



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग चार-अ

वर्ष ६, अंक १४(३)]

सोमवार, मे १२, २०१४/वैशाख २२, शके १९३६

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असाधारण क्रमांक ७०

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाने केंद्रीय अधिनियमान्वये तयार केलेले (भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांब्यतिरिक्त) नियम व आदेश

### REVENUE AND FOREST DEPARTMENT

Madam Cama Marg, Hutatma Rajguru Chowk, Mantralaya,  
Mumbai 400 032, dated the 12th May 2014

### NOTIFICATION

No. LQN. 12/2013/C.R.190/A-2.—The following Draft of Policy which the State Government proposes to make in exercise of the powers conferred by section 108 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013) is hereby published, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft policy shall be taken into consideration after the expiry of a period of thirty days from the date on which the copies of this notification as published in the *Maharashtra Government Gazette* are made available to the public ;

2. Any objection or suggestion which may be received from any person with respect to the said draft policy within the period so specified shall be considered by the State Government;

3. Objections or suggestions, if any, may be sent to the Deputy Secretary (Land Acquisition), Department of Revenue and Forest, Madam Cama Marg, Hutatma Rajguru Chowk, Mantralaya, Mumbai 400 032 and Deputy Secretary (Rehabilitation and Resettlement), Department of Revenue and Forest, Madam Cama Marg, Hutatma Rajguru Chowk, Mantralaya, Mumbai 400 032.

### DRAFT POLICY

The State Government intends to frame a policy, for the purpose of the observance by the various Departments of the Government of Maharashtra, under section 108 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013(30 of 2013), so as to provide higher compensation than calculated under the said Act, in case of the acquisition of land, rehabilitation and resettlement, whose entitlements are overall higher than the Compensation, Rehabilitation and Resettlement package provided under the said Act so as to facilitate the affected persons or his family to opt to avail such higher compensation and rehabilitation and resettlement under any other State laws for the time being in force in the State under which his land is proposed to be acquired.

**Part-1. Land Valuation:**

1. The market value of land to be acquired will be determined by ready reckoner value fixed under the Maharashtra Stamp Act (59 of 1958) and the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995.

2. The multiplication factor by which market value of the land is multiplied will be 1.01 in case of rural areas and 1.01 for urban areas. (This factor should be at least 10% higher than the state approved multiplier.)

3. Compensation of the land to be acquired in rural area: (market value  $\times$  1.01) plus value of assets attached to land or building) Plus 100% solatium) = Land Compensation Price;

Compensation of the land to be acquired in urban area: (market value  $\times$  1.01) plus value of assets attached to land or building) plus (100% solatium) = Land Compensation.

4. In case the land is acquired for urbanization purpose 20% of the developed land will be reserved and offered to the landowner at price equal to cost of acquisition and cost of development. The net land reserved and offered will be excluding the land required for infrastructure development by recovering the cost of acquisition and cost of development gross land i.e. 20%. The land required for infrastructure development and cost of the same as per norms prescribed by Public Works Department or Irrigation Department or Rural Development Department or Municipal Corporations or City and Industrial Development Corporation of Maharashtra (CIDCO) or Mumbai Metropolitan Region Development Authority (MMRDA) or Maharashtra Industrial Development Corporation (MIDC). The actual area required for development of infrastructural facilities will be taken into consideration at the time of calculation of land to be allotted.

The net land to be reserved or offered to land owner will be.—

20% of the gross land-land required for infrastructural development as per norms prescribed by Public Works Department or Irrigation Department or Rural Development Department or Municipal Corporations or City and Industrial Development Corporation of Maharashtra (CIDCO) or Mumbai Metropolitan Region Development Authority (MMRDA) or Maharashtra Industrial Development Corporation (MIDC) norms-recovery of cost of acquisition as per Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and cost of development as per norms prescribed by Public Works Department or Irrigation Department or Rural Development Department or Municipal Corporations or City and Industrial Development Corporation of Maharashtra (CIDCO) or Mumbai Metropolitan Region Development Authority (MMRDA) or Maharashtra Industrial Development Corporation (MIDC) for gross 20% land.

*Explanation.*— As per the City and Industrial Development Corporation of Maharashtra (CIDCO) norms, the area required for infrastructure development considered is 30%, then the net land to be reserved or offered to land owner will be : 20% of the gross land-7% area required for infrastructure development=14% of the land acquired-(recovery of cost of acquisition and cost of development as per City and Industrial Development Corporation of Maharashtra (CIDCO) norms for gross 20% land.

The acquiring body may also give monetary value equivalent of the net developed land in lieu of actually providing the land to the displaced persons or his family.

**Part-2. Rehabilitation and Resettlement components:**

1. If a house is lost in rural area, a constructed house shall be provided as per the specifications of *Indira Aawas Yojana* or Rs. 1.65 lacs in lieu of house.

*Explanation.*-In case of *Indira Aawas Yojana*, a house of 25 sq.mt.will be provided. Considering the low specifications, the construction cost will be minimum Rs. 600 per sq. ft. which gives Rs. 1,61,400 excluding the cost of the developed land.

2. If a house is lost in urban area, a constructed house shall be provided of 50 sq.mt.plinth area as per Public Works Department norms or Rs. 5.5 lacs in lieu of house.

*Explanation.*—Considering the construction cost of Rs. 1000 per sq.ft., the cost of house will be Rs. 5,38,000 excluding the cost of the developed land.

3. One time payment of Rs. 5 lacs to each affected family to those who have eligible candidate for employment.

4. Subsistence allowance to the affected displaced families of Rs. 3000 per month for a year after displacement date. For the families belonging to Scheduled Castes or Scheduled Tribes such families will get additional Rs. 50,000.

5. Transportation cost of Rs. 50,000 per affected displaced families.

6. Those families having cattle shed or petty shops will get Rs. 25,000 one time financial assistance.

7. One time grant for artisans, small traders of Rs. 50,000.

8. One time resettlement allowance of Rs. 50,000 after shifting of house.

9. Stamp duty and registration charges will be borne by Requiring Body for the first transaction of the rehabilitated person only.

10. The Requiring Body will provide the infrastructure in Rehabilitation and Resettlement area, which includes the roads, drainage, *Panchayatghar*, post office, *Samajmandir* and other facilities as mentioned in the THIRD SCHEDULE of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. However, if the Requiring Body monetize the amenities as per family costs of constructing these amenities as per cost norms developed by Public Works Department or Rehabilitation Department or Irrigation Department or Rural Development Department or Urban Development Department or Municipal Corporations or City and Industrial Development Corporation of Maharashtra (CIDCO) or Mumbai Metropolitan Region Development Authority (MMRDA) or Maharashtra Industrial Development Corporation (MIDC). In such an eventuality, the Requiring Body shall offer 10% plus the total per family cost of all the amenities to be provided under the THIRD SCHEDULE of the said Act.

11. All monetary value fixed above shall be entitled to be increased by 5% on the 1st January of each year unless the rate of inflation index is less than 5 % for that year.

12. Above package will be applicable if the affected person accepts the same through a written consent.

[*Note.*—The explanations provided above are only the supportive information on the basis of City and Industrial Development Corporation of Maharashtra (CIDCO) practice and shall not be included part of the Guidelines]

By order and in the name of the Governor of Maharashtra.

S. K. GAWADE,  
Deputy Secretary to Government.