



THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 136] Jammu, Thu., the 12th Oct., 2023/20th Asv., 1945. [No. 28

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No.28] The J&K Official Gazette, the 12th Oct., 2023/20th Asvi., 1945. 227
Subject :ô Summer Vacation 2023-arrangement notified.

Order

No. 726 of 2023/RG Dated 15-06-2023.

1. It is hereby notified that the Honøble High Court of Jammu and Kashmir and Ladakh will observe Summer Vacations with effect from 19th of June, 2023 to 8th of July, 2023 (both days inclusive). The period commencing from 19th day of June to 24th of June, 2023 shall be **No Work Period** for the Honøble High Court.
2. In terms of Rule 12 of the Jammu and Kashmir High Court Rules, 1999, Honøble the Chief Justice has been pleased to nominate the Honøble Judges for both wings of the High Court of J&K and Ladakh, named in Column (1) below, to be the Vacation Judges to hear all matters of urgent nature for the period mentioned against their names in Column (2).

(1)	(2)
Jammu Wing	
Honøble Mr. Justice Rajesh Sekhri	26th June to 01st July, 2023 (Both days inclusive)
Honøble Mr. Justice Rahul Bharti	3rd July to 8th July, 2023 (Both days inclusive)
Srinagar Wing	
Honøble Ms. Justice Moksha Khajuria Kazmi	26th June to 01st July, 2023 (Both days inclusive)
Honøble Mr. Justice Wasim Sadiq Nargal	3rd July to 8th July, 2023 (Both days inclusive)

By order.

(Sd.) SHAHZAD AZEEM,
Registrar General.

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PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR,

CIVIL SECRETARIAT& REVENUE DEPARTMENT,
JAMMU/SRINAGAR.

Subject :& Acquisition of land measuring 206 Kanals 04 Marlas situated at Village Sidherwan, Tehsil Akhnoor, District Jammu for Construction of Composite Bandh/Border Fencing (135 wide strip) by BSF.

& & & &

Notification No. 14-Rev (LAJ) of 2023

Dated 04-08-2023.

Whereas, Inspector General, Hq. BSF, Jammu vide No. Engg/BF/135 Feet/FTR(J)/13/9086-89 dated 22-11-2013, placed indent for acquisition

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of land at Village Sidherwan, Tehsil Akhnoor, District Jammu for
establishment of Border Fencing (135 Feet wide strip) ; and

Whereas, Deputy Commissioner, Jammu got the land measuring
206 Kanals, 4 Marlas situated at Village Sidherwan, Tehsil Akhnoor, District
Jammu identified and its revenue papers prepared by revenue field staff
and Deputy Commissioner, Jammu submitted the case to Divisional
Commissioner, Jammu who vide No. 502/2259/Bdr-fencing/135 ft/
Sidherwan/J/15/2441-44 dated 13-02-2015 submitted the case to Home
Department for issuance of No Objection to the acquisition of said land
which was conveyed vide No. Home/Land-Home/Land-Acq/31/2015/1166
dated 04-03-2015 ; and

Whereas, notification under Section 4 (1) of the Land Acquisition
Act, Samvat 1990, was issued by Collector, Land Acquisition (SDM),
Akhnoor vide No. SDM/Akh/LAC/15-16/645-52 dated 04-08-2015 for
acquisition of aforementioned land, calling upon the objections from the
land owners/interested persons and no one has filed any objection ; and

Whereas, Collector, Land Acquisition (SDM), Akhnoor vide
No. SDMR/AKH/LAC/15-16/1300 dated 19-03-2016 recommended the
case to the District Collector (DC), Jammu for issuance of declaration
under Sections 6 and 7 of the Land Acquisition Act, Svt. 1990. Deputy
Collector (DC), Jammu vide No. DCJ/LA/BF-135ft/Sidherwan/2016-17/
161 dated 19-05-2016 recommended the case to Divisional Commissioner,
Jammu, who vide No. 502/2259/Acq/135Ft/Bdr.Fen/Sidherwan/J/16/664-
66 dated 30-05-2016 forwarded to this department for the said purpose ;
and

Whereas, this department vide No. Rev-LAJ/13/2023 (7157140) dated
27-04-2023 sought report from Deputy Commissioner, Jammu who vide
No. DCJ/LHS/BSF/ACQ/135/Feet/Bis/Dohali-921/13/4822-24 dated
24-03-2023 reported that the Divisional Commissioner, Jammu has already
taken up the matter vide No. 502/2208/135-ft/Dohali/J/18/2047-48 dated
18-08-2018 and 502/2208/135Ft/Border Fencing/Dohali/J/19/400-03 dated
04-05-2019 for issuance of declaration under Sections 6 and 7 of the Land
Acquisition Act, Samvat 1990 ; and

Annexure 'A' to the Government Order No. 156-JK(Rev) of 2023 dated 22-09-2023.

District/ Tehsil/ Village	Khasra No.	Quantum of Land K. M.	Kind of soil as per revenue record	Land recommended to remain as Gair Mumkin khad, choi, etc. Khasra No. K. M.	Land recommended for outside Gair Mumkin khad, choi, etc. Khasra No. K. M.	Kind of soil to be recorded
Samba/ Bari Brahmana/ Birpur	1734	4150.604	Gair Mumkin Khad	1. 3023/1845/1734 871.619 (857 kl-12ml) K. M.	1. 3025/1845/1734 3278.605 (1752kl-05ml) K. M.	Banjar Qadeem
				2. 3024/1845/1734 (14kl-07ml)	2. 3026/1845/1734 (948kl-01 ml)	
					3. 3027/1845/1734 (19ml)	
					4. 3028/1845/1734 (577kl-00 ml)	

(Sd.) AFLAQ AHMAD, JKAS,

Under Secretary to Government.

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GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT REVENUE DEPARTMENT,
JAMMU/SRINAGAR.

Subject : Acquisition of land measuring 206 Kanals 04 Marlas
situated at Village Sidherwan, Tehsil Akhnoor, District
Jammu for Construction of Composite Bandh/Border Fencing
(135 wide strip) by BSF.

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Corrigendum to Notification No. 14-Rev (LAJ) of 2023

Dated 04-08-2023.

Please read :-dated 04-09-2023 instead of :-dated 04-08-2023 on
the first page of Notification No. 14-Rev (LAJ) of 2023 dated 04-08-2023.

(Sd.) MUZAMMIL HASSAN CHOUDHARY,

Under Secretary to the Government.



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PART II—B

Notifications, Notices and Orders by the Heads of Departments.

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IN THE COURT OF CHIEF JUDICIAL MAGISTRATE, REASI

State V/s. Anil Kumar

FIR No. 192/2017 of Police Station, Reasi

File No. 209/Challan DOI 23-09-2017, DOD 09-08-2023

GENERAL WARRANT OF ARREST UNDER SECTION 299 Cr.PC.

To

The SHO Police Station Reasi

Through APP Reasi.

Whereas, the accused namely Anil Kumar S/o Rakesh Kumar R/o Kapoori Gate, Tehsil Batala, District Gurdaspur, Punjab who is facing trial before this Court has absconded and his immediate arrest in the near future is not possible and the bail bonds and the personal bonds stand forfeited.

As such the general warrants of arrest under Section 299 Cr. PC are issued against the above named accused. This is to authorize you to arrest the accused wherever he is found and produce the accused before the Court. The general warrant of arrest shall

remain in existence till the accused is arrested and the warrants are recalled by the Court.

Given under my hand and the seal of the Court, this 9th day of August 2023.

(Sd.)

Chief Judicial Magistrate,
Reasi.

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IN THE COURT OF MUNSIFF (JUDICIAL MAGISTRATE
1ST CLASS), KALAKOTE

Case No. 66/Challan

Date of Institution : 22-11-2006

Date of Order : 25-02-2023

Announced on : 25-02-2023

State through P/S Kalakote

Versus

Rekha Devi

....(Accused person)

In the matter of FIR No. 32/2006 of P/S Kalakote for
Offences u/s 353/332/147/148/323/153 Ranbir
Penal Code (R.P.C)

Coram : Kamiya Singh Andotra

Judicial Magistrate First Class [JK00233]

25-02-2023

Order

1. Ld. Sr. PO Mr. Tanveer Anjum is present. Accused person is absent since long and her bail and personal bond have also been forfeited earlier on 13-02-2023. Executing official SI Mohd. Ishaq No. 845834/EXJ posted at Police Station, Kalakote is present who was assigned job to execute warrant against accused. His statement is recorded in which he stated that accused namely Rekha Devi W/o Parlahad Singh R/o Bathera, Tehsil Kalakote and District Rajouri is absconding since long and her whereabouts are unknown. There is also no chance of her immediate arrest as she is absconding and is not putting up on her address and her fresh address is also not known.

2. From the statement of executing official it is clear that accused is absconding, hiding and her whereabouts are unknown, as such, proceeding under Section 512 Cr. PC. is initiated against her.
3. Office is directed to issue general warrant of arrest against this accused and be sent to SSP Rajouri and SHO Police Station, Kalakote for its execution. Copy of this general warrant of arrest be also sent to Government Press, Jammu for its publication in Government Gazette. File be consigned to records till execution of general warrant of arrest.

(Sd.)

Munsiff (JMJC),
Kalakote.

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COURT OF SPECIAL JUDGE (3RD ADDITIONAL
SESSIONS JUDGE) J&K AT JAMMU
DESIGNATED U/S 22 NIA ACT.

National Investigation Agency V/S Masood Azhar Alvi and Ors.
(RC-02/2019/NIA/JMU for offences made punishable U/Ss. 302/
307/121/121A/122 of IPC, 1860, Ss 16/18/18-B/20/21/23/38/39/40
of ULA(P) Act, 1967, Ss. 7/25/27 of Arms Act, Ss. 4/5 Explosive
Substances Act 1908.)

And

(Proclamation U/Sec. 82 of Cr. PC requiring the appearance of
accused, namely Ashaq Ahmad Nengroo @ Ashiq Hussain Nengroo
@ Ashiq Hussain Nengroo @ Ashiq Moulvi S/o Ghulam Ahmed
Nengroo R/o Hajin Bala, District Pulwama, J&K).

Proclamation under Section 82 of Cr. PC.

Whereas, the above titled case, being RC-02/2019/NIA/JMU, for
offences made punishable Under Sections 302/307/121/121-A/122 of
IPC, 1860 Sections 16/18/18-B/20/21/23/38/39/40 of ULA(P) Act, 1967,
Ss. 7/25/27 of Arms Act, Sections 4/5 Explosive Substances Act, 1908,
is sub-judice before this Court in which Ashaq Ahmad Nengroo @ Ashiq
Hussain Nengroo @ Ashiq Hussain Nengroo @ Ashiq Moulvi S/o
Ghulam Ahmed Nengroo R/o Hajin Bala, District Pulwama, J&K, is
arraigned as one of the accused persons and it has been returned to

warrants of arrest issued by this Court that accused cannot be found at the given address ;

Whereas, on verification it was found that despite the best efforts made by the police, the presence of the aforesaid accused could not be secured for the purpose of investigation and trial of the case (supra) and it has been shown to the satisfaction of this Court that the said accused has absconded or is concealing himself to avoid the service of the warrants.

Therefore, proclamation is hereby made that the accused namely Ashaq Ahmad Nengroo @ Ashiq Hussain Nengroo @ Ashiq Hussain Nengroo @ Ashiq Moulvi S/o Ghulam Ahmed Nengroo R/o Hajin Bala, district Pulwama, J&K, is Required to appear before this Court on 3rd of October, 2023 at 10.00 am sharp, failing which proceedings under Section 83 Cr. PC shall be launched against him.

Given under my hand and seal of this Court today on 22-08-2023 at Jammu.

(Sd.) JATINDER SINGH JAMWAL,
3rd Additional Sessions Judge Jammu
(Special Judge U/S 22 NIA Act).

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COURT OF THE CHIEF JUDICIAL MAGISTRATE, J&K,
JAMMU

CBI V/S Hayat Singh and Others

F.I.R No. RC0041991S0007

File No. 171883/2014

Offence U/S 512, J&K Cr. PC.

To

1. The Supdtt. of Police,
CBI, ACB, Jammu.
2. The Station House Officer,
Police Station, Malda, W.B.

GENERAL WARRANT OF ARREST AGAINST ACCUSED

Accused Belt No. 830747488, ExóConstable/GD D. K. Sarkar S/o Late Chander Mohan Sarkar R/o Village Baj Bahar, Post Katikendar, Police Station Gazole, District Malda (West Bengal) in the above mentioned case has absconded and moved out of the residential area after the commission of the Process Serving Officer has stated that there was no immediate prospect of the accused being served. Statement of the Process Serving Officer in support of the report and the prayer made by Learned Public Prosecutor for initiation of proceedings under Section 512 (J&K Cr. PC) under Section 299 Cr. PC against the accused. On perusal of the material on record and statement of the Process Serving Officer, this Court is satisfied that the accused above named has absconded after the commission of offence and there was no immediate prospect of his being served.

Therefore, proceedings under Section 512 (J&K Cr. PC) under Section 299 Cr. PC are hereby initiated against the accused above named and the police authorities of the Union Territory of J&K and concerned Police Station are hereby directed to arrest the accused above named, where ever he is found within the Union Territory of J&K and be produced in this Court.

This General Warrant of arrest against accused above named shall remain in force till the accused is arrested.

Copy of the warrant be also forwarded to S.P. CBI, ACB, Jammu for execution and a copy of the same be forwarded to Manager Govt. Ranbir Press, Jammu for publication.

Given under my hand and the seal of the Court, this 29th day of August, 2023.

(Sd.)

Chief Judicial Magistrate,
J&K, Jammu.

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IN THE COURT OF MUNSIFF (JUDICIAL MAGISTRATE
1ST CLASS), KALAKOTE

Case No. 131/Challan

Date of Institution : 22-12-2022

Date of Order : 14-03-2023

Announced on : 14-03-2023

State through P/S Kalakote

Versus

Sarfaraz and Ors.

....(Accused person)

In the matter of FIR No. 04/2022 of P/S Kalakote for

Offences u/s 457/380 Indian Penal Code (I.P.C.)

Coram : Kamiya Singh Andotra

Judicial Magistrate First Class [JK0023]

14-03-2023

Order

1. Ld. APP Mr. Tanveer Anjum is present. Accused person namely Aftar Hussain is absent since long and his bail and personal bond have also been forfeited. Executing Official SgCt. Mohd. Shabir No. 1376 /R posted at Police Station, Kalakote is present who was assigned job to execute warrant against accused. His statement is recorded in which he stated that accused namely Aftar Hussain S/o Mohd. Iqbal R/o Dhangote, Tehsil Kalakote and District Rajouri is absconding since long and his whereabouts are unknown. There is also no chance of his immediate arrest as he is absconding and is not putting up on his address and his fresh address is also not known.
2. From the statement of executing official it is clear that accused is absconding, hiding and his whereabouts are unknown, as such proceeding under Section 299 Cr. PC. is initiated against him.
3. Office is directed to issue general warrant of arrest against this accused and be sent to SSP Rajouri and SHO Police Station,

Kalakote for its execution. Copy of this general warrant of arrest be also sent to Government Press Jammu for its publication in Government Gazette. File be consigned to records till execution of general warrant of arrest.

(Sd.)

Munsiff (JMIC),
Kalakote.

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IN THE COURT OF CIVIL JUDGE (JUNIOR DIVISION)/
JMIC, KALAKOTE

Case No. 48/Challan

Date of Institution : 08-08-2022

Date of Order : 05-09-2023

Announced on : 05-09-2023

UT of J&K through P/S Kalakote

Versus

Shafayat Khan S/o Manir Hussain R/o Sarano, Tehsil and District
Rajouri **....(Accused person)**

**In the matter of FIR No. 56/2022 of P/S Kalakote for
Offences u/s 279/337/338 Indian Penal Code (I.P.C.)**

Coram : Kamiya Singh Andotra

Judicial Magistrate First Class [JK00233]

05-09-2023

Order

1. Accused namely Shafayat Khan S/o Manir Hussain R/o Sarano, Tehsil and District Rajouri is absent since long. Executing Official SgCt. Mohd. Bashir No. 1376/R posted at Police Station, Kalakote is present who was assigned job to execute warrant against accused. His statement is recorded in which he stated that accused is absconding since long and his whereabouts are unknown. There is also no chance of his

immediate arrest as he is absconding and is not putting up on his address and his fresh address is also not known.

2. From the statement of executing official it is clear that accused person is absconding, hiding and his whereabouts are unknown, as such proceeding under Section 299 Cr. PC. is initiated against him.
3. Office is directed to issue general warrant of arrest against the accused person and be sent to SSP Rajouri and SHO Police Station, Kalakote for its execution. Copy of this general warrant of arrest be also sent to Government Press Jammu for its publication in Government Gazette. In the meantime prosecution is directed to lead evidence. Listed on 24-11-2023.

(Sd.)

Civil Judge (Jr. Division)/JMIC,
Kalakote.

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IN THE COURT OF CIVIL JUDGE (JUNIOR DIVISION)/
JMIC, KALAKOTE

Case No. 51/Challan

Date of Institution : 09-08-2023

Date of Order : 05-09-2023

Announced on : 05-09-2023

UT of J&K through P/S Kalakote

Versus

Talab Hussain S/o Nazir Hussain R/o Godhar, Tehsil and District Rajouri
....(Accused person)

In the matter of FIR No. 11/2021 of P/S Kalakote for

Offences u/s 451/323 Indian Penal Code (I.P.C.)

