



Resettlement Planning Document

Project Number: 47229-001
June 2014

IND: Uttarakhand Emergency Assistance Project

Prepared by:

Project Implementation Unit (Road & Bridges), Government of Uttarakhand

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Asian Development Bank

Dear Sir,

As per your instructions Please find attached Revised Resettlement Plan (RP) of Kumaon Region for Package No C-12(B), C-15, C-16, C-17, C-18, C-19 and C-28 for ADB Approval.

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Thanks & Regards.

Program Manager

UEAP (Roads & Bridges)

ADB,PWD, Uttarakhand

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(See attached file: Resettlement Plan for Uttarakhand Emergency Assistance Project (2).docx)

Resettlement Plan

Resettlement Plan for Kumaun Division Urban Roads
(Package no UEAP/PWD/C12 B, C15, C16, C17 A&B, C18, C19, C28)
Document Stage: Final
Project Number: 47229 IND
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JUNE 2014

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ABBREVIATIONS

ADB	Asian Development Bank
APs	Affected Persons
BPL	Below Poverty Line
DSC	Design and Supervision Consultants
DPs	Displaced Persons
FGD	Focus Group Discussions
GOI	Government of India
GRC	Grievance Redressal Committee
ESMC	Environment and Social Management Cell
EA	Executing Agency
IA	Implementing Agency
IP	Indigenous Peoples
IR	Involuntary Resettlement
LA	Land Acquisition
NGO	Non-Government Organizations
PIU	Project Implementation Unit
PWD(R&B)	Public works Department Roads and Bridges
RFCLARRA	Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013
RoW	Right of Way
RF	Resettlement Framework.
RP	Resettlement Plan
R&R	Resettlement & Rehabilitation
SC	Schedule Caste
ST	Schedule Tribe
SDRO	Social Development and resettlement Officer
SIA	Social Impact Assessment
TLC	Town Level Committee
ToR	Terms of Reference
UEAP	Uttarakhand Emergency Assistance Project
VC	Valuation Committee

GLOSSARY

Displaced Household (DH)	–	project displaced household consisting of such persons, his or her spouse, minor sons, unmarried daughters, minor brothers or unmarried sister, father, mother and other members residing with him/her and dependent on him/her for their livelihood.
Displaced Person (DP)	–	In the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas
Compensation	–	payment in cash or in kind of the replacement value of the acquired property
Grievance Redressal Committee	–	the committee established under the subproject to resolve the local grievances
Involuntary resettlement	–	addresses social and economic impacts that are permanent or temporary and are (i) caused by acquisition of land and other fixed assets, (ii) by change in the use of land, or (iii) restrictions imposed on land as a result of an ADB Project.
Land Acquisition	–	the process whereby land and properties are acquired for the purpose of the project construction
Rehabilitation	–	the measures provided under the resettlement plan other than payment of the compensation of acquired property.
Replacement Cost	–	the method of valuing assets to replace the loss at market value before the project or dispossession, or its nearest equivalent, plus any transaction costs such as Administrative charges, taxes, registration, and titling costs. Replacement cost is based on market value before the project or
Resettlement	–	all the measures taken to mitigate all or any adverse impacts of the project on the DPs property and/or livelihoods including compensation, relocation (where relevant), and rehabilitation

NOTE

In this report, "\$" refers to US dollars.

