

# THE RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013

[Act 30 of 2013, dt. 27-9-2013]

*(As amended by the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019),  
dt. 9-8-2019, w.e.f. 31-10-2019 vide SO 2889(E), dt. 9-8-2019)*

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An Act to ensure, in consultation with institutions of local self-government and Gram Sabhas established under the Constitution, a humane, participative, informed and transparent process for land acquisition for industrialisation, development of essential infrastructural facilities and urbanisation with the least disturbance to the owners of the land and other affected families and provide just and fair compensation to the affected families whose land has been acquired or proposed to be acquired or are affected by such acquisition and make adequate provisions for such affected persons for their rehabilitation and resettlement and for ensuring that the cumulative outcome of compulsory acquisition should be that affected persons become partners in development leading to an improvement in their post acquisition social and economic status and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Sixty-fourth Year of the Republic of India as follows:—

## CHAPTER I PRELIMINARY

### 1 Short title, extent and commencement

(1) This Act may be called the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

(2) It extends to the whole of India <sup>1</sup>[xxx].

(3) It shall come into force on such date<sup>2</sup> as the Central Government may, by notification in the Official Gazette, appoint:

PROVIDED that the Central Government shall appoint such date within three months from the date on which the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Bill, 2013 receives the assent of the President.

### 2. Application of Act

(1) The provisions of this Act relating to land acquisition, compensation, rehabilitation and resettlement, shall apply, when the appropriate Government acquires land for its own use, hold and control, including for Public Sector Undertakings and for public purpose, and shall include the following purposes, namely:—

- (a) For strategic purposes relating to naval, military, air force, and armed forces of the Union, including central paramilitary forces or any work vital to national security or defence of India or State police, safety of the people; or

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1 Words “except the State of Jammu and Kashmir” omitted by the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019), dt. 9-8-2019, w.e.f. 31-10-2019 vide SO 2889(E), dt. 9-8-2019.

2 Enforced w.e.f. 1-1-2014 vide SO 3729(E), dt. 19-12-2013.

- (b) For infrastructure projects, which includes the following, namely:—
- (i) All activities or items listed in the notification of the Government of India in the Department of Economic Affairs (Infrastructure Section) number 13/6/2009-INF, dated the 27th March, 2012, excluding private hospitals, private educational institutions and private hotels;
  - (ii) Projects involving agro-processing, supply of inputs to agriculture, warehousing, cold storage facilities, marketing infrastructure for agriculture and allied activities such as dairy, fisheries, and meat processing, set up or owned by the appropriate Government or by a farmers' cooperative or by an institution set up under a statute;
  - (iii) Project for industrial corridors or mining activities, national investment and manufacturing zones, as designated in the National Manufacturing Policy;
  - (iv) Project for water harvesting and water conservation structures, sanitation;
  - (v) Project for Government administered, Government aided educational and research schemes or institutions;
  - (vi) Project for sports, health care, tourism, transportation of space programme;
  - (vii) Any infrastructure facility as may be notified in this regard by the Central Government and after tabling of such notification in Parliament;
- (c) Project for project affected families;
- (d) Project for housing, or such income groups, as may be specified from time to time by the appropriate Government;
- (e) Project for planned development or the improvement of village sites or any site in the urban areas or provision of land for residential purposes for the weaker sections in rural and urban areas;
- (f) Project for residential purposes to the poor or landless or to persons residing in areas affected by natural calamities, or to persons displaced or affected by reason of the implementation of any scheme undertaken by the Government, any local authority or a corporation owned or controlled by the State.

(2) The provisions of this Act relating to land acquisition, consent, compensation, rehabilitation and resettlement, shall also apply, when the appropriate Government acquires land for the following purposes, namely:—

- (a) for public private partnership projects, where the ownership of the land continues to vest with the government, for public purpose as defined in sub-section (1):
- (b) for private companies for public purpose, as defined in sub-section (1):  
PROVIDED that in the case of acquisition for—
  - (i) private companies, the prior consent of at least eighty per cent of those affected families, as defined in sub-clauses (i) and (v) of clause (c) of section 3; and
  - (ii) public private partnership projects, the prior consent of at least seventy per cent of those affected families, as defined in sub-clauses (i) and (v) of clause (c) of section 3,

shall be obtained through a process as may be prescribed by the appropriate Government:

PROVIDED FURTHER that the process of obtaining the consent shall be carried out along with the Social Impact Assessment study referred to in section 4:

PROVIDED ALSO that no land shall be transferred by way of acquisition, in the Scheduled Areas in contravention of any law (including any order or judgment of a court which has become final) relating to land transfer, prevailing in such Scheduled Areas.

(3) The provisions relating to rehabilitation and resettlement under this Act shall apply in the cases where,—

- (a) a private company purchases land, equal to or more than such limits in rural areas or urban areas, as may be prescribed by the appropriate Government, through private negotiations with the owner of the land in accordance with the provisions of section 47;
- (b) a private company requests the appropriate Government for acquisition of a part of an area so prescribed for a public purpose:

PROVIDED that where a private company requests the appropriate Government for partial acquisition of land for public purpose, then, the rehabilitation and resettlement entitlements under the Second Schedule shall be applicable for the entire area which includes the land purchased by the private company and acquired by the Government for the project as a whole.

### 3. Definitions

In this Act, unless the context otherwise requires,—

- (a) “Administrator” means an officer appointed for the purpose of rehabilitation and resettlement of affected families under sub-section (1) of section 43;
- (b) “affected area” means such area as may be notified by the appropriate Government for the purposes of land acquisition;
- (c) “affected family” includes—
  - (i) a family whose land or other immovable property has been acquired;
  - (ii) a family which does not own any land but a member or members of such family may be agricultural labourers, tenants including any form of tenancy or holding of usufruct right, share-croppers or artisans or who may be working in the affected area for three years prior to the acquisition of the land, whose primary source of livelihood stand affected by the acquisition of land;
  - (iii) the Scheduled Tribes and other traditional forest dwellers who have lost any of their forest rights recognised under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 due to acquisition of land;
  - (iv) family whose primary source of livelihood for three years prior to the acquisition of the land is dependent on forests or water bodies and includes gatherers of forest produce, hunters, fisher folk and boatmen and such livelihood is affected due to acquisition of land;
  - (v) a member of the family who has been assigned land by the State Government or the Central Government under any of its schemes and such land is under acquisition;
  - (vi) a family residing on any land in the urban areas for preceding three years or more prior to the acquisition of the land or whose primary

source of livelihood for three years prior to the acquisition of the land is affected by the acquisition of such land;