Coram : Kamiya Singh Andotra

Judicial Magistrate First Class [JK00233]

05-09-2023

Order

1. Accused person Talab Hussain S/o Nazir Hussain R/o Godhar, Tehsil and District Rajouri is absent since long. Executing Official S.I. Mohd. Isaq No. 845834/EXJ posted at Police Station Kalakote is present who was assigned job to execute warrant against accused. His statement is recorded in which he stated that accused is absconding since long and his whereabouts are unknown. There is also no chance of his immediate arrest as he is absconding and is not putting up on his address and his fresh address is also not known.
2. From the statement of Executing Official it is clear that accused person is absconding hiding and his whereabouts are unknown, as such, proceeding under Section 299 Cr. PC is initiated against him.
3. Office is directed to issue general warrant of arrest against the accused person and be sent to SSP Rajouri and SHO Police Station Kalakote for its execution. Copy of this general warrant of arrest be also sent to Government Press Jammu for its publication in Government Gazette. In the meantime prosecution is directed to lead evidence. Listed on 10-10-2023.

(Sd.)

Civil Judge (Jr. Division)/JMIC,
Kalakote.

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IN THE COURT OF MUNSIFF (JUDICIAL MAGISTRATE
1ST CLASS) KALAKOTE

Case No. 63/Challan

Date of Institution : 26-07-2018

Date of Order : 13-03-2023

Announced on : 13-03-2023

State through P/S Kalakote

Versus

Munir Hussain and Others

....(Accused person)

**In the matter of FIR No. 36/2018 of P/S Kalakote for
Offences u/s 353/332 Ranbir Penal Code (R.P.C.)**

**Coram : Kamiya Singh Andotra
Judicial Magistrate First Class [JK00233]**

13-03-2023

Order

1. Ld. Sr. PO Mr. Tanveer Anjum is present. Accused namely Shokit Hussain is absent since long and his bail and personal bond have also been forfeited earlier on 11-01-2023. Executing Official SGCT Mohd Sabir No. 1376/R posted at Police Station Kalakote is present who was assigned job to execute warrant against accused. His statement is recorded in which he stated that accused namely Shokit Hussain S/o Hakim Din R/o Sonchal, Tehsil Kalakote and District Rajouri is absconding since long and his whereabouts are unknown. There is also no chance of his immediate arrest as he is absconding and is not putting up on his address and his fresh address is also not known.
2. From the statement of Executing Official it is clear that accused is absconding, hiding and his whereabouts are unknown, as such, proceeding under Section 512 Cr. P.C is initiated against him.
3. Office is directed to issue general warrant of arrest against the accused person and be sent to SSP Rajouri and SHO Police Station Kalakote for its execution. Copy of this general warrant of arrest be also sent to Government Press Jammu for its publication in Government Gazette. File be consigned to records till execution of general warrant of arrest.

Dated : 13-03-2023

(Sd.)

Munsiff JMIC,
Kalakote.

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IN THE COURT OF CIVIL JUDGE (JUNIOR DIVISION)/
JMIC, KALAKOTE

Case No. 49/Challan

Date of Institution : 08-08-2022

Date of Order : 05-09-2023

Announced on : 05-09-2023

UT of J&K through P/S Kalakote

Versus

Sartaz Ahmed and Others

....(Accused person)

In the matter of FIR No. 66/2022 of P/S Kalakote for

Offences u/s 457/380/201 Indian Penal Code
(I.P.C.)

Coram : Kamiya Singh Andotra

Judicial Magistrate First Class [JK00233]

05-09-2023

Order

1. Accused person Mohd. Yousaf S/o Abdul Ghani R/o Talwarda Kaloni, Tehsil and District Reasi is absent since long. Executing Official SgCt. Mohd. Bashir No. 1376/R posted at Police Station Kalakote is present who was assigned job to execute warrant against accused. His statement is recorded in which he stated that accused is absconding since long and his whereabouts are unknown. There is also no chance of his immediate arrest as he is absconding and is not putting up on his address and his fresh address is also not known.
2. From the statement of Executing Official it is clear that accused person is absconding hiding and his whereabouts are unknown, as such, proceeding under Section 299 Cr. PC is initiated against him.
3. Office is directed to issue general warrant of arrest against the accused person and be sent to SSP Rajouri and SHO Police

Station Kalakote for its execution. Copy of this general warrant of arrest be also sent to Government Press Jammu for its publication in Government Gazette.

Dated : 05-09-2023

(Sd.)

Civill Judge (Jr. Division) JMIC,
Kalakote.

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GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE DISTRICT MAGISTRATE, JAMMU
WAZARAT ROAD JAMMU 6180001 (J&K),
INDIA.

Order

Whereas, vide Government Order No. 61-JK(APD) of 2023 dated 08-01-2023 issued by Financial Commissioner (Additional Chief Secretary) Agriculture Production Department has declare whole Union Territory of J&K as ÷Free Areaø for Lumpy Skin Disease and the ban on inter District and intra District movement of Bovine Animals has been lifted in All Districts of Union Territory of J&K with immediate effect ;

Whereas, Prevention of Cruelty to Animals Act, 1960 read with Transport of Animals Welfare Rules, 1978 ; Transport of Animals on Foot (Amendment) Rules, 2001 requires to take all preventive measures as per the provisions of Acts and rules referred above for implementation of animal welfare laws and to take stringent action against the offenders violating animal welfare laws.

Whereas, sentiments of one particular community are attached with the Bovine animals especially cow which is treated as sacred animal by one particular community ;

Whereas, it is necessary to take some preventive measures to avoid such law and order problem in future ; and

Now, therefore, I Sachin Kumar Vaishya, IAS, District Magistrate Jammu in exercise of the powers vested in me under Section 144 Cr. P.C. hereby directed that no Bovine animals such as Cow, Buffalo, Oxen, Bulls, Calves etc. be transported from District Jammu to other

Districts, except with written permission from undersigned or Additional District Magistrate, Jammu under certain conditions imposed by this office, from time to time.

This order shall come into force with an immediate effect and shall remain in force for a period of two months from the date of its issue or till the order is rescinded whichever be earlier.

(Sd.) SACHIN KUMAR VAISHYA, IAS,
District Magistrate,
Jammu.

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GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE DEPUTY COMMISSIONER, JAMMU
WAZARAT ROAD JAMMU 6180001 (J&K),
INDIA.

Declaration under Section 19(1)

Notification No. 10

Dated 12-07-2023.

Whereas, it appears to the Government of Jammu and Kashmir that a total of 32 Kanals land in the village Hamirpur Kona, Tehsil Pargwal, District Jammu is required for public purpose i. e. for the establishment of Border Out Post (BOP) namely OP Chenab by the BSF ;

Whereas, the land is urgently required for the project falling within the purview of Section 40 of the said Act, exemptions have been accorded from conducting Social Impact Study vide Order No. 04 of 2022 dated 16-03-2023 issued under endorsement No. DCJ/LHS/BSF/BOP/ACQ-NA/Pargwal/S-1153/22/4784-92 dated 16-03-2023 by the Deputy Commissioner (Appropriate Government) read with endorsement No. DCJ/LHS/BSF/BOP/ACQ-NA/Pargwal/S-1153/22/4833-41 dated 27-03-2023 ;

Whereas, vide endorsement No. SDM/K/BOP/OP Chenab/2023-24/62-69 dated 11-04-2023, the Collector, Land Acquisition, Sub Divisional Magistrate, Khour issued Preliminary Notification under Section 11(1) of RFCTLARR Act, 2013, and called for objections from the interested person(s) within a period of sixty days from the date of publication of the Notification ;

Whereas, vide letter No. SDM/K/2023-24/612-614 dated 4-7-2023, the Collector, Land Acquisition, Sub-Divisional Magistrate, Khour reported that No Objections were received within the stipulated time and submitted the report under Section 15(2) of RFCTLARR Act, 2013 for taking decision ;

Whereas, after due examination of the report furnished by the Collector, Land Acquisition, Sub Divisional Magistrate, Khour, the land is required for public purpose ;

Whereas, the Government is satisfied after considering the report made by the Collector that the land particulars of which are given below is required for public purposes :

S. No.	Khasra No. (Survey No.)	Type of Title Private/ Govt./	Type of Land Rural/Urban	Area under Acquisition	K. M.	Trees Variety	Number	Type	Plinth area	Structures
1.	693	Common Private	Rural	03600	Nil	Nil	Nil	Nil	Nil	Nil
2.	695	Private	Rural	12600	Nil	Nil	Nil	Nil	Nil	Nil
3.	689	Private	Rural	02600	Nil	Nil	Nil	Nil	Nil	Nil
4.	694	Private	Rural	15600	Nil	Nil	Nil	Nil	Nil	Nil
Total				32-00						

Now, therefore, it is hereby declared under the provisions of Section 19(1) of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 that the said land is required for public purpose i. e. for the establishment of Border Out Post (BOP) namely -OP Chenab ø by the BSF ;

The number of families likely to be resettled due to Land Acquisition is Nil.

A plan of the land may be inspected in the office of the Collector and Tehsildar concerned on any working day.

(Sd.) AVNY LAVASA, IAS,
Deputy Commissioner,
Jammu.

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IN THE COURT OF MUNSIFF
(JUDICIAL MAGISTRATE, 1ST CLASS), REASI

Present : Arti Devi

State V/s Mohd Muqem and Others.

FIR No. 138/2021 of Police Station Reasi

under Sections 457/380/201 IPC

File No. 186/Challan DoI : 23-10-2021 D.O.D Order : 25-07-2023

GENERAL WARRANT OF ARREST UNDER SECTION 299 Cr. P.C.

To

SHO Police Station, Reasi.

Whereas, in the above said case titled, the accused namely
1) Mohd. Muqem S/o Mohd Zamil R/o Kotranka District Rajouri
2) Balbir Singh S/o Prem Singh R/o Markote Tehsil Thakrakote District Reasi who is/are facing trial before this Court has absconded and his/their immediate arrest in the near future is not possible and the bail bonds and the personal bonds stand forfeited.

As such the general warrants of arrest under Section 299 Cr. P.C. are issued against the above named accused. This is to authorize you to arrest the accused wherever he/they is/are found and produce the accused before the Court. The general warrant of arrest shall remain in existence till the accused is/are arrested and the warrants are recalled by the Court.

Given under my hand and the seal of the Court, this 25-07-2023.

(Sd.) ARTI DEVI

Munsiff (JMIC),
Reasi.

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IN THE COURT OF MUNSIFF
(JUDICIAL MAGISTRATE, 1ST CLASS), REASI

Present : Arti Devi

State V/s Mohd Tariq and Others.

FIR No. 34/2019 of Police Station Pouni

under Sections 382/201 RPC

File No. 16/Challan DoI : 04-07-2019 D.O.D Order : 22-07-2023

GENERAL WARRANT OF ARREST UNDER SECTION 299 Cr. P.C.

To

SHO Police Station, Pouni.

Whereas, in the above said case titled, the accused namely 1) Mohd. Tariq S/o Mohd Aslam R/o Bhagta Tehsil Katra District Reasi who is/are facing trial before this Court has absconded and his/their immediate arrest in the near future is not possible and the bail bonds and the personal bonds stand forfeited.

As such the general warrants of arrest under Section 299 Cr. P.C. are issued against the above named accused. This is to authorize you to arrest the accused wherever he/they is/are found and produce the accused before the Court. The general warrant of arrest shall remain in existence till the accused is/are arrested and the warrants are recalled by the Court.

Given under my hand and the seal of the Court, this 22-07-2023.

(Sd.) ARTI DEVI,

Munsiff (JMIC),
Reasi.

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IN THE COURT OF JUDICIAL
MAGISTRATE, 1ST CLASS, VAILOO.

Case No. 14/2022

D.O.I. : 17-11-2022

CNR No. JKAN080004252023

In the Case of :

Muzaffar Hussain (Ahmad) Khatana S/o Bashir Ahmad Khatana
R/o Kashwan, Tehsil Kokernag, District Anantnag.

(Complainant)

Through Mr. Tariq Ahmad Bhat (Advocate).

V/s

Abdul Rashid Bhat S/o Mohammad Ramzan Bhat
R/o Solina, Srinagar A/P Ajas, Bandipora.

(Accused)

In the matter of : Complaint u/s 138 Negotiable Instrument Act.

CORAM : Imran Hussain Wani

J.O. Code : JK00167.

General Warrant of Arrest against Accused namely Abdul Rashid Bhat
S/o Mohammad Ramazan Bhat R/o Solina, Srinagar, A/P Ajas
Bandipora.

Order

1. Whereas, the above titled Complaint is pending disposal before this Court and was listed for hearing today on i. e. 22-08-2023.
2. Whereas, the complainant was earlier present before this Court on 17-11-2022. It has been reported in the complaint that concerned Police has conducted searches in the locality for arrest of accused, but there is no immediate possibility of arresting the accused. Tameeli has stated that they took every effort to arrest the accused but accused is absconding.
3. Thus is view of the submissions made by the Police and Tameeli and Dockets annexed with the complaint, it is proved that accused person has absconded and there is no immediate prospect of arresting him.
4. As such proceeding in terms of erstwhile Section 512 Cr. PC read with Section 299 Cr. PC. is initiated against the accused person. Accordingly general warrant of arrest is issued against the accused.

5. Therefore, all the personal of J&K Police are directed to arrest the Accused Abdul Rashid Bhat S/o Mohammad Ramzan Bhat R/o Solina, Srinagar, A/P Ajas Bandipora and produce him before this Court whenever and wherever he is traced.

(Sd.)

Judicial Magistrate 1st Class,
Vailoo.

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COURT OF ADDITIONAL SESSIONS JUDGE, SPECIAL
DESIGNATED COURT UNDER NIA ACT,
PULWAMA.

In the case of :

**FIR No. 24/2021 under Sections 121 IPC, 18, 18B, 20,
39 ULA(P) Act, 7/25 A Act.**

Year 2021

**P/S Kakapora V/s Arjumand Gulzar Dar
S/o Gulzar Ahmad Dar
R/o Kharbatpora, Ratnipora
Pulwama**

Under Section 299 Cr. PC.

Coram : O.P. Thakur J.O Code : JK00097

PROCLAMATION U/S 299 Cr. PC.

Warrant of Arrest against : Arjumand Gulzar Dar S/o Gulzar Ahmad
Dar R/o Kharbatpora Ratnipora,
Pulwama.

Direction to :ô

Through the medium of this warrant, you are hereby directed to ensure the arrest of the above mentioned accused within the territorial limits of UT of J&K. This warrant shall remain in vogue till his arrest and subsequent production before the Court of Law.

Issued under my hand and seal and signature.

(Sd.)

Special Judge, Designated
under, NIA Act,
Pulwama.

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COURT OF ADDITIONAL SESSIONS JUDGE, SPECIAL
DESIGNATED COURT UNDER NIA ACT,
PULWAMA.

In the case of :

FIR No. 105/21

Year 2021

P/S Kakapora V/s Reyaz Ahmad Dar
Under Section 299 Cr. PC. S/o Ab. Aziz Dar &
Others.

Coram : O.P. Thakur J.O Code : JK00097

PROCLAMATION U/S 299 Cr. PC.

Warrant of Arrest against : Reyaz Ahmad Dar S/o Ab. Aziz Dar
R/o Sethar Gund,
Pulwama.

Direction to :ô

Through the medium of this warrant, you are here by directed to ensure the arrest of the above mentioned accused within the territorial limits of UT of J&K. This warrant shall remain in vogue till his arrest and subsequent production before the Court of Law.

Issued under my hand and seal and signature.

(Sd.)

Special Judge, Designated
Under, NIA Act,
Pulwama.

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COURT OF ADDITIONAL SESSIONS JUDGE, SPECIAL
DESIGNATED COURT UNDER NIA ACT,
PULWAMA.

In the case of :

FIR No. 11/2020

Year 2020

P/S Kakapora, Pulwama V/s Arjumand Gulzar Dar
Under Section 299 Cr. PC S/o Gulzar Ahmad Dar

**R/o Kharbatpora,
Ratnipora, Pulwama.**

Coram : O.P. Thakur

J.O Code : JK00097

PROCLAMATION U/S 299 Cr. PC.

Warrant of Arrest against : Arjumand Gulzar Dar S/o Gulzar Ahmad
Dar R/o Kharbatpora, Ratnipora
Pulwama.

Direction to :ô

Through the medium of this warrant, you are hereby directed to ensure the arrest of the above mentioned accused within the territorial limits of UT of J&K. This warrant shall remain in vogue till his arrest and subsequent production before the Court of Law.

Issued under my hand and seal and signature.

(Sd.)

Special Judge, Designated
under, NIA Act,
Pulwama.

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NOTIFICATION

I Sahil Kumar S/o Doulat Ram R/o Rohi Morh Gadi Garh, Jammu applied for the correction of my mother's name which has been wrongly written in the school record as Dolly Sharma instead of Asha Devi and also my father's name wrongly written as Daulat Ram instead of Doulat Ram.

It is certified that I have complied with other legal requirements in this connection.

Notification

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices shall remain solely responsible for the legal consequences and also for any other misrepresentation etc.

By order.

General Manager,
Ranbir Govt. Press, Jammu.

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NOTIFICATION

My name has wrongly been written as Renu Devi instead of Renu Salotra in school records of my son namely Nitin Salotra under Roll No. 22, 9th C, Section. Now I am applying for correction.

Renu Salotra
W/o Jagdish Salotra
M/o Nitin Salotra
R/o Old Satwari, Tehsil Jammu South.

