that they use, and titles to protect and manage their community forests.

(Note: This will have to be certified by this *Gram Sabha* separately.)

Date and signatures/thumb impressions of Gram Sabha members

Date and Signature of designated

District officer on receipt of the Resolution

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**ANNEXURE I**

**[See rule 15(1)]**

Size of the holding  (1)	Area to be acquired  (2)
<b>SLAB I</b>	
(a) Not more than 1 Hectare and 61 Ares.	(a) Nil
(b) More than 1 Hectare and 61 Ares and not more than 2 Hectares and 42 Ares.	(b) The area in excess of 1 Hectare and 61 Ares but not more than 40 Ares.
(c) More than 2 Hectares and 42 Ares and not more than 3 Hectares and 23 Ares.	(c) The area in excess of 2 Hectares and 2 Ares but not more than 80 Ares.
(d) More than 3 Hectares and 23 Ares and not more than 4 Hectares and 4 Ares.	(d) The area in excess of 2 Hectares and 42 Ares but not more than 1 Hectare and 23 Ares.
(e) More than 4 Hectares and 4 Ares and not more than 4 Hectares and 85 Ares.	(e) The area in excess of 2 Hectares and 83 Ares but not more than 1 Hectare and 61 Ares.
(f) More than 4 Hectares and 85 Ares and not more than 6 Hectares and 47 Ares.	(f) The area in excess of 3 Hectares and 3 Ares but not more than 2 Hectares and 42 Ares.
(g) More than 6 Hectares and 42 Ares.	(g) All the area in excess of 4 Hectares and 47 Ares.
<b>SLAB II</b>	
(a) Not more than 2 Hectares and 42 Ares.	(a) Nil
(b) More than 2 Hectares and 42 Ares and not more than 3 Hectares and 23 Ares.	(b) The area in excess of 2 Hectares and 42 Ares but not more than 40 Ares.
(c) More than 3 Hectares and 23 Ares and not more than 4 Hectares and 4 Ares.	(c) The area in excess of 2 Hectares and 83 Ares but not more than 80 Ares.
(d) More than 4 Hectares and 4 Ares and not more than 5 Hectares and 85 Ares.	(d) The area in excess of 3 Hectares and

	23 Ares but not more than 1 Hectare and 21 Ares.
(e) More than 4 Hectares and 85 Ares and not more than 5 Hectares and 66 Ares.	(e) The area in excess of 3 Hectares and 64 Ares but not more than 1 Hectare and 61 Ares.
(f) More than 5 Hectares and 66 Ares and not more than 7 Hectares and 28 Ares.	(f) The area in excess of 4 Hectares and 4 Ares but not more than 2 Hectares and 42 Ares.
(g) More than 7 Hectares and 28 Ares.	(g) All the area in excess of 4 Hectares and 85 Ares.
<b>SLAB III</b>	
(a) Not more than 3 Hectares and 23 Ares.	(a) Nil
(b) More than 3 Hectares and 23 Ares and not more than 4 Hectares and 4 Ares.	(b) The area in excess of 3 Hectares and 23 Ares but not more than 40 Ares.
(c) More than 4 Hectares and 4 Ares and not more than 5 Hectares and 85 Ares.	(c) The area in excess of 3 Hectares and 64 Ares but not more than 80 Ares.
(d) More than 4 Hectares and 85 Ares and not more than 5 Hectares and 66 Ares.	(d) The area in excess of 4 Hectares and 4 Ares but not more than 1 Hectare and 21 Ares.
(e) More than 5 Hectares and 66 Ares and not more than 6 Hectares and 47 Ares.	(e) The area in excess of 4 Hectares and 44 Ares but not more than 1 Hectare and 61 Ares.
(f) More than 6 Hectares and 47 Ares and not more than 8 Hectares and 9 Ares.	(f) The area in excess of 4 Hectares and 85 Ares but not more than 2 Hectares and 24 Ares.
(g) More than 9 Hectares and 89 Ares.	(g) All the area in excess of 5 Hectares and 66 Ares.
<b>SLAB IV</b>	



(a) Not more than 4 Hectares and 42 Ares.	(a) Nil
(b) More than 4 Hectares and 42 Ares and not more than 4 Hectares and 85 Ares.	(b) The area in excess of 3 Hectares and 4 Ares but not more than 40 Ares.
(c) More than 4 Hectares and 85 Ares and not more than 5 Hectares and 66 Ares.	(c) The area in excess of 4 Hectares and 44 Ares but not more than 80 Ares.
(d) More than 5 Hectares and 66 Ares and not more than 6 Hectares and 47 Ares.	(d) The area in excess of 4 Hectares and 85 Ares but not more than 1 Hectare and 21 Ares.
(e) More than 6 Hectares and 47 Ares and not more than 7 Hectares and 28 Ares.	(e) The area in excess of 5 Hectares and 25 Ares but not more than 1 Hectare and 61 Ares.
(f) More than 7 Hectares and 28 Ares and not more than 8 Hectares and 89 Ares.	(f) The area in excess of 5 Hectares and 66 Ares but not more than 2 Hectares and 24 Ares.
(g) More than 8 Hectares and 89 Ares.	(g) All the area in excess of 6 Hectares and 47 Ares.

