SOCIAL IMPACT ASSESSMENT OF LAND ACQUISITION FROM CHUNDALE VILLAGE FOR WAYANADU MEDICAL COLLEGE

DRAFT REPORT

Centre for Management Development
Thiruvananthapuram
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CHAPTER 1

PROJECT DESCRIPTION

Background

1.1 The term development defines a process that creates growth and progress in terms of the quality of human life, with respect to its physical, economic, environmental and social components. However, the process also brings ever increasing impact, leading to adverse changes in environmental conditions, human health and social conditions. In order to ascertain the impacts due to the implementation of the development projects, impact assessments form significant tools to provide a rational approach and to devise strategies for the mitigation of the adverse effects.

1.2 Social Impact Assessment (SIA) is a process of assessing, in advance, the social changes that are likely to result from the implementation of various projects, and forms an important tool to foresee and assess the social repercussions and the negative impacts, that are likely to follow, and forms an aid to the decision making regarding the mitigation of negative impacts. It also helps in the mapping of the affected people and coordinates the participation of all concerned stakeholders. In order to assess all the probable impacts, the assessment is carried out at household, community, village/LSGI and area levels, thus forming a strong foundation for the Resettlement (and Rehabilitation) Action Plan (RAP).

1.3 It has been the long-standing demand of the people of Wayanad to establish a Government Medical College so that tertiary care facilities are affordable to people. Establishment of such institutions will enhance the healthcare facilities of the state.

1.4 In line with the construction Medical College in Wayanad district, the Government of Kerala (GoK) had decided to acquire 50 acres of land from Chundale Village of
Vythiri Taluk in Wayanadu District. The project is intended for the betterment of health infrastructure in the state.

Rationale for the Study

1.5 The proposed project aims to construct Medical College in Wayanad. The Government of Kerala (GoK) had decided to acquire of land from Chundale Village of Vythiri Taluk in Wayanadu District in this backdrop. Establishment of such institutions will enhance the healthcare facilities of the state.

1.6 As part of the decision to construct Wayanad Medical College, the Government of Kerala had accorded administrative sanction to acquire a total area of 50 acres of land from Chundale Village of Vythiri Taluk in Wayanadu District. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013, enacted by the Government of India, has mandated the conduct of Social Impact Assessment study prior to the land acquisition. In this context, the District Collector, Wayanad had invited proposals vide letter no. DCWYD/2197/2019-B2 dated 29-08-2019 for conducting the Social Impact Assessment for acquisition of 50 acres of land from Chundale Village of Vythiri Taluk in Wayanadu District.

Details of the Project Area

1.7 The land to be acquired is spread over an area of 50 acres of land from Chundale Village of Vythiri Taluk in Wayanadu District. The plots identified for the project is used for agricultural purposes.

Table 1.1: Extent of Land to be Acquired

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Village</th>
<th>Survey Numbers</th>
<th>Extent (in acres)</th>
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<td>1.</td>
<td>Chundale</td>
<td>34/2, 35/1</td>
<td>50</td>
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</table>
Fig. 1.1: Photographs of Project Area
Examination of Alternatives

1.8 For the proposed project, initially 50.12 acres of land from survey numbers 228, 229, 224/1 in Kottathara Village of Vythiri Taluk in Wayanad district was considered. However, this land has later avoided from being acquired as the land comes under Western Ghats.

Applicable Legislation

1.9 The land acquisition for the proposed project is governed by the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013, and its amendments and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Kerala) Rules, 2015.
CHAPTER 2

APPROACH AND METHODOLOGY

Background

2.1 The Government of Kerala (GoK) had accorded administrative sanction to acquire a total area of 50 acres of land from Chundale Village of Vythiri Taluk in Wayanadu District, in connection with the decision for the construction of Wayanad Medical College. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCLARR) Act, 2013, enacted by the Government of India, has mandated the conduct of Social Impact Assessment study prior to the land acquisition. Govt. of Kerala has accorded administrative sanction vide G. O. (P) No. 59/2019/RD dated 27/09/2019 to the Centre for Management Development, Thiruvananthapuram to conduct SIA in this regard and to prepare a Social Management Plan for the same.

