GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

RBE No. /93 /2019

No. E(NG)II/2010/RC-5/1 **New Delhi, dated 11 .11.2019**

To

The General Manager,
All Zonal Railways/ Production Units
(As per standard mailing list)

Sub: Revision of policy regarding compensation of Land losers affected by land acquisition for Railway projects.

Ref: (i) RBE No. 99/2010 dated 16.07.2010
(ii) RBE No. 120/2010 dated 13.08.2010
(iii) Railway Board's letter No. E(NG)II/2010/RC/5/1 dated 28.09.2010.

1. On notification of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Removal of Difficulties) Order 2015 dated 28.08.2015, provisions of RFCTLARR Act 2013 related to determination of compensation in accordance with First, Second and Third Schedules of the RFCTLARR Act 2013 have become applicable to all cases of land acquisition under the Railways Act 1989 also. This inter alia means that, irrespective of whether land acquisition for Railway projects is done through Railways Act 1989 after declaring it as a Special Railway Project or through RFCTLARR Act 2013 through State Governments, determination of compensation shall be in accordance with First, Second and Third Schedules of the RFCTLARR Act 2013.

2. The modalities for implementation of Serial No. 4 of the Second schedule of the RFCTLARR Act 2013 were examined by Ministry of Railways and it has been decided that:

   i. Ministry of Railways' earlier policy of offering appointment in Railways to affected land-losers issued vide references above is withdrawn and circulars issued in this regard vide reference above stand superseded.

   ii. Lump sum payment of Rs. 5 Lakhs to be provided to affected families who were **primarily dependent on acquired land for livelihood,** i.e., cases where their livelihood is affected by such

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acquisition or where entire land-holding of the affected family have been acquired.

3. Before considering grant of any relief under Second Schedule, however, the Competent Authority for Land Acquisition (CALA) or Collector should unequivocally certify that the affected family has been displaced and dislocated to another area or their entire land holding has been acquired. Further, in case of joint ownership of a plot of land, lump sum payment of Rs. 5 Lakhs should be shared between joint owners of plot in same ratio in which land value is to be shared.

4. This may be brought to the notice of all concerned authorities dealing with the acquisition of land and ensure that all determination of compensation for acquisition of land under the Railways Act, 1989 are in consonance with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013.

5. This policy shall be effective from the date of issue of this letter.

6. This issues with the concurrence of Finance and approval of the Competent Authority.

(Chandra Shekhar)
Jt. Director Land & Amenities
Railway Board

(M. M. RAI)
Jt. Director Estt.(N)II
Railway Board

No. E(NG)II/2010/RC-5/1 **New Delhi, dated 11 .11.2019**

Copy to:

(i) The General Secretary, AIRF, Room No. 253, Rail Bhawan, New Delhi (35 spares).
(ii) The General Secretary, NFIR, Room No. 256-E, Rail Bhawan, New Delhi (35 spares).
(iii) All Members of Departmental Council and National Council and Secretary, Staff Side, National Council, 13-C, Ferozeshah Road, New Delhi (60 spares).
(iv) The Secretary General, FROA, Room No. 256-A, Railway Board (5 spares).
(v) The Secretary, RBSS, Group 'A' Officers' Association.
(vi) The President, Railway Board Class II Officers' Association.
(vii) The Secretary General, IRPOF.
(viii) The Secretary, Indian Railways Class II Officers' Association.
(ix) The Secretary, Railways Board Ministerial Staff Association.
(x) The President, Railway Board Class IV Officers' Association.

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(xi) The General Secretary, AIRPF Association.
(xii) The General Secretary, All India SC& ST Railway Employees Association, Room No-7, Rail Bhawan, New Delhi.
(xiii) Chief Commissioner for Railway Safety, Lucknow.
(xiv) Chief Administrative Officer, RCF/Raebareli Project, Kishanganj, Delhi-7

For Secretary/Railway Board

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