- (d) "agricultural land" means land used for the purpose of—
  - (i) agriculture or horticulture;
  - (ii) dairy farming, poultry farming, pisciculture, sericulture, seed farming breeding of livestock or nursery growing medicinal herbs;
  - (iii) raising of crops, trees, grass or garden produce; and
  - (iv) land used for the grazing of cattle;
- (e) "appropriate Government" means,—
  - (i) in relation to acquisition of land situated within the territory of a State, the State Government;
  - (ii) in relation to acquisition of land situated within a Union territory (except Puducherry<sup>1</sup>), the Central Government;
  - (iii) in relation to acquisition of land situated within the Union territory of Puducherry<sup>2</sup>, the Government of Union territory of Puducherry<sup>2</sup>;
  - (iv) in relation to acquisition of land for public purpose in more than one State, the Central Government, in consultation with the concerned State Governments or Union territories; and
  - (v) in relation to the acquisition of land for the purpose of the Union as may be specified by notification, the Central Government:  
 PROVIDED that in respect of a public purpose in a District for an area not exceeding such as may be notified by the appropriate Government, the Collector of such District shall be deemed to be the appropriate Government;
- (f) "Authority" means the Land Acquisition and Rehabilitation and Resettlement Authority established under section 51;
- (g) "Collector" means the Collector of a revenue district, and includes a Deputy Commissioner and any officer specially designated by the appropriate Government to perform the functions of a Collector under this Act;
- (h) "Commissioner" means the Commissioner for Rehabilitation and Resettlement appointed under sub-section (1) of section 44;
- (i) "cost of acquisition" includes—
  - (i) amount of compensation which includes solatium, any enhanced compensation ordered by the Land Acquisition and Rehabilitation and Resettlement Authority or the Court and interest payable thereon and any other amount determined as payable to the affected families by such Authority or Court;
  - (ii) demurrage to be paid for damages caused to the land and standing crops in the process of acquisition;
  - (iii) cost of acquisition of land and building for settlement of displaced or adversely affected families;
  - (iv) cost of development of infrastructure and amenities at the resettlement areas;

1 Union territory of Jammu and Kashmir (scope of enforcement): In clause (e), in sub-clause (ii) after "except Puducherry", insert "and Jammu and Kashmir" vide SO 1123(E), dt. 18-3-2020, w.e.f. 18-3-2020.

2 In sub-clause (iii), after "Union territory of Puducherry", insert "and Union territory of Jammu and Kashmir" vide SO 1123(E), dt. 18-3-2020, w.e.f. 18-3-2020.

- (v) cost of rehabilitation and resettlement as determined in accordance with the provisions of this Act;
- (vi) administrative cost,—
  - (A) for acquisition of land, including both in the project site and out of project area lands, not exceeding such percentage of the cost of compensation as may be specified by the appropriate Government;
  - (B) for rehabilitation and resettlement of the owners of the land and other affected families whose land has been acquired or proposed to be acquired or other families affected by such acquisition;
- (vii) cost of undertaking 'Social Impact Assessment study';
- (j) "company" means—
  - (i) a company as defined in section 3 of the Companies Act, 1956, other than a Government company;
  - (ii) a society registered under the Societies Registration Act, 1860 or under any corresponding law for the time being in force in a State;
- (k) "displaced family" means any family, who on account of acquisition of land has to be relocated and resettled from the affected area to the resettlement area;
- (l) "entitled to act", in relation to a person, shall be deemed to include the following persons, namely:—
  - (i) trustees for other persons beneficially interested with reference to any such case, and that to the same extent as the person beneficially interested could have acted if free from disability;
  - (ii) the guardians of minors and the committees or managers of lunatics to the same extent as the minors, lunatics or other persons of unsound mind themselves, if free from disability, could have acted:  
 PROVIDED that the provisions of Order XXXII of the First Schedule to the Code of Civil Procedure, 1908 shall, *mutatis mutandis*, apply in the case of persons interested appearing before a Collector or Authority by a next friend, or by a guardian for the case, in proceedings under this Act; and
- (m) "family" includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on him:  
 PROVIDED that widows, divorcees and women deserted by families shall be considered separate families;  
*Explanation* : An adult of either gender with or without spouse or children or dependents shall be considered as a separate family for the purposes of this Act.
- (n) "holding of land" means the total land held by a person as an owner, occupant or tenant or otherwise;
- (o) "infrastructure project" shall include any one or more of the items specified in clause (b) of sub-section (1) of section 2;
- (p) "land" includes benefits to arise out of land, and things attached to the earth or permanently fastened to anything attached to the earth;
- (q) "landless" means such persons or class of persons who may be,—
  - (i) considered or specified as such under any State law for the time being in force; or

- (ii) in a case of landless not being specified under clause (a), as may be specified by the appropriate Government;
- (r) "land owner" includes any person,—
  - (i) whose name is recorded as the owner of the land or building or part thereof, in the records of the authority concerned; or
  - (ii) any person who is granted forest rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) or under any other law for the time being in force; or
  - (iii) who is entitled to be granted Patta rights on the land under any law of the State including assigned lands; or
  - (iv) any person who has been declared as such by an order of the court or Authority;
- (s) "local authority" includes a town planning authority (by whatever name called) set up under any law for the time being in force, a Panchayat as defined in article 243 and a Municipality as defined in article 243P, of the Constitution;
- (t) "marginal farmer" means a cultivator with an un-irrigated land holding up to one hectare or irrigated land holding up to one-half hectare;
- (u) "market value" means the value of land determined in accordance with section 26;
- (v) "notification" means a notification published in the Gazette of India or, as the case may be, the Gazette of a State and the expression "notify" shall be construed accordingly;
- (w) "patta" shall have the same meaning as assigned to it in the relevant Central or State Acts or rules or regulations made thereunder;
- (x) "person interested" means—
  - (i) all persons claiming an interest in compensation to be made on account of the acquisition of land under this Act;
  - (ii) the Scheduled Tribes and other traditional forest dwellers, who have lost any forest rights recognised under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, (2 of 2007);
  - (iii) a person interested in an easement affecting the land;
  - (iv) persons having tenancy rights under the relevant State laws including share-croppers by whatever name they may be called; and
  - (v) any person whose primary source of livelihood is likely to be adversely affected;
- (y) "prescribed" means prescribed by rules made under this Act;
- (z) "project" means a project for which land is being acquired, irrespective of the number of persons affected;
- (za) "public purpose" means the activities specified under sub-section (1) of section 2;
- (zb) "Requiring Body" means a company, a body corporate, an institution, or any other organisation or person for whom land is to be acquired by the appropriate Government, and includes the appropriate Government, if the acquisition of land is for such Government either for its own use or for