Team Composition

2.2 The details of the team members involved in the SIA study are given in Annexure III.

Objectives of the Study

2.3 The broad objective of Social Impact Assessment (SIA) was to ensure that the project design and implementation is socially acceptable and will cause only minimum negative impact to the affected area and people who have relation with area. The SIA study identifies the social and economic impacts of proposed land acquisition, for the construction of Wayanad Medical College in Chundale Village of Wayanad District, on people and communities affected, besides designing a Management Plan as mitigation measure.
2.4 The specific objectives of the study are:

- To build trust and cooperation among inhabitants of the affected area in the implementation of project,
- To identify the families/people, community structures and common properties anticipated to be affected by the land acquisition,
- To make an assessment of the socio-economic conditions of the people who will be affected by the project,
- To determine the anticipated impact of project on people in terms of socio-economic aspect, and
- To develop a Social Impact Management Plan indicating measures to mitigate the impact.

Study Approach

2.5 An inclusive and participatory approach through involvement of multiple stakeholders such as elected representatives and project affected people including vulnerable sections such as Scheduled Castes, Scheduled Tribes, women, and those below poverty line, at appropriate stages of the project.

Methodology and Data Collection

Methods and Tools

2.6 Qualitative information was gathered along with the field survey through public consultation/Focus Group Discussions (FGDs) with all relevant stakeholders. The public consultation encompassed the project components as well as its socio-economic impacts. The SIA team had preliminary discussions with the key officials of the district administration and gathered information regarding the status of the government procedures, the project area and intensity of the acquisition. The team also made a preliminary site visit with the officials for physical inspection and information dissemination purposes. The existing conditions of land, status of
infrastructure/structures, land use pattern and the facilities available to people residing in the project area were analysed.

2.7 The quantitative information regarding the families affected by the project was collected through household surveys, in the form of filled in structured questionnaires. The survey was completed in all the households of the persons affected by the project. The groups of affected people and families were considered for the study. The results of the survey provided information pertaining to the demography, socio-economic status and livelihood status of the target community, and formed the basis for development of Social Impact Management Plan.

Public Hearing

2.8 In accordance with the Section 5 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, a Public Hearing will be conducted to collect the views and opinions of the people affected by the project. Prior intimation will be given to all the stakeholders regarding the date and venue of the public hearing through advertisements in leading newspapers, individual letters and/or over telephone.
CHAPTER 3

PROFILE OF THE PROJECT AREA

Introduction

3.1 The proposed project of constructing Wayanad Medical College will require 50 acres of land from Chundale Village of Vythiri Taluk in Wayanad District. The land is mainly used for agricultural purposes. The land is owned by Roman Catholic Diocese of Calicut. This chapter discusses the characteristics of the land to be acquired for the proposed project.

Land Requirement for the Project

3.2 In order to complete the construction of Wayanad Medical College, 50 acres of land have to be acquired from Wayanad district. The table showing the survey numbers and extent of plots to be acquired for the proposed project is given in Annexure-I.

Nature of Land and Usage Pattern

3.3 The 50 acres of land considered for the proposed acquisition is a part of Chelod estate in wayanadu District owned by Roman Catholic Diocese of Calicut. The land is mainly used for coffee cultivation. About 640 coffee plants per acre were planted in the total area of 50 acres of land, which comes under the project. In addition to this, several other trees including Casuarina trees (Kattadi), Rose Wood trees, Wild Jack trees (Anjili), Guava trees and some other trees are also included in the project area. Together, these plants provide a salubrious ecosystem and income to both the owners and labourers.

Ownership Pattern, Land Distribution and Number of Residential Houses

3.4 The 50 acres of land in need for acquisition for the proposed project are owned by Roman Catholic Diocese of Calicut. The list of land holders and the extent of holdings with survey numbers is given in the Annexure-I.
Residential Houses and Structures

3.5 No residential houses or structures have been identified within the project area.
CHAPTER 4

ESTIMATION AND ENUMERATION

Introduction

4.1 The proposed project of constructing Wayanad Medical College requires acquisition of a total of 50 acres of land from Chundale Village of Vythiri Taluk in Wayanadu District. The acquisition of land has direct or indirect impact on the people. This chapter discusses about an estimation of units affected by the proposed project.

Estimation of properties and families affected

4.2 Property area of 50 acres that comes under the purview of SIA study is fully affected by the proposed project. The land is spread over two survey numbers, owned by Roman Catholic Diocese of Calicut. Acquisition of this land for the project area will affect the owners of the property in terms of deduction in land asset. The proposed area for acquisition is a part of coffee plantation estate. So, the workers who are currently employed in this area may suffer from job losses.

Ownership of the land

4.3 The area to be acquired for the proposed project accounts to 50 acres and is owned by Roman Catholic Diocese of Calicut.

