

**GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT**

No. RDM-LAA-CLRFIC-0004-2017/ 3918 /R&DM, Dated. 30.01.2018

From

Dr. C. S. Kumar, IAS
Principal Secretary to Government

To

All Collectors
All Spl LAOs and LAOs

Sub: Monitoring of the Land Acquisition process and Rehabilitation & Resettlement activities under various projects in the State.

Ref: This Department Notification No. 40228 dated 25.11.2017
Letter No. 43583 dated 16.12.2017

Sir,

In inviting a reference to the above cited subject, I am directed to say that the State Government have been pleased to delegate the powers and functions of the appropriate Government in favour of concerned Collector of the District in the Notification under reference and the details of delegation section-wise (activity-wise) has been communicated to you vide letter No. 43583 dated 16.12.2017. Besides, this Department is developing MIS Software which will be put in place shortly for maintaining transparency through regular updation of information by use of web-based technology. As land acquisition is a sensitive and time-bound process, it requires due responsibility and responsiveness for timely execution of the process at every stage.

2. Further, Land Acquisition process is important on the ground that success of most of the projects depends on smooth and timely completion of acquisition of land. The progress of almost all projects are being reviewed by higher authorities like Chief Secretary in CCI-PMG and SPMG meetings and even by the Prime Minister in PRAGATI meetings. Hence, prompt actions as well quick furnishing of information to this level is essential in respect of LA Projects.

3. In this connection, it is not out of place to draw your attention to the '**Offences and Penalties**' provisions under Chapter-XII of the RFCTLAR&R Act, 2013, which provides for stringent punishment with fine and imprisonment, even both for furnishing false information, acting in contravention of the provisions of the Act by Government

Servants, Companies and Government Departments. Hence it is expected that due diligence should also be maintained in disposing the LAR&R issues.

4. Consequent upon the delegation of powers in favour of Collectors, you are requested to be vigilant on important milestones of the LA Process as below;

I. SIA Study:

(a) Following timeline shall be maintained for;

Activity	Timeline
On receipt of requisition from Requiring Body, Collector shall submit the proposal to NCDS with a copy of the land schedule to R&DM Department	7 days
NCDS to prepare ToR and estimate and intimate Requiring Body, Collector and R&DM Dept	10 days
Requiring Body to deposit money with NCDS	15 days
NCDS will intimate R&DM Department on receipt of estimated cost	3 days
SIA notification by R&DM Dept	7 days
On completion of the study, approval of Gram Sabha	15 days
Clearance by Expert Group	2 months
Report of Collector to R&DM Department after Expert Group Report	7 days
Notification u/s 8(2) of the Act by R&DM Dept	7 days
Notification u/s 11(1) of the Act by Collector	15 days

(b) Monitor the performance of the SIA Study agencies engaged by NCDS for the Study to ensure quality.

(c) Ensure that consent of the people as required under the Act for different projects is obtained in a fair and transparent manner.

II. Preliminary Notification u/s 11(1) of the Act:

(a) Issue Notification under section 11(1) of the R&DM Act in respect of all the projects (for which Notification u/s 8(2) has been issued) within 15 days.

(b) Collect all the records fit for 11(1) notification from this Department, if sent earlier and issue the notification as per delegation of power.

(c) Maintain a check list of documents required for preliminary notification (copy enclosed).

(d) Publish the Notification in Odisha Gazette, in two newspapers, District website and locally.

(e) Furnish a copy to R&DM Department.

III. Declaration u/s 19(1) of the Act.

- (a) Issue Declaration u/s 19(1) in respect of all projects for which preliminary notification has been issued u/s 11(1). The declaration will also be issued by the Collector in respect of such projects in which the project area in the district does not exceed 1000 acres, for which preliminary notification has been done by the State Government.
- (b) The timeline fixed for Declaration is twelve months from the date of publication of preliminary notification. This shall be followed without fail.
- (c) Collect all the records required for 19(1) declaration from this Department and issue the declaration.
- (d) Maintain a check list of documents required for 19(1) declaration. (copy enclosed)
- (e) Furnish a copy to R&DM Department.

IV. Land Acquisition and R&R award

- (a) Pass Land acquisition award u/s 23 of the Act within twelve months from the date of publication of declaration u/s 19(1).
- (b) Simultaneously, pass awards for rehabilitation and resettlement benefits u/s 31 of the Act.
- (c) Publish the list of LA awardees along with entitlements, list of displaced persons, R&R entitlements in the District website and upload in the MIS database and furnish a copy to this Department.
- (d) Ensure that the LA benefits and monetary benefit of R&R entitlements are disbursed within the stipulated timeline.
- (e) Ensure reconciliation of Bank Account with Cash Book every month.

V. Taking over possession and Abatement of Land Revenue

- (a) Take over possession of land u/s 38 of the Act and hand over the same to the project proponent. During the interim period, protect the land from encroachments.
- (b) After the LA process is complete, submit abatement proposals positively and ensure correction of records in all tahasils within two month.

VI. General:

- (a) Ensure that the process of land acquisition is done in a free, fair and