**SLAB V**

(a) Not more than 4 Hectares and 85 Ares.	(a) Nil
(b) More than 4 Hectares and 85 Ares and not more than 5 Hectares and 66 Ares.	(b) The area in excess of 4 Hectares and 85 Ares but not more than 40 Ares.
(c) More than 5 Hectares and 66 Ares and not more than 6 Hectares and 47 Ares.	(c) The area in excess of 5 Hectares and 25 Ares but not more than 80 Ares.
(d) More than 6 Hectares and 47 Ares and not more than 7 Hectares and 23 Ares.	(d) The area in excess of 4 Hectares and 85 Ares but not more than 1 Hectare and 21 Ares.
(e) More than 7 Hectares and 28 Ares and not more than 9 Hectares and 28 Ares.	(e) The area in excess of 6 Hectares and 6 Ares but not more than 1 Hectare and 61 Ares.
(f) More than 8 Hectares and 9 Ares and not more than 9 Hectares and 71 Ares.	(f) The area in excess of 6 Hectares and 47 Ares but not more than 2 Hectares and 42

	Ares.
(g) More than 9 Hectares and 71 Ares.	(g) All the area in excess of 7 Hectares and 28 Ares.

Provided that, the land to be acquired according to any slab shall not be less than 20 Ares or consist of an area which, under the provisions of the Maharashtra Prevention of Fragmentation and Consolidation of Holding Act (LXII of 1947) is a fragment incapable of disposal as an independent piece of cultivable land.

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#### FORM-IV

[See rule 16 (2)]

### PUBLICATION OF NOTICE BY GOVERNMENT FOR PROJECT AFFECTED PERSONS IN LAND ACQUISITION

This is to inform you Mr./Mrs. \_\_\_\_\_ (by this notice) that Your Agricultural Land Survey No. \_\_\_\_\_ Village \_\_\_\_\_ Taluka \_\_\_\_\_ is acquired / will be acquired for \_\_\_\_\_ Project. Therefore, you will be considered as Project Affected Person as per Government Rehabilitation Scheme and you are entitled for \_\_\_\_\_ Hectares \_\_\_\_\_ Ares. Information regarding recent and future availability of Land within benefit zone are available with District Rehabilitation Officer, \_\_\_\_\_.

You have to inform within 15 days after receiving this notice that whether you are interested in acquisition of available land and at the same time which village will you prefer. If you are not interested in Land but you have desire for the grant given by government for rehabilitation Scheme, kindly inform as such in written. And also inform in writing, if you are not interested in Land acquisition as per the availability, If you have not informed within the stipulated period, it will be consider that you are not interested in Land acquisition and you are forgoing your right of land acquisition under Rehabilitation Scheme And kindly note that this will affect in deleting your name from the list of Project affected person.

Yours,

District Rehabilitation Officer

Place:-

Date:-

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**FORM-V**

[See rule 16 (4)]

**CONSENT LETTER FROM PROJECT AFFECTED PERSON FOR LAND ACQUISITION**

I MR. / MRS. \_\_\_\_\_ is giving my consent through this consent letter that, My land, Survey No. \_\_\_\_\_ Village \_\_\_\_\_ Tal. \_\_\_\_\_ has acquired / will be acquired for \_\_\_\_\_ Project. Therefore, I am a Project Affected Person, and entitled for acquisition of Land measuring \_\_\_\_\_ Hectares \_\_\_\_\_ Ares as per the Government Rehabilitation Scheme. Information regarding recent and future availability of Land within benefited zone are available with District Rehabilitation Officer, \_\_\_\_\_.

2. As per the information received from District Rehabilitation Officer \_\_\_\_\_. I am interested in available land and giving my consent for new land under land acquisition within stipulated period. I would like to request you to grant me the land from the Land Pool within the benefited area of \_\_\_\_\_ Project or within the State.

Yours,

Project Affected Person

Place:-

Date:-

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**FORM- VI**

[See rule 16 (5)]

**REGISTER FOR PROJECT AFFECTED PERSON IN LAND ACQUISITION**

Name of the Project\_\_\_\_\_ Taluka\_\_\_\_\_ District\_\_\_\_\_

Sr. No.	Name of the Project Affected Person	Details of Land acquired for the Project in Hectares and Ares	Details of Land		Remarks
			Details of the Land in Project Benefited areas.	Distribution of Land in (Hectares and Ares)	
(1)	(2)	(3)	(4)	(5)	(6)

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**FORM-VII**

[See rule 16 (6)]

**CONSENT LETTER FROM PROJECT AFFECTED PERSON FOR NOT ACQUIRING LAND FOR  
LAND**

I HAVE RECEIVED A NOTICE DATED \_\_\_\_\_ FROM DISTRICT REHABILITATION  
OFFICER,\_\_\_\_\_.

I MR. / MRS. \_\_\_\_\_ is giving my consent through this consent letter that, My land Survey No. \_\_\_\_\_ Village \_\_\_\_\_ Taluka \_\_\_\_\_ has acquired / will be acquired for \_\_\_\_\_ Project and entitled for acquisition of Land measuring \_\_\_\_\_ Hectare \_\_\_Ares as per the Government Rehabilitation Scheme. Information regarding recent and future availability of Land within benefited zone are available with District Rehabilitation Officer, \_\_\_\_\_.

As per the information received from District Rehabilitation Officer, \_\_\_\_\_. I am not interested in available land in benefited area of the \_\_\_\_\_ Project. I am interested in Monetary Compensation instead of Land. I am also declaring that, this consent is obligatory to me and my legal heir, and I myself or my legal heir will not demand for the land in future.

Yours,

Project Affected Person

Place:-

Date:-

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By order and in the name of the Governor of Maharashtra,

S.K. GAWADE,

Deputy Secretary to Government

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**8**  
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