Vulnerable groups affected

4.4 The land is owned by Roman Catholic Diocese of Calicut. The Roman Catholic Diocese of Calicut is a Suffragan Diocese Latin Rite in Ecclesiastical province of Verapoly in Kerala.

Residences or structures affected

4.5 No residence or structures are affected by this project.

Direct and Indirect impact
4.6 A part of properties belonging to Roman Catholic Diocese of Calicut will lost on acquisition. Loss in terms of reduced land assets is observed to happen on acquisition. In addition to that loss of income for the owners of the land will be a direct impact of the acquisition and loss of livelihood for the employees who are employed in the land will be an indirect impact.

Inventory of assets

4.7 Property of Roman Catholic Diocese of Calicut will be affected on acquisition. However, the land in consideration for the acquisition does not include any structures.

Concerns raised during field survey

- About 170 people are employed in Chelod estate
- The 50 acres of land which is considered to be acquired is situated closely to National Highway.
- The land is mainly used for coffee plantation and other kinds of trees are also included in this land.
- During the rainy season, natural water bodies will be formed in the field. So, this should be preserved.
- Fair compensation should be provided, no other objections regarding this acquisition.
CHAPTER 5
SOCIO-ECONOMIC AND CULTURAL PROFILE

Introduction

5.1 Establishing the baseline conditions is essential for describing the receiving environment, the status quo and for identifying and predicting potential impacts. An accurate baseline condition is essential to extrapolate prediction of change in relation to the frame of reference.

5.2 The Social Impact Assessment unit, in compliance with section 7 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules 2015 (Amendment), conducted the socio-economic survey and collected relevant data on socio-economic condition of the project affected population including family details, demographic information on social classification, education and occupation of family members, total family income from all sources, identification of vulnerability, key issues likely to be faced with regards to land acquisition and compensation, quantification and classification of people impacted by the project and the relevant strategies for minimizing impact on current land usage activities or cultural heritage. This chapter provides a summary of the baseline information on the findings of the socio-economic survey.

Demographic Profile of Proposed Area

5.3 The survey was targeted to cover all the identified properties with a representation of cent percent from the directly affected people who have place of residence or holds ownership over land in the project area. Information related to various socio-economic aspects was gathered from the representatives of each household and concerned authorities of establishments. Detailed and relevant baseline information on affected population is discussed.
Social Profile

Religion

5.4 The land in consideration for the acquisition is presently owned by Roman Catholic Diocese of Calicut.

Age and gender of the affected people

5.5 The land in consideration for the acquisition is presently owned by Roman Catholic Diocese of Calicut.

Sources of Income

5.8 Income is derived from the coffee plantations in the land. The employees are also getting income by working in these fields.

Place of Stay

5.9 No residential properties are observed within the 50 acres of land which is considered to be acquired for the construction of Wayanad Medical College.
CHAPTER 6

SOCIAL IMPACT MANAGEMENT PLAN

Background

6.1 In compliance with Section 4 of The Right to Fair Compensation and Transparency in Land Acquisition, Resettlement and Rehabilitation Act of 2013, the present social impact assessment was undertaken by Centre for Management Development, Thiruvananthapuram for the land acquisition for the construction Wayanad Medical College in Chundale Village of Vythiri Taluk in Wayanadu District. The study was conducted with the objective of assessing the socio-economic impacts of the proposed land acquisition and preparing a Social Impact Management Plan. This chapter discusses the identified impacts of land acquisition and the recommended mitigation measures.

Approach to Mitigation

6.2 The CMD team made use of a combination of two research approaches i.e., quantitative and qualitative, for the identification of various social impact and the mitigation measures. Adoption of a combination of both qualitative and quantitative methodology was intended to obtain a more comprehensive data and more holistic result without excluding any important area of assessment.

Social Impact

6.3 A total area of 50 acres of land has to be acquired for the proposed project, from two survey numbers. Information collected through structured questionnaires revealed that the respondents were unanimous in welcoming the project. However, they also expressed various concerns regarding the land acquisition as well as implementation of the project. The identified impacts are discussed below:
Negative impacts

6.4 The land being acquired for the construction of Wayanad Medical College is mainly used for agricultural practices. The acquisition will not affect any structures. However, loss of land and agriculture is observed. The identified negative impacts of the proposed land acquisition are as follows:

*Impact on livelihood*

6.5 The acquisition may have an impact on the livelihood of the people who are currently employed in the estate.

*Impact on land*

6.6 The area identified for the proposed project is mainly used for agriculture. Coffee plantation is the main cultivation in the area. About 640 coffee plants per acre were planted in the total area of 50 acres of land, which comes under the project. In addition to this, several other trees including Casuarina trees (Kattadi), Guava trees, Wild Jack trees (Anjili), Rose Wood trees and some other trees are also included in the project area. Together, these plants provide a salubrious ecosystem and income to both the owners and labourers. So, the land acquisition for the proposed project of constructing Wayanad Medical College should be completed without causing much damages to the natural resources and livelihood of people.

