

## Resettlement Planning Document

Project Number: 47229-001

May 2016

### IND: Uttarakhand Emergency Assistance Project

Sub Project : DDR for internal roads of Nagar Palika Berinag (UEAP/PWD/C-28)

#### Submitted by

Uttarakhand Emergency Assistance Project (Roads & Bridges), Government of Uttarakhand, Dehardun

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### Asian Development Bank



#### OFFICE OF PROGRAM MANAGER

Asian Development
Bank (ADB) Funded
Ettarkhand Emergency

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Letter No:

911/62

/UEAP/PWD/2016-17

Date: 12/05/2016

To,

Country Director, South Asia Department, India Resident Mission, 4 San Martin Marg, Chanakyapuri, New Delhi 110021, India.



Subject:

ADB Loan- 3055 IND, UEAP (R&B) Re-Submission of revised Due Diligence Report (DDR)

of Package C-17-A and C-28 for ADB's approval.

Madam,

Reference to the subject matter kindly find enclosed revised Due Diligence Reports of the following sub projects for ADB's approval.

1. UEAP/PWD/C-17A Internal Roads of Nagar Palika Ranikhet.

2. UEAP/PWD/C-28 Internal Roads of Nagar Palika Berinag.

Enclosed: As Above

Yours Sincerely

Chief Engineer PIU, UEAP (R&B) Dehradun, Uttarakhand

Copy to:

1. Program Director, UEAP, Govt. of Uttarakhand, Dehradun

2. Program Manager, PIU (R&B), UEAP, Govt. of Uttarakhand, Dehradun.

3. Mr. Prabhash Sahu, Associate Project Officer, INRM, ADB.

4. Dr. Sharmila Singh. Safeguards Officer, INRM, ADB.

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#### UTTARAKHAND EMERGENCY ASSISTANCE PROJECT



ADB LOAN NO. 3055 IND
APRIL 2016

# DUE DILIGENCE REPORT (Social) INTERNAL ROADS OF NAGAR PALIKA BERINAG C-28

DESIGN & SUPERVISION CONSULTANT, DSC-3 (R&B) FOR RESTORATION OF ROAD IN PITHORGARH DISTRICT IN KUMAUN ZONE IN UTTARAKHAND



### **Project Fact Sheet**

Funded by	Asian Development Bank (ADB)
Loan Details	3055 – IND Uttarakhand Emergency Assistance Project (UEAP)
Sub Project	Roads and Bridges (R&B), Design and Supervision Consultant (DSC-3) Kumaun Region: Subproject C- 28
Executing Agency	State Disaster Management Authority (SDMA), Govt. of Uttarakhand (GoUK).
Implementing Authority	Project Implementation Unit (PIU)- Roads & Bridges, Department, Govt. of Uttarakhand

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Prepared by:

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# **CURRENCY EQUIVALENTS Currency unit – Indian Rupees (INR)**

(As of Jan, 2016) INR1.00 = \$ 0.01 \$1.00 = INR 67.99

#### **ABBREVIATIONS**

ADB: Asian Development Bank

CREDA: Centre for Rural and Ecological Development

DP: Displaced Person
EE: Executive Engineer
DPR: Detailed Project Report

DSC: Design and Supervision Consultant

EA: Executive Agency

GoU: Government of Uttarakhand GRC: Grievance Redressal Committee

IA: Implementing Agency IRC: Indian Road Congress MDR: Major District Road

MoRT&H: Ministry of Road Transport and Highways

NGO: Non-Governmental Organisation

PC: Public Consultation

PIU: Project Implementation Unit
PMU: Project Management Unit
PWD: Public Works Department
RF: Resettlement Framework

RP: Resettlement Plan

SE: Superintending Engineer

RoW: Right of Way SH: State Highway

SPS: Safeguard Policy Statement

**UEAP:** Uttarakhand Emergency Assistance Project

#### I. Introduction

#### A. Background

- 1. The State of Uttarakhand suffered from major cloud bursts, incessant rains and major floods in the upper valleys during 15-17 June 2013 that resulted in severe damages in several parts of Uttarakhand. The districts of Chamoli, Rudraprayag and Pauri were directly affected by this disaster. These regions are among the country's most important pilgrimage centres and the calamity occurred during the peak pilgrimage season. Several roads and bridges have been washed away by the unprecedented flash floods and landslides. A large number of houses, public buildings, roads and bridges, urban and rural infrastructure has been damaged. To restore and rebuild the damaged infrastructures, especially the road connectivity network in the state, the Uttarakhand Emergency Assistance Project (UEAP) has been taken up which envisages rehabilitation and reconstruction of state roads and bridges, tourism infrastructure (including construction of helipads and trekking routes), urban roads and buildings.
- 2. Through the implementation of the UEAP the expected outcome is economic and social recovery from the disaster in Uttarakhand State.
- 3. Broadly, the works in Kumaun region comprise restoration of the road to its original shape with the clearance of slip and construction of retaining and breast walls, drains, crash barriers and improvement of riding surface by resurfacing through cement concrete and BM/SDBC. These will be constructed as per Ministry of Road Transport and Highways (MORD/ MoRT&H) Specifications and as per the Indian Road Congress (IRC) guidelines. The Program will improve road connectivity and will improve the quality of life of the poor in the project influenced areas. The strengthening and rehabilitation of road will be restricted to affected lengths and alignments of proposed subprojects.