subsequent transfer of such land is for public purpose to a company, body corporate, an institution, or any other organisation, as the case may be, under lease, licence or through any other mode of transfer of land;

- (zc) "Resettlement Area" means an area where the affected families who have been displaced as a result of land acquisition are resettled by the appropriate Government;
- (zd) "Scheduled Areas" means the Scheduled Areas as defined in section 2 of the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (40 of 1996);
- (ze) "small farmer" means a cultivator with an un-irrigated land holding up to two hectares or with an irrigated land holding up to one hectare, but more than the holding of a marginal farmer.

## CHAPTER II

### DETERMINATION OF SOCIAL IMPACT AND PUBLIC PURPOSE

#### A—PRELIMINARY INVESTIGATION FOR DETERMINATION OF SOCIAL IMPACT AND PUBLIC PURPOSE

#### 4. Preparation of Social Impact Assessment Study

(1) Whenever the appropriate Government intends to acquire land for a public purpose, it shall consult the concerned Panchayat, Municipality or Municipal Corporation, as the case may be at village level or ward level, in the affected area and carry out a Social Impact Assessment study in consultation with them, in such manner and from such date as may be specified by such Government by notification.

(2) The notification issued by the appropriate Government for commencement of consultation and of the Social Impact Assessment study under sub-section (1) shall be made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be, and in the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil, and shall be published in the affected areas, in such manner as may be prescribed, and uploaded on the website of the appropriate Government:

PROVIDED that the appropriate Government shall ensure that adequate representation has been given to the representatives of Panchayat, Gram Sabha, Municipality or Municipal Corporation, as the case may be at the stage of carrying out the Social Impact Assessment study:

PROVIDED FURTHER that the appropriate Government shall ensure the completion of the Social Impact Assessment study within a period of six months from the date of its commencement.

(3) The Social Impact Assessment study report referred to in sub-section (1) shall be made available to the public in the manner prescribed under section 6.

(4) The Social Impact Assessment study referred to in sub-section (1) shall, amongst other matters, include all the following, namely:—

- (a) assessment as to whether the proposed acquisition serves public purpose;
- (b) estimation of affected families and the number of families among them likely to be displaced;
- (c) extent of lands, public and private, houses, settlements and other common properties likely to be affected by the proposed acquisition;
- (d) whether the extent of land proposed for acquisition is the absolute bare-minimum extent needed for the project;

- (e) whether land acquisition at an alternate place has been considered and found not feasible;
- (f) study of social impacts of the project, and the nature and cost of addressing them and the impact of these costs on the overall costs of the project vis-a-vis the benefits of the project:

PROVIDED that Environmental Impact Assessment study, if any, shall be carried out simultaneously and shall not be contingent upon the completion of the Social Impact Assessment study.

(5) While undertaking a Social Impact Assessment study under sub-section (1), the appropriate Government shall, amongst other things, take into consideration the impact that the project is likely to have on various components such as livelihood of effected families public and community properties, assets and infrastructure particularly roads, public transport, drainage, sanitation, sources of drinking water, sources of water for cattle, community ponds, grazing land, plantations, public utilities such as post offices, fair price shops, food storage godowns, electricity supply, health care facilities, schools and educational or training facilities, anganwadis, children parks, places of worship, land for traditional tribal institutions and burial and cremation grounds.

(6) The appropriate Government shall require the authority conducting the Social Impact Assessment study to prepare a Social Impact Management Plan, listing the ameliorative measures required to be undertaken for addressing the impact for a specific component referred to in sub-section (5), and such measures shall not be less than what is provided under a scheme or programme, in operation in that area, of the Central Government or, as the case may be, the State Government, in operation in the affected area.

COMMENT

Section 4 provides preparation of Social Impact Assessment Study whenever the appropriate Government intends to acquire land for a public purpose taking into consideration amongst other things, the impact that the project is likely to have on various components such as public and community properties, assets and infrastructure particularly roads, public transport, drainage, sanitation, sources of drinking water, sources of water for cattle, community ponds, grazing land, plantations, public utilities, such as post offices, fair price shops, food storage godowns, electricity supply, health care facilities, schools and educational or training facilities, anganwadis, children parks, places of worship, land for traditional tribal institutions, burial and cremation grounds.

**5. Public hearing for Social Impact Assessment**

Whenever a Social Impact Assessment is required to be prepared under section 4, the appropriate Government shall ensure that a public hearing is held at the affected area, after giving adequate publicity about the date, time and venue for the public hearing, to ascertain the views of the affected families to be recorded and included in the Social Impact Assessment Report.

COMMENT

Section 5 provides public hearing for Social Impact Assessment to ascertain the views of the affected families and to be recorded in the Social Impact Assessment Report.

**6. Publication of Social Impact Assessment study**

(1) The appropriate Government shall ensure that the Social Impact Assessment study report and the Social Impact Management Plan referred to in sub-section (6) of section 4 are prepared and made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be, and the offices of the District Collector, the Sub-Divisional Magistrate and the Teshil, and shall be published in the

affected areas, in such manner as may be prescribed, and uploaded on the website of the appropriate Government.

(2) Wherever Environment Impact Assessment is carried out, a copy of the Social Impact Assessment report shall be made available to the Impact Assessment Agency authorised by the Central Government to carry out environmental impact assessment.