It is certified that I have complied with other legal requirements in this connection.

Notification

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices shall remain solely responsible for the legal consequences and also for any other misrepresentation etc.

By order.

General Manager,
Ranbir Govt. Press, Jammu.

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NOTIFICATION

I have updated my Aadhaar Card bearing Number 6989 7952 5015 in which my name is Iqra. Whereas in my old Aadhaar Card my name is mentioned as Iqra Jan which is correct. Now I want to enter my name as Iqra Jan instead of Iqra in my updated Aadhaar Card.

Iqra Jan W/o Khursheed Ahmad Najar
R/o Kathi Darwaza, Srinagar.

It is certified that I have complied with other legal requirements in this connection.

Notification

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices shall remain solely responsible for the legal consequences and also for any other misrepresentation etc.

By order.

General Manager,
Ranbir Govt. Press, Jammu.

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NOTIFICATION

My wife's name has wrongly been written as Isha instead of Shobha Rani in DOB record of my daughter namely Anviksha Verma DOB 05-01-2010. now I am applying for correction of the same.

Sanjay Kumar
F/o Anviksha Verma
R/o Village Kattal Brahamana,
PO Jandi, Tehsil Hiranagar,
District Kathua.

It is certified that I have complied with other legal requirements in this connection.

Notification

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices shall remain solely responsible for the legal consequences and also for any other misrepresentation etc.

By order.

General Manager,
Ranbir Govt. Press, Jammu.

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NOTIFICATION

I, Munish Verma S/o Madan Lal R/o Ward No. 8, House No. 82, R. S. Pura, Tehsil R. S. Pura District Jammu, state that my name has been wrongly recorded as Manish Kumar instead of correct name Munish Verma in my Passport No. L3258621 issued by Passport Office Jammu. Now, I am going to apply for the correction of the same.

It is certified that I have complied with other legal requirements in this connection.

Notification

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices shall remain solely responsible for the legal consequences and also for any other misrepresentation etc.

By order.

General Manager,
Ranbir Govt. Press, Jammu.

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NOTIFICATION

It is hereby informed that I want to correct my name on the Aadhaar Card under Number 545029599881 from Shiman Shakeel to Betul Ayn.

New Name : Betul Ayn
D/o Shakeel Ahmad Malik
R/o Noor Bagh,
Srinagar, J&K.
Mobile No. 7006952764

It is certified that I have complied with other legal requirements in this connection.

Notification

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices shall remain solely responsible for the legal consequences and also for any other misrepresentation etc.

By order.

General Manager,
Ranbir Govt. Press, Jammu.

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NOTIFICATION

My name in previous passport application was mistakenly written as Rafeeqa, however my original name is Rukia Rafiq. Now, I need to write my original name as Rukia Rafiq in my passport application.

Rukia Rafiq
W/o Rafiq Ahmad Bhat,
R/o Gund Tankipora, Devsar, Kulgam.

It is certified that I have complied with other legal requirements in this connection.

Notification

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices shall remain solely responsible for the legal consequences and also for any other misrepresentation etc.

By order.

General Manager,
Ranbir Govt. Press, Jammu.

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NOTIFICATION

It is hereby informed that I want to correct my name on the Aadhaar Card from Rukhsan Bano to Aisha Begum.

Aisha Begum
W/o Farooq Ah. Wani
R/o Hoom, Tangmarg
Mobile No. 6006259295.

It is certified that I have complied with other legal requirements in this connection.

Notification

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices shall remain solely responsible for the legal consequences and also for any other misrepresentation etc.

By order.

General Manager,
Ranbir Govt. Press, Jammu.

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NOTIFICATION

In records my name is wrongly mentioned as Abida whileas my actual and correct name is Khalida. Now I want to change the same.

Khalida,
W/o Abdul Majeed Bhat,
R/o Ahmad Sahab Aastan, Reshan Haar, Nawa Kadal,
Adnan Ads.

It is certified that I have complied with other legal requirements in this connection.

Notification

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices shall remain solely responsible for the legal consequences and also for any other misrepresentation etc.

By order.

General Manager,
Ranbir Govt. Press, Jammu.

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NOTIFICATION

I, Gurdeep Singh Sudan F/o Guneet Kour Sudan R/o Nanak Nagar, Jammu has changed the name of my daughter from Guneet Kour Sudan (old name) to Guneet Kour (new name). She do hereby assume from this date the surname Kour (new name).

It is certified that I have complied with other legal requirements in this connection.

Notification

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices shall remain solely responsible for the legal consequences and also for any other misrepresentation etc.

By order.

General Manager,
Ranbir Govt. Press, Jammu.

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NOTIFICATION

We have changed the name of our child from Syed Eisa Shah to Syed Haris in Municipal records. He is studying in Tyndale Biscoe School in Grade 6, Roll No. 6, Section Blue. Now we intend to update the same in UIDIA, Passport, Domicile Certificate and School records.

Syed Moosaib Manzoor Shah
(Father) Abida Rashid (Mother)

It is certified that I have complied with other legal requirements in this connection.

Notification

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By order.

General Manager,
Ranbir Govt. Press, Jammu.

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NOTIFICATION

I, Bali Raj S/o Late Sh. Ram Dass R/o Machine Domana Phalora, Nagbani, Jammu, J&K of UT have applied for correction of name of my son which is Tarun Kalhotra as per his Aadhaar Card but his name has been wrongly written in my discharge certificate/Book under column Family particulars as Tarun Kalothra instead of Tarun Kalhotra. That Tarun Kalhotra and Tarun Kalothra is one and same person.

It is certified that I have complied with other legal requirements in this connection.

Notification

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices shall remain solely responsible for the legal consequences and also for any other misrepresentation etc.

By order.

General Manager,
Ranbir Govt. Press, Jammu.

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NOTIFICATION

I, Manjla W/o Rajesh Kumar R/o Suraksha Vihar, Paloura Top, Jammu, am applying for the correction of my name, which is wrongly written as Manjla Manhas instead of correct name Manjla in school record of my son namely Rishab Manhas as he is reading in 9th class in Army Public School Damana Jammu. Now I am applying for correction of the same.

It is certified that I have complied with other legal requirements in this connection.

Notification

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices shall remain solely responsible for the legal consequences and also for any other misrepresentation etc.

By order.

General Manager,
Ranbir Govt. Press, Jammu.

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NOTIFICATION

It is informed to the general public that my passport vide No. F2809538 has wrongly mentioned my name Zubaida Akhter while as my correct name is Zubeeda Akhter. I want to correct it if any body having any objection my contact the Regional Passport Sava Kendra Srinagar within 7 days no objection will entertained after that.

Zubeeda Akhter
W/o Zaffar Ahmad Bhat
R/o Wagam Pulwama

It is certified that I have complied with other legal requirements in this connection.

Notification

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices shall remain solely responsible for the legal consequences and also for any other misrepresentation etc.

By order.

General Manager,
Ranbir Govt. Press, Jammu.

رجسٹرڈ نمبر جے کے۔33



ساتھ مے و جے تے

جموں و کشمیر سرکاری گزٹ

جلد نمبر 136۔ جموں مورخہ 12 اکتوبر 2023ء بمطابق 20 اسونا 1945۔ ویروار نمبر 28

اِستہارات

از عدالت پرنسپل سیشن جج پونچھ

سرکار یوٹی جموں و کشمیر بنام مشتاق احمد وغیرہ

مقدمہ علت نمبر 45 سال 2014ء تھانہ پولیس منڈی

بجرائم زیر دفعات 363,376,109, RPC

وارنٹ گشتی عام زیر دفعہ 512 ضف بخلاف ملزم صدر

حکم بنام اہلکاران پولیس یوٹی جموں و کشمیر

معاملہ مندرجہ عنوان الصدر میں بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا

گیا ہے الا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعمیل آئی ہے کہ ملزم

مشتاق احمد ولد سدھام دین قوم بانڈے ساکنہ چھنی پلاٹ تحصیل سنڈر بنی ضلع راجوری گھر سے فرار ہو کر روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔

لہذا ملزم کے خلاف کارروائی زبردفعہ 512 ض ف بعمل لائی جا کر اہلکاران پولیس یوٹی جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر حدود یوٹی جموں و کشمیر دستیاب ہو تو اسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔
تحریر الصدر

وارنٹ ہذا آج مورخہ 23-08-2023 کو دستخط ہمارے اور مہربائے عدالت ہذا

سے جاری ہوا۔

سرکار یوٹی جموں و کشمیر بنام ساجد علی

مقدمہ علت نمبر 46 سال 2019ء تھانہ پولیس گورسانی

بجرائم زبردفعات 8,21,22 NDPS Act.

وارنٹ گشتی عام زبردفعہ 512 ض ف بخلاف ملزم صدر

حکم بنام اہلکاران پولیس یوٹی جموں و کشمیر

معاملہ مندرجہ عنوان الصدر میں بذریعہ وارنٹ گرفتاری بلاضمانتی طلب کیا گیا ہے الا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعمیل آئی ہے کہ ملزم ساجد علی ولد محمد یونس قوم گوجر بکر وال ساکنہ منڈہ گورسانی تحصیل مہنڈر ضلع پونچھ گھر سے فرار ہو کر روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔

ضمیمہ ج۔ جموں و کشمیر سرکاری گزٹ نمبر 28 مورخہ 12 اکتوبر 2023ء بمطابق 20 سونا 1945-175

لہذا ملزم کے خلاف کارروائی زبردفعہ 512 ض ف بعمل لائی جا کر اہلکاران
یوٹی جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر حدود
یوٹی جموں و کشمیر دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔
وارنٹ ہذا آج مورخہ 24-08-2023 کو دستخط ہمارے اور مہربانے عدالت ہذا
سے جاری ہوا۔

سرکار یوٹی جموں و کشمیر بنام محمد آفتاب وغیرہ
مقدمہ علت نمبر 49 سال 2013ء تھانہ پولیس مہنڈر
بجرائم زبردفعات RPC 323,397,147,148,324,325
وارنٹ گشتی عام زبردفعہ 512 ض ف بخلاف ملزم صدر

حکم بنام اہلکاران پولیس یوٹی جموں و کشمیر
معاملہ مندرجہ عنوان الصدر میں بذریعہ وارنٹ گرفتاری بلاضمانتی طلب
کیا گیا ہے اِلا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعمیل آئی ہے کہ ملزم
جاوید اقبال ولد کالومان قوم جٹ ساکنہ بنولہ تحصیل مہنڈر ضلع پونچھ گھر سے فرار
ہو کر روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔
لہذا ملزم کے خلاف کارروائی زبردفعہ 512 ض ف بعمل لائی جا کر اہلکاران
پولیس یوٹی جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر
حدود یوٹی جموں و کشمیر دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔
وارنٹ ہذا آج مورخہ 04-09-2023 کو دستخط ہمارے اور مہربانے عدالت ہذا
سے جاری ہوا۔

سرکار یوٹی جموں و کشمیر بنام ساجد علی
مقدمہ علت نمبر 126 سال 2019ء تھانہ پولیس مہنڈر
بجرائم زیر دفعات 188,336,124-A RPC

وارنٹ گشتی عام زیر دفعہ 512 ضف بخلاف ملزم صدر
حکم بنام اہلکاران پولیس یوٹی جموں و کشمیر

معاملہ مندرجہ عنوان الصدر میں بذریعہ وارنٹ گرفتاری بلا ضمانتی
طلب کیا گیا ہے الا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر
تعمیل آئی ہے کہ ملزم آصف مرزا ولد محمد فاروق مرزا قوم مرزا
ساکنہ گوبہ تحصیل مہنڈر ضلع پونچھ گھر سے فرار ہو کر روپوش ہو گیا ہے
جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔

لہذا ملزم کے خلاف کارروائی زیر دفعہ 512 ضف بعمل لائی جا کر اہلکاران
یوٹی جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر حدود یوٹی
جموں و کشمیر دستیاب ہو تو اسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔

وارنٹ ہذا آج مورخہ 31-08-2023 کو دستخط ہمارے اور مہربانے عدالت ہذا

سے جاری ہوا۔

دستخط: پرنسپل سیشن جج جموں

EXTRAORDINARY

REGD. NO. JK 33



THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 135] Jammu, Fri., the 3rd March., 2023/12th Phal., 1944. [No. 48-d

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT ó FINANCE DEPARTMENT
JAMMU/SRINAGAR

Notification

Srinagar, the 3rd March, 2023.

SO-106.óóIn exercise of the powers conferred by sub-section (1) of section 9 and sub-section (5) of section 15 of the Jammu and Kashmir Goods and Service Tax Act, 2017 (Act No. V of 2017), the Government on the recommendations of the Council, hereby makes the following amendments in the notification No. SRO-GST-1 dated 08-07- 2017 ; namely :ô

(A) In Schedule I-20%,ô

- i. agaist S. No. 102A, in column (3), for the entry, the following entry shall be substituted namely :ô

ôEthyl Alcohol supplied to Oil Marketing Companies or Petroleum refineries for blending with motor spirit (petrol)ö.

2 The J&K Official Gazette, 3rd March, 2023/12th Phal., 1944. [No. 48-d

ii. against S. No. 103A in the column (3) for the entry, the following entry shall be substituted namely :

“Bran sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals of leguminous plants [other than aquatic feed including shrimp feed and prawn feed, poultry feed and cattle feed, including grass, hay and straw, supplement and additives, husk of pulses including chilka, concentrates including chuni or churi, khanda, wheat bran, de-oiled cake]” ;

(B) in Schedule-II-6%,

i. against S. No. 48, in column (3), for the entry, the following entry shall be substituted namely :

“Fruit pulp or fruit juice based drinks [other than Carbonated Beverages of Fruit Drink or Carbonated Beverages with Fruit Juice]” ;

ii. against S. No. 180, in column (3), for the entry, the following entry shall be substituted namely :

“Mathematical boxes, geometry boxes and colour boxes” ;

(C) in Schedule-III-9%, against S. No. 25, in column (3), for the entry, the following entry shall be substituted namely :

“Ethyl Alcohol and other spirits, denatured of any strength [other than ethyl alcohol supplied to oil marketing companies or Petroleum refineries for blending with motor spirit (petrol)]”.

This notification shall deem to have come into force with effect from the 1st day of January, 2023.

By order of the Government of Jammu and Kashmir.

(Sd.) NITU GUPTA, JKAS,
Secretary,
Finance Department.

EXTRAORDINARY

REGD. NO. JK633



सत्यमेव जयते
THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 135] Jammu, Fri., the 3rd March, 2023/12th Phal., 1944. [No. 48-f

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separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT& FINANCE DEPARTMENT,
JAMMU/SRINAGAR.

Notification

Srinagar, the 3rd March, 2023.

SO-108.& In exercise of powers conferred by Sub-Section (3) of
Section 9 of the Jammu and Kashmir Goods and Services Tax, 2017 (Act

2 The J&K Official Gazette, 3rd March, 2023/12th Phal., 1944. [No. 48-f
 3301 2400 3301 2510 3301 2520 3301 2530 3301 2540 3301 2590
 No.V of 2017), the Government, on the recommendations of the Council,
 hereby makes the following amendments in the notification No. SRO-
 GST-4 dated 08-07-2017 ; namely :

In the Table, for S. No. 3A and the entries relating thereto, the
 following entries shall be substituted, namely :

(1)	(2)	(3)	(4)	(5)
3A	3301 2400 3301 2510 3301 2520 3301 2530 3301 2540 3301 2590	Following essential oils other than those of citrus fruit namely : of peppermint (Menthapiperita) : of other mints (Spearment all) ex- menthaspicata), Water mint-oil (ex-menthasylvestries), Bergament oil (ex-menthacitrate), Menthaarvensis.	Any unregistered person	Any Regist- ered person

This notification shall deem to have come into force with effect from
 the 1st day of January, 2023.

By order of the Government of Jammu and Kashmir.

(Sd.) NITU GUPTA, JKAS,
 Secretary,
 Finance Department.

EXTRAORDINARY

REGD. NO. JK633



THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 135] Jammu, Fri., the 3rd March, 2023/12th Phal., 1944. [No. 48-g

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PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT & FINANCE DEPARTMENT,
JAMMU/SRINAGAR.

Notification

Srinagar, the 3rd March, 2023.

SO-109. In exercise of powers conferred by Sub-Sections (3) and (4) of Section 9, Sub-Sections (1) and (3) of Section 11, Sub-Section(5) of

2 The J&K Official Gazette, 3rd March, 2023/12th Phal., 1944. [No. 48-g
Section 15 and Section 148 of the Jammu and Kashmir Goods and Services
Tax, 2017 (Act No.V of 2017), the Government, on being satisfied that it is
necessary in the public interest so to do, on the recommendations of the
Council, hereby makes following amendments in the notification No. SRO-12
dated 8th of July, 2017 ; namely :

1. against S. No. 12, in column (3), after the entry, the following
explanation shall be inserted, namely :

Explanation,—For the purpose of exemption under this entry, this entry
shall cover services by way of renting of residential
dwelling to a registered person where,

- i. the registered person is proprietor of a proprietorship
concern and rents the residential dwelling in his
personal capacity for use as his own residence ; and
- ii. such renting is on his own account and not that of the
proprietorship concern.

2. S. No. 23A and the entries relating thereto, shall be omitted.

This notification shall deem to have come into force with effect from
the 1st day of January, 2023.

By order of the Government of Jammu and Kashmir.

