

**Annexure to**  
**G.O No. UDD 91 PRJ 2019, Dated 10.07.2019**

**Bangalore Metro Rail Project**

**Compensation and Resettlement Package (CRP) 2019**  
**(Applicable to Reach-6 of Phase – 2 and Phase – 2A & 2B)**



**Bangalore Metro Rail Corporation Ltd.**

**3rd Floor, BMTC Complex, K.H. Road, Shanthinagar**  
**Bangalore- 560 027**

**May 2019**

## Definitions

- a. **Business Loss Allowance:** This allowance is provided to offset the loss of livelihood/business compensation for a period of 10 months.
- b. **Business Premises Re-establishment Allowance (BPRA):** This is given to the persons losing their commercial establishment to re-establish their business. Common service areas like stair case, connecting corridors elevator, wash room, etc are excluded for calculation.
- c. **Consent Award:** Consent Award is based on mutually agreed valuation without any preconditions which includes market cost of the land and structure, 100% solatium and 12% per annum additional market value from the date of preliminary notification till taking of possession.
- d. **Cut-off date:** in the cases of land acquisition affecting legal titleholders and tenants, it is the date of notification under Section 28 (1) under the KIADB Act. For the non-titleholders the cut-off date will be the date of Census Survey.
- e. **Inconvenience Allowance:** This is onetime allowance paid to all project affected persons losing structure and land, for the inconvenience caused due to acquisition. The inconvenience is in terms of finding new gas connection, telephone connections, ration cards, new schools, collages, arranging conveyance including deposits for the same.
- f. **Normal Award:** Normal Award is the award for compensation for acquisition of land and structures prepared as per norms of the KIADA. It is adopted in case of non-consent of regarding the valuation.
- g. **Owners/titleholders:** Are those who have legal title of land, structure and other assets.
- h. **Project Affected Person:** Any owner / tenant who resides or has economic interest with in the area being acquired and who may be directly affected by the project due to loss of commercial or residential structures in whole or part and as a result of the project, and slum dwellers and persons running business on public land without title excluding mobile vendors.
- i. **Rental Income Allowance:** This allowance is paid to compensate for the rental income lost due to acquisition of structure being used for residential or commercial purposes. The allowance differs based on usage and area of the structure.
- j. **Shifting Allowance:** For all affected persons who have to shift, this allowance has been provided based on the area acquired. This amount is the transportation of belongings of the affected persons who have to shift. This amount differs for commercial and residential usage.
- k. **Slum Dwellers / Non-Titleholders:** Slum Dwellers are those persons who have occupied government/public lands illegally for residential purpose for a period of minimum of 3 years prior to cut off date, in areas declared as slum under the provisions of Karnataka Slum Areas (improvement and clearance Act 1973) and non-title holders are persons running business on public land for a period of minimum of 3 years prior to cut off date excluding mobile vendors.
- l. **Transitional Allowance:** This is allowance paid on the basis of area acquired. This amount is to offset interim rental / rent deposit cost to the affected persons because of shifting. This is provided for those losing owned residential properties where shifting is required.

## **LEGAL FRAME WORK**

### **Land Acquisition**

1. The Land required for the metro project is being acquired under Karnataka Industrial Areas Development Act 1966 (KIADA). The Act facilitates development of industrial infrastructure, communication, transport, technology parks and townships. Under KIADA, land can be acquired for industrial area which includes infrastructure facilities and “Industrial infrastructure facilities” means “facilities which contribute to the development of industries established in industrial areas such as research and development, communication, transport, banking, marketing, technology parks and Townships for the purpose of establishing trade and tourism centres”. The establishment of metro network helps in facilitating movement of professionals and workers of various industries in the city in efficient and sustainable manner.