Currency Unit = Indian Rupee/s (Re/Rs)
 \$1.0 = Rs 59.00

EXECUTIVE SUMMARY

- I. The State witnessed 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 Bageshwar, Chamoli, Pithoragarh, Rudraprayag and Uttarkashi 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 towns have been washed away by the unprecedented flash floods and landslides and a large number of houses, public buildings, roads and bridges, urban and rural infrastructure has been damaged.
- II. The Uttarakhand Emergency Assistance Project (the project) envisages rehabilitation and reconstruction of state roads and bridges, tourism infrastructure (including construction of helipads and trekking routes), urban water supply and urban roads. The expected impact of the project will be economic and social recovery from the disaster in Uttarakhand state.
- III. In keeping with ADB's emergency loan procedures, this Resettlement Plan (RP) has been prepared in accordance with approved Resettlement Framework (RF). This RP identifies the broad scope of the subproject and outlines the policy, procedures for acquisition of land, compensation and other assistance measures for displaced persons and institutional requirements for this subproject under the loan.
- IV. This Resettlement Plan is prepared to deal with impacts of land acquisition and resettlement issues resulting from the rehabilitation of the said road subproject. The Plan provides an analysis of the impacts, identifies the nature and types of losses, and establishes an entitlement matrix as a guide to payments for compensation and resettlement benefits. The primary objective of this RP is to prepare a plan, restoring the income and living standards of the displaced persons (DPs), due to reconstruction of road within a short period of time without any disruptions in their own economic and social environment.
- V. The Project has its objectives of avoiding involuntary resettlement wherever possible, by means of adopting an appropriate technical design, which leads to minimization of the resettlement impact. In keeping with this objective, the technical design aims at minimization of the resettlement impact by means of best utilization of the available space by avoiding private and public assets and land acquisition as far as possible. The social assessment was undertaken between April- May 2014. On this basis, the resettlement impact in these subprojects are classified as Category B. Based on the preliminary technical design and census survey, Under the sub projects, no land acquisition is envisaged. During re-construction of the road loss of income sources and means of livelihoods to 39 movable Vendors/squatters may occur.
- VI. The census and socio-economic survey reveals a total of 39 households will be affected. All these 39 non- titleholders households are roadside (movable) vendors and Kiosks who have encroached on the RoW. Among the total affected people, 24 are vulnerable (SCs, STs and WHH). Among these 24 Vulnerable DPs 20 are from SC and 4 are from ST category 2 women headed DPs are also belongs to Scheduled tribes category. To further minimize the temporary impacts and inconvenience to the adjoining establishments due to reconstruction of roads, IA/Contractor will be advised to undertake the work during early hours of the day/less rush hours and in night at habitation area.
- VII. All the affected households (AHs) also referred as displaced persons (DPs) have been fully informed and closely consulted during the preparation of resettlement plan (RP). While conducting the census and socio-economic surveys in April-May, 2014, consultations were held to inform DPs about the project's impact, entitlement

matrix etc. Such consultations were undertaken in the subproject area with the affected families and other stakeholders so as to get their opinion on the Project and its positive and negative impacts. All relevant aspects of project were discussed with executing agency and DPs. The primary concern of the community was the sources of livelihood. They demanded that the compensation paid to them should be based on the replacement cost. They have stressed that special assistance should be provided to vulnerable DPs so that they are able to restore their livelihoods.

- VIII. The RP will be translated into vernacular language and will be made available to the affected people by the executing agency (EA). Copies of the RP will also be made available at the local level such as revenue office and Gram Panchayat, DPs and other stakeholders. The RP will be submitted to ADB for approval immediately. The RP, will be disclosed to the DPs as well as will be uploaded on EA's website.
- IX. Grievance Redress Committee (GRC) will be constituted at the District level for the resolution of project-related grievances. The GRC headed by the District collector will comprise of representative of field PIU, Resettlement Officer, representatives of local people and DPs, including vulnerable groups. The meetings of GRC will be held monthly or as required to redress the grievances of people on priority.
- X. All compensation and other assistances will be paid to all DPs prior to commencement of civil works. A detailed implementation schedule for the various activities is provided in the main text.
- XI. The resettlement principles adopted for this Project include the entitlement benefits as listed in Government of India's the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act (RFCTLARR), 2013 ,Resettlement Framework, ADB's Safeguard Policy Statement(SPS), 2009; and the SPS requirements will be complied with.
- XII. The RP is based on the general findings of the census survey, field visits, and meetings with various displaced persons in the subproject area. Taking into account the type of losses, the Entitlement Matrix provides for compensation and resettlement assistance to all displaced persons including the non-titleholders in the subproject area. In general terms, the people affected by the Project will be entitled to the following types of compensation and assistance - (i) Compensation for loss of structure at replacement value; and (ii) Additional assistance to vulnerable groups namely -women-headed households, Scheduled Castes (SC), Scheduled Tribes (ST), those below poverty line, elderly and disabled. A detailed Entitlement Matrix for the subproject is provided in the main text.
- XIII. The total estimated cost for resettlement operation and management under the Project is INR **406600** (USD 6691.5). The estimate includes all costs related to the entitlement benefits, plus the cost incurred for the implementation, external monitoring and evaluation.
- XIV. State Disaster Management Authority will be the Executing Agency (EA) for the Project. The implementing agencies will be Public Works Department (PWD) for roads, bridges trekking routes including eco-trails and urban roads. The Project Implementation Unit (PIU) with assistance of Social Development & Resettlement specialist, and Design and supervision consultant will have the primary responsibility of the RP preparation and implementation. The PIU would ensure monitoring any changes to subproject design which may require re-evaluation of the need for and adequacy of the RP. The PIU will ensure resettlement budgets are delivered on time for timely RP implementation.