(Sd.) NITU GUPTA, JKAS,

Secretary,
Finance Department.

EXTRAORDINARY

REGD. NO. JK6633



**THE
JAMMU AND KASHMIR OFFICIAL GAZETTE**

Vol. 135] Jammu, Mon., the 20th March, 2023/29th Phal., 1944. [No. 50-j
Separate paging is given to this part in order that it may be filed
as a separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT& DEPARTMENT OF LAW, JUSTICE
AND PARLIAMENTARY AFFAIRS, SRINAGAR/JAMMU.

Notification

Jammu, the 20th of March, 2023.

SO-154.& In exercise of the powers conferred by Sub-Section (1)
of Section 20 of the Code of Criminal Procedure, 1973, the Government
hereby appoint following Officers to be the Executive Magistrate, who

EXTRAORDINARY

REGD. NO. JK 33



THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 135] Jammu, Fri., the 24th March, 2023/3rd Chai., 1945. [No. 51-i

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separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT 66 INDUSTRIES AND COMMERCE
DEPARTMENT, J&K, SRINAGAR/JAMMU.

Notification

Srinagar, the 24th March, 2023.

SO-164.66 In exercise of the powers conferred by Section 30 of the
Micro, Small and Medium Enterprises Development Act, 2006, the
Government hereby make the following amendments in the Jammu and

EXTRAORDINARY

REGD. NO. JKô 33



सत्यमेव जयते

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 135] Jammu, Fri., the 31st March, 2023/10th Chai., 1945. [No. 52-a

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATô LABOUR AND EMPLOYMENT
DEPARTMENT, SRINAGAR/JAMMU

Notificaton

Jammu, the 31st March, 2023.

SO-178.ô Whereas (1) Ghulam Mohi-ud-Din Sheikh S/o Mohammad Sultan Sheikh R/o Chandarigam, Tral, Pulwama (2) Mohammad Lateef Bhat S/o Mohammad Akram Bhat R/o Ratnipora, Pulwama and (3) Farooq Ahmad Sheikh S/o Gh. Mohammad Sheikh R/o Saimoh, Tral, Pulwama, filed an application under Section 12(4) of the Industrial Dispute Act, 1947, before the Conciliation Officer (Assistant Labour Commissioner, Pulwama) against the Management of HPCL- (1) General Manager, HPCL, Laxmi Nagar, New Delhi, (2) Regional Manager, HPCL, Gandhi Nagar, Jammu, (3) Depot Manager, HPCL, Pampore, Pulwama and (4) Mohammad Aslam Prop. M/s Global Engineering Work

2. The J&K Official Gazette, 31st March, 2023/10th Chai., 1945. [No. 52-a
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C/o Pampore Plant, wherein they had submitted that they were engaged as unskilled labourers in the year 2002, 2011 and 2006 respectively; but for the unknown reasons the non-applicants issued termination orders in respect of applicants in the month of November, 2020.

Whereas, after hearing the case and perusal of application, objections filed by the respondents, the Conciliation Officer tried to resolve the matter as per conciliation process but the Parties were not ready to settle the matter thereby resulting into failure of the conciliation process.

Whereas, the Labour Commissioner has examined the failure report and has recommended adjudication of the case by the J&K Industrial Tribunal-cum-Labour Court under Section 12 (4) of the Industrial Disputes Act, 1947.

Whereas, the Government is of the opinion that an Industrial Dispute exists between the Applicants and Respondents and consider it desirable to refer the dispute to the Labour-cum-Industrial Tribunal Court, Srinagar for adjudication.

Now, therefore, in exercise of the powers conferred under clause (c) of Sub-Section (1) of Section 10 of the Industrial Dispute Act, 1947 (XIV of 1947), the Government hereby refer the said dispute to the Industrial Tribunal-cum-Labour Court, Srinagar for adjudication on the following issues :ô

- i. Whether the termination of the applicants is legal or illegal ?
- ii. Whether the non-applicant has followed the due procedure for retrenchment ?
- iii. Whether the applicants are entitled to be reinstated with the back wages ?
- iv. Whether any reference is required to be made to the Board, Labour Court, Tribunal or National Tribunal ?

By order of the Government of Jammu and Kashmir.

(Sd.) SARITA CHAUHAN, IAS,

Commissioner/Secretary to the Government.

No. 5-i] The J&K Official Gazette, 9th May, 2023/19th Vai., 1945. Tue.
EXTRAORDINARY REGD. NO. JK6633

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT& HOUSING AND URBAN
DEVELOPMENT DEPARTMENT,
SRINAGAR/JAMMU

Notification

Jammu, the 9th May, 2023.

SO-254.& In exercise of the powers conferred by Sub-Section (2) of Section 27 of the Jammu and Kashmir Municipal Act, 2000, the Government hereby notifies the name of Smt. Superna Dhar W/o Sh. Jatinder Majotra, Councilor of Ward No. 04, Municipal Committee, Vijaypur, for being declared as elected Vice President of the Municipal Committee, Vijaypur, for the remainder period.

By order of the Government of Jammu and Kashmir.

(Sd.) H. RAJESH PRASAD, IAS,

Principal Secretary to the Government,
Housing and Urban Development Department.

EXTRAORDINARY

REGD. NO. JK633



THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 136] Jammu, Thu., the 18th May, 2023/28th Vai., 1945. [No.7-a

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS, SRINAGAR/JAMMU.

Notification

Jammu, the 18th of May, 2023.

SO-272. In exercise of the powers conferred by Sub-Section (1) of Section 20 of the Code of Criminal Procedure, 1973, the Government hereby appoint following Officers to be the Executive

2 The J&K Official Gazette, 18th May, 2023/28th Vai., 1945. [No. 7-a
Magistrates, who shall exercise all the powers of an Executive Magistrate
within their territorial jurisdiction of District Doda :ô

S. No.	Name of the Officer	Present place of posting
1.	Suraj Chander Singh Jasrotia	DPO, Doda
2.	Abhilash Sharma	BDO, Bhaderwah
3.	Sachin	BDO, Kastigarh
4.	Angel Kotwal	BDO in ACP Office, Doda
5.	Yasir Wani	BDO, Marmat
6.	Amir Ashraf Rather	BDO, Thathri
7.	Yusuf-ul-Umar	EO, MC, Doda
8.	Sanjay Kumar	EO, MC, Bhaderwah
9.	Rajesh Kumar	EO, MC, Thathri

By order of the Government of Jammu and Kashmir.

(Sd.) ACHAL SETHI,
Secretary to Government.



THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 136] Jammu, Thu., the 24th Aug., 2023/2nd Bhad., 1945. [No. 21 -a

Separate paging is given to this part in order that it may be filed
as a separate compilation.

PART III

Law, Regulation and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT— REVENUE DEPARTMENT,
JAMMU/SRINAGAR.

Notification

Srinagar, the 24th August, 2023.

SO-440—Whereas, draft rules namely ; The Jammu and Kashmir Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Social Impact Assessment and Consent) Rules, 2022 were notified vide notification S.O.-313

dated 24-06-2022 and published in the Jammu and Kashmir official Gazette, extra ordinary, Vol. 135 dated 24-06-2022 as required under section 112 of “The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013)”, for inviting objection(s) /suggestion(s) from the persons likely to be affected thereby within a period of 15 days from the date of the publication of the said notification in the Official Gazette ;

AND WHEREAS, suggestions received in respect of the said draft notification have been considered by the Government.

Now, therefore, in exercise of the powers conferred by section 109 of “The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013)”, the Government of Jammu & Kashmir hereby makes the following rules ; namely :—

CHAPTER I

General

1. **Short title, extent and commencement.**—(1) These rules may be called “The Jammu and Kashmir Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Social Impact Assessment and Consent) Rules, 2023.

(2) They shall extend to the whole of the Union Territory of Jammu and Kashmir.

(3) They shall come into force on and from the date of their publication in the Official Gazette.

2. **Definitions.**—(1) In these rules, unless the context otherwise requires, —

(a) “**Act**” means The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act No.30 of 2013) ;

(b) “**Award**” means statement of compensation, Rehabilitation and re-settlement and its apportionment among rightful claimants passed by the Collector in respect of the entire land for which indent has been placed by the requiring body ;

- (c) **“Collector”** means an officer designated by the Government under section 3(g) of the Act to carry out the functions of Collector Land Acquisition under the Act ;
- (d) **“District Collector”** means Deputy Commissioner of the District performing the functions of the Government for an extent of area as notified by the Government from time to time ;
- (e) **“Form”** means forms appended to these rules ;
- (f) **“Government”** means the Government of Union territory of Jammu and Kashmir ;
- (g) **“Gram Panchayat”** and **“Gram Sabha”** have the same meanings as assigned to them under the Jammu and Kashmir Panchayati Raj Act, 1989 ;
- (h) **“Rural Area”** means any area in the Union territory except the areas covered by any urban local body or a cantonment board established or constituted under any law for the time being in force ;
- (i) **“Revenue Officer”** means the officer as defined in the Jammu and Kashmir Land Revenue Act svt. 1996 ;
- (j) **“Section”** means section of the Act ;
- (k) **“Social Impact Assessment (SIA)”** means an assessment study being made under sub section (1) of section 4 of the Act ;
- (l) **“SIA Unit”** means a Department or an agency appointed by the Government to carry out the Social Impact Assessment Study and prepare Social Impact Management Plan ;
- (m) **“Social Impact Management Plan”** means the plan prepared as part of Social Impact Assessment Study under sub-section (6) of section 4 of the Act ;
- (n) **“TOR”** means Terms of Reference ;
- (o) **“Urban Area”** means any area in the Union territory covered by any local body or a cantonment board established or constituted under any law for the time being in force.

(2) All words and expressions used but not defined in these rules shall have the same meanings assigned to them in the Act.

CHAPTER II

Request for land Acquisition

3. **Request of Land Acquisition.**—(1) Whenever land in any area is required or likely to be required for public purpose, the Requiring Body or its authorized representative, for whom land is to be acquired shall file the request to the concerned District Collector in **Form-I** alongwith Annexure (I, II & III) appended to these rules, alongwith the following documents :—

- i. Detailed project report ;
- ii. Sanction letter of the project ;
- iii. Details of the land required alongwith map of the area ;
- iv. Information about the classification of land i.e. irrigated multi-cropped, single cropped, wasteland, etc. (if available) ;
- v. Any other information required by the Collector.

(2) A copy of requisition shall be endorsed to the Rehabilitation and Resettlement Commissioner if any rehabilitation plan is involved.

(3) In case of acquisition for Government departments (Central & UT) the requisition shall be filed by the Administrative Secretary or authorized representative (Not below the rank of HoD) of the concerned department/Ministry. In case of Public Sector Undertaking (PSU) by the Administrative Secretary of the department dealing with such undertaking.

(4) The District Collector shall diarize the requisition on the data base of the district and forward it to concerned Collector designated by the Government under section 3 (g) of the Act.

(5) The Requiring Body shall also deposit Administrative cost of acquisition of land with the Collector alongwith the requisition.

4. **Action by Collector Land Acquisition.**—(1) On receipt of the requisition under sub rule (1) of rule 3, the Collector shall constitute a committee consisting of officers from Revenue, Agriculture, Forest, Jal Shakti, Irrigation & Flood Control, Horticulture, Rural Development, PW (R&B), Departments or any other Department as the Collector

deems necessary to visit the spot alongwith the representatives of Requiring Body to make a preliminary enquiry regarding—

- a. Availability of State/Government land/common land, waste or arid land which may be suitable for the public purposes to be given preference and first priority ;
- b. Correctness of the particulars furnished in the requisition under sub-rule (1) of rule 3 ;
- c. Bare minimum land required for the project ; and
- d. Whether the request is consistent with the provisions of the Act.

(2) The Committee shall submit a report to the Collector, comprising of the following ; namely:-

- a. That the indenting department was offered State/Government land at various locations for the proposed acquisition and have not found any suitable land and has agreed to the proposed land which serves the public purpose ;
- b. That the extent of land proposed for acquisition is absolute bare minimum needed for the purpose/project ;
- c. That the acquisition of land at an alternative place has been considered and found not feasible ;
- d. That there is no sufficient/suitable unutilized land which has been previously acquired in the area ;
- e. That there is no State/Government/common land available which would serve the public purpose and there is only option to acquire the proposed patch of land which also include private land ;
- f. That the land, if any, acquired earlier and remained unutilized, may be used for such public purpose ;
- g. That the requisition is consistent or contrary to the provisions contained in section 10 or other provisions of the Act ; and
- h. The recommendations of the committee.

(3) The Collector shall give priority for acquisition of State/Government land and while examining the above report satisfy

himself and record a certificate that there is no State land/Government land /common land available which would serve the public purpose. If, the Collector on the basis of the report of the committee referred to in sub-rule (1), other information available with him and instructions issued by the Government in this regard, is satisfied that the request is in consonance with the provisions of the Act, he shall make a preliminary estimate of the cost of the acquisition as defined in clause (i) of section 3 of the Act. The Collector shall also submit report alongwith composition of team to the District Collector for issuing notification for commencement of consultation and conduct of SIA.

(4) The Collector shall also issue directions to revenue field staff to prepare and submit revenue papers (copy of jamabandi, Girdawari and Shajra kat) in triplicate alongwith site map duly attested by Tehsildar concerned. The revenue papers shall be authenticated by the authorized Officer of the Requiring Body in token of acceptance :

Provided that the revenue papers shall be prepared by the revenue field staff for the entire area for which indent has been placed by the Requiring Body and subsequently the award shall be passed for the entire area required.

5. Administrative cost of acquisition of lands.—(1) The administrative cost in terms of paragraph (A) of sub-clause (vi) of clause (i) of section 3 of the Act for acquisition of land for the Requiring Body to be deposited to the Collector shall be equal to 2.5 percent of the amount of compensation which shall be deposited by the Requiring Body alongwith the requisition/indent to the Collector.

(2) The administrative cost shall be utilized by the offices of the Revenue officers associated with the land acquisition for conducting ground survey of the land to be acquired including hiring of vehicle/expenditure on POL, updating the land records by the Revenue field staff, purchase of equipments/infrastructure, hiring of computer data operator, expenses on litigations, travelling and daily allowances of non-official members of Rehabilitation and Resettlement Committee, State Monitoring Committee, stationary and other contingency expenses related to the said acquisition, with the prior approval of the District Collector.

6. Manner of depositing cost of acquisition by Requiring Body.— (1) The Collector will inform the Requiring Body to deposit the estimated cost of acquisition in his office within a period as may be specified by him (preferably within 30 days) and the Requiring Body shall deposit the same within the period specified by the Collector

without which the process under the Act may not continue. The Requiring Body shall deposit the balance cost of acquisition after final estimation is prepared by the Collector and if any excess amount is awarded by the authority or a Competent Court, the same shall be deposited by the Requiring Body to the Collector as and when so required. The Collector shall deposit the cost of acquisition in the relevant Account.

(2) The Requiring Body shall also deposit the amount calculated for Rehabilitation and Resettlement at the appropriate time as specified by the Collector before the displacement of affected families in the same manner.

(3) The Requiring Body shall also deposit processing fee as assessed with the Collector for conducting of Social Impact Assessment Study.

CHAPTER III

Social Impact Assessment (SIA)

7. Acquisition under Urgency Provisions and Exemption from Social Impact Assessment Study.— Where any land is proposed to be acquired by Requiring Body by invoking urgency provisions under section 9 read with section 40 of the Act and if it is considered expedient to do so and if such urgency falls within the purview of section 40 (2), the Collector shall submit a report to the Government seeking permission to invoke the urgency provisions giving cogent reasons and for exemption from undertaking Social Impact Assessment study in such acquisition. On examining the proposal and if satisfied that urgency provisions may be resorted to, communicate its decision to the concerned Collector, who shall proceed to issue preliminary notification and further with the acquisition proceedings in accordance with provisions of the Act and these Rules.

8. The report of the committee shall be as SIA Report if no displacement or rehabilitation is involved.— Where no involuntary displacement of persons due to acquisition of land with no adverse impact, and no rehabilitation is involved, then the Collector shall obtain report of the committee as constituted under sub-rule (1) of rule 4 alongwith the consent of the interested persons (atleast 70%) which shall be considered as SIA Report and in such cases the Collector shall proceed for issuance of preliminary notification under section 11 of the Act within seven days.

9. Social Impact Assessment Study.— (1) Upon receipt of the report of Collector under sub-rule (3) of rule (4), a notification shall be

issued by the District Collector as per **Part-A of Form-II** appended to these Rules regarding the commencement of the SIA study and same shall be made available in the local language to the Panchayat/Municipality or Municipal Corporation as the case may be and in the office of District Collector, Sub Divisional Magistrate, Collector, Tehsil and affixing in the affected area. The notification shall also indicate date/time, venue and the details of the team/agency to carry out SIA study. Till such unit/agency is notified by the Government, a team of the following officers/officials may be constituted for conducting SIA :—

- a. Block Development Officer.
- b. Two officials from the government institutions/educational institutions having expertise in SIA study/Social studies.
- c. One officer/official from each of the following departments:-
 - i. Horticulture Department.
 - ii. Forest, Ecology and Environment Department.
 - iii. Agriculture Department.
 - iv. PW (R&B) Department/Mechanical Engineering Department.
 - v. Jal Shakti Department.
 - vi. Social Welfare Department.
 - vii. Labour & Employment Department.
 - viii. Housing and Urban Development Department.
 - ix. Officer/official of any other department as the Collector may deem fit :

Provided that such notification shall be issued within a period of 07 days from the date of deposit of the processing fee/expenses for carrying out the SIA study by the Requiring Body, which shall be determined in accordance with sub-rule (1) of Rule 11.