2. As per provision of KIADA, the government notifies the lands required for metro project as industrial area for purpose of industrial infrastructural facility. Thereafter, preliminary notification conveying intention to acquire the land is issued inviting objections from land owners and interest persons. Their objections, if any, are heard and considered by the land acquisition officer in a formal enquiry, and thereafter final decision is taken by the government to acquire the land or otherwise including extent of the acquisition. Once a final notification for the acquisition is published, the land vests with the government. The determination of the compensation and its payment follows vesting of the ownership in the government. The Act provides for speedy acquisition of land through consent awards, which is the preferred mode based on valuation offered by the land acquisition officer on advice of BMRCL and its free acceptance by the land owner. Through this process, the compensation amount is mutually agreed between the acquirer and the owner. In case of non-consent, normal award is passed as per provision of the Act.

### **Compensation**

3. In all the cases land is proposed to be acquired through consent award and compensation is paid as per the following norms:

- a. Guideline Value or Market Value of land, whichever is higher, and market value of structures assessed by approved valuers;
- b. 100% solatium on (i) above;
- c. 12% per annum additional market value

If any land owner does not agree for consent award, normal award is passed under the norms of KIADA wherein 30% solatium is provided. In the case of normal award, the land owner can approach the court for enhancement of compensation.

### **Grievance Redress Committee**

4. An efficient grievance redress mechanism is put in place to assist the PAPs and resolve their queries and complaints. The GRC addresses grievances relating to Rehabilitation issues both for title holders and non-title holders and also grievances relating to Community and Environmental issues. Issues relating to ownership rights and land compensation are dealt in civil courts.

## **Resettlement Action Plan Implementation Team**

5. In order to implement and monitor RAP effectively, a Social and Environmental Management Unit (SEMU) has been constituted in BMRCL.

## **Monitoring and Evaluation**

6. A robust monitoring and evaluation (M&E) mechanism is to be established to provide feedback to project management which will help keep the resettlement on schedule and make them successful.

## **RESETTLEMENT OF PROJECT AFFECTED PERSONS**

7. **GUIDING PRINCIPLES:** Resettlement & Rehabilitation activities of BMRP will be governed by the following general principles.

- i. In general, land acquisition will be undertaken in such a way that no project affected person, with or without formal title, will be worse off after land acquisition;
- ii. BMRCL will pay compensation for land and structures it is acquiring based on the principles of full replacement cost.
- iii. All activities and procedures will be formally documented;
- iv. The property and inheritance rights of project affected persons will be respected;
- v. If the livelihood of the project affected persons without formal title depends on the public land that they are using, they will be assisted in their effort to improve their livelihoods and standard of living to restore them to pre-displacement levels;
- vi. If project affected person, without legal title, is not satisfied with the above decisions, they can approach the grievance redress committee;
- vii. In cases where land is needed on a temporary basis, project affected persons who have formal title will be compensated to the assessed fair rental price for the period during which the land is used and the land will be returned in the same condition or better as before it was rented;
- viii. If resettlement is unavoidable in addition to the payment of fair market value for all land and immovable property, project affected persons will be provided assistance in relocation and other related expenses (i.e. cost of moving, transportation, administrative costs etc.);
- ix. These rights do not extend to individuals who commence any activities after cutoff date of the project;
- x. The compensation and eligible resettlement and rehabilitation assistance will be paid prior to taking over of land and other assets for construction purposes;
- xi. All project affected persons (private and public, individual and businesses) entitled to be compensated for land acquired; losses, structures or damages will be offered compensation and assistance in accordance with the provisions of this CRPF. Those who accept the compensation amount will be paid prior to taking possession of their land or assets. Those who do not accept it will have their grievance registered or referred to the Grievance Redress Committee (GRC) / courts as appropriate.

- xii. While acquiring land through KIADB no taxes / fee is payable by landowners. However, where BMRCL purchases the land directly in view of exigencies of the project, the stamp duty and registration charges will be paid by BMRCL.
- xiii. Wherever community assets are acquired, the same will be restored by BMRCL.

## RESETTLEMENT AND REHABILITATION PROCESS

8. All attempts will be made during the final execution of the project to minimize the land acquisition, resettlement and adverse impacts on people in the project area through suitable engineering design. The assessments however reveal that the project involves minimal land acquisition.