*Impact on Common Property Resources*

6.7 The land in consideration for the proposed acquisition is owned by Roman Catholic Diocese of Calicut.

*Displacement*

6.8 No residential structures are affected on acquisition. So, displacement of people is not required in this acquisition.


Positive impacts

6.9 The positive impacts that will result from the construction of Wayanad Medical College include:

a) Better public health infrastructure in the district as well as state and thereby build the capacity to prevent disease, promote health, and prepare for and respond to both acute (emergency) threats and chronic (ongoing) challenges to health.

Impact Mitigation/Management Plan

6.10 Based on the desk research, field investigations and consultations undertaken during the Social Impact Assessment study towards upgradation of Wayanad Medical College in the district of Wayanadu, the following Social Impact Mitigation Plan has been developed to mitigate negative social impacts that may arise from project completion. The responsibility for the incorporation of mitigation measures for the project implementation lies with the district administration and the proponent. This mitigation plan is devised to reduce negative social impacts associated with the acquisition of 50 acres of land from Chundale Village of Vythiri Taluk in Wayanadu District. Following are the measures suggested.

Economic Measures

6.11 The most significant social impact through the implementation of the project at the present location is the loss of land, agriculture, livelihood and income. Loss of these assets due to acquisition of land for the development of Wayanad Medical Colleges hould be compensated, as mandated by the Act under sections 26-31 and which are listed in the first schedule of the Act, for these stakeholders.

Rehabilitation Measures

6.12 Since residential structures are not affected rehabilitation is not needed.
Measures to Avoid, Mitigate and Compensate

Mitigation Measures

6.13 The proponent should ensure that a proper mechanism is in place to solve public grievances. A public redressal mechanism should be designed at the project site to address the concerns of the indirectly affected population (if any) during the implementation stage of the project.

6.14 Comparing/weighing the positive against the negative impacts, it can be observed that, the implementation of the project will result in higher efficiency of the public health system in in the district as well as the state. Thus, it can be concluded that the former outweighs the latter reaffirming the identified site as a suitable and apt one for the construction of Wayanad Medical College. The negative impact on, physical resources, public facilities or culture is comparatively lesser in relation. However, it is important that the authorities should ensure that the natural resources such as water bodies, agriculture, trees and other plants shouldn’t be affected during any of the stage of the project. The requiring body should also maintain the project area and the surroundings without making any kind of pollution or disturbances to the people and environment. Overall, it is observed that many of the negative impacts highlighted in this chapter can be minimized or reduced with effective and relevant mitigation measures and strategies mentioned.

Institutional Framework

6.15 Following the desk studies, field investigations and public consultations undertaken in this study, a Social Impact Mitigation Plan has subsequently been
developed. The plan provides a general outlay of the social aspects, potential impacts and mitigation measures. The responsibility for the incorporation of mitigation measures for the project implementation lies with the Institutional Framework and Key persons designated by the Government for the said purpose in accordance with the Sub-section [1] of section 44 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013).

6.16 The State Government as per G.O.(P) No. 470/2015/RD dated 19/09/2015 has approved Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Kerala) Rules, 2015. Section 108 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 provides for framing a state law/policy which provides higher compensation than that calculated under this Act for the acquisition of land so that the affected person or his family or member of his family can opt to avail such a higher compensation under such state policy.

Institutional Structures & Key persons

6.17 The Government of Kerala has set up a well-established institutional framework for the implementation of social impact mitigation/management plan and to perform the functions under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013. The Kerala State Policy for Compensation and Transparency in Land Acquisition published as per G.O. (Ms) No.485/2015/RD, dated 23/09/2015 constituted a State level Empowered Committee with its members as Chief Secretary, Revenue Secretary, Secretary of the Administrative department, Law secretary and Finance Secretary to perform the functions designated to them in relation to RFCTLARR.