COMMENT

Section 6 provides publication of Social Impact Assessment study in the affected area and its uploading on a website created especially for this purpose.

*B.—APPRAISAL OF SOCIAL IMPACT ASSESSMENT REPORT BY AN EXPERT GROUP*

**7. Appraisal of Social Impact Assessment Report by an Expert Group**

(1) The appropriate Government shall ensure that the Social Impact Assessment report is evaluated by an independent multi-disciplinary Expert Group, as may be constituted by it.

(2) The Expert Group constituted under sub-section (1) shall include the following, namely:—

- (a) two non-official social scientists;
- (b) two representatives of Panchayat, Gram Sabha, Municipality or Municipal Corporation, as the case may be;
- (c) two experts on rehabilitation; and
- (d) a technical expert in the subject relating to the project.

(3) The appropriate Government may nominate a person from amongst the members of the Expert Group as the Chairperson of the Group.

(4) If the Expert Group constituted under sub-section (1), is of the opinion that,—

- (a) the project does not serve any public purpose; or
- (b) the social costs and adverse social impacts of the project outweigh the potential benefits,

it shall make a recommendation within two months from the date of its constitution to the effect that the project shall be abandoned forthwith and no further steps to acquire the land will be initiated in respect of the same:

PROVIDED that the grounds for such recommendation shall be recorded in writing by the Expert Group giving the details and reasons for such decision:

PROVIDED FURTHER that where the appropriate Government, in spite of such recommendations, proceeds with the acquisition, then, it shall ensure that its reasons for doing so are recorded in writing.

(5) If Expert Group constituted under sub-section (1), is of the opinion that,—

- (a) the project will serve any public purpose; and
- (b) the potential benefits outweigh the social costs and adverse social impacts,

it shall make specific recommendations within two months from the date of its constitution whether the extent of land proposed to be acquired is the absolute bare-minimum extent needed for the project and whether there are no other less displacing options available:

PROVIDED that the grounds for such recommendation shall be recorded in writing by the Expert Group giving the details and reasons for such decision.

(6) The recommendations of the Expert Group referred to in sub-sections (4) and (5) shall be made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be and the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil, and shall be published in the affected areas, in such manner as may be prescribed and uploaded on the website of the appropriate Government.

COMMENT

Section 7 provides appraisal of Social Impact Assessment Report by an independent multi-disciplinary expert group. It shall be made available in the local language to the Panchayat, Municipality or Municipal Corporation and the officers of the District Collector, etc. and shall be published in the affected areas, in such manner as may be prescribed.

**8. Examination of proposals for land acquisition and the Social Impact Assessment report by appropriate Government**

(1) The appropriate Government shall ensure that—

- (a) there is a legitimate and *bona fide* public purpose for the proposed acquisition which necessitates the acquisition of the land identified;
- (b) the potential benefits and the public purpose referred to in clause (a) shall outweigh the social costs and adverse social impact as determined by the Social Impact Assessment that has been carried out;
- (c) only the minimum area of land required for the project is proposed to be acquired;
- (d) there is no unutilized land which has been previously acquired in the area;
- (e) the land, if any, acquired earlier remained unutilized, is used for such public purpose and make recommendations in respect thereof.

(2) The appropriate Government shall examine the report of the Collector if any and the report of the Expert Group on the Social Impact Assessment study and after considering all the reports, recommend such area for acquisition which would ensure minimum displacement of people, minimum disturbance to the infrastructure, ecology and minimum adverse impact on the individuals affected.

(3) The decision of the appropriate Government shall be made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be and the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil, and shall be published in the affected areas, in such manner as may be prescribed, and uploaded on the website of the appropriate Government:

PROVIDED that where land is sought to be acquired for the purposes as specified in sub-section (2) of section 2, the appropriate Government shall also ascertain as to whether the prior consent of the affected families as required under the proviso to sub-section (2) of section 2, has been obtained in the manner as may be prescribed.

COMMENT

This section provides that the Appropriate Government after considering all the reports of Expert Group on the Social Impact Assessment study and the Collector, recommend such area for acquisition which would ensure minimum displacement of people, minimum disturbance to the infrastructure, ecology and minimum adverse impact on the individuals affected. The Appropriate Government shall also ascertain as to whether the prior consent of the affected families has been obtained as required u/s 2(2).

**9. Exemption from Social Impact Assessment**

Where land is proposed to be acquired invoking the urgency provisions under section 40, the appropriate Government may exempt undertaking of the Social Impact Assessment study.

**CHAPTER III**

**SPECIAL PROVISION TO SAFEGUARD FOOD SECURITY**

**10. Special provision to safeguard food security**

(1) Save as otherwise provided in sub-section (2), no irrigated multi-cropped land shall be acquired under this Act.

(2) Such land may be acquired subject to the condition that it is being done under exceptional circumstances, as a demonstrable last resort, where the acquisition of the land referred to in sub-section (1) shall, in aggregate for all projects in a district or State, in no case exceed such limits as may be notified by the appropriate Government considering the relevant State specific factors and circumstances.

(3) Whenever multi-crop irrigated land is acquired under sub-section (2), an equivalent area of culturable wasteland shall be developed for agricultural purposes or an amount equivalent to the value of the land acquired shall be deposited with the appropriate Government for investment in agriculture for enhancing food-security.

(4) In a case not falling under sub-section (1), the acquisition of the agricultural land in aggregate for all projects in a district or State, shall in no case exceed such limits of the total net sown area of that district or State, as may be notified by the appropriate Government:

PROVIDED that the provisions of this section shall not apply in the case of projects that are linear in nature such as those relating to railways, highways, major district roads, irrigation canals, power lines and the like.

**COMMENT**

Section 10 provides special provisions to safeguard food security and puts the conditionality in respect of acquisition of irrigated and multi-cropped land.