(2) The SIA study shall be conducted in consultation with the concerned Panchayat, Municipality, Municipal Corporation as the case may be, at village level and ward level in the affected area for the purpose of section 4 of the Act.

(3) The SIA Report shall be submitted in **Form-III** appended to these rules to the Government with a copy to Commissioner, Rehabilitation and Resettlement (if applicable) within a period of Six months from the date of commencement and shall include the views of the affected families recorded in writing.

(4) The SIA report including summaries shall be prepared and divided into two parts ; (i) the Social Impact Assessment Report ; and (ii) the Social Impact Management Plan (SIMP).

(5) The Social Impact Management Plan listing the ameliorative measures required to be undertaken for addressing the impact of the project under sub-section (6) of section 4 of the Act shall also be submitted as per **Form-IV** appended to these rules with a copy to Commissioner, Rehabilitation and Resettlement (if applicable) alongwith the SIA Report.

(6) The Social Impact Assessment Report and the Social Impact Management Plan shall be made available in the local language to the concerned Gram Panchayat, Municipality or Municipal Corporation, at village level or ward level in the affected areas and in the Offices of the District Collector, Sub-Divisional Magistrate/Collector and Tehsildar concerned. It shall also be published by way of a public notice by affixing at some conspicuous places in the affected areas and shall be uploaded on the website of the District Collector concerned.

(7) Environmental Impact Assessment Study where required shall be carried out simultaneously taking into consideration the impact of project likely on each component of environment and ecology. The provisions related to the said study as contained in sections 4 and 6 of the Act shall be adhered to.

10. Institutional support and facilitation for SIA.—(1) The Government may identify or establish an independent organization which shall be responsible for ensuring that Social Impact Assessments are commissioned and conducted as per the provisions of the Act and Rules. The Government may also nominate J&K Institute of Management, Public Administration and Rural Development (IMPARD) to provide institutional support and facilitation for conducting of SIA.

(2) The Social Impact Assessment Unit shall undertake the following tasks namely :—

- a. To build and continuously expand a UT Database of Qualified Social Impact Assessment Resource Partners and Practitioners, which will serve as a network of individuals and institutions

with the required skills and capacities to conduct Social Impact Assessments for land acquisition and Rehabilitation and Resettlement.

- b. To respond immediately to the Government or Collector's request for any Social Impact Assessment to be conducted by preparing a project-specific ToR ;
- c. To conduct training and capacity building programs for the SIA team and community surveyors and make available manuals, tools, comparative case study reports and other materials required for the analysis ;
- d. To provide ongoing support and corrective action, as required during the Social Impact Assessment process ;
- e. To ensure that the transaction based web-based workflow for Social Impact Assessments and MIS for Land Acquisition and Rehabilitation and Resettlement as specified in rule 18 is maintained and that all relevant documents are disclosed as per the provisions of the Act ;
- f. Maintain catalogue of all SIAs and associated primary material ; and
- g. Continuously review, evaluate and strengthen the quality of SIAs and the capacities available to conduct them across the Union territory.

11. Project-specific Terms of Reference and Processing Fee for the Social Impact Assessment.—(1) The District Collector shall send proposal of land acquisition alongwith all the relevant documents to the Social Impact Assessment Unit/Team for the purpose to :—

- a Prepare a detailed project-specific ToR for each proposal of land acquisition, listing all the activities that must be carried out indicating the appropriate team size (and number of field teams) and profile of the team members, and stipulate the schedule and deadlines for key deliverables for the SIA as detailed in **Part-B of Form-II** appended to these rules ;
- b Determine estimated SIA fee based on the ToR with clear break-up of costs for each item or activity. The fee amount

shall be based on defined parameters including area, type of project and number of affected families.

- (2) Ten percent of the SIA fee shall be allocated to Social Impact Assessment Unit as administrative expenses for preparing the ToR and estimated SIA fee report.
- (3) The Requiring Body shall deposit the SIA fee in the scheduled Bank Account of the Collector for the purpose.

12. Selection of the Social Impact Assessment Team.—(1) The Social Impact Assessment Unit (SIAU) shall select the SIA team for each project from the individuals and institutions registered or empanelled in the UT Database of Qualified Social Impact Assessment Resource Partners and Practitioners.

(2) The Requiring Body shall not be involved in any way in the appointment of the Social Impact Assessment team being appointed to carry out the SIA.

(3) The size and selection criteria for the SIA team shall be as per the project-specific ToR developed by the UT Social Impact Assessment Unit.

(4) The SIA team may be constituted by appointing individuals or an organization with experience in conducting SIAs or related field-based assessments and the team may include—

- a) a combination of independent practitioners, qualified social activists, academics, technical experts, who are not directly connected with the Requiring Body ; and
- b) at least one woman member ;

(5) A team leader shall be appointed from amongst the SIA team to liaison with the SIA Unit and the Collector throughout the assessment period.

(6) While selecting the SIA team, it is to be ensured that there is no conflict of interest involving the team members appointed to assess the concerned project.

(7) If at any stage, it is found that any team member or any family member of the team member directly or indirectly receives any benefit from the Requiring Body or any other stakeholder in the project, the said

member shall be disqualified apart from other legal proceedings being initiated against him in accordance with law. The team member shall submit undertaking to SIAU in this regard.

13. Process of conducting the Social Impact Assessment.—(1)
The SIA team shall collect and analyze a range of quantitative and qualitative data, undertake detailed site visits, use participatory methods such as focused group discussions, participatory rural appraisal techniques and informant interviews in preparing the Social Impact Assessment report.

(2) All relevant project reports and feasibility studies shall be made available to the SIA team throughout the SIA process, as required. Any request for information from SIA team shall be met at the earliest by the concerned department/agency of the Government but not exceeding seven days.

(3) A detailed assessment based on a thorough analysis of all relevant land records and data, field verification, review and comparison with similar projects shall be conducted by the Social Impact Assessment team. The assessment shall determine the following, namely:-

- a. area of impact under the proposed project, including both land to be acquired and the areas that will be affected by environmental, social or other impacts of the project ;
- b. area and location of land proposed to be acquired for the project ;
- c. the land proposed for acquisition is the bare minimum required ;
- d. possible alternative sites for the project and their feasibility ;
- e. whether the land proposed for acquisition is irrigated multi-cropped land and if so, whether the acquisition is a demonstrable last resort ;
- f. land, if any, already purchased, alienated, leased or acquired, and the intended use for each plot of land required for the project ;
- g. the possibility of use of any public, unutilized land for the project and whether any of such land is under occupation ;
- h. nature of the land, present use and classification of land and if it is an agricultural land, the irrigation coverage for the said land and the cropping pattern ;

- i. the special provisions with respect to food security have been adhered to in the proposed land acquisition ;
- j. size of holdings, ownership patterns, land distribution, number of residential houses, and public and private infrastructure and assets ; and
- k. land prices and recent changes in ownership, transfer and use of lands over the last three years.

(4) Based on the land assessment, land records and field verification, the SIA team shall provide an accurate estimate of the number of affected families and the number of displaced families among them and ensure that, as far as possible, all affected families are enumerated :

Provided that where enumeration is not possible, a representative sample assessment shall be done by SIA team/unit.

(5) A socio-economic and cultural profile of the affected area must be prepared, based on available data and statistics, field visits and consultations as per **Form-II**:

Provided that in projects where resettlement is required, the identified resettlement sites shall be visited and a brief socio-economic profile of the land and its current resident population shall be indicated.

(6) Basing on the data collected in processes listed above and in consultation with the affected communities and key stakeholders, the SIA team shall identify and assess the nature, extent and intensity of the positive and negative social impacts associated with the proposed project and land acquisition as per **Form-III**.

- (7) (i) The SIA process includes the preparation of a Social Impact Management Plan as per **Form-IV**, which will present the ameliorative measures to be undertaken to address the social impacts identified in the course of the assessment.
- (ii) The SIA team must assess the viability of impact mitigation and management strategies with clear indication of costs, timelines and capacities.
- (iii) The Social Impact Management Plan shall include the following measures :—
 - a. that have been specified in the terms of Rehabilitation and Resettlement and compensation for all the categories of affected families as mentioned in the Act ;

- b. that the Requiring Body has stated that it will undertake in the project proposal and other relevant project documents ; and
- c. that additional measures being undertaken by the Requiring Body, which has been undertaken by it in response to the findings of the SIA process and public hearings.

(8) The SIA must provide a conclusive assessment of the balance and distribution of the adverse social impacts and social costs and benefits of the proposed project and land acquisition, including the mitigation measures, and provide an assessment as to whether the benefits from the proposed project exceed the social costs and adverse social impacts that are likely to be experienced by the affected families or even after the proposed mitigation measures, the affected families remained at risk of being economically or socially worse, as a result of the said land acquisition and resettlement.

14. Process for conducting public hearings.—(1) Public hearings shall be held in the affected areas to bring out the main findings of the SIA, seeking feedback on the findings and to seek additional information and views for incorporating the same in the final documents.

(2) Public hearings shall be conducted in Gram Sabha where the members are directly or indirectly affected by the acquisition of the land.

(3) The date and venue of the public hearing must be announced and publicized by the Social Impact Assessment Unit/Team with assistance of Collector one week in advance through public notifications affixed at some conspicuous places in all the villages where the land is proposed to be acquired through direct communication with Gram Panchayat or Municipal Ward representatives, through Lambardar/Chowkidar of the village and by uploading the information on the website of the concerned district ; and publication in newspapers having wide publicity in the area.

(4) The draft Social Impact Assessment report and Social Impact Management Plan shall be published in the local language one week prior to the public hearing and distributed to all affected Gram Panchayats and Municipal offices. One copy of the draft report shall be made available in the offices of the District Collector, the Collector and the Tehsildar concerned.

(5) The Requiring Body may also be served with a copy of the draft report. Adequate copies of the report and summaries shall be made

available on the day of the public hearing. Accessible displays and other visual shall be used to share the findings of the Social Impact Assessment report.

(6) A member of the Social Impact Assessment team shall facilitate the public hearing, which shall be organized through local administration and the concerned Revenue Officer, Police Officer shall also be present to assist the SIA team.

(7) The Gram Panchayat or Municipal Ward representatives shall also be involved in all the decisions regarding the arrangements for the public hearings in their respective areas.

(8) All the proceedings shall be held in the local language with effective and credible translators to ensure that all the participants could understand and express their views.

(9) Representatives from the Requiring Body, Collector and Administrator shall also attend the public hearing and address the questions and concerns raised by the affected parties.

(10) Public representatives, local voluntary organizations and media shall also be invited to attend the public hearings.

(11) The proceedings of the public hearing shall be video recorded and transcribed accordingly. This recording and transcription shall be submitted along with the final Social Impact Assessment report and Social Impact Management Plan to the Collector.

(12) After the conclusion of the public hearings, the Social Impact Assessment team shall analyze the entire feedback received and information gathered in the public meetings and incorporate the same along with their analysis, in the revised Social Impact Assessment report accordingly.

(13) Every objection raised in the public meeting shall be recorded and the Social Impact Assessment team shall ensure that the every objection shall be considered in its report.

15. Submission of Social Impact Assessment Report and Social Impact Management Plan and its publication.—The final Social Impact Assessment Report and Social Impact Management Plan shall be prepared in the local language and submit to the Government. The said report shall be published in affected area in the Gram Panchayat, Municipality or Municipal Corporation, as the case may be, and the offices of the District Collector, Collector, the Tehsildar and propagated

in the affected area through lamberdar/chowkidar concerned and shall be uploaded on the website of the District Collector concerned.

16. Appraisal of Social Impact Assessment report by an Expert Group.—(1) Upon receipt of SIA and SIMP report under rule 15, an independent multi-disciplinary Expert Group shall be constituted under sub-section (1) of section 7 of the Act, consisting of :—

- 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 ;
- d. a technical expert in the subject relating to the project.

(2) The experts may be drawn from Government departments/NGOs/ but shall not include members belonging to Requiring Body. The senior member shall be nominated as Chairperson of the Expert Group.

(3) The Expert Group shall evaluate the Social Impact Assessment report and shall make its recommendation as provided under sub-section (4) & (5) of section 7 to that effect within a period of two months from the date of its constitution.

(4) The recommendations of the Expert Group shall be made available in the local language to the concerned Gram Panchayat, Municipality or Municipal Corporation, as the case may be, at village level or ward level in the affected areas and in the Offices of the District Collector, Collector and the Tehsildar and shall be published in the form of posters circulated in the affected areas and by affixing them in conspicuous places in the affected areas and shall be uploaded on the website of the District Collector.

17. Consideration of the Social Impact Assessment report, recommendations of the Expert Group etc.—(1) The Government shall examine the Social Impact Assessment report, the recommendations of the Expert Group and the report of the Collector, as provided in sub-section (1) & (2) of section 8 of the Act and decide such area for acquisition which would ensure minimum displacement of people, minimum disturbance to the infrastructure, environment, ecology and minimum adverse impact on the individuals affected.

(2) The decision under sub-rule (1) shall be made available in the local language to the concerned Panchayat, Municipality or Municipal

Corporation, as the case may be, at village level or ward level in the affected areas and in the Offices of the District Collector, Collector, Tehsildar and shall give wide publicity in the affected areas by affixing at the conspicuous places and shall also be uploaded on the website of the District Collector :

Provided that where land is sought to be acquired for the purposes as specified in sub-section (2) of section 2 of the Act, the Collector shall also ascertain as to whether the prior consent of the affected families as required under the proviso second to sub-section (2) of section 2 of the Act has been obtained in **Form-V (Part-A)** appended to these rules by conducting Gram Sabha.

(3) The Collector shall proceed for issuance of preliminary notification within 07 days of the consideration of the SIA report.

18. Web-based Work Flow and Management Information System (MIS) for Land Acquisition and Rehabilitation and Resettlement.— There shall be a dedicated, user-friendly website of the District Collector that may serve as a public platform on which the entire work flow of each acquisition case will be hosted, beginning with the notification of the Social Impact Assessment and tracking each step of decision-making, implementation and audit.

19. Inventory of Waste, Barren and Un-utilized Lands.— To ensure acquisition of minimum amount of land and to facilitate the utilization of unutilized public lands, the District Collector may prepare a district-level inventory report (Village wise) of waste, barren and unutilized public land, and land available in the Government land bank and that may be made available to the Social Impact Assessment team and Expert Group. The inventory report shall be updated from time to time.

CHAPTER IV

Consent

20. Consent Requirements.—(1) The Collector, shall obtain prior consent of the affected land owners in **Form-V (Part-A)** along with the SIA study.

(2) The Collector may constitute a team of officers under his control to assist him in the process of obtaining the prior consent.

(3) The Collector shall take necessary steps for updating the records relating to land rights, title in the land and other revenue records in the

affected areas, so that the names of land owners, occupants of the land and individuals be identified for initiating the prior consent process and land acquisition.

21. **Consent of the Gram Sabha.**—(1) The Collector shall in consultation with the representatives of the Gram Panchayats or District Development Councils notify the date, timing and venue for holding special Gram Sabha in the affected areas one week in advance and conduct public awareness campaigns to motivate members of the Gram Sabha to participate in the Gram Sabha.

(2) The names and signatures of all the members who attended the meeting of the Gram Sabha shall be taken and kept in the records.

(3) The quorum shall be at least one third of the total members of the Gram Sabha for considering the consent as valid:

Provided that one third of the total women members of the Gram Sabha shall also be present in the Gram Sabha meeting.

(4) Printed copies with the proposed terms and conditions for compensation, rehabilitation and resettlement shall be made available in the local language at least one week prior to the Gram Sabha meeting.

(5) For public private partnership projects and projects by private companies, representatives of the Requiring Body, who are competent to take decision and negotiate terms of Rehabilitation and Resettlement and compensation shall be present at all such Gram Sabha meetings and respond to the queries raised by the Gram Sabha members.

(6) The terms and conditions, Rehabilitation and Resettlement, compensation committed by the Requiring Body shall be explained to the Gram Sabha members in the local language and signatures of the members as well as the representative of Requiring Body shall be obtained on such terms and conditions.

(7) After deliberations, the Gram Sabha shall pass a resolution with majority in **Form-V (PART-B)** giving or withholding consent for the proposed acquisition and the resolution shall contain the negotiated terms and conditions for Rehabilitation and Resettlement, Compensation, impact management and mitigation that the Requiring Body has committed and which have been signed by the Collector or designated officer and the representative of the Requiring Body.

(8) The Gram Sabha resolution once received shall be counter signed by the Collector or a designated Officer and a signed copy shall be handed over to all the Panchayat representatives.

(9) Any resolution that does not explicitly contain a statement of consent to the project, a statement of the negotiated terms of compensation and Rehabilitation and Resettlement shall be invalid.

(10) All the proceedings of the Gram Sabha shall be video recorded, documented in writing and shall be made available in the office of Collector, Panchayat offices.

(11) Members of the Social Impact Assessment team shall be present to assist the Gram Sabha meetings.

22. Consent of the Affected Land owners.—(1) In Public Private Partnership projects and projects by private companies, a list of all affected land owners from whom consent is required to be obtained shall be drawn up by Collector in consultation with the Social Impact Assessment team.

(2) The list shall be made available in the affected area, in the form of posters and handouts and by displaying the list in conspicuous places of the affected areas for at least seven days before obtaining consent.