## ELIGIBILITY AND ENTITLEMENTS

9. The Compensation and Resettlement Package has been formulated based on the guiding principles followed by BMRCL for Phase 1 and Phase 2. The details of financial support for various categories of project affected persons are contained in the table below.

**Table: Eligibility and Entitlement Matrix**

<b>Compensation for Land and Structures</b>		
1	<p><b>Consent Awards (preferred mode):</b> The compensation for land and structure in cases of consent awards shall be based on following norms.</p> <ul style="list-style-type: none"> <li>i. market value of land determined based on higher of:               <ul style="list-style-type: none"> <li>a. guidance value of land for registration of sale deeds as per Indian Stamp Act, and</li> <li>b. average sale price for similar type of land situated in the nearest area or village.</li> </ul> </li> <li>ii. market value of buildings and structures on the land as assessed by approved valuers.</li> <li>iii. multiplication factor of 1 in urban area and 1.5 to 2 in rural area.</li> <li>iv. solatium @ 100% of market value with applicable multiplication factor.</li> <li>v. additional market value @ 12% p.a. from date of notification to date of consent award.</li> </ul>	
2	<p><b>Normal Award:</b> For cases other than consent awards, the compensation shall be determined as per provisions of Karnataka Industrial Area Development Act.</p>	
<b>Compensation and Resettlement Entitlement:</b>		
Sl. No	Category	Entitlement
1 a.	Owner losing land and residential structure totally (Only owner staying in the premises)	1. Consent Award based on mutually agreed market value of land and structures, Or Normal Award as per KIADA for land and structure; And 2. Shifting allowance: a.Upto 1000 sq. ft. – Rs.25,000

		<p>b.1001 sq. ft. – 1500 sq. ft. – Rs.30,000  c. 1501 sq ft –Rs 35,000</p> <p>3. Inconvenience Allowance:  Onetime payment of Rs.70,000</p> <p>4. Transitional Allowance:  a. Upto 1000 sq. ft. – Rs.1,35,000  b.1001 sq. ft. – 1500 sq. ft. – Rs.1,70,000  c. more than 1501 sq. ft. – Rs.2,05,000</p> <p>5. Right to salvage material totally</p>
I b.	Owner losing land and residential structure totally (owner and tenant staying in the same building premises in separate parts)	<p>1. Same as in I a.(1-5)  And</p> <p>2. Residential Rental Income Allowance in respect of rental area acquired  a. Upto 1000 sq. ft. – Rs.1,35,000  b.1001 sq. ft. – 1500 sq. ft. – Rs.1,70,000  c. more than 1501 sq. ft. – Rs.2,05,000</p>
I c.	Owner losing land and residential structure partially but continues to remain in the balance portion of the same premises	<p>1. Consent Award based on mutually agreed market value of land and structures,  Or  Normal Award as per KIADA for land and structure;  And</p> <p>2. Inconvenience Allowance  Onetime payment of Rs. 55,000</p>
I d.	Owner losing land and residential structure partially and willing to surrender the same completely to Project Authority.	<p>1. Owner has the option of offering the remaining part of the property to the Project Authority. (A separate notification will be issued for the remaining area).  Acceptance of the offer is subject to discretion of the Project Authority based on consideration of possibility of putting the remaining land to economic use by the owner.</p> <p>2. Entitlements will be the same as in Category I a. (1-5) or I b., as the case may be, for the area acquired including 1 above.</p>
II a.	Owner losing land and commercial structure totally (owner operating own business in the acquired premises)	<p>1. Consent Award based on mutually agreed market value of land and structures,  Or  Normal Award as per KIADA for land and structure;  And</p> <p>2. Shifting Allowance:  a. Upto 150 sq. ft. – Rs.25,000  b.151 sq. ft. to 300 sq. ft. – Rs.35,000  c. more than 301 sq. ft. – Rs.45,000</p> <p>3. Business Loss Allowance:  a. Average payment of SGST upto Rs.5000 p.m. – Allowance Rs.85,000  b. Average payment of SGST between Rs.5001 to Rs.15,000 p.m. - Allowance</p>