6.18 As per the same policy, at the district level a Fair Compensation, Rehabilitation and Resettlement Committee with its members as District Collector, Administrator for resettlement and rehabilitation, Land Acquisition Officer, Finance Officer,
Representatives of the requiring body to take financial decisions on its behalf and Representatives of Local Self-Government Institutions has been set up to undertake various functions under the Act. The Administrator in the committee appointed in line with sub-section (I) of section 43 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act.

6.19 The Administrator in the committee appointed in line with sub-section (I) of section 43 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Central Act 30 of 2013), is responsible for the rehabilitation and resettlement formulation, execution and monitoring of the rehabilitation and resettlement scheme in respect of land acquisition. Government of Kerala as per G.O. (P) No. 590/2015/RD dated 11 November 2015 has appointed the Deputy Collector (Land Acquisition) in each District as the Administrator for rehabilitation and resettlement for performing the functions under the said Act and rules made there under in respect of the persons who are involuntarily displaced due to acquisition of land. Besides, as per G.O. (P) No. 589/2015/RD dated 11 November 2015, has appointed the Land Revenue Commissioner as the Commissioner for Rehabilitation and Resettlement in accordance with sub-section (1) of section 44 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013), for supervising the formulation of Rehabilitation and Resettlement scheme or plans, proper implementation of the same and to carry out post-implementation of social audit.

6.20 At the district level, the Government of Kerala in exercise of the powers conferred by clause (g) of Section 3 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013), r/w sub-rule (I) of rule 3 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Kerala) Rules, 2015 has appointed Special Tehsildar LA & Deputy Collector LA Wayanad to perform any
one or more functions of a Collector under the said Act within the area specified in column (3) thereof and authorize them, their servants and workmen to exercise the powers conferred by section 12 in respect of any land within their respective jurisdiction for the acquisition of which a notification under sub-section (1) section II of the above Act. The district level committee is mandated to ensure finalization of Fair compensation; appropriate Resettlement and Rehabilitation package and Mitigation measure; and its proper implementation from the construction phase onwards.

Monitoring and Evaluation

6.21 Monitoring is a long-term process, which should begin from the start of the project of construction of Wayanad Medical College and should continue throughout the life of the project. Its purpose is to establish benchmarks so that the nature and magnitude of anticipated social impacts can be continually assessed. Monitoring involves the continuous or periodic review to determine the effectiveness of recommended mitigation measures. The types of parameters that can be monitored may include mitigation measures or design features, or actual impacts.

6.22 However, other parameters, particularly those related to socio-economic and ecological issues can only be effectively assessed over a more prolonged period of say 3 to 5 years. The Government of Kerala in accordance with the State Policy for Compensation and Transparency in Land Acquisition, framed in connection with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013), has established district and state level mechanisms for reporting and monitoring the land acquisition process and the implementation of various social mitigation measures. It includes the following:

6.23 At the state level as per G. O. (P) M. 589/2015/RD dated 11 November 2015, the Land Revenue Commissioner appointed as the Commissioner for Rehabilitation and Resettlement in accordance with sub-section (1) of section 44 of the Right to
Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013), is responsible for supervising the formulation of Rehabilitation and Resettlement scheme or plans, proper implementation of the same and to carry out post-implementation of social audit.

6.24 At the district level, the Administrator appointed in line with sub-section() of section 43 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Central Act 30 of 2013), is responsible for the rehabilitation and resettlement formulation, execution and monitoring of the rehabilitation and resettlement scheme in respect of land acquisition. Besides, the Fair Compensation, Rehabilitation and Resettlement Committee at the District level and State Level Empowered Committee is authorized to ensure finalization, implementation and monitoring of the compensation, rehabilitation & resettlement package and mitigation measures.

6.25 The District level committee is expected to finalize the fair and reasonable price of land and compensation along with the Rehabilitation and Resettlement package to be given to the affected person/family. The committee shall ensure that eligible affected family is given Rehabilitation & Resettlement as envisaged in the second and third schedule of the Act. The state level empowered committee is expected to approve or return the estimate prepared and submitted by the District level Fair Compensation, Resettlement and Rehabilitation Committee with suggestions/observations.

Analysis of Costs and Benefits

6.26 The construction of Wayanad Medical College will act as an important milestone in the overall development of Wayanad district as well as the state. As per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 the Government authorized for the acquisition of any land for the concerned public purpose by adhering to the due compensation, rehabilitation and resettlement measures as
mandated by the Act. The establishment of such transportation facilities will modernize the life of citizens and paves way for a life of ease. There is a notable avenue for revenue generation as well as socio economic development due to the implementation of the project.