(3) In case of any objection, the views of the objector shall also be taken, and the reasons for doing so shall be recorded in writing and conveyed to the concerned person within seven days.

(4) The Collector in consultation with representative of Panchayat, Municipality, Municipal Corporation as the case may be, shall notify the date, time and venue at least one week in advance, for holding the affected land owners meetings at the village or ward level.

(5) The proposed terms and conditions agreed to by the Requiring Body shall also be made available in local language at least one week in advance of the meeting of the affected land owners to each and every affected land owner.

(6) For public private partnership projects and projects by private companies, representatives of the Requiring Body, who are competent to take decision and negotiate terms of Rehabilitation and Resettlement and compensation shall be present at all such affected land owners meetings and respond to the queries raised by the affected land owners.

(7) The terms and conditions, Rehabilitation and Resettlement, compensation committed by the Requiring Body shall be explained to the members in the local language and signatures of the members as well as

the representative of Requiring Body shall be obtained on such terms and conditions.

(8) At the conclusion of the meeting, each individual land owner shall be asked to indicate in the signed declaration whether he or she gives or withholds consent for the acquisition of land involved.

(9) A copy of this declaration with the attached terms and conditions shall be given to the land holder concerned.

(10) Arrangements shall be made for those who could not attend the land owners meeting for enabling them to submit their signed declarations to the Collector within 07 days from the date of land owners meeting.

(11) The declaration form shall be counter-signed by the Collector or designated officer on its receipt and a copy of the declaration, with the attached terms and conditions shall be handed over to the affected landowner.

(12) Consent procedure shall be determined on the basis of the signed or thumb impression, written declarations of land owners.

(13) All proceedings of taking affected land owner's consent during land owners meetings shall be recorded in video and all the proceedings must be documented in writing.

(14) The outcome of the consent process shall be made available in the office of Collector and Panchayat offices.

(15) Members of the Social Impact Assessment team shall be present to assist the affected land owners meeting.

23. Roles and responsibilities of the appropriate Government for consent processes.—(1) To notify and publish the date, time and venue of Gram Sabha, Panchayat etc. and affected land owners meetings for obtaining the consent and organize public awareness campaigns to encourage participation of the affected land owners in the consent processes.

(2) To ensure that the following are provided at least one week in advance to every member from whom consent is sought, in the local language, namely:-

- a. A copy of the draft Social Impact Assessment report (if applicable) in the local language ;
- b. Initial package being offered for compensation and Rehabilitation and Resettlement ;

- c. A list of the rights currently enjoyed by the village and its residents under revenue laws, Forest Rights Act and other legislations ;
- d. Contact details of the officer or authority alongwith official telephone number to be contacted in case of any attempt to coerce for signing the declaration of consent process. It shall be ensured no coercive steps be taken for getting consent of affected persons, any such attempt shall be illegal.

(3) The Collector or any official appointed by the Collector shall attend the Gram Sabha, Panchayat etc and land owners meetings.

(4) To ensure that all the documents relating to SIA are made available to the affected land owners and all requests for information are provided within seven days.

24. Roles and responsibilities of the Requiring Body for consent processes.—(1) The Requiring Body shall appoint representatives competent to take decisions and negotiate terms and conditions of compensation and Rehabilitation and Resettlement, who shall be present in the meetings of affected land owners for obtaining the consent and reply to the queries raised by the land owners.

(2) The Requiring Body shall provide all the information on the project, prior to the taking of consent as well as any additional information, if required.

CHAPTER V

Notification of Acquisition

25. Publication of Preliminary Notification.—(1) The preliminary notification referred to in section 11 of the Act shall be issued in **Form-VI** appended to these rules.

(2) The preliminary notification shall be published in the manner provided in sub-section (1) of section 11 of the Act.

(3) A copy of the notification shall be affixed at conspicuous places in the affected areas and shall also be informed to the public through Lumbardar/Chowkidar of the village and shall be published in Official Gazette.

(4) After issuing the preliminary notification, the Collector shall ensure completion of the exercise of updating land records within a period of two months as specified hereunder :—

- a. Delete the entries of dead persons ;
- b. Enter the names of the legal heirs of the deceased persons ;
- c. Enter the registered transactions of the rights in land such as sale, gift, partition, etc. ;
- d. Make all entries of the mortgage in the land records ;
- e. Delete the entries of mortgage in case the lending agency issues letter towards full payment of loans taken ;
- f. Update entries in respect of all prevalent forest laws ;
- g. Update entries in case of the Government land ;
- h. Update entries in respect of assets in the land like trees, wells, etc ;
- i. Update entries of share croppers in the land ;
- j. Any other entries or up-dating in respect of land acquisition, rehabilitation and resettlement.

(5) The Collector and Revenue field staff and the officers associated with the acquisition are authorized for conducting of survey of land as provided under section 12 of the Act.

(6) The Collector after hearing all objections and making enquiry as provided in sub-section (2) of section 15 of the Act shall submit a report along with his recommendations on the objections to the Government for decision. The report of Collector shall, *inter-alia* include :—

- a. Assessment as to whether the proposed acquisition serves public purpose ;
- b. Whether the extent of land proposed for acquisition is the absolute bare-minimum extent needed for the project ;
- c. Whether land acquisition at an alternate place has been considered and found not feasible ;
- d. There is no unutilized land which has been previously acquired in the area and there is no Government common land available in the area ;
- e. The land, if any, acquired earlier and remained unutilized, is used for such public purpose and make recommendations in respect thereof ;

- f. Classification of land and soil type ;
- g. Recommendations on the objections ;
- h. Record of proceedings ; and
- i. Approximate cost of land acquisition.

CHAPTER VI

Rehabilitation and Resettlement Scheme

26. Appointment, power, duties and responsibilities of the Administrator.—(1) Under sub section (1) of section 43 of the Act, the Government appoints the Additional Deputy Commissioner (stationed at District Headquarter) of every district in the Union territory to be the Administrator for Rehabilitation and Resettlement, in respect of the projects located within the jurisdiction of the district, where the Government is satisfied that there is likely to be involuntary displacement of persons due to acquisition of land.

(2) The Administrator shall have the following powers, duties and responsibilities ; namely:—

- a. To conduct a survey and undertake a census of the affected families in the manner and within time as provided under rule 27 ;
- b. To prepare a draft Rehabilitation and Resettlement Scheme ;
- c. To publish the draft scheme by the mode provided under these Rules ;
- d. To make the draft scheme available to the concerned persons and authorities ;
- e. To organize and conduct public hearings on the draft scheme ;
- f. To provide an opportunity to the Requiring Body to make suggestions and comments on the draft scheme ;
- g. To submit the draft scheme to the District Collector ;
- h. To publish the approved Rehabilitation and Resettlement Scheme in the affected area ;
- i. To help and assist the Collector in preparing the Rehabilitation and Resettlement award ;

- j. To monitor and supervise the implementation of the Rehabilitation award ;
- k. To assist in post-implementation audit of Rehabilitation and Resettlement, and
- l. Any other work required to be done for Rehabilitation and Resettlement.

27. Preparation of Rehabilitation and Resettlement Scheme and Public Hearing.—(1) Upon 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 within a period of two months from the date of publication of such preliminary notification.

(2) The survey and census of the affected families shall include the particulars mentioned in sub-section (1) of section 16 of the Act.

(3) In the survey conducted and the census of the affected families so undertaken by the Administrator, he shall collect the data based on the SIA report as well as collect the data from the secondary sources such as Panchayat, Municipality, Municipal Corporation, Government records and verify that data by door visit of the affected families and by site visits in case of infrastructure in the affected area.

(4) The draft Rehabilitation and Resettlement Scheme prepared by the Administrator shall in addition to the particulars mentioned in the sub-section (2) of section 16 of the Act, contain the following :—

- a. List of likely to be displaced families ;
- b. List of infrastructure in the affected area ;
- c. List of land holdings in the affected area ;
- d. List of trades/business in the affected area ;
- e. List of landless people in the affected area ;
- f. List of persons belonging to disadvantageous groups like persons belonging to Scheduled Castes or Scheduled Tribes, handicapped persons in the affected area ;
- g. List of landless agricultural labourers in the affected area ;
- h. List of unemployed youths in the affected area.

(5) The Administrator shall prepare a comprehensive and detailed draft Rehabilitation and Resettlement Scheme. The Administrator shall give wide publicity to the draft Rehabilitation and Resettlement Scheme in the affected area through publication in the following manner :—

- (a) In two daily newspapers being circulated in the locality of such area of which one shall be in the regional language.
- (b) To be made available in the office of Panchayat/Municipality or Municipal Corporation as the case may be at the Ward/Village level.
- (c) In the office of District Collector, Collector, Tehsil and Block Development Office.
- (d) To affix at the conspicuous place in the affected area.

(6) The Administrator or an officer authorized by him shall conduct a public hearing in the affected areas on such date, time and venue as decided by giving advance notice of one week. The provisions of rule 14 relating to the public hearing shall, *mutatis mutandis*, apply to the public hearing in this case also.

(7) The Administrator shall, on completion of public hearing submit the draft scheme for Rehabilitation and Resettlement alongwith a specific report on the claims and objections raised in the public hearing, to the District Collector as provided in sub-section (6) of the section 16 of the Act.

(8) Thereafter, the District Collector shall review the draft scheme as provided in sub-section (1) of section 17 of the Act and shall submit the draft Rehabilitation and Resettlement Scheme with his suggestions to the Commissioner of Rehabilitation and Resettlement for approval as provided in sub-section (2) of section 17 of the Act.

28. Appointment of Commissioner for Rehabilitation and Resettlement, Approval and publication of the Rehabilitation and Resettlement Scheme.—(1) Under sub-section (1) of section 44 of the Act, the Government appoints the Divisional Commissioner, Kashmir and Divisional Commissioner, Jammu as the Commissioner for Rehabilitation and Resettlement (R&R) in their respective jurisdiction for the purpose of rehabilitation and resettlement of affected families under this Act.

(2) The Commissioner for Rehabilitation and Resettlement upon receipt of the draft Rehabilitation and Resettlement Scheme from the District Collector, after examining it in the light of the provisions of the Act, accord approval to the scheme.

(3) The Commissioner for Rehabilitation and Resettlement by way of public notice shall publish the approved Scheme as finalized by him under section 18 of the Act, in the affected area by affixing at conspicuous places, circulating through Lambardar/Chowkidar in the area and shall publish in the two local daily news papers one in English and other in regional language having wide circulation in the area.

(4) The copies of the approved scheme shall also be made available in the offices of the Municipal Corporation/Village Panchayat, District Collector, Sub-Divisional Magistrate/Collector, concerned Tehsildar and Administrator (Rehabilitation and Resettlement) of the concerned area by public affixture and shall also be uploaded on the official website of the District Collector.

(5) The Commissioner for Rehabilitation and Resettlement shall be responsible for supervising the formulation of rehabilitation and resettlement schemes or plans and proper implementation of such schemes or plans.

(6) The Commissioner for Rehabilitation and Resettlement shall be responsible for the post-implementation social audit in consultation with the Gram Sabha in rural areas and municipality in urban areas.

29. Development Plan for Scheduled Castes or Scheduled Tribes Families.— Subject to the provisions of section 41 of the Act, in case of displacement of Scheduled Castes or Scheduled Tribes families due to acquisition, a Development Plan in **Form-VIII** shall be prepared by the Administrator (Rehabilitation and Resettlement) in consultation with the affected families and the said plan shall be read out and discussed during the public hearing of Rehabilitation and Resettlement Scheme and finalized.

CHAPTER VII

Declaration, Award and Compensation

30. Publication of Declaration for Acquisition.—(1) Upon receipt of report of the Collector under sub-rule (6) of rule 25 (sub-section (2) of section 15 of the Act), after examining and considering the report that

particular land is needed for public purpose, the declaration referred to under sub-section (1) of section 19 of the Act shall be made to that effect, in **Form VII** appended to these rules :

Provided that no such declaration shall be made unless the requiring body has deposited 50% towards the cost of acquisition of the land as per the procedure provided in rule 6. The Requiring Body shall deposit the amount promptly so as to enable to publish the declaration within a period of twelve months from the date of publication of preliminary notification under section 11 of the Act.

(2) The Collector shall publish a summary of the Rehabilitation and Resettlement Scheme alongwith declaration referred 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 alongwith such declaration.

(3) The said declaration shall be published in the manner as prescribed under sub-section (4) of section 19 of the Act. In the affected areas the declaration shall be published by way of affixing copy at conspicuous places in the Panchayat, Ward, as the case may be, under which the affected area falls.

31. Notice to the persons interested.— Upon the declaration issued under section 19 of the Act, the Collector shall issue a public notice under section 21 of the Act and cause public notice to be given at convenient places stating that the Government intends to take possession of the land and claims to compensation and rehabilitation and resettlement for all interests in such land.

32. Land Acquisition Award.—(1) The Collector after enquiry into and disposal of the objections, if any, raised by the interested persons in pursuance of the public notice published and given under sub-section (1) of section 21 of the Act, shall make a draft award of compensation strictly calculated as per the provisions laid down under sections 26 to 30 of the said Act.

(2) Date for determination of market value shall be the date on which the notification has been issued under section 11 of the Act.

Explanation 1.—Market value means latest value of land as notified in terms of The Jammu and Kashmir Preparation and Revision of Market Value Guideline Rules, 2011 by

the District Valuation Committees of the concerned District under the Stamps Act, 1977.

Explanation 2.—Any transaction of small patches of land at higher/exorbitant value shall not be taken into consideration in any way for determination of market value and in such cases the market value given at Explanation 1 shall be the basis to determine the value of the land for drawing up of the tentative award.

(3) The Collector shall refer the proposed rates to District Collector to hold Collectors meeting to discuss the proposal and decide the tentative rates.

(4) Under sub-section (2) of section 26 and sub-section (2) of section 30 read with provisions against serial No. 2 in column 3 of the First Schedule of the Act, the Government notifies that in case of rural areas, the factor by which the market value is to be multiplied shall be 2.00 (two).

(5) The District Collector shall hold Collectors meeting on regular basis to discuss and decide the rates of compensation prepared by the Collector. The record note of each meeting shall be maintained in District Collector's office and copy attached with the each case.

(6) Where the amount of compensation tentatively assessed exceeds the pecuniary jurisdiction of the Collector, he shall refer the record of the case along with the statement of tentative assessment of compensation for approval of the competent authority empowered under sub-rule (1) of rule 34. The competent authority shall satisfy itself that the assessment of compensation is as per the provisions laid down under sections 26 to 30 of the Act and convey the approval within 07 days from the date of receipt of the case.

(7) The Collector shall make the land acquisition award after receipt of approval of competent authority referred to under section 23 of the Act in **Form IX** appended to these rules.

33. Rehabilitation and Resettlement Award.—(1) The Collector shall also make Rehabilitation and Resettlement Award for each affected family in accordance with the Second Schedule of the Act in **Form X** appended to these rules and handover family-wise awards to each affected family.

(2) The Collector shall also ensure provisions of infrastructure facilities and basic amenities are provided for every resettlement area as per description in **Form XI**.

34. Pecuniary Jurisdiction for approval of the Land Acquisition and Rehabilitation Award.—(1) The Government empowers the following authorities shown in the column 2 to the extent of pecuniary competence to accord approval for the amount shown against each in column 3 within their respective territorial jurisdiction :

S.No.	Authority	Amount of Land Acquisition
1	Collector Land Acquisition	Upto 1.00 crore
2	District Collector/Deputy Commissioner	Upto 20.00 crore
3	Divisional Commissioner	Upto 40.00 crore
4	Financial Commissioner, Revenue	Upto 60.00 crore
5	Government (In Revenue Department)	Beyond 60.00 crore

(2) The Government from time to time may revise the pecuniary competence and notify in the official gazette.

35. Title Verification, entitlement of compensation etc. and Mode of Payment of Compensation.—The Government may issue guidelines separately and for the time being till fresh guidelines are formulated, the guidelines issued by the Government vide Circular No. Rev.LB-10/80 dated 23.02.1980 and subsequent orders and clarifications issued from time to time shall apply to the acquisition under the said Act. The payment of compensation to the rightful claimants shall be made through the bank accounts only.

36. Recovery of Excess Amount.— (1) In the case of any default or refusal to pay the excess amount as referred to in sub-section (3) of section 33, the same shall be recovered as arrears of land revenue under the provisions of the Jammu and Kashmir Land Revenue Act, Samvat 1996 and such recovery shall be made within the period of 03 years from the date on which excess amount is found to have been paid. Beyond the period of 03 years, 6% interest shall be levied and excess amount and interest shall be recovered in the same manner.

(2) In case of any wrong or excess payments noticed at any time in any land acquisition award issued under the Land acquisition Act, Svt 1990 (repealed now) or under the Central Act(Act No.30 of 2013) , which is either due to clerical error and without any malafide intention

or anything which is done in good faith under these Acts or rules, no prosecution or other legal proceedings shall lie against public servant. This payment shall be recovered in the manner provided in sub-rule (1) for which the Collector shall pass a speaking order within 30 days from the date it is reported and shall give immediate notice of such correction to all the interested persons and amount so recovered shall be deposited in the relevant account head of the Government.

37. Recovery of rehabilitation and resettlement benefit.—Where any rehabilitation and resettlement benefit is found to have been availed of by making false claim or through fraudulent means, as provided under sub-section (2) of section 84 of the Act shall be recovered as arrear of land revenue in the manner under Jammu and Kashmir Land Revenue Act, Samvat 1996.