XV. Monitoring and reporting for the project will be both internal and external. The EA with the help of implementing NGO and SCDGO(Social community development and gender officer) will conduct regular internal monitoring of resettlement implementation and will prepare monthly progress reports. The reports will contain progress made in RP implementation with particular attention to compliance with the principles and entitlement matrix set out in the resettlement plan. The report will also document consultations conducted, provide summary of grievances/complaints lodged by DPs and actions taken to redress them. The external monitor will verify the internal monitoring data, advise EA on safeguard compliance and will prepare corrective action plan if any significant involuntary issues are identified, . External monitoring reports will be prepared and submitted to the EA that will be further submitted to ADB on a semi-annual basis. In addition, the external monitor would conduct mid-term and end-term impact evaluation and submit reports.

RESETTLEMENT PLAN

I. Project description

1. In the wake of the Uttarakhand Disaster, ADB had launched its relief and rehabilitation initiatives. Most of State Highways, Major Districts Roads, Urban Roads have been collapsed due to disaster. The project will rehabilitate and reconstruct about 1,800 km of state highways (SH) and major district roads (MDR) affected by the disaster and rehabilitate and reconstruct about 16 damaged bridges on SH and MDR. In addition, the project will rehabilitate and reconstruct about 600 km of road section on ADB assisted projects in Uttarakhand, which have been damaged by the disaster. The Program and the ensuing projects will improve and rehabilitate roads and bridges in the affected areas of the Uttarakhand state. During preparation of RP Base line survey have been conducted and identified households will be provided compensation for lost income on the basis of income reported during the census survey or a transitional allowance for the period of disruption whichever is greater. This compensation will be provided prior to award of civil works contracts. Affected vulnerable households identified during the census survey will be given priority in project construction employment and provided with additional special assistance for income restoration support. Subprojects being covered under this Resettlement Plan are confined to those subprojects having temporary impacts on livelihood which are presented in Table 1:

Table1- Details of sub-projects

S. No.	Package No.	Name of Road	District	Total Length (in Km)	Affected Length (in Km)
1	UEAP/PW D/C12 B	Reconstruction of internal road of Nagar Panchayat Dharchula	Pithoragarh	2.36	2.36
2	UEAP/PW D/C15	Reconstruction of internal road of Nagar Panchayat Didihaat	Pithoragarh	8.36	8.36
3	UEAP/PW D/C16	Reconstruction of internal road of Nagar Panchayat Almora	Almora	12.00	12.00
4	UEAP/PW D/C17	Reconstruction of internal road of Nagar Panchayat Ranikhet	Almora	6.00	6.00
		Reconstruction of internal road of Nagar Panchayat Dwarahat	Almora	2.40	2.40
5	UEAP/PW D/C18	Reconstruction of Internal road of Bageshwar Nagar Palika	Bageshwar	9.98	9.98
6	UEAP/PW D/C19	Reconstruction of Internal road of Nagar Panchayat Kafkot	Bageshwar	7.25	7.25
7	UEAP/PW D/C28	Reconstruction of Internal Roads of Nagarpanchayat Berinag	Pithoragarh	7.82	7.82

2. The Uttarakhand Emergency Assistance Project (the project) envisages rehabilitation and reconstruction of Roads and bridges. The expected impact of the project will be economic and social recovery from the disaster in Uttarakhand state. UEAP (Road and Bridges) will result in improved living conditions of Uttarakhand as a result of rehabilitation, upgrading of key infrastructure, strengthened operation and maintenance, and improved local governance practices and locally-led pro-poor planning and project identification.

- a. The UEAP (Road and Bridges) is funded by ADB. The Executing Agency (EA) is the State Disaster Management Authority of Government of Uttarakhand (GoU), which has set up a state-level Project Management Unit (PMU) and Program Implementation Unit UEAP (R&B) for implementing the Program.
- b. This resettlement plan (RP) is prepared for the works to be undertaken by UEAP (Road and Bridges) for 8 Sub-project of Kumaun region Urban Roads (Package No. UEAP/PWD/C12 B, UEAP/PWD/C15, UEAP/PWD/C16 UEAP/PWD/C17 A&B,UEAP/PWD/C18 ,UEAP/PWD/C19, UEAP/PWD/C28) and is based on the UEAP RF. Broadly, the works in Kumaun region comprise restoration of the road to its original shape with the clearance of slip and construction of Retaining & Breast Wall, Drains, Crash Barriers and improvement of riding surface by resurfacing through Cement Concrete and BM/SDBC. These will be constructed as per MORD/MoRT&H Specifications. 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 alignment.

II. Scope of Land Acquisition and Resettlement

3. The Sub-project design has minimized land acquisition and resettlement impacts. Rehabilitation of existing RBF will be accommodated within the existing facilities' premises and will not involve any permanent/temporary land acquisition and resettlement. Only reconstruction of roads envisages temporary impacts for short periods on roadside (movable) vendors who have encroached on the RoW.
4. Table 2 gives the sub-component wise land acquisition and resettlement impacts. To further minimize the temporary impacts and inconvenience