**CHAPTER IV**

**NOTIFICATION AND ACQUISITION**

**11. Publication of preliminary notification and power of officers thereupon**

(1) Whenever, it appears to the appropriate Government that land in any area is required or likely to be required for any public purpose, a notification (hereinafter referred to as preliminary notification) to that effect along with details of the land to be acquired in rural and urban areas shall be published in the following manner, namely:—

- (a) in the Official Gazette;
- (b) in two daily newspapers circulating in the locality of such area of which one shall be in the regional language;
- (c) in the local language in the Panchayat, Municipality or Municipal Corporation, as the case may be and in the offices of the District Collector, the Sub-divisional Magistrate and the Tehsil;
- (d) uploaded on the website of the appropriate Government;
- (e) in the affected areas, in such manner as may be prescribed.

(2) Immediately after issuance of the notification under sub-section (1), the concerned Gram Sabha or Sabhas at the village level, municipalities in case of municipal areas and the Autonomous Councils in case of the areas referred to in the Sixth Schedule

to the Constitution, shall be informed of the contents of the notification issued under the said sub-section in all cases of land acquisition at a meeting called especially for this purpose.

(3) The notification issued under sub-section (1) shall also contain a statement on the nature of the public purpose involved, reasons necessitating the displacement of affected persons, summary of the Social Impact Assessment Report and particulars of the Administrator appointed for the purposes of rehabilitation and resettlement under section 43.

(4) No person shall make any transaction or cause any transaction of land specified in the preliminary notification or create any encumbrances on such land from the date of publication of such notification till such time as the proceedings under this Chapter are completed:

PROVIDED that the Collector may, on the application made by the owner of the land so notified, exempt in special circumstances to be recorded in writing, such owner from the operation of this sub-section:

PROVIDED FURTHER that any loss or injury suffered by any person due to his willful violation of this provision shall not be made up by the Collector.

(5) After issuance of notice under sub-section (1), the Collector shall, before the issue of a declaration under section 19, undertake and complete the exercise of updating of land records as prescribed within a period of two months.

COMMENT

Section 11 provides publication of preliminary notification along with details of the land to be acquired in rural and urban areas and power of officers thereupon.

**12. Preliminary survey of land and power of officers to carry out survey**

For the purposes of enabling the appropriate Government to determine the extent of land to be acquired, it shall be lawful for any officer, either generally or specially authorised by such Government in this behalf, and for his servants and workmen,—

- (a) to enter upon and survey and take levels of any land in such locality;
- (b) to dig or bore into the sub-soil;
- (c) to do all other acts necessary to ascertain whether the land is adapted for such purpose;
- (d) to set out the boundaries of the land proposed to be taken and the intended line of the work (if any) proposed to be made thereon; and
- (e) to mark such levels, boundaries and line by placing marks and cutting trenches and where otherwise the survey cannot be completed and the levels taken and the boundaries and line marked, to cut down and clear away any part of any standing crop, fence or jungle:

PROVIDED that no act under clauses (a) to (e) in respect of land shall be conducted in the absence of the owner of the land or in the absence of any person authorised in writing by the owner:

PROVIDED FURTHER that the acts specified under the first proviso may be undertaken in the absence of the owner, if the owner has been afforded a reasonable opportunity to be present during the survey, by giving a notice of at least sixty days prior to such survey:

PROVIDED ALSO that no person shall enter into any building or upon any enclosed court or garden attached to a dwelling-house (unless with the consent of the

occupier thereof) without previously giving such occupier at least seven days' notice in writing of his intention to do so.

COMMENT

Section 12 provides preliminary survey of land to be acquired and power of officers to carry out survey.

**13. Payment for damage**

The officer so authorised under section 12 shall at the time of entry under section 12 pay or tender payment for any damage caused, and, in case of dispute as to the sufficiency of the amount so paid or tendered, he shall at once refer the dispute to the decision of the Collector or other chief revenue officer of the district, and such decision shall be final.

**14. Lapse of Social Impact Assessment Report**

Where a preliminary notification under section 11 is not issued within twelve months from the date of appraisal of the Social Impact Assessment report submitted by the Expert Group under section 7, then, such report shall be deemed to have lapsed and a fresh Social Impact Assessment shall be required to be undertaken prior to acquisition proceedings under section 11:

PROVIDED that the appropriate Government, shall have the power to extend the period of twelve months, if in its opinion circumstances exist justifying the same:

PROVIDED FURTHER that any such decision to extend the period shall be recorded in writing and the same shall be notified and be uploaded on the website of the authority concerned.

COMMENT

Section 14 provides lapse of Social Impact Assessment Report in case preliminary notification under Section 11 is not issued within twelve months from the date of appraisal of the Social Impact Assessment report submitted by the Expert Committee. The Appropriate Government is empowered to extend the period of twelve months, if in its opinion circumstances exist justifying the same and the decision of extension shall be recorded in writing and notified.

**15. Hearing of objections**

(1) Any person interested in any land which has been notified under sub-section (1) of section 11, as being required or likely to be required for a public purpose, may within sixty days from the date of the publication of the preliminary notification, object to—

- (a) the area and suitability of land proposed to be acquired;
- (b) justification offered for public purpose;
- (c) the findings of the Social Impact Assessment report.

(2) Every objection under sub-section (1) shall be made to the Collector in writing, and the Collector shall give the objector an opportunity of being heard in person or by any person authorised by him in this behalf or by an Advocate and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of section 11, or make different reports in respect of different parcels of such land, to the appropriate Government, containing his recommendations on the objections, together with the record of the proceedings held by him along with a separate report giving therein the approximate cost of land acquisition, particulars as to the number of affected families likely to be resettled, for the decision of that Government.

(3) The decision of the appropriate Government on the objections made under sub-section (2) shall be final.

COMMENT

Section 15 provides hearing of objections of any person interested in any land which has been notified under section 11(1).

**16. Preparation of Rehabilitation and Resettlement Scheme by the Administrator**

(1) Upon the publication of the preliminary notification under sub-section (1) of section 11 by the Collector, the Administrator for Rehabilitation and Resettlement shall conduct a survey and undertake a census of the affected families, in such manner and within such time as may be prescribed, which shall include—

- (a) particulars of lands and immovable properties being acquired of each affected family;
- (b) livelihoods lost in respect of land losers and landless whose livelihoods are primarily dependent on the lands being acquired;
- (c) a list of public utilities and Government buildings which are affected or likely to be affected, where resettlement of affected families is involved;
- (d) details of the amenities and infrastructural facilities which are affected or likely to be affected, where resettlement of affected families is involved; and
- (e) details of any common property resources being acquired.