38. Limits on extent of land.—(1) The limits of extent of land referred to in clause (a) of sub-section (3) of section 2 and sub-section (1) of section 46 of the Act shall be twenty hectares (400 kanal) in urban areas and forty hectares (800 kanal) in rural areas.

(2) The land acquisition shall not exceed 15% of the net present cultivable area in the UT and the limits in the districts shall be prescribed by the District Collectors concerned as contemplated under Section 10(4) of the Act subject to any further notification as may be notified by Government.

CHAPTER VIII

Rehabilitation and Resettlement Committee and State Monitoring Committee.

39. Rehabilitation and Resettlement Committee.—(1) Where land proposed to be acquired is equal to or more than one hundred acres, the Rehabilitation and Resettlement Committee at Project Level constituted under section 45 of the Act, shall follow the following procedure:-

- a. The Committee shall have its first meeting when a draft Rehabilitation and Resettlement Scheme has been prepared by the Administrator.
- b. The Committee shall discuss the scheme and make suggestions and recommendations. Thereafter, the

Committee shall meet, and review and monitor the progress of the rehabilitation and resettlement once in 3 months till the process of rehabilitation and resettlement is completed.

- c. For the purpose of carrying out the post-implementation social audits, the Committee shall meet as and when required.
- d. The Committee may visit the affected area and discuss with the affected families if it so desires and also visit the resettlement area to monitor the resettlement process.

(2) The Member-Convener of the Committee shall be assisted by subordinate officers and staff provided by the appropriate Government.

(3) The non-official members of the Committee shall get travelling and daily allowances at the rate admissible to Class-II Officers of the Government.

40. State Monitoring Committee.— The Government may constitute State Monitoring Committee, as required under section 50 of the Act for the purpose of Rehabilitation and Resettlement.

41. Procedure of State Monitoring Committee.— (1) The Committee shall follow the following procedures :—

- a. Monitor and review the implementation of the Rehabilitation and Resettlement Schemes or plans under the Act.
- b. The Committee shall hold first meeting within a month of the publication of the scheme by the Commissioner under section 18 of the Act.
- c. Thereafter, the meetings of the Committee shall be held once in three months to review and monitor the implementation of the rehabilitation and resettlement schemes. The Commissioner (R&R) shall be the Member Convener.
- d. The Committee may call for records and information of rehabilitation and resettlement scheme, call the requiring body for discussion as and when required and ask for report about implementation of its decision.

(2) The non-official members of the State Monitoring Committee shall get travelling and daily allowance at the rate admissible to the Class-I Officers of the Government.

CHAPTER IX

Land Acquisition, Rehabilitation and Resettlement Authority

42. Establishment of Land Acquisition, Rehabilitation and Resettlement Authority.—(1) The Government shall establish by notification one or more Authority known as “Land Acquisition, Rehabilitation and Resettlement Authority” in the Union territory of Jammu and Kashmir to exercise, jurisdiction powers and authority conferred on it by or under the Act:

Provided that till such an Authority is established, the Government with the concurrence of the Hon’ble High Court of J&K and Ladakh may declare Courts of District Judges/Additional District Judges of each district to act as the Land Acquisition, Rehabilitation and Resettlement Authority in their jurisdiction.

(2) If the Presiding Officer is a serving District Judge, his salary and other service conditions shall continue to be in accordance with the relevant service rules applicable to him in the post of District Judge.

(3) If the Presiding Officer is a retired District Judge, his salary shall be the last pay drawn by him while he was in service minus the pension he is drawing from time to time. He shall not be entitled for any pension towards the service rendered by him as the Presiding Officer of the Authority. The other service conditions applicable to the post of District Judge shall *mutatis mutandis* be applicable to him.

(4) If the Presiding Officer is a legal practitioner, he shall be paid the pay and other allowances in the minimum scale of pay applicable to the post of District Judge (entry level). He shall not be entitled for any pension. The other service conditions applicable to the post of District Judge shall *mutatis mutandis* be applicable to him.

(5) There shall be a Registrar of the rank of Tehsildar from the Revenue Department and other staff to be posted on deputation from different cadres of the Government including the Revenue Department. The salaries and allowances of the Registrar and other officers and employees of the said Authority shall be the same as they were drawing from their parent departments. The general conditions of service applicable to them in their parent cadre shall *mutatis mutandis* be applicable while on deputation in the said Authority.

(6) The Government may prescribe any other matter as required under clause (g) of sub section (1) of section 60 of the Act by publishing in the official gazette from time to time.

CHAPTER X

Miscellaneous

43. Reversion of land to the Land Bank.—(1) Where any land acquired under the Act remains unutilized for a period of five years from the date of taking over possession, the same shall be returned to the original owners or their legal heirs as the case may be, or the Land Bank of the Government in accordance with the provisions contained in section 101 of the Act by issuing a notice to the Requiring Body for whom the land was acquired and by giving opportunity of being heard and by passing necessary written order by the Government in this behalf :

Provided that :

- a. No dispute exists as to the ownership of the land ;
- b. No dispute exists as to who the true legal heirs are ; and
- c. The entire land covered under the notification issued under section 11 of the Act is not fully utilized ; and
- d. The land owners had not availed cash benefit or land for land under the Rehabilitation and Resettlement Scheme.

(2) The reversion shall be considered only as a whole in respect of all the lands described in the notification under section 11 of the Act and not in parts.

(3) For determining the five year period, the latest date of taking possession of any parcel of land shall be the date of taking possession of land and the litigation period, if any, shall be excluded for the calculation of 5 years.

(4) The compensation paid to the erstwhile land owners excluding Solatium shall be returned by them.

(5) The owner/legal heir claiming reversion of lands shall submit an application to the Collector within thirty days from the lapse/expiry of five years, excluding litigation period if any from the date of taking possession and the application shall be duly signed by all the land owners/legal heirs.

(6) The claimant shall deposit an amount equal to 50% of the compensation received/drawn in the form of Demand Draft in the name of the Head of department of the Requiring Body alongwith his

application. The remaining 50% shall be deposited within a period of 30 days from the date of communication of the intention of government for returning the land.

(7) The amount so refunded shall be deposited into the Consolidated Fund of the Union territory of Jammu and Kashmir or of the Government of India as the case may be.

(8) The Collector shall intimate the Government by issuing a notice to the Requiring Body for whom the land was acquired and by giving an opportunity of being heard and seek necessary written order from the Government in this behalf.

(9) After passing of the written order as above, the Government may direct the Collector to take the possession of the acquired land for the purpose of returning the same to the original owners or their legal heirs as the case may be or to the Land Bank of the Government.

(10) On receipt of the order of the Government, the Collector shall communicate to the land owners/legal heirs, the period before which the compensation amount received by them should be deposited for taking back their lands.

(11) If, the Requiring Body does not handover possession of the said land to the Collector, the Collector shall be competent to take the help of Executive Magistrate and police force to take the possession by giving prior notice to the Requiring Body.

(12) On reversion of land to the land owners (or) to their legal heirs as the case may be, or to the land bank, the Collector shall direct the Tehsildar concerned to make necessary entries in the land records to this effect.

44. **Manner and mode of publication.**— Wherever the provision of the Act provides for publication, it shall be in the following manner, namely:-

- a. Publication in the Official Gazette ;
- b. Publication in two widely circulated newspapers in the affected area, one of which in the local language ;
- c. Publication on the website of the district concerned/ Government ;

- d. Publication in the office of concerned Collector, Tehsil, Gram Panchayat, Ward, and wide publicity through Lamberdar/Chowkidar concerned in the affected area.

45. **Interpretation of rules.**— If any difficulty arises as to the interpretation of any provisions of these rules or in the implementation of such provisions, the Government in the Revenue Department shall have powers to issue clarifications/directions for the purpose of removal of the difficulties.

46. **Power to amend the rules.**— The Government, from time to time, as per the requirement and in the interest of public may amend these rules by a notification published in the Jammu and Kashmir Official Gazette.

By order of the Lieutenant Governor.

(Sd.) PIYUSH SINGLA, IAS
Secretary to the Government.
Dated:-24-08-2023

FORM I

[See rule-3]

Requisition for Land Acquisition

From:

Name /address of the Requiring Body

To

District Collector _____

It is requested to acquire _____ kanal—(acres) of land for _____ project/purpose and the details are furnished in ANNEXURE I, II & III along with three copies of Combined Sketch showing the lands to be acquired.

The gestation period of the project will be _____ years and _____ months (applicable only if gestation period is more than 5 years).

Requisite cost of acquisition including cost of social impact assessment (SIA) study and administrative cost is available which will be deposited with the Collector, as and when required by him, however, an amount of Rs. _____ is deposited as Administrative expenses for initiating the acquisition proceedings. All further necessary information and assistance will be provided on the date/time appointed/stipulated by you.

Yours faithfully

Requiring Body

ANNEXURE-I

Schedule of land to be acquired

- (1) Name of the village :
- (2) Name of the Tehsil/Sub Division :
- (3) Name of the Municipal Corporation/ Municipality/Panchayat :
- (4) Name of the District :
- (5) Survey Nos. to be acquired(if details available) :
- (6) Total area under acquisition (Kanal /in acres) :
- (7) Area of the agricultural and irrigated multi-cropped land :
- (8) Reasons for inclusion of agricultural and irrigated multi-cropped land

- (9) Details of buildings and other structures, tanks, wells, trees, etc.,

Requiring Body

Annexure-II

Name of the project

1. Department or Government or PSU, Local Authority, Institution
2. Official designation of the Requiring Body :
3. Purpose of Acquisition (in detail) :
4. Whether the requisition is filed under section 2(1) of the Act by the Government or Department for its own use hold and control :
5. Whether the requisition is filed under section 2(1)(a) to 2(1) (f) of the Act :
6. Whether the requisition is filed under section 2 (2) (a) or (b) of the Act :
7. How many families are affected as described under section 3 (c) (i) to (vi) of the Act :
8. Whether the requisition is filed under section 40 of the Act :
9. If so, on what ground ?
10. Has the land to be acquired already been taken over from the owners by private negotiation ?
11. If so, on what date and on what terms (please state the terms of negotiation in short and attach the copy of it) :
12. Date of issue of administrative approval for the project (copy to be attached) :
13. Reasons for delay in filing requisition, if requisition is filed after 6 weeks from the date of administrative approval of the project in case of Government or department or local authority :
14. By what time possession of the land is required :

Requiring Body

ANNEXURE-III

**Certificate to be furnished for acquisition of land
by the Requiring Body.**

Name of the project:-

1. Certified that the project for which the land is sought to be acquired has been administratively approved vide Department Order/letter No: _____, Dated _____ (Copy to be attached).
2. The estimated cost of the project including the cost of the land acquisition is Rs. _____ and necessary budget was sanctioned and funds are available towards cost of acquisition.
3. The Requiring Body undertakes to pay the full amount in case of decree by the Land Acquisition, Rehabilitation and Resettlement Authority/High Court/ Supreme Court as and when asked to do so by the Collector.
4. The project is for a legitimate and bonafide public purpose.
5. Only the minimum area of land required for the project has been proposed for acquisition.
6. There is no unutilized land which has been previously acquired in the area.
7. The land under acquisition has been selected after considering all alternatives.
8. The project is of linear type/non-linear type.
9. The land under acquisition is barren/uncultivable/agricultural/irrigated multi-cropped/commercial.
10. Total land under acquisition is not in excess of the limit prescribed and fixed by the Government for acquisition of irrigated multi cropped and agricultural land in a district.
11. The potential benefits of the project far outweigh the social costs and adverse social impact.
12. The land after taking possession would be utilized for the same acquisition purpose.

40 The J&K Official Gazette, 24th Aug., 2023/2nd Bhad., 1945. [No. 21 -a

13. The requiring body is capable of bearing cost of acquisition including rehabilitation and resettlement expenditure.
14. There is no special opposition to this land acquisition proceeding.
15. The Requiring Body shall ensure rehabilitation and resettlement works and other admissible benefits to the affected families/persons.
16. _____ is the authorized officer for placing the indent and authentication of Revenue papers.

Requiring Body

FORM-II Part-A.
[See sub-rule (1) of rule 9]

Notification of the SIA

Office of the _____.

No.

Dated

Whereas, it appears to the appropriate Government that the land specified in the Schedule annexed is needed or likely to be needed for a public purpose, namely, _____ which is being executed by _____ (Name of developer) ;

And whereas, in exercise of the powers conferred by sub section (1) of section 4 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, (Central Act 30 of 2013) the appropriate Government has decided to conduct Social Impact Assessment in the area specified in the schedule annexed. The public hearing shall be held by the team in the affected area.

Now therefore, sanction is hereby accorded to the constitution of a Social Impact Assessment Unit/Team as given below to conduct a SIA Study and to prepare a Social Impact Assessment Report and Management Plan as provided in the Act. The process shall be completed within a period of six months from the date of publication of this notification.

The composition of team alongwith the contact information is as under :-

S.No.	Name and Designation	Contact Address	Contact No.

District Collector/
Appropriate Government

Copy to the :-

FORM-II Part B

[See sub-rule (1) of rule-11]

Terms of Reference and Processing Fee for the SIA

- (i) The SIA Unit will review the proposal for land acquisition sent by the appropriate Government and produce a project-specific ToR and budget. Based on the ToR and budget, a processing fee will be determined, which must be deposited by the Requiring Body before the issuance of notification of the SIA.
- (ii) The ToR shall include the following information:
 - (a) A brief description of the project, project area and the extent of lands proposed for acquisition ;
 - (b) The objectives of the SIA and all the activities that must be carried out by the SIA team ;
 - (c) Sequencing, schedule and deadlines for deliverables with dates for the SIA process, based on the size and complexity of the project and land acquisition, and whether consent of Gram Sabhas and/or land owners is required to be sought ;
 - (d) The appropriate size and profile of the SIA team required (including field surveyors, if needed) to conduct the SIA for the specific project ;
 - (e) A project-specific budget based on the ToR, with a clear break-up of costs for each item/activity ;
 - (f) The schedule for the disbursement of funds to the SIA team tied to clearly-defined deliverables in the SIA process ;
 - (g) The processing fee will be determined based on the ToR and budget developed for each specific project and will be based on the type, size, location, and sensitivity of the project and the land proposed for acquisition. Information regarding the processing fee bands and the cost for separate components/line items must be made consistent and easily accessible, so that the Requiring Body can factor this into its costs in advance. These rates must be reviewed and revised from time to time. A fixed proportion of the fee will go towards meeting the costs of the UT level SIA Unit.

FORM-III

[See sub-rule (3) of rule-9, sub rule (5) & (6) of rule 13]

Social Impact Assessment Report

Part-A: List of socio-economic and cultural parameters to be covered by the SIA.

- 1. Demographic details of the population in the project area**
 - (a) Age, sex, caste, religion.
 - (b) Literacy, health and nutritional status
- 2. Poverty level.**
- 3. Vulnerable groups** – (a) Women (b) children (c) the elderly (d) women-headed households (e) the differently abled.
- 4. Kinship patterns and women's role in the family**
- 5. Social and cultural organization**
- 6. Administrative organization**
- 7. Political organization**
- 8. Civil society organizations and social movements**
- 9. Land use and livelihood**
 - (a) Agricultural and non-agricultural use
 - (b) Quality of land - soil, water, trees, etc.
 - (c) Livestock
 - (d) Formal and informal work and employment
 - (e) Household division of labour and women's work
 - (f) Migration
 - (g) Household income levels
 - (h) Livelihood preferences
 - (i) Food security
- 10. Local economic activities**
 - (a) Formal and informal, local industries
 - (b) Access to credit
 - (c) Wage rates
 - (d) Specific livelihood activities women are involved in
- 11. Factors that contribute to local livelihoods**
 - (a) Access to natural resources
 - (b) Common property resources

- (c) Private assets
- (d) Roads, transportation
- (e) Irrigation facilities
- (f) Access to markets
- (g) Tourist sites
- (h) Livelihood promotion programs
- (i) Co-operatives and other livelihood-related associations

12. Quality of the living environment

- (a) Perceptions, aesthetic qualities, attachments and aspirations
- (b) Settlement patterns
- (c) Houses
- (d) Community and civic space
- (e) Sites of religious and cultural meaning
- (f) Physical infrastructure (including water supply, sewage systems etc.)
- (g) Public service infrastructure (schools, health facilities, anganwadi centres, public distribution system)
- (h) Safety, crime, violence
- (i) Social gathering points for women.

Part-B: Key impact areas.

1. Impacts on land, livelihoods and income

- (a) Level and type of employment Intra-household
- (b) employment patterns Income levels
- (c) Food security - Standard of living
- (d) Access and control over productive resources
- (e) Economic dependency or vulnerability
- (f) Disruption of local economy
- (g) Impoverishment risks
- (h) Women's access to livelihood alternatives

2. Impacts on physical resources

- (a) Impacts on natural resources, soil, air, water, forest
- (b) Pressures on land and common property natural resources for livelihoods

3. Impacts on private assets, public services and utilities

- (a) Capacity of existing health and education facilities
- (b) Capacity of housing facilities
- (c) Pressure on supply of local services

- (d) Adequacy of electrical and water supply, roads, sanitation and waste management system
- (e) Impact on private assets such as bore wells, temporary sheds etc.

