

Government of Rajasthan
Forest Department

No. F.11(2)Fores/99

Jaipur, dated:

22 NOV 2002

Chief Wildlife Warden
Rajasthan, Jaipur.

Sub: Quantification of Items of individual compensation and community works in proposed relocation package - regarding.

Sir,

In continuation of this Department letter of even number dated 8.8.2001, I am directed to convey the sanction of the Governor of relocation package for relocation of villages from Protected areas of National Parks/Sanctuaries of the State as per Annexure attached herewith.

This is subject to the condition that none of the recurring expenditure in relocation package on setting up of any dispensary or school as part of the package will be borne by the Govt. of Rajasthan. Any recurring expenses should be borne either by Wildlife Department or concerned administrative Department such as Medical and Education and that school and dispensary may not be opened in routine but it should be opened only when fully justified under the norms of the respective Departments. If the opening of new school and dispensary is justified under the norms, the same should be started in private sector grants in aid arrangements. This sanction is further subject to the condition that no extra staff will be required at any stage and that there are no costs involved on the State Govt.

This issues with the concurrence of Finance (Exp-I) Deptt. vide I.D. no. 3394, dated 10.10.2002

Yours faithfully,

(O.P. Mehta)

C.F. & Special Secretary to Government

Copy forwarded to:-

1. Accountant General, Rajasthan, Jaipur
2. Finance Deptt (Exp-I), Secretariat, Jaipur.
3. Principal Chief Conservator of Forests, Rajasthan, Jaipur.
4. Guard file.

Asst. Secretary to Government

RELOCATION PACKAGE FOR VOLUNTARY RELOCATION OF VILLAGES FROM THE PROTECTED AREAS (NATIONAL PARKS & SANCTUARIES) OF RAJASTHAN

INTRODUCTION:

Though the bulk of the Protected Areas in Rajasthan have sizeable amount of reserved forests, most of the Protected Areas have some small villages deep inside unconnected with the rest of the world and generally lacking in facilities and amenities available to other villages outside Protected Areas mainly because of the Wildlife Protection Act 1972 and its consequences. So while the people remain deprived of development, the Protected Areas suffer because of the fragmentation and degradation of habitat caused by these people and their cattle, numbers of which are rapidly increasing ever year. In present scenario of depleting forest cover, the Protected Areas stand out as reserves of good forests and hence work as the lungs of the nation. If the villages situated inside the core areas are not relocated outside the Protected Areas, it will not be long before even these core areas will become degraded. Therefore, it is necessary to relocate all the villages situated in the National Park boundaries, which also is a necessity according to section 35 of Wildlife (Protection) Act, and selected and isolated villages in the core areas of other sanctuaries.

OBJECTIVES:

As highlighted above, the society loses in two ways from the continued presence of villages inside the Protected Areas. To rectify this anomaly it has been decided to launch a project for Voluntary relocation of selected villages from some of the Protected Areas.

The objectives of the project are:

- To develop an attractive relocation package.
- To motivate people of selected villages to undertake voluntary relocation.
- To implement the package for selected villages.
- To dovetail other rural development schemes in the project on priority on proposed sites to further improve the package.
- To generate opinion in other village inside Protected Areas for motivation to get relocated.

STRATEGIES FOR ACHIEVEMENT OF OBJECTIVES

Prioritisation of Protected Areas and selection of villages

As discussed above, the National Parks are the most important target areas of the project. Accordingly, Ranthambore National Park, Sariska National Park and Desert National Park will be taken up at the highest priority. The other constituent areas of the 2 Tiger Reserves like Sawalmansingh Sanctuary, Keladevi Sanctuary, etc, will be taken up as next priority. The Raoli Todgarh Sanctuary and Kumbhalgarh sanctuary, together form a large contiguous Protected Area of over 1100 sq km., which makes it quite important. Feasibility of voluntary relocation of one and only village in Shergarh sanctuary, 1 or 2 villages in Mount Abu Sanctuary and 1 village in Darrah Sanctuary has also been reported. Similarly, voluntary relocation of villages from other Protected Areas will also be taken up as per feasibility.

The criterion for selection of villages will be

- Willingness of people,
- Magnitude of effect of village on core area or proposed core area
- Availability of relocation site.

Relocation strategy

Two different strategies for relocation will be attempted. These will be Transplantation approach wherein efforts will be made to replicate and improve situation at the new site vis-à-vis the original habitation. This will involve negotiations with the village as whole.

Individual Settlement approach wherein individuals will be settled in areas of their choice (close to their relatives). This would involve negotiation with each individual family separately but may be preferred by some of the people to be relocated.

A mix of the two approaches could also be attempted wherein some people may be relocated by using Approach 2 and others using Approach 1.

Two or more villages could also be relocated at the same place if the concerned people agree.

Eco-development Committees will be constituted in the villages to be relocated for negotiations under the existing rules.