(2) The Administrator shall, based on the survey and census under sub-section (1), prepare a draft Rehabilitation and Resettlement Scheme, as prescribed which shall include particulars of the rehabilitation and resettlement entitlements of each land owner and landless whose livelihoods are primarily dependent on the lands being acquired and where resettlement of affected families is involved—

- (i) a list of Government buildings to be provided in the Resettlement Area;
- (ii) details of the public amenities and infrastructural facilities which are to be provided in the Resettlement Area.

(3) The draft Rehabilitation and Resettlement scheme referred to in sub-section (2) shall include time limit for implementing Rehabilitation and Resettlement Scheme.

(4) The draft Rehabilitation and Resettlement scheme referred to in sub-section (2) shall be made known locally by wide publicity in the affected area and discussed in the concerned Gram Sabhas or Municipalities.

(5) A public hearing shall be conducted in such manner as may be prescribed, after giving adequate publicity about the date, time and venue for the public hearing at the affected area:

PROVIDED that in case where an affected area involves more than one Gram Panchayat or Municipality, public hearings shall be conducted in every Gram Sabha and Municipality where more than twenty-five per cent. of land belonging to that Gram Sabha or Municipality is being acquired:

PROVIDED FURTHER that the consultation with the Gram Sabha in Scheduled Areas shall be in accordance with the provisions of the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (40 of 1996).

(6) The Administrator shall, on completion of public hearing submit the draft Scheme for Rehabilitation and Resettlement along with a specific report on the claims and objections raised in the public hearing to the Collector.

COMMENT

Section 16 provides preparation of Rehabilitation and Resettlement Scheme by the Administrator upon the publication of the preliminary notification under section 11(1) by the Collector.

**17. Review of the Rehabilitation and Resettlement Scheme**

(1) The Collector shall review the draft Scheme submitted under sub-section (6) of section 16 by the Administrator with the Rehabilitation and Resettlement Committee at the Project level constituted under section 45.

(2) The Collector shall submit the draft Rehabilitation and Resettlement Scheme with his suggestions to the Commissioner Rehabilitation and Resettlement for approval of the Scheme.

**18. Approved Rehabilitation and Resettlement Scheme to be made public**

The Commissioner shall cause the approved Rehabilitation and Resettlement Scheme to be made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be, and the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil, and shall be published in the affected areas, in such manner as may be prescribed, and uploaded on the website of the appropriate Government.

**19. Publication of declaration and summary of Rehabilitation and Resettlement**

(1) When the appropriate Government is satisfied, after considering the report, if any, made under sub-section (2) of section 15, that any particular land is needed for a public purpose, a declaration shall be made to that effect, along with a declaration of an area identified as the "resettlement area" for the purposes of rehabilitation and resettlement of the affected families, under the hand and seal of a Secretary to such Government or of any other officer duly authorised to certify its orders and different declarations may be made from time to time in respect of different parcels of any land covered by the same preliminary notification irrespective of whether one report or different reports has or have been made (wherever required).

(2) The Collector shall publish a summary of the Rehabilitation and Resettlement Scheme along with draft declaration referred to in sub-section (1):

PROVIDED that no declaration under this sub-section shall be made unless the summary of the Rehabilitation and Resettlement Scheme is published along with such declaration:

PROVIDED FURTHER that no declaration under this sub-section shall be made unless the Requiring Body deposits an amount, in full or part, as may be prescribed by the appropriate Government towards the cost of acquisition of the land:

PROVIDED ALSO that the Requiring Body shall deposit the amount promptly so as to enable the appropriate Government to publish the declaration within a period of twelve months from the date of the publication of preliminary notification under section 11.

(3) In projects where land is acquired in stages, the application for acquisition itself can specify different stages for the rehabilitation and resettlement, and all declarations shall be made according to the stages so specified.

(4) Every declaration referred to in sub-section (1) shall be published in the following manner, namely:—

- (a) in the Official Gazette;

- (b) in two daily newspapers being circulated in the locality, of such area of which one shall be in the regional language;
  - (c) in the local language in the Panchayat, Municipality or Municipal Corporation, as the case may be, and in the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil;
  - (d) uploaded on the website of the appropriate Government;
  - (e) in the affected areas, in such manner as may be prescribed.
- (5) Every declaration referred to in sub-section (1) shall indicate,—
- (a) the district or other territorial division in which the land is situated;
  - (b) the purpose for which it is needed, its approximate area; and
  - (c) where a plan shall have been made for the land, the place at which such plan may be inspected without any cost.

(6) The declaration referred to in sub-section (1) shall be conclusive evidence that the land is required for a public purpose and, after making such declaration, the appropriate Government may acquire the land in such manner as specified under this Act.

(7) Where no declaration is made under sub-section (1) within twelve months from the date of preliminary notification, then such notification shall be deemed to have been rescinded:

PROVIDED that in computing the period referred to in this sub-section, any period or periods during which the proceedings for the acquisition of the land were held up on account of any stay or injunction by the order of any Court shall be excluded:

PROVIDED FURTHER that the appropriate Government shall have the power to extend the period of twelve months, if in its opinion circumstances exist justifying the same:

PROVIDED ALSO that any such decision to extend the period shall be recorded in writing and the same shall be notified and be uploaded on the website of the authority concerned.

#### COMMENT

Section 19 provides about publication of declaration and summary of Rehabilitation and Resettlement. After considering the report u/s 15(2), if appropriate Govt. satisfies that any land is needed for a public purpose, a declaration shall be made to that effect and published in the manner prescribed.

#### **20. Land to be marked out, measured and planned including marking of specific areas**

The Collector shall thereupon cause the land, unless it has been already marked out under section 12, to be marked out and measured, and if no plan has been made thereof, a plan to be made of the same.

#### **21. Notice to persons interested**

(1) The Collector shall publish the public notice on his website and cause public notice to be given at convenient places on or near the land to be taken, stating that the Government intends to take possession of the land, and that claims to compensations and rehabilitation and resettlement for all interests in such land may be made to him.