**Recommendation on acquisition**

6.27 The most significant challenge or negative impact with the establishment of the project is its impact on people or institutions that has ownership of land within the project area. Rehabilitation and Resettlement measures need to be followed according to standardized norms and procedures to assist the displaced persons with certain benefits for livelihood restoration. Under Section 26 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013- “Determination of market value of land by collector” gives the District Collector authority to adopt a set criterion in assessing and determining the market value of land in question. It is determined by analysing the minimum land value specified as per the Indian Stamp Act, 1899 for registration of sale deeds or agreements to sell, as the case may be, in the area, where the land is situated, the average sales price for similar type of land situated in the nearest village or nearest vicinity area or the 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. The amount chosen shall be the highest among the sub categories, provided that the date for determination of market value shall be the date on which the notification has been issued under section 11.

6.28 The District level committee is expected to finalize the fair and reasonable price of land and compensation along with the Rehabilitation and Resettlement package to be given to the affected person/family. The committee shall ensure that eligible affected family is given Rehabilitation & Resettlement as envisaged in the second and third schedule of the Act. The state level empowered committee is expected to
approve or return the estimate prepared and submitted by the District level Fair Compensation, Resettlement and Rehabilitation Committee with suggestions/observations.
ANNEXURES

i. Details of the land covered in the SIA study
ii. List of key informants contacted and interacted
iii. SIA Team constitution
iv. G.O.s regarding implementation and monitoring of the land acquisition process
v. Questionnaires used for survey
ANNEXURE-I

Details of the land covered in the SIA study

<table>
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<tr>
<th>Village</th>
<th>Survey No.</th>
<th>Extent (In acres)</th>
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<td>Chundale</td>
<td>34/2, 35/1</td>
<td>50</td>
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<td>Total</td>
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<td>50 acres</td>
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SIA of Land Acquisition from Chundale Village for the Construction of Wayanad Medical College
ANNEXURE-II

List of key informants contacted and interacted

1. M. L. A, Kalpetta
2. Deputy Collector, L.A.
3. Special Thasildhar, L.A.
4. Village Officer (Chundale)
# ANNEXURE-III

## SIA Team Constitution

<table>
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<tr>
<th>Sl. No.</th>
<th>Name</th>
<th>Designation</th>
<th>Qualification</th>
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<tr>
<td>1</td>
<td>Dr. G. Suresh</td>
<td>Project Director</td>
<td>Ph. D.</td>
</tr>
<tr>
<td>2</td>
<td>Shri. Riyas K. Basheer</td>
<td>Project Coordinator</td>
<td>MBA, B.Tech.</td>
</tr>
<tr>
<td>3</td>
<td>Dr. S. Remadevi</td>
<td>Domain Expert</td>
<td>Ph. D.</td>
</tr>
<tr>
<td>4</td>
<td>Shri. Suradh K. Surendran</td>
<td>Field Coordinator</td>
<td>M. Tech.</td>
</tr>
<tr>
<td>5</td>
<td>Shri. Albin M.</td>
<td>Field Investigator</td>
<td>MBA</td>
</tr>
<tr>
<td>6</td>
<td>Shri. Josukutty Kurian</td>
<td>Field Investigator</td>
<td>MSW</td>
</tr>
<tr>
<td>7</td>
<td>Shri. Amal M. K</td>
<td>Field Investigator</td>
<td>MBA</td>
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ANNEXURE-IV

Government Order regarding implementation and monitoring of the land acquisition process

GOVERNMENT OF KERALA

Abstract
Revenue Department - State policy for Compensation and Transparency in Land Acquisition - Approved - Orders issued.

REVENUE (B) DEPARTMENT

G.O.(M). No.485/2015/RD
Dated: Thrivananthapuram, 23/09/2015


ORDER

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 has been enacted with the objective of ensuring just and fair compensation and rehabilitation for the affected families due to compulsory acquisition of land for public purpose. This Act came into force w.e.f. 01/01/2014. The State Government as per G.O. read above has approved Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Kerala) Rules, 2015.

3. Section 108 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 provides for framing a state law/policy which provides higher compensation than that calculated under this Act for the acquisition of land so that the affected person or his family member or member of his family can opt to avail such a higher compensation under such state policy.

3. Therefore, in order to speed up and simplify the procedures of land acquisition for public purpose, Government are now pleased to approve a state policy for compensation in land acquisition as appended to this order. The important objective of this policy is to conduct negotiations with the land owners and reach consensus on compensation and rehabilitation by the District Level Fair compensation, rehabilitation and resettlement committee (DLFCC) and approved of the same by the State Level Empowered Committee (SLECC).