RELOCATION PACKAGE

Though the Rehabilitation and Resettlement policy of the state of Rajasthan (R&R policy) has been specifically framed for cases where land acquisition or involuntary relocation is involved, which is not the case here, efforts have been made to incorporate the basic features of the R&R policy. The process of relocation of villages from the sanctuaries and national parks differs from R&R process in the following ways.

1. Most of the funding for such projects is provided on the condition that the relocation is voluntary while the relocation for construction projects is largely involuntary.
2. The land once acquired for construction purposes cannot be encroached again by the displaced persons.
3. More incentive should be given to these people as the department recognizes the fact that the degradation of forest by these people is to fulfil their genuine needs and generally, not for any commercial purposes. Moreover, it is accepted that due to less population pressure or better conservation ethos, the forest around these people has survived in a better form than the other places where it has disappeared. However, now as the population pressure increases and the changing lifestyles put more demand on the forest, it is essential that these people should be shifted. This will be beneficial both for the forest and the people who will be able to avail the facilities, which cannot be made available inside the Protected Area because of the various provisions of Wildlife Protection Act 1972.

The proposed Package for voluntary relocation of villages from the Protected Areas of Rajasthan, is as follows.

1. Definitions of the terms used in the package are as given in annexure.
2. The cut-off date for the package shall be that date on which actual Socio-Economic survey is carried out for the purpose of identification of persons to be relocated and their rights/assets.
3. Socio-economic survey will be carried out so that the basis of compensation is laid out. The provisions detailing the process of land acquisition will not apply since compulsory land acquisition under L.A.A. is not contemplated, as the relocation activity is voluntary. Under Wildlife Protection Act 1972 all the persons are supposed to be relocated.
4. The relocation will be planned and undertaken by an Implementation Committee being constituted by the Government. Representatives of various departments like Agriculture, Revenue, DRDA, Animal Husbandry, NGOs and two villagers of the affected village. The District Collector will be the Chairman of the Committee and the concerned Deputy Director/Deputy Conservator of Forests will be the Member Secretary of the committee.

5. AGRICULTURAL LAND

Original land holding + 1 Hac. land shall be provided to each displaced family. Agricultural land will be allotted upto a minimum of M.E.H. 4 acres (1.6hec.) of unirrigated land or 2 acres (0.8hec.) even to landless farmers.

6 RESIDENTIAL PLOT

The displaced family will be given a residential plot of equal area free of cost as they were having in the deserted village with the minimum area of 10 sq ft (60 ft X 90 ft). If a person wants to have additional area for keeping their livestock, or any other purpose, this will be given @ Rs. 1.00 per sq ft subject to maximum total holding of area of 10800 sq ft.

7. The Implementation Committee will also decide about all other assistance to be provided to the relocated people. This will include provision for house compensation, crop compensation, compensation for private wells and trees, disturbance allowance, transportation allowance and land development along with community works like construction of approach road, providing drinking water, construction of cattle pond, community hall, dispensary, school and providing electricity to the villagers. Civic amenities for the village will be provided as decided by the Implementation Committee.

The Implementation Committee while deciding above will keep following broad norms/scale in mind

A. Individual Compensation

S.N.	Item	Approx. rate	Overall Estimated Average Cost/ Family
1	House Compensation	(I) Rs. 600/sq.m. for kutchha house (II) Rs. 1200/sq.m for Pucca house subject to minimum of Rs. 40,000	Rs. 51,000 for average construction area- 85 sq.m.
2	Crop compensation (To be given to compensate for lost crop and/or less production in the first year at new site)	Rs. 10000/hect.	Rs.6000
3	Private well	Rs.50000 per well	
4	Tree compensation	Rs.500 per tree	Rs.5000
5	Disturbance Allowance	Rs. 7000 per family	Rs.200
6	Transportation Allowance	Rs. 3000/family	Rs.7000
7	Land development	Rs.5000/hect.	Rs.3000
8	Miscellaneous	Rs.1800/family	Rs.10000
	TOTAL A		Rs.1800
			Rs.84000

✓ The total average estimated amount of Individual compensation per family is Rs. 84,000

✓ The Implementation Committee will also decide about the following Community Works, to be taken at the rehabilitation site. These works will be executed through Eco-development Committees (EDCs) constituted for this purpose:

B. Community Works

S.N.	Item	Approx. rate	Overall Estimated Average Cost/Family
1	Approach Road	Rs.2.00 lacs per village	Rs. 2000
2	Drinking Water	Rs.1.50 lacs per village	Rs.1500
3	Cattle Pond	Rs.1.00 lac per village	Rs.1000
4	Community Hall	Rs.2.00 lacs per village	Rs.2000
5	Dispensary	Rs. 4.00 lacs per village	Rs.4000
6	School	Rs.4.00 lacs per village	Rs.4000
7	Electricity	Rs.1.50 lacs per village	Rs. 1500
	TOTAL B		Rs.16000
	TOTAL A & B		Rs.1,00,000

The Total average estimated amount of community works per family is Rs.16000.