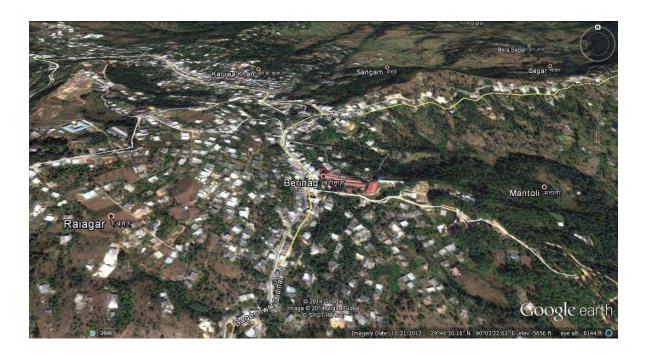
#### B. Need of the Sub-project

- 4. The subprojects of Pithorgarh district under consideration has been taken up for restoring the damaged road network within the rural as well urban limits of Pithorgarh district. This road subproject C-28 provides connectivity to internal areas of Berinag urban area as well other villages and cities and after its restoration, local people from various parts of the city will be well connected with the market.
- 5. **Berinag**, is a small hill station, located 12 km from Chaukori in the Pithoragarh district, which is the easternmost Himalayan district in the state of Uttarakhand, India. It is accessible by road. Closest prominent villages include Garawon, Dhanoli, Bana, Bhattigaon, Banoli, Quarali, Tripuradevi and Sangarh. Previously known as Bedinag, it is famous for the snake temples present here. Berinag offers a panoramic view of the Greater Himalayas, from Garhwal Himalayas to the Nepal ranges, especially lofty peaks like Panchachuli and Nanda Devi. The region is famous for tea estates developed during the British rule.
- 6. Restoration and reconstruction of affected roads is the need of people of Berinag town where people and tourist can safely move. Restoration and reconstruction also help in restoring livelihood of local people, especially road side small and medium businessmen and vendors and squatters.

#### C. Location of the Sub-project

7. The subproject roads passes majorly through urban area like settlement and market with a varying formation width (see **Figure 1**). In market area, shops, cafes are running business along the road.

Figure 1: Arial map of Sub project



#### D. Objective of the Project

- 8. The main objectives of the project are as follows:
- Economic and Social recovery from the disaster in Uttarakhand;
- Restoration of the road to its original shape with the clearance of slip;
- Construction of Retaining & Breast Wall, Drains, Crash Barriers and improvement of riding surface:
- To avoid involuntary resettlement wherever possible by means of adopting an appropriate technical design, which leads to minimization of the resettlement impact;
- Provide opportunities for women to access employment and livelihood through rehabilitation of roads and bridges;
- Address gender concerns and other social vulnerabilities through the project.

#### E. Impact and Outcome

9. The impact of the project is improved economic and social condition in Uttarakhand after 2013 disaster. The outcome of the project is basic public and social infrastructure restored disaster preparedness, project management and institutional effectiveness improved. The design and construction standards for the physical infrastructure have been raised to an appropriate level and the focus is given to build back the same or better. The revised high flood levels of the rivers, natural streams and drainage channels is also considered, while designing facilities, Geotechnical studies have been undertaken and slope stabilization measures considered for slide zones, wherever applicable.

#### F. Measures to Minimize Impact

- 10. Minimization of resettlement was achieved mainly by reducing the corridor of impact. Based on the availability of Right of Way (RoW) and likely improvement strategy, it was agreed in consultation with Public Works Department (PWD) to reduce the corridor of impact in habitation and market area.
- 11. In Uttarakhand, almost all the road side shops and vendors close their business before 6 pm, except major cities. People from nearby settlements return back to their settlements before dark after shopping, Considering this scenario, it was decided to allow civil work activity in market area or population density area between 6 pm to 10 pm to avoid temporary disruption of livelihood of road side vendors. A circular has been issued by Chief Engineer, PIU (R&B), dated Sept 8, 2015 regarding timing of civil work activities in market / heavily populated areas. The decided timing is between 6.00pm to 10.00 pm to avoid temporary disruption of livelihood as well as environmental impact (Annexure A: Circular of Performing of Construction Work in the night shift in congested area of town and cities).