		<p>Rs.1,70,000</p> <p>c. Average payment of SGST above Rs.15001 p.m. – Allowance Rs. 2,25,000.</p> <p>d. If without SGST documentation – Allowance Rs.60,000</p> <p>4. Business premises re-establishment allowance: Rs.540 per sq. ft. of area acquired.</p> <p>5. Right to salvage material totally</p>
II b.	Owner losing land and commercial structure partially but continues to run business in the same premises	<p>1. Consent Award based on mutually agreed market value of land and structures, Or Normal Award as per KIADA for land and structure; And</p> <p>2. Business Loss Allowance:</p> <p>a. Average payment of SGST upto Rs.5000 p.m. – Allowance Rs.40,000</p> <p>b. Average payment of SGST between Rs.5001 to Rs.15,000 p.m. - Allowance Rs.85,000</p> <p>c. Average payment of SGST above Rs.15001 p.m. – Allowance Rs. 1,10,000.</p> <p>d. If without SGST documentation – Allowance Rs.30,000</p> <p>3. Right to salvage material</p>
II c.	Owner losing land and commercial structure partially and unwilling to continue in the same premises	<p>1. Owner has the option of offering the remaining part of the property to the Project Authority. (Separate notification will be given for the additional area). Acceptance of the offer is subject to discretion of the Project Authority based on consideration of possibility of putting the remaining land to economic use by the owner.</p> <p>2. Compensation and Entitlements will be the same as in Category II b.</p>
II d.	Owner losing land and commercial structure, but structure fully rented out	<p>1. Consent Award based on mutually agreed market value of land and structures, Or Normal Award as per KIADA for land and structure; And</p> <p>2. Commercial Rental Income Allowance</p> <p>a. Upto 1000 sq. ft. – Rs.2,70,000</p> <p>b.1001 sq. ft. – 1500 sq. ft. – Rs.3,40,000</p> <p>c. more than 1501 sq. ft. – Rs.4,00,000</p> <p>3. Right to Salvage material</p>
II e.	Owner losing land and commercial structure partially, but structure fully rented out.	<p>1. Consent Award based on mutually agreed market value of land and structures, Or Normal Award as per KIADA for land and</p>

		<p>structure; And</p> <p>2. Commercial Rental Income Allowance, in respect of area acquired</p> <p>a. Upto 1000 sq. ft. – Rs.2,70,000 b.1001 sq. ft. – 1500 sq. ft. – Rs.3,40,000 c. More than 1501 sq. ft. – Rs.4,00,000</p> <p>3. Right to Salvage material</p>
II f.	Owner losing land and commercial structure fully, commercial activity being run by owner as well as tenant.	<p>1. Consent Award based on mutually agreed market value of land and structures, Or Normal Award as per KIADA for land and structure; And</p> <p>2. Shifting Allowance:</p> <p>a. Upto 150 sq. ft. – Rs.25,000 b. 151 sq. ft. to 300 sq. ft. – Rs.35,000 c. more than 301 sq. ft. – Rs.45,000</p> <p>3. Business Loss Allowance:</p> <p>a. Average payment of SGST upto Rs.5000 p.m. – Allowance Rs.85,000 b. Average payment of SGST between Rs.5001 to Rs.15,000 p.m. - Allowance Rs.1,70,000 c. Average payment of SGST above Rs.15001 p.m. – Allowance Rs. 2,25,000. d. If without SGST documentation – Allowance Rs.60,000</p> <p>4. Business premises re-establishment allowance; Rs.540 per sq. ft. of area acquired</p> <p>5. Commercial Rental Income Allowance</p> <p>a. Upto 1000 sq. ft. – Rs.2,70,000 b.1001 sq. ft. – 1500 sq. ft. – Rs.3,40,000 c. more than 1501 sq. ft. – Rs.4,00,000</p> <p>6. Right to Salvage material</p>
III	Owner losing land and residential cum commercial structure (both totally)	<p>1. Consent Award based on mutually agreed market value of land and structures, Or Normal Award as per KIADA for land and structure; And</p> <p>2. Shifting Allowance:</p> <p><b>For commercial:</b></p> <p>a. Upto 150 sq. ft. – Rs.25,000 b.151 sq. ft. to 300 sq. ft. – Rs.35,000 c. more than 301 sq. ft. – Rs.45,000</p> <p><b>For residential:</b></p> <p>a. Upto1000 sq. ft. – Rs.25,000 b.1001 sq. ft. to 1500 sq. ft. – Rs.30,000 c. more than1501 sq. ft. – Rs.35,000</p> <p>3. Inconvenience Allowance:</p>