(By Order of the Governor)

Dr. Vishwas Mehta
Principal Secretary to Government

To

The Commissioner, Land Revenue, Thrivananthapuram
All District Collectors,
The Public Works /Water Resources/Industries/Power/Transport/
Local Self Government/IT Departments
The Accountant General Audit (A & A) Kerala, Thrivananthapuram
The Finance Department
General Administration (AG) Department
Information & Public Relations (W&B) Department

Forwarded/By Order:

Section Officer.

Centre for Management Development, Thrivananthapuram
Policy of the State of Kerala for compensation in land acquisition

Introduction

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 has been enacted with the objective of ensuring adequate compensation and Rehabilitation & Resettlement to Land owners whose land are compulsorily acquired by the State for bonafide public purposes. Section 108 of the Act empowers the Government to frame law or policy which provides a higher compensation than calculated under this Act for the acquisition of land and thereby enabling the land owner to exercise option either to avail such higher compensation for Rehabilitation and Resettlement under such policy of the State or to go by the provisions of the Act. Kerala is a State with high population density and whenever Government resorts to acquisition of land for public purpose, families get displaced from their ancestral properties and lose lands which are often their sole livelihood. In order to ensure that immediate relief by providing enhanced compensation and Rehabilitation & Resettlement package to such affected families, Government of Kerala felt the need for framing an adequate policy on the subject.

Objectives

Government aims to ensure the following relief to the land losers through this policy.

1. The land losers are provided with just and reasonable compensation for land acquired, relieving them from the burden of approaching judicial forums for enhancement of compensation.
2. Rehabilitation & Resettlement policy as provided in the Act along with additional packages including employment/stake holdings in eligible cases according to the nature of the project.
3. Disbursement of compensation before taking possession of land and ensuring Rehabilitation and Resettlement packages including infrastructural amenities as provided in the third schedule of the Act within 18 months of the date of publication of DD.
4. Transparency in procedures and less negative impact ensuring the land losers that their socio-economic status does not fall below what it was before the acquisition.

Frame work of the policy

The general provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 shall apply to all land acquisitions. Social Impact Assessment (SIA) study shall be conducted in projects where it is mandatory and preliminary notification under Section 11 of the Act shall be published after approval of the project by the Expert Committee.

(1) The Government shall constitute a District Level Fair Compensation, Resettlement and Rehabilitation Committee in every District.

(2) The District Level Fair Compensation, Resettlement and Rehabilitation Committee shall have the following Members:
i) District Collector  
ii) Administrator for Resettlement and Rehabilitation  
iii) Land Acquisition Officer  
iv) Finance Officer  
v) Representative of the Requiring Body empowered to take financial decisions on its behalf.  
vii) Representative of the Local Self Government Institution of the area where the land is situated.

Provided that where the affected area covers more than one district, the District Level Fair Compensation, Resettlement and Rehabilitation Committee of the district, where major portion of the land to be acquired belongs to, shall function as District Level Fair Compensation, Resettlement and Rehabilitation Committee to take action in the matter.

(3) The District Collector will verify the title deeds, non-encumbrance certificate, basic tax receipt, building tax receipt, possession certificate and other relevant records of each parcel of land to be acquired.

(4) The District Government Pleader or any other advocate specially authorized by the District Collector in this behalf will scrutinize the title deeds, and other documents relating to ownership and possession and give necessary recommendation to the District Collector.

(5) The District Collector shall, within 7 days of the preliminary notification under Section 11, send the SIA Report and other relevant documents to the District Level Fair Compensation, Resettlement and Rehabilitation Committee.

(6) The District Level Fair Compensation, Resettlement and Rehabilitation Committee shall fix the parameters and shall define criteria for categorization of land as per the local needs to fix land value and the same may be approved by the Committee. The Committee should take utmost care in determining the criteria for categorization. There should not be any ambiguity regarding classification. The authority to change the categorisation once approved by the District Level Fair Compensation, Resettlement and Rehabilitation Committee shall rest only with the SLFC.

(7) After categorization of lands, land value shall be arrived at as per the provisions of the Right to Fair Compensation and transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and keeping this as the basis land value and taking into consideration the existing market value of the land make negotiation with the land owners and reach consensus with them on the final land value.

(8) The Committee will finalise the estimate of a fair and reasonable price of land and compensation along with the Rehabilitation and Resettlement package to be given to the affected person/family. The Committee shall ensure that eligible affected family is given Rehabilitation & Resettlement an envisaged in the second and third schedule of the Act.