(2) The public notice referred to in sub-section (1) shall state the particulars of the land so needed, and require all persons interested in the land to appear personally or by agent or advocate before the Collector at a time and place mentioned in the public notice not being less than thirty days and not more than six months after the date of

publication of the notice, and to state the nature of their respective interests in the land and the amount and particulars of their claims to compensation for such interests, their claims to rehabilitation and resettlement along with their objections, if any, to the measurements made under section 20.

(3) The Collector may in any case require such statement referred to in sub-section (2) to be made in writing and signed by the party or his agent.

(4) The Collector shall also serve notice to the same effect on the occupier, if any, of such land and on all such persons known or believed to be interested therein, be entitled to act for persons so interested, as reside or have agents authorised to receive service on their behalf, within the revenue district in which the land is situate.

(5) In case any person so interested resides elsewhere, and has no such agent, the Collector shall ensure that the notice shall be sent to him by post in letter addressed to him at his last known residence, address of place or business and also publish the same in at least two national daily newspapers and also on his website.

COMMENT

Section 21 provides issuing public notice by the Collector in the manner prescribed to persons interested in the land to appear personally or by agent or pleader before the Collector at a time and place mentioned in the public notice stating therein that the Government intends to take possession of the land and that claims to compensation and rehabilitation and re-settlement for all interests in such land may apply to the Collector.

**22. Power to require and enforce the making of statements as to names and interests**

(1) The Collector may also require any such person to make or deliver to him, at a time and place mentioned (such time not being less than thirty days after the date of the requisition), a statement containing, so far as may be practicable, the name of every other person possessing any interest in the land or any part thereof as co-proprietor, sub-proprietor, mortgagee, tenant or otherwise, and of the nature of such interest, and of the rents and profits, if any, received or receivable on account thereof for three years next preceding the date of the statement.

(2) Every person required to make or deliver a statement under this section shall be deemed to be legally bound to do so within the meaning of sections 175 and 176 of the Indian Penal Code (45 of 1860).

**23. Enquiry and land acquisition award by Collector**

On the day so fixed, or on any other day to which the enquiry has been adjourned, the Collector shall proceed to enquire into the objections (if any) which any person interested has stated pursuant to a notice given under section 21, to the measurements made under section 20, and into the value of the land at the date of the publication of the notification, and into the respective interests of the persons claiming the compensation and rehabilitation and resettlement, shall make an award under his hand of—

- (a) the true area of the land;
- (b) the compensation as determined under section 27 along with Rehabilitation and Resettlement award as determined under section 31 and which in his opinion should be allowed for the land; and
- (c) the apportionment of the said compensation among all the persons known or believed to be interested in the land, or whom, or of whose claims, he has information, whether or not they have respectively appeared before him.

**24. Land acquisition process under Act No. 1 of 1894 shall be deemed to have lapsed in certain cases**

(1) Notwithstanding anything contained in this Act, in any case of land acquisition proceedings initiated under the Land Acquisition Act, 1894 (1 of 1894)—

- (a) where no award under section 11 of the said Land Acquisition Act has been made, then, all provisions of this Act relating to the determination of compensation shall apply; or
- (b) where an award under said section 11 has been made, then such proceedings shall continue under the provisions of the said Land Acquisition Act, as if the said Act has not been repealed.

(2) Notwithstanding anything contained in sub-section (1), in case of land acquisition proceedings initiated under the Land Acquisition Act, 1894 (1 of 1894), where an award under the said section 11 has been made five years or more prior to the commencement of this Act but the physical possession of the land has not been taken or the compensation has not been paid the said proceedings shall be deemed to have lapsed and the appropriate Government, if it so chooses, shall initiate the proceedings of such land acquisition afresh in accordance with the provisions of this Act:

PROVIDED that where an award has been made and compensation in respect of a majority of land holdings has not been deposited in the account of the beneficiaries, then, all beneficiaries specified in the notification for acquisition under section 4 of the said Land Acquisition Act, shall be entitled to compensation in accordance with the provisions of this Act.

COMMENT

This section provides land acquisition process under the repealed Land Acquisition Act, 1894 shall be deemed to have lapsed in certain cases where award has not been made and possession of land has not been taken before the commencement of this Act. This section also provides that where an award has been made and compensation in respect of majority of land holdings has not been deposited in the account of the beneficiaries, then, all the beneficiaries specified in the notification for acquisition u/s 4 of that Act shall be entitled to compensation in accordance with the provisions of this Act.

**25. Period within which an award shall be made**

The Collector shall make an award within a period of twelve months from the date of publication of the declaration under section 19 and if no award is made within that period, the entire proceedings for the acquisition of the land shall lapse:

PROVIDED that the appropriate Government shall have the power to extend the period of twelve months if in its opinion, circumstances exist justifying the same:

PROVIDED FURTHER that any such decision to extend the period shall be recorded in writing and the same shall be notified and be uploaded on the website of the authority concerned.

COMMENT

The period of 12 months from the date of publication of the declaration u/s 19 has been prescribed in this Act which may be extended by the appropriate Government if in its opinion, circumstances exist justifying the same.

**26. Determination of market value of land by Collector**

(1) The Collector shall adopt the following criteria in assessing and determining the market value of the land, namely:—

- (a) the market value, if any, specified in the Indian Stamp Act, 1899 (2 of 1899), for the registration of sale deeds or agreements to sell, as the case may be, in the area, where the land is situated; or
- (b) the average sale price for similar type of land situated in the nearest village or nearest vicinity area; or
- (c) consented amount of compensation as agreed upon under sub-section (2) of section 2 in case of acquisition of lands for private companies or for public private partnership projects,

whichever is higher:

PROVIDED that the date for determination of market value shall be the date on which the notification has been issued under section 11.

*Explanation 1* : The average sale price referred to in clause (b) shall be determined taking into account the sale deeds or the agreements to sell registered for similar type of area in the near village or near vicinity area during immediately preceding three years of the year in which such acquisition of land is proposed to be made.

*Explanation 2* : For determining the average sale price referred to in Explanation 1, one-half of the total number of sale deeds or the agreements to sell in which the highest sale price has been mentioned shall be taken into account.

*Explanation 3* : While determining the market value under this section and the average sale price referred to in Explanation 1 or Explanation 2, any price paid as compensation for land acquired under the provisions of this Act on an earlier occasion in the district shall not be taken into consideration.