The total average estimated cost of relocation per family is Rs. 1,00,000. The Implementation Committee while deciding the activities to be taken up will respect the total cost of individual compensation and community works as highlighted above to Rs. 1.00 lac per family according to the funding norms of the Govt. of India. The Implementation Committee can, however, deviate up to 15% while deciding on the cost of various items of individual compensation and community works. As Govt. of India will be providing relocation funds at the rate of Rs.1.00 lac/family, the Implementation Committee should provide all genuine facilities to the relocated people so that they feel better off after being uprooted from original place by utilising the full amount of rs.1.00 lac per family.

8. To see that the relocated people are better off at the new site, dovetailing of activities like providing bio gas plants, other energy saving devices, income generation facilities, training and capacity building, hostel facilities, of other rural development agencies like DRDA will be attempted. The works can be taken up in the ongoing schemes of rural development.
9. Land will be provided by Forest Department, after freeing it from all encumbrances.

IMPLEMENTATION PROCEDURE

The relocation will be accomplished in the following steps

Socio economic survey of the villages to be relocated.
Declaration of proposed package by holding of meetings and workshops (To be done by Forest Department or NGO employed etc.)

Negotiation of details of package, finalisation of relocation site, drawing up of agreements including penalties for non compliance of agreement (Negotiations for Transplantation Approach will have to be done collectively with the people's committee while for Individual Settlement Approach, negotiations will have to be done with individuals. Absentee landlords will have to be identified and land acquisition proceedings initiated) (To be done by Forest Department of NGO)

Identification of motivating factors additional to relocation package (like other ongoing schemes of rural development, individual beneficiary schemes, cattle breed improvement schemes, eco-development schemes, loans (specially for purchase of land under Individual Settlement Approach), etc.) and ensuring

their implementation for the benefit of relocated people at the relocation site, (to be done by Forest Department or NGO.)

Commitment of the State Government to allot lands as agreed during negotiations. (State Government)

Development of relocation site:

Residences: To be built by relocated people.

Community facilities like roads, schools, PHC, community hall, place of worship, hand pumps, etc. (To be done by Forest Department or NGO)

Land Development: To be done by Forest Department or NGO or people as per the agreement.

Transport of belongings and building material from old site to new site: To be done by Forest Department or NGO employed or people as per the agreement.

Destruction of old habitations: To be done by Forest Department.

Payment of compensation for houses, land, disturbance, etc.: To be done by Forest Department in installments of 20% in the beginning, 50% on leaving for the new site and 30% on destruction of deserted area and completion of other formalities.

Installation of biogas plants, improved chullahs, solar equipment and other energy saving and energy substitution devices, to be coordinated by Forest Department, where feasible, with Rural Development Department etc.

ANNEXURE

DEFINITIONS

- 1 **Cut off Date:-** The Cut off Date shall be the date of start of the socio-economic survey.
- 2 **Socio-Economic Survey:-** The Socio-Economic Survey shall consist of two parts mainly
- (a) A census of persons affected by relocation.
- (b) A base line survey of the social and economic state of the persons affected by relocation.
- 3 **Family:-**
- (i) A "Family" shall mean karta, spouse (Husband/Wife) & minor children and other persons such as parents, dependent on the karta of the family.
- (ii) Every son or unmarried daughter who has attained the age of 21 years or on before the cut off date, will be treated separate family.
- (iii) Every divorced or widowed daughter living independently or with the family prior to the cut off date will be treated as separate family.
- 4 **Landless Agriculturist:-** A person who whether individually or jointly with members of his family does not hold any agricultural land and who has been deriving his main income by working on the lands of others as sub tenant or as an agricultural laborer prior to cut off date.
- 5 **Encroacher:-** A person trespassing Govt. land to which he/she is not entitled, and deriving his/her livelihood there from prior to the cut off date provided he/she has no other source of livelihood. Onus of proof of these conditions shall lie on the Encroacher. Alternatively land records and findings of the socio-economic survey may be relied upon for verification of these conditions.
- 6 **Squatter :-** A person settled on publicly owned land without permission and has no other land to settle upon or occupying publicly owned building without authority prior to the cut off date and has no other building to occupy or already occupied.
- 7 **Small farmer:-** A farmer having an un-irrigated land holding ranging from 1 ha. to 2 ha. irrigated land holding ranging from 0.5ha. to 1 ha. shall be treated as a small farmer.
- 8 **Marginal farmer:-** A marginal farmer is a cultivator having un-irrigated land holding upto 1 ha. or less or irrigated land holding of 0.5 ha. or less.
- 9 **Minimum Economic Holding (MEH):-** MEH is a holding equal to 4 acres of un-irrigated land and 2 acres of irrigated land.