

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

No. PT1-RDM-RRC-POLICY-0013-2014- 24824 /R&DM., Dated 27.07.2017

From Dr. Chandra Shekhar Kumar, I A S
Principal Secretary to Government

To All Revenue Divisional Commissioners

SUB- Duties and Role of the Commissioner for Rehabilitation & Resettlement for implementation of the R&R provisions under the RFCTLAR&R Act, 2013 and Odisha RFCTLAR&R Rules, 2016

Sir,

Under sub-section (1) of section 44 the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013, the Revenue Divisional Commissioners have been appointed as "Commissioner for Rehabilitation and Resettlement" within their respective jurisdiction to exercise the powers and perform the functions of the Commissioner for Rehabilitation and Resettlement under the Act for effective implementation of the provisions concerning Rehabilitation and Resettlement of affected families. For better supervision and implementation of rehabilitation and resettlement schemes and post-implementation of social audit, they may follow the following instructions:

1. The Commissioner for R&R being assisted by the District Collector shall monitor the survey and census of affected and displaced families conducted by the Administrator, R&R under the provisions of Sub-section (1) of Section 16 of the Act read with Rule 30 of the Odisha RFCTLAR&R Rules, 2016. He shall seek periodic reports on the matter from the District Collector to ensure accurate and timely completion of survey and census of the affected & displaced families within a period of 60 days from the date of publication of the preliminary notification;
2. The Commissioner for R&R shall guide and advise the Administrator, R&R for the preparation of the draft Rehabilitation & Resettlement Scheme as required under Section 16 of the Act & corresponding Rules under the Odisha RFCTLAR&R Rules, 2016, within a period of 60 days from the date of completion of survey & census of the affected families;
3. The Commissioner for R&R shall supervise the review of the draft R&R Scheme by the District Collector as required under sub-section (1) of Section 17 of the Act and timely submission of the draft R&R Scheme by the concerned District Collector for his approval;
4. The Commissioner for R&R shall examine the draft R&R Scheme submitted by the District Collector and approve the same with or without modification within a period of 30 days from the date of submission of the draft R&R Scheme by the District Collector to the Commissioner under the sub-section (2) of Section 17 of the Act;

5. The R&R Scheme approved by the Commissioner for R&R shall give a detailed account of the cost of rehabilitation and resettlement to be deposited by the Requiring Body with the District Collector before proceeding with land acquisition. It would include the cost of acquisition of land and buildings for settlement of displaced or adversely affected families, cost of development of infrastructure and amenities at the resettlement areas, all other cost of rehabilitation and resettlement as determined in accordance with the provisions of the Act and Administrative Cost under Rule 24 of the Odisha RFCTLAR&R Rules, 2016.

While approving the R&R Scheme, the Commissioner for R&R shall obtain an undertaking from the Authorized Officer of the Requiring Body through the District Collector that the cost towards any subsequent liability arising out of the R&R requirements under the RFCTLAR&R Act, 2013 will be borne by the Requiring Body and the Requiring Body will also pay the full amount in case of decree by the Land Acquisition, Rehabilitation and Resettlement Authority, High Court and Supreme Court of India as and when asked to do so by the Commissioner for R&R or the District Collector;

6. The Commissioner for R&R shall closely monitor the implementation of R&R Scheme;

7. The Commissioner for R&R shall hold review meetings once in every month to review the progress of Rehabilitation and Resettlement for satisfactory implementation of all the provisions under the RFCTLAR&R Act, 2013 relating to R&R and proper implementation of the R&R Schemes & R&R awards;

8. After completion of Rehabilitation and Resettlement process, the Commissioner for R&R shall arrange for post implementation social audit as required under sub-section (3) of Section 44 of the Act. The cost towards social audit will be realized from the Requiring Body by the District Collector and utilized as per the instructions of the Commissioner for R&R;

9. Commissioner for R&R shall have full authority to seek the assistance of any officer and employee working in area under his jurisdiction;

10. The Commissioner for R&R shall organize capacity building training programmes for the Officers & staff associated with Land Acquisition, Rehabilitation & Resettlement under his/her area of Jurisdiction and evaluate their performance from time to time.

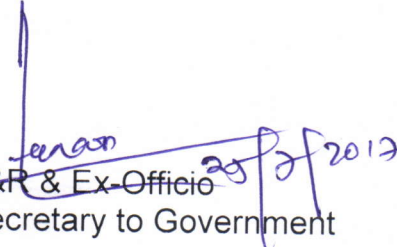
Yours faithfully.


Principal Secretary to Government.

Memo No. 24825

/ R&DM, Dt. 27.07.2017

Copy forwarded to the Secretary, Board of Revenue, Odisha, Cuttack / All Collectors & District Magistrates / All sub-Collectors & Administrator R&R / All P.D, R&R / All Special LAOs for information and necessary action.


Director, R&R & Ex-Officio
Additional Secretary to Government

Memo No. 24826 / R&DM, Dt. 27.07.2017

Copy forwarded to C.M.D IDCO / C.M.D, IPICOL for information and necessary action.

Director, R&R & Ex-Officio
Additional Secretary to Government

Memo No. 24827 / R&DM, Dt. 27.07.2017

Copy forwarded to Director, Nabakrushna Chowdhury Centre for Development Studies, Bhubaneswar information and necessary action.

Director, R&R & Ex-Officio
Additional Secretary to Government

Memo No. 24828 / R&DM, Dt. 27.07.2017

Copy forwarded to all Branches of Revenue & Disaster Management Department for information and necessary action.

Director, R&R & Ex-Officio
Additional Secretary to Government