*Explanation 4* : While determining the market value under this section and the average sale price referred to in Explanation 1 or Explanation 2, any price paid, which in the opinion of the Collector is not indicative of actual prevailing market value may be discounted for the purposes of calculating market value.

(2) The market value calculated as per sub-section (1) shall be multiplied by a factor to be specified in the First Schedule.

(3) Where the market value under sub-section (1) or sub-section (2) cannot be determined for the reason that—

- (a) the land is situated in such area where the transactions in land are restricted by or under any other law for the time being in force in that area; or
- (b) the registered sale deeds or agreements to sell as mentioned in clause (a) of sub-section (1) for similar land are not available for the immediately preceding three years; or
- (c) the market value has not been specified under the Indian Stamp Act, 1899 by the appropriate authority,

the State Government concerned shall specify the floor price or minimum price per unit area of the said land based on the price calculated in the manner specified in sub-section (1) in respect of similar types of land situated in the immediate adjoining areas:

PROVIDED that in a case where the Requiring Body offers its shares to the owners of the lands (whose lands have been acquired) as a part compensation, for acquisition of land, such shares in no case shall exceed twenty-five per cent. of the value so calculated under sub-section (1) or sub-section (2) or sub-section (3), as the case may be:

PROVIDED FURTHER that the Requiring Body shall in no case compel any owner of the land (whose land has been acquired) to take its shares, the value of which is deductible in the value of the land calculated under sub-section (1):

PROVIDED ALSO that the Collector shall, before initiation of any land acquisition proceedings in any area, take all necessary steps to revise and update the market value of the land on the basis of the prevalent market rate in that area:

PROVIDED ALSO that the appropriate Government shall ensure that the market value determined for acquisition of any land or property of an educational institution established and administered by a religious or linguistic minority shall be such as would not restrict or abrogate the right to establish and administer educational institutions of their choice.

COMMENT

The Collector has to adopt certain criteria in assessing and determining the market value of land, as (i) the market value, specified in the Indian Stamp Act, 1899, (ii) the average sale price for similar type of land situated in the nearest village, and (iii) consented amount of compensation as agreed upon u/s 2(2).

**27. Determination of amount of compensation**

The Collector having determined the market value of the land to be acquired shall calculate the total amount of compensation to be paid to the land owner (whose land has been acquired) by including all assets attached to the land.

**28. Parameters to be considered by Collector in determination of award**

In determining the amount of compensation to be awarded for land acquired under this Act, the Collector shall take into consideration—

*firstly*, the market value as determined under section 26 and the award amount in accordance with the First and Second Schedules;

*secondly*, the damage sustained by the person interested, by reason of the taking of any standing crops and trees which may be on the land at the time of the Collector's taking possession thereof;

*thirdly*, the damage (if any) sustained by the person interested, at the time of the Collector's taking possession of the land, by reason of severing such land from his other land;

*fourthly*, the damage (if any) sustained by the person interested, at the time of the Collector's taking possession of the land, by reason of the acquisition injuriously affecting his other property, movable or immovable, in any other manner, or his earnings;

*fifthly*, in consequence of the acquisition of the land by the Collector, the person interested is compelled to change his residence or place of business, the reasonable expenses (if any) incidental to such change;

*sixthly*, the damage (if any) *bona fide* resulting from diminution of the profits of the land between the time of the publication of the declaration under section 19 and the time of the Collector's taking possession of the land; and

*seventhly*, any other ground which may be in the interest of equity, justice and beneficial to the affected families.

**29. Determination of value of things attached to land or building**

(1) The Collector in determining the market value of the building and other immovable property or assets attached to the land or building which are to be acquired, use the services of a competent engineer or any other specialist in the relevant field, as may be considered necessary by him.

(2) The Collector for the purpose of determining the value of trees and plants attached to the land acquired, use the services of experienced persons in the field of

agriculture, forestry, horticulture, sericulture, or any other field, as may be considered necessary by him.

(3) The Collector for the purpose of assessing the value of the standing crops damaged during the process of land acquisition, may use the services of experienced persons in the field of agriculture as may be considered necessary by him.

**30. Award of solatium**

(1) The Collector having determined the total compensation to be paid, shall, to arrive at the final award, impose a "Solatium" amount equivalent to one hundred per cent. of the compensation amount.

*Explanation :* For the removal of doubts it is hereby declared that solatium amount shall be in addition to the compensation payable to any person whose land has been acquired.

(2) The Collector shall issue individual awards detailing the particulars of compensation payable and the details of payment of the compensation as specified in the First Schedule.

(3) In addition to the market value of the land provided under section 26, the Collector shall, in every case, award an amount calculated at the rate of twelve per cent. per annum on such market value for the period commencing on and from the date of the publication of the notification of the Social Impact Assessment study under sub-section (2) of section 4, in respect of such land, till the date of the award of the Collector or the date of taking possession of the land, whichever is earlier.

**CHAPTER V**

**REHABILITATION AND RESETTLEMENT AWARD**

**31. Rehabilitation and Resettlement award for affected families by Collector**

(1) The Collector shall pass Rehabilitation and Resettlement Awards for each affected family in terms of the entitlements provided in the Second Schedule.

(2) The Rehabilitation and Resettlement Award shall include all of the following, namely:—

- (a) rehabilitation and resettlement amount payable to the family;
- (b) bank account number of the person to which the rehabilitation and resettlement award amount is to be transferred;
- (c) particulars of house site and house to be allotted, in case of displaced families;
- (d) particulars of land allotted to the displaced families;
- (e) particulars of one time subsistence allowance and transportation allowance in case of displaced families;
- (f) particulars of payment for cattle shed and petty shops;
- (g) particulars of one-time amount to artisans and small traders;
- (h) details of mandatory employment to be provided to the members of the affected families;
- (i) particulars of any fishing rights that may be involved;
- (j) particulars of annuity and other entitlements to be provided;
- (k) particulars of special provisions for the Scheduled Castes and the Scheduled Tribes to be provided:

PROVIDED that in case any of the matters specified under clauses (a) to (k) are not applicable to any affected family the same shall be indicated as "not applicable":