4. Health impacts

- (a) Health impacts due to in-migration
- (b) Health impacts due to project activities with a special emphasis on
 - (i) Impact on women's health
 - (ii) Impact on the elderly

5. Impacts on culture and social cohesion

- (a) Transformation of local political structures
- (b) Demographic changes
- (c) Shifts in the economy-ecology balance
- (d) Impacts on the norms, beliefs, values and cultural life
- (e) Crime and illicit activities
- (f) Stress of dislocation
- (g) Impact of separation of family cohesion
- (h) Violence against women

6. Impacts at different stages of the project cycle

The type, timing, duration, and intensity of social impacts will depend on and relate closely to the stages of the project cycle. Below is an indicative list of impacts:

- (a) Pre-construction phase
 - (i) Interruption in the delivery of services
 - (ii) Drop in productive investment
 - (iii) Land speculation
 - (iv) Stress of uncertainty
- (b) Construction phase
 - (i) Displacement and relocation
 - (ii) Influx of migrant construction workforce
 - (iii) Health impacts on those who continue to live close to the construction site
- (c) Operation phase
 - (i) Reduction in employment opportunities compared to the construction phase

- (ii) Economic benefits of the project
 - (iii) Benefits on new infrastructure
 - (iv) New patterns of social organization
- (d) De-commissioning phase
- (i) Loss of economic opportunities
 - (ii) Environmental degradation and its impact on livelihoods
- (e) Direct and indirect impacts
- (i) "Direct impacts" will include all impacts that are likely to be experienced by the affected families
 - (ii) "Indirect impacts" will include all impacts that may be experienced by those not directly affected by the acquisition of land (i.e. Direct land and livelihood losers), but those living in the project area
- (f) Differential impacts
- (i) Impact on women, children, the elderly and the differently abled
 - (ii) Impacts identified through tools such as Gender Impact Assessment Checklists, and Vulnerability and Resilience Mapping
- (g) Cumulative impacts
- (i) Measureable and potential impacts of other projects in the area along with the identified impacts for the project in question.
 - (ii) Impact on those not directly in the project area but based locally or even regionally.

PART-C. Table of Contents for SIA Report and Social Impact Management Plan

S.No.	Chapter	Content
1	Executive Summary	(a) Project and public purpose (b) Location (c) Size and attributes of land acquisition (d) Alternatives considered (e) Social Impacts (f) Mitigation measures (g) Assessment of social costs and benefits
2	Detailed Project Description	(a) Background of the project, including developers background and governance or management structures (b) Rationale for project including how the project fits the public purpose criteria listed in the Act (c) Details of projects size, location, capacity, outputs, production targets, costs, risks. (d) Examination of alternatives (e) Phases of project construction (f) Core design features and size and type of facilities (g) Need for ancillary infrastructural facilities (h) Work force requirements (temporary and permanent) (i) Details of SIA/EIA if already conducted and any technical feasibility reports (j) Applicable legislations and policies
3	Team composition, approach, methodology and Schedule of the Social Impact Assessment	(a) List of all team members with qualifications. Gender experts to be included in team. (b) Description and rationale for the methodology and tools used to collect information for the SIA. (c) Sampling methodology used. (d) Overview of information/data sources

		<p>used. Detailed reference must be included separately in the forms.</p> <p>(e) Schedule of consultations with key stakeholders and brief description of public hearings conducted. Details of the public hearings and the specific feedback incorporated into the Report must be included in the forms.</p>
4	Land Assessment	<p>(a) Information from land inventories and primary sources- Describe with the help of the maps</p> <p>(b) Entire area of impact under the influence of the project (not limited to land area for acquisition)</p> <p>(c) Total land requirement for the project.</p> <p>(d) Present use of any public, unutilised land in the vicinity of the project area</p> <p>(e) Land (if any) already purchased, alienated, leased or acquired, and the intended use for each plot of land required for the project.</p> <p>(f) Quantity and location of land proposed to be acquired for the project.</p> <p>(g) Nature, present use and classification of land and if agricultural land, irrigation coverage and cropping patterns</p> <p>(h) Size of holdings, ownership patterns, land distribution and number of residential houses</p> <p>(i) Land prices and recent changes in ownership, transfer and use of lands over the last 3 years</p>
5	Estimation and enumeration (where required) of affected families and assets	<p>Estimation of the following types of families that are-</p> <p>(a) Directly affected (own land that is proposed to be acquired):</p>

		<ul style="list-style-type: none"> (i) Are tenants/occupy the land proposed to be acquired. (ii) The Scheduled Tribes and other traditional forest dwellers who have lost any of their forest rights (iii) Depend on common property resources which will be affected due to acquisition of land for their livelihood. (iv) Have been assigned land by the Government under any of its schemes and such land is under acquisition ; (v) Have been residing on any land in the urban areas for preceding three years or more prior to the acquisition of the land (vi) Have depended on the land being acquired as a primary source of livelihood for three years prior to the acquisition <p>(b) Indirectly impacted by the project (not affected directly by the acquisition of own lands)</p> <p>(c) Inventory of productive assets and significant lands</p>
6	<p>Socio-economic and cultural profile (affected area and resettlement site)</p>	<ul style="list-style-type: none"> (a) Demographic details of the population in the project area. (b) Income and poverty levels (c) Vulnerable groups (d) Land use and livelihood (e) Local economic activities (f) Factors that contribute to local livelihoods (g) Kinship patterns and social and cultural organization (h) Administrative organization (i) Political organization (j) Community-based and civil society organization

		(k) Regional dynamics and historical change processes (l) Quality of the living environment
7	Social impacts	(a) Framework and approach to identifying impacts (b) Description of impacts at various stages of the project cycle such as impacts on health and livelihoods and culture. For each type of impact, separate indication of whether it is a direct/indirect impact, differential impacts on different categories of affected families and where applicable cumulative impacts. (c) Indicative list of impacts areas include: impacts on land, livelihoods and income, physical resources, private assets, public services and utilities, health, culture and social cohesion and gender based impacts.
8	Analysis of costs and benefits and Recommendation on Acquisition	(a) Final conclusions on: assessment of public purpose, less-displacing alternatives, minimum requirements of land, the nature and intensity of social impacts, the viability of the mitigation measures and the extent to which mitigation measures described in the Social Impact Management Plan will address the full range of social impacts and adverse social costs. (b) The above analysis will use the equity principle described in Rule 15 & 17 as a criteria of analysis for presenting a final recommendation on whether the acquisition should go through or not.
9	References and Forms	For reference and further information

FORM IV

[See sub-rule(5) of rule-9 and Sub rule (7) of rule 13]

Social Impact Management Plan

- (a) Approach to mitigation.
- (b) Measures to avoid, mitigate and compensate impact.
- (c) Measures that are included in the terms of R&R and compensation as outlined in the Act
- (d) Measures that the Requiring Body has stated it will introduce in the Project Proposal.
- (e) Additional measures that the Requiring Body has stated it will undertake in response to the findings of the SIA process and public hearings.
- (f) The SIMP must include a description of institutional structures and key person responsible for each mitigation measure and timelines and costs for each activity.

FORM -V (Part-A)

[See sub-rule (2) of rule 17 and sub rule(1) of rule 20]

PRIOR WRITTEN CONSENT OF THE AFFECTED LAND OWNERS OR DECLARATION FORM

S.No. Details of the Person Concerned

1. Name of the person(s) in whose name the land is registered:
2. Name of the spouse:
3. Name of father/ mother:
4. Address:
5. Village:
6. Gram Panchayat/Municipality/Municipal Corporation:
7. Tehsil:
8. District:
9. Name of other members in the family with age: (including children and adult dependents)
10. Extent of land owned:
11. Disputed lands if any:
12. Purchase/leases/grants, if any:
13. Any other right, if any:
14. Regarding the acquisition of my land by the government, I wish to state the following: (please circle one of the below):

I have read/read out the contents of this consent form and explained to me in English/Urdu/Hindi language and

I do not agree to this acquisition/ I agree to this acquisition.

Signature/ Thumb impression of the affected family(s) and date:

FORM -V (Part-B)
[See sub-rule (7) of rule 21]

FORMAT FOR GRAM SABHA RESOLUTION

We, the undersigned members of the Gram Sabha of _____ within _____ Panchayat of _____ Tehsil _____ District wishes to state that the following certification is based on the information supplied by the administration and officials. If this information is incomplete or incorrect or if any consent has been obtained through any use of threats, fraud or misrepresentation, it is null and void. On this basis, this Gram Sabha hereby certifies that it CONSENTS/REFUSES TO CONSENT to the proposed _____ project, which will involve:

-acquisition ofkanal of private land.
-transfer ofkanal of government land to the project.
-transfer ofkanal of forest land to the project.

The terms and conditions of compensation, rehabilitation and resettlements benefits and social impact mitigation measures agreed to by the Requiring Body (state the name) are attached.

The Gram Sabha also states that any consent is subject to all of its residents receiving title to all of their individual and community rights over forests and forest lands, including their titles for forest land that they have been cultivating, ownership titles for all forms of minor forest produce that they use, and titles to protect and manage their community forests.

[Note: This will have to be certified by the Gram Sabha separately.]

.....
Date and signatures/thumb impressions of
Gram Sabha members

.....
Date and Signature of designated District
Officer on receipt of the Resolution

FORM VI

[See sub-rule(1) of rule-25 and Section-11(1) of the Act-30/2013]

PRELIMINARY NOTIFICATION

Office of the _____

No.....

Dated.....

Whereas it appears to the appropriate Government that a total of _____ (kanals/acres) land is required in the _____ Village _____ Tehsil _____ District for public purpose, namely, _____. Whereas, Social Impact Assessment Study was carried out. The summary of the Social Impact Assessment Report is as follows:

_____ A total _____ families are likely to be displaced due to the land acquisition. The reason necessitating such displacement is given below (if applicable).

_____ is appointed as Administrator for the purpose of rehabilitation and resettlement of the affected families (if applicable). Therefore it is notified that for the above said project in the Village _____ Tehsil _____ District _____ a piece of land measuring, _____ kanal (acre) _____ whose detail description is as following, is under acquisition :

S.No.	Khasra No. (Survey No.)	Type of Title Private/Govt/ Common	Type of Land Rural/ Urban	Area under Acquisition		Trees		Structures	
				Kanal	Marla	Variety	Number	Type	Plinth area

This notification is made under the provisions of Section 11(1) of The Right to Fair Compensation and Transparency in Land acquisition, Rehabilitation and Resettlement Act, 2013 (Act no.30/2013), to all whom it may concern.

A plan of the land may be inspected in the office of the Collector on any working day during the working hours. The Government authorizes

Collector and his Revenue field staff to enter upon and survey land, take levels of any land, dig or bore into the sub-soil & do all other acts required for the proper execution of their work as provided and specified in section 12 of the Act.

Under sub section (4) of section 11 of the Act, no person shall make any transaction or cause any transaction of land i.e. sale/purchase, etc., or create any encumbrances on such land from the date of publication of such notification without prior approval of the Collector.

Objections to the acquisition, if any, may be filed by the person interested **within 60 (sixty days)** from the date of publication of this notification as provided under section 15 of the Act before the Collector.

Since the land is urgently required for the project falling within the purview of sec.40 (2), the appropriate Government has decided not to carry out the Social Impact Assessment Study, vide G.O No. _____, _____ dated _____ (stick if not applicable).

Place:

Date:

Collector

Copy to _____

Copy shall be also endorsed to General Manager Govt. Press for publication in the J&K Official Gazette.

Now, therefore, it is hereby declared under the provision of section 19 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 that the said land is required for public purpose i.e. _____

The number of families likely to be resettled due to Land Acquisition is for whom Resettlement area has been identified, whose brief description is as following:—

Village _____ District _____ Area _____ acres (if applicable).

A plan of the land may be inspected in the office of the Collector and Tehsildar concerned on any working day.

A summary of the Rehabilitation and Resettlement Scheme is appended (if applicable).

Issuing Authority/
Appropriate Government

Copy to _____

Copy shall be also endorsed to General Manager Govt. Press for publication in the J&K Official Gazette.

FORM VIII

[See rule-29]

**FORMAT FOR DEVELOPMENT PLAN UNDER R&R SCHEME
FOR SC/ST FAMILIES DISPLACED DUE TO LAND ACQUISITION**

S. No.	Name of the Claimant/ Family Head	Permanent Address	Entitlements	Remarks
			<ol style="list-style-type: none"> 1. Provision of dwelling housing unit per family, Drinking Water facility toilet etc., 2. One time financial assistance of rupees One lakh Fifty thousand per family shall be given. 3. For landless labourers employment shall be provided under Mahatma Gandhi Rural Employment Guarantee Act (MNREGA) and any other employment providing scheme, 4. Skill development through different training programs for the youth of affected family. 5. Subsistence grant for displaced family allowance equivalent to Rs Three thousand per month for a year should be granted from the date of award. 6. For cattle shed and petty shop each effected family shall be provided minimum Rupees twenty five thousand. 	

			7. Alternative fuel, fodder and non timber forest produce resources on no-forest land, for affected members of Scheduled Castes. 8. Fishing Rights.	
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- a. Details of land rights due, but not settled ;
- b. Details of actions for restoring titles of the Scheduled Tribes as well as the Scheduled Castes on the alienated land by undertaking a special drive.

FORM IX

[See sub-rule (7) of rule-32]

LAND ACQUISITION AWARD

Land Acquisition case No:

1.	Name of the Project					
2	Number and date of declaration under which the land is to be acquired					
3	Situation and extent of the land in kanals, the number of field plots on the survey map, the village in which situated with the number of mile plan if any.					
4	Description of the land, i.e., whether fallow, cultivated, homestead, etc. If cultivated, how cultivated?					
5	Names of persons interested in the land and the nature of their respective interests.					
6	Amount allowed for the land itself, without trees, buildings etc., if any					
7	Amount allowed out of such sum as compensation for the tenants interest in the land.					
8	Basis of calculation:					
9	Amount allowed for trees, houses or any other immovable things.					
10	Amount allowed for crops.					
11	Additional compensation on the market value under section 30(3)					
12	Damages under section 28 of Act 30 of 2013					
13	Solatium u/s 30(1)					
14	Award under section 23 and 30 of Act 30 of 2013					
15	Particulars of abatement of Government Revenue, or of the capitalized value paid, the date from which the abatement takes effect.					
16	Apportionment of the amount of Compensation. Area (in kanals)	Serial No.	Name of Claimants	Amount payable to each	Bank A/c No.	Remarks
17.	Date on which possession was taken under section 38(1) & 40(1) of Act of 30/2013.					

If under section 40(1) the number and date of the order of Government giving authority to do so.

Date:

Signature

FORM X

[See rule-33 and 2nd Schedule of the Act]

AWARD FOR REHABILITATION AND RESETTLEMENT

Land Acquisition case No. :

1	Name of the Project							
2	Number and date of declaration under which the land is to be acquired							
3	Situation and extent of the land in kanals(acres), the number of field plots on the survey map, the village in which situated with the number of mile plan if any.							
4	Description of the housing units, transportation cost, housing allowances, annuity, employment subsistence grant, cattle shed, petty shop, one time resettlement allowances etc.							
5	Name/ Names of persons interested in the land and the nature of their respective claim for rehabilitation and resettlement.							
6	Apportion-ment of the amount of compensation Area (in kanal/acres.)	S.No.	Name of claimants /affected family and Aadhaar Number.	R & R entitlements	Bank A/c. No.	Amount payable to each	Non monetary entitlements	Remarks
				(a) House to be allotted (b) Land to be allotted (c) Offer for developed land (d) Annuity/Employment (e) subsistence grant (f) transportation cost, Housing allowances, (g) Cattle shed, Petty shop. (h) One time grant to artisan, small traders and certain others (i) Fishing rights				

			(j) one time resettlement allowances (k) Stamp Duty and Registration fee.				
7	Date on which R& R entitlements given to the affected family						
8	Basis of calculation:						
9	Amount allowed for trees, houses or any other immovable things.						
10	Amount allowed for crops.						
11	Additional compensation on the market value under section 30(3)						
12	Damages under section 28 of Act 30 of 2013						
13	Solatium u/s 30(1)						
14	Total of amounts						
15	Particulars of abatement of Government Revenue, or of the capitalized value paid, the date from which the abatement takes effect.						
	Apportionment of the amount of compensation	Serial No.	Name of claimants	Amount payable to each	Bank A/c. No.*	Remarks	
	Area in kanal (Acre)						
16	Date on which possession was taken under section 38(1) & 40(1) of Act of 30/2013.						

If under section 40(1), the number and date of the order of Government giving authority to do so.

Date:

Signature

*Bank account details to be collected to all cases where Aadhaar number is not available or Aadhaar is not seeded in the bank account of the claimant.

FORM XI

[See sub-rule (2) of rule 33 and third schedule of Act-30/2013]

**FORMAT FOR PROVISION OF INFRASTRUCTURAL AMENITIES
UNDER R AND R SCHEME FOR FAMILIES DISPLACED DUE TO
LAND ACQUISITION**

S. No.	Components	Details of infrastructure amenities
1.	Roads	
2.	Drainage	
3.	Drinking water	
4.	Drinking water for cattle	
5.	Grazing land	
6.	Fair price shops	
7.	Panchayat buildings	
8.	Post offices	
9.	Fertilizer storage	
10.	Irrigation facilities	
11.	Transport facilities	
12.	Burial or cremation ground	
13.	Toilet points	
14.	Electric connections	
15.	Nutritional services	
16.	Schools	
17.	Sub-health centre	
18.	Primary Health Centre	
19.	Play Ground	
20.	Community centre	
21.	Places of worship	
22.	Separate land for tribal institutions	
23.	Timber forest produce	
24.	Security arrangements	
25.	Veterinary services	