(9) The District Level Fair Compensation, Resettlement and Rehabilitation Committee shall send the estimate arrived as above, in Annexures I & II to the State Level Empowered Committee for approval.
(10) The Government shall constitute a State Level Empowered Committee which shall have the following members:

(i) Chief Secretary
(ii) Revenue Secretary
(iii) Secretary of the Administrative Department
(iv) Law Secretary
(v) Finance Secretary

(11) The State Level Empowered Committee shall approve the estimate or return it for reconsideration by the District Level Purchase Committee with suggestions/observations that it thinks fit.

(12) The District Level Fair Compensation, Resettlement and Rehabilitation Committee shall, within 15 days of the receipt of such approval with or without changes, send individual notices to the affected families and affected persons apprising them of the provisions of the law or policy and giving them a date to appear before it on a specified date for the purpose of considering settlement of compensation and resettlement and rehabilitation claims on the basis of the policy.

(13) On the date fixed as above, the District Level Fair Compensation, Resettlement and Rehabilitation Committee shall explain the policy to the affected family or affected person and give them an estimate of the compensation and resettlement and rehabilitation package worked out under the policy.

Provided that the date so fixed may be adjourned for another date for reasons to be recorded. Provided further that the proceedings shall not be adjourned for more than a period of 30 days in all from the first date.

(14) At the proceedings, the District Level Fair Compensation, Resettlement and Rehabilitation Committee shall present the estimated compensation and resettlement and rehabilitation package to the affected family or affected person and explain the terms and conditions of the same.

Provided that the District Level Fair Compensation, Resettlement and Rehabilitation Committee may change the compensation and relief and resettlement package for the benefit of the affected family or affected persons to the extent of 10% in order to arrive at a mutually acceptable settlement. If District Level Fair Compensation, Resettlement and Rehabilitation Committee feels that a higher payment exceeding 10% is absolutely necessary, then the proceedings may be recorded and sent to SLEC for approval.

(15) The affected family or affected persons shall thereupon submit their consent to having their claims settled according to such law or policy of the State instead of settling the same under the Act.

Provided that the affected families or affected persons who earlier rejected the negotiated settlement may, by a written application to the Collector, shall choose the option of the State policy at any time before passing the final award under Sections 30 and/or 31.

(16) Upon receiving the consent of the affected person or affected family, the District Level Fair Compensation, Resettlement and Rehabilitation Committee shall submit the consent along with minutes of its proceedings to the Collector for finalizing the conveyance of land in terms of the consent.
ANNEXURE- V

Questionnaires used for survey

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Centre for Management Development, Thiruvananthapuram
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6. പദ്ധതിക്ക് അംഗീകാരം ലഭിക്കുന്നുവെങ്കിൽ അവസാനിപ്പിക്കാൻ

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9. പദ്ധതി ലഭ്യമായ പ്രക്രിയകളിൽ പ്രധാന പദ്ധതിക്ക്

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16. പദ്ധതിക്ക് അംഗീകാരം ലഭിക്കുന്നുവെങ്കിൽ അവസാനിപ്പിക്കുന്നത്

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SIA of Land Acquisition from Chundale Village for the Construction of Wayanad Medical College

ലാൻഡ് അക്കൗൺസ്റ്റ് മാറ്റങ്ങൾ പല്ലെടുക്കുന്നതിനു അവസാനിക്കുന്നു

ലാൻഡ് അക്കൗൺസ്റ്റ് മാറ്റങ്ങൾ

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2. അവസാനിക്കുന്നു

3. സ്ഥലപ്രദേശം/സ്ഥലം

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5. മൊത്തം മെ.. (ആഴത്തിലെ) അടി

6. നിശ്ചയിച്ചിരിക്കുന്ന അവസാനിക്കുന്നു

7. നിശ്ചയിച്ചിരിക്കുന്ന അവസാനിക്കുന്നു

8. പ്രവാഹത്തിന്റെ മാർഗം

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10. പ്രത്യേകം പിടിക്കുന്നതിന് പ്രാപ്തമായ സേവനമാർ പേരിക്കുക

11. പ്രത്യേകം പിടിക്കുന്നതിന് പ്രാപ്തമായ സേവനമാർ പേരിക്കുക

മുഖ്യ സ്ഥാപനം പേരുകേൾ സ്ഥാനാർ, എന്നിവ

Centre for Management Development, Thiruvananthapuram