		<p>Onetime payment of Rs. 70,000</p> <p>4. Business Loss Allowance:</p> <p>a. Average payment of SGST upto Rs.5000 p.m. – Allowance Rs.85,000</p> <p>b. Average payment of SGST between Rs.5001 to Rs.15,000 p.m. - Allowance Rs.1,70,000</p> <p>c. Average payment of SGST above Rs.15001 p.m. – Allowance Rs. 2,25,000.</p> <p>d. If without SGST documentation – Allowance Rs.60,000</p> <p>5. Business premises re-establishment 540 per sq. ft. in respect of commercial portion only.</p> <p>6. Right to salvage material totally.</p>
IV	Owner Losing only land	<p>Consent Award based on mutually agreed market value of land and structures,</p> <p>or</p> <p>Normal Award as per KIADA for land and structure.</p>
V	Tenant – Residential (if displaced)	<p>1. Shifting allowance per tenant single / family tenants Rs.30,000</p> <p>2. Inconvenience Allowance</p> <p>a. Rs.70,000 per tenant family.</p> <p>b. Rs.35,000 for tenant single</p>
VI	Tenant – Commercial*	<p>1. Shifting allowance per tenant: Rs.35,000</p> <p>2. Business Loss Allowance:</p> <p>a. Average payment of SGST upto Rs.5000 p.m. – Allowance Rs.85,000</p> <p>b. Average payment of SGST between Rs.5001 to Rs.15,000 p.m. - Allowance Rs.1,70,000</p> <p>c. Average payment of SGST above Rs.15001 p.m. – Allowance Rs. 2,25,000.</p> <p>d. If without SGST documentation – Allowance Rs.60,000</p> <p>3. Business Premises Reestablishment Allowance per tenant: Rs.540 per sq. ft.</p> <p>* Note: If not displaced, tenant will get BPRA only, and not the other allowances.</p>
VII	Tenant – Residential cum Commercial*	<p><b>A. For residential:</b></p> <p>1. Shifting allowance per residential tenant Rs.30,000</p> <p>2. Inconvenience Allowance:</p> <p>a. Rs.70,000 per tenant family</p> <p>b. Rs.35,000 for tenant single</p> <p><b>B. For commercial:</b></p>

		<p>1. Shifting allowance per tenant Rs.35,000</p> <p>2. Business Loss Allowance:</p> <p>a. Average payment of SGST upto Rs.5000 p.m. – Allowance Rs.85,000</p> <p>b. Average payment of SGST between Rs.5001 to Rs.15,000 p.m. - Allowance Rs.1,70,000</p> <p>c. Average payment of SGST above Rs.15001 p.m. – Allowance Rs. 2,25,000.</p> <p>d. If without SGST documentation – Allowance Rs.60,000</p> <p>3. Business premises re-establishment per tenant: Rs.540 per sq. ft.</p> <p>* Note: If not displaced, tenant will get BPRA only, and not the other allowances.</p>
VIII	Slum Dwellers	Slum Dwellers families residing in declared slums will get Rs.5,00,000/- as housing support grant.
IX	persons running business on public land without title excluding mobile vendors	Business Loss Allowance: Rs. 85,000
X	Common Property resources	Project authority will compensate / replace for affected portion of schools, hospitals, parks, religious structures, etc.
XI	Any other impact not identified	Unforeseen impacts shall be documented and mitigated based on the principles provided in this package.