#### G. Scope of the Sub-project

- 12. The ADB funded UEAP project covers the scope of reconstruction of the internal road of Berinag town considered as Subproject C-28. The restoration of the affected 7.82 km is to be done within the existing ROW.
- 13. The scope of this subproject includes restoration of the roads with WBM (G3), profile correction by BM, resurfacing by SDBC in heavily damaged blacktop portion of the roads, Road side drainage system, and restoration of traffic signs, markings and appurtenances. All these need to be carried out under MORT&H/MORD specifications.
- 14. The salient features of the sub project is given bellow table 1

Table 1: Salient features of C-28 sub project

Road Name	District	Length (km)	Package
Reconstruction of internal road of Nagar Panchayat Berinag.	Pithoragarh	7.82	C-28

#### H. Objectives of Due Diligence Report

15. Objectives of this due diligence report is to: (i) determine whether the section of the subproject road is free of any resettlement impacts, e.g., land acquisition, displacement, adverse impacts on income and livelihood of both titled, non-titled Displaced Persons (DPs); and (ii) review the present field situation of this subproject in accordance with ADBs Safeguard Policy Statement (SPS) 2009.

#### I. Requirement of Due Diligence Report

16. During April and May 2014, social assessment was undertaken in this sub project. On this basis, the resettlement impact in these subprojects are classified as Category B. Based on the preliminary technical design and census survey, in the sub project, no land acquisition is envisaged. During re-construction of the road, it was anticipated that there may be an impact on the livelihood of 5 mobile vendors.

17. A Resettlement Plan was prepared in the month of April / May 2014 and the verification for updating the same took place during April / May 2015 by the Non - Governmental Organization (NGO). Following table 2 presents identified APs during preparation and implementation stage of Resettlement Plan and after mitigation. During consultation with identified vendors, it is observed that all the 5 road side vendors are still running their business at the same locations. All the identified APs when consulted, wanted the timing of civil work activity to be shifted after the closure of their shops. Based on this request by the Affected Persons, it was decided to shift the construction hours and a circular was issued in this regard (Details of Public Consultation are given in section **N**). All the 5 identified APs currently running their business along the road have no objection from the construction activity during rescheduled time. The rescheduled timing of civil work activity during 6pm to 10pm will not affect any loss of income.

Table 2: Brief Comparison of Affected Structures during RP Preparation and Implementation stage

Sr.	Packag	Name of	No of Affected Structures				Remarks	
No	e No.	Road	During RP	During RP			1	
			Preparatio n	Identifie d & Verified	Could not verifie d	Missed out included	After reschedulin g of Civil work between 6:00 to 10:00 pm	
1	C-28	Reconstructi on of Internal roads of Nagar Panchayat Berinag	5	3	2	2	Ō	On the request of the affected persons and the local community it was decided to shift construction activities after the shops closed down. As a mitigation Measure a circular has been issued by Chief Engineer, PIU (R&B), dated Sept 8, 2015 regarding timing of civil work activities in market / population density areas. The decided timing is between 6.00 pm to avoid temporary disruption of livelihood as well as environmenta I impact

18. The subproject does not entail any permanent land acquisition and resettlement. After issuing circular and its implementation, reassessment of the entire proposed road was undertaken. During reassessment, it was observed that there is no expected impact on private/public land, private properties like housing, shops, commercial buildings, religious and

community infrastructure. No negative impacts on livelihood of identified 5 road side vendors (currently running business) is envisaged. Construction activity in this sub project is partly completed.

#### J. Scope of Land Acquisition and Resettlement

19. After decision of civil work activity timing between 6pm to 10pm, impact of temporary loss of livelihood of identified 5 road side vendors could be minimized. Consultation with 5 vendors has been undertaken to conform their request that the timing of the construction would be such that it would not affect their normal business hours and hence there would be no loss of income. The sub project does not require any additional land for restoration and reconstruction of Berinag Internal Road as all proposed work is to be executed within existing ROW. Cut-Off-Date for this sub project is June 2014. After this date, any person or group of persons construct any structure will not be included in the list of Affected Persons.

#### K. Indigenous Peoples

20. There is no permanent or temporary impact on any asset of Indigenous people. This subproject is definitely supporting economic growth of local communities including Tribes.

#### L. Grievance Redress Mechanism

21. The project (UEAP), funded by Asian Development Bank has established Centralized GRC for all Sectors at PMU Level and in five worst affected districts (Rudraprayag, Uttarkashi, Chamoli, Bageshwar and Pithoragarh) out of 13 districts of Uttarakhand. The DDMOs have been deputed in all the 13 districts as Nodal officers for Grievance Redress Mechanism, a dedicated toll free phone number for the grievances and complaints from any stakeholders or individuals. There is a well-organized grievance Redressal mechanism. The toll free number is **0135-2708376** and email address is greivancepmu@gmail.com.

#### M. Gender Issues

22. There is no women headed household affected due to restoration and reconstruction of sub projects. Awareness programs and IEC programs on Gender awareness and HIV/AIDS prevention have been planned and implemented in this sub project to mainstream women.

#### N. Public Consultation

- 23. At the initial stage public consultation was carried out by the concerned Department (PIU) and DSC-3 technical team to disseminate project information and awareness creation about the project among the road users and local communities. Following Public Consultations were carried by CREDA along with Awareness Program in which respective DSC-3 field staff was participated.
- 24. Immediately after mobilisation of DSC -3 Consultants, Public Consultation was conducted in Berinag on March 19, 2016. The main focus of Public Consultation was to address their concern about timing by scheduling the civil work activity during 6pm to 10 pm when road side business is closed. In such situation of timing of civil work, there will be no loss of income of road side shops and vendors.

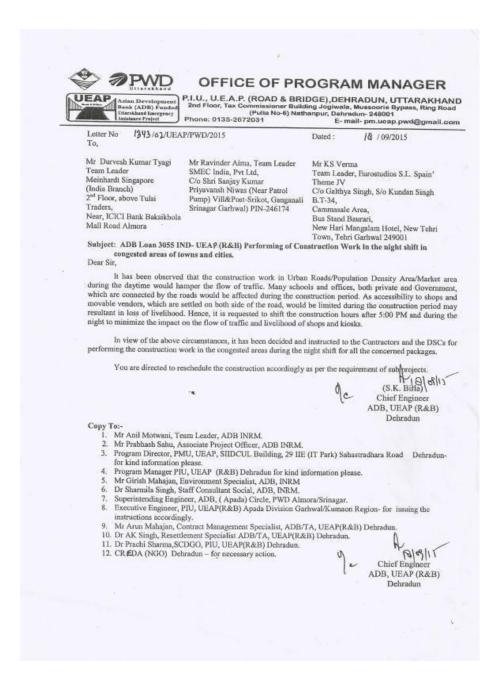
(Annexure B: Public Consultation Report along with Attendance List of APs and Photographs).

25. With rescheduling of construction activities timing, the impact on the livelihood of the 5 affected road side vendors has been minimized. The subproject will now not entail any IR Impact and hence is now re-categorized as 'C". This DDR captures the process of minimization of impact.

#### O. Conclusion

- 26. The results of this Due Diligence report confirms that there would be no impact on any titled or non-titled holders like squatters or encroachers in the sub project. No land acquisition is involved and there is no requirement of payment of compensation or assistance to any titled or non-titled holders, on account of sub projects.
- 27. In case any claims or complaints are submitted during the remaining project implementation period, an effective and efficient Grievance Redress Mechanism, being already in place, will enhance provision of timely hearings and facilitate solutions to address the issues raised. Also these impacts, if any will be captured in the Semi Social Annual Monitoring Reports (SMRs) as well as new Involuntary Resettlement Due Diligence Reports (IR DDRs) or Resettlement Plan (RP) will be prepared as required.

# Annexure A: Performing of Construction Work in the night shift in congested area of town and cities



# Annexure B: Public Consultation Report along with Attendance List of APs and Photographs.

On 19/03/2016 a consultation meeting with the Affected Peoples of Berinag town in Pithoragarh District was conducted under UEAP, ADB, and PWD program. In Berinag only 05 AP's were identified as the most affected peoples/vulnerable during the survey conducted by the team of experts earlier in Berinag Askot Motor Road (km 74.00 to km 75.00, as told by Junior Engineer). All the selected AP's were present during the consultation meeting. The efforts taken by PWD towards minimizing impact on road side vendors temporary loss of income was explained to present APs. All the APs are satisfied and do not have any objection for construction work. The list of AP's is as below:

SNo.	Name	Father Name	Place	Type of Impact	Use of Structure
1	Ram Swaroop	Natthi Lal	Berinag	Temporary	Kiosk
2	Buddhi Ram	Gulab Ram	Berinag	Temporary	Mobile
					Vendor
3	Ram Das	Devi Ram	Berinag	Temporary	Kiosk
4	Sonu	Naresh Kumar	Berinag	Temporary	Kiosk
5	Saraswati	Neem Singh	Berinag	Temporary	Kiosk
	Khampa				

Source: Resettlement Plan of Kumaun Region, 2014

Consultation meetings in Berinag was conducted in presence of Er. Mr. Udai Ram Assitant Engineer, PWD, ADB (UEAP), Pithoragarh in guidance from Executive Engineer, PWD, ADB (UEAP), Pithoragarh.



Mr Ram Swaroop



Mr Ram Das



Mrs. Sarswati Kampa



Mr Budhi Ram



Mr Sonu



Mr Udi Ram (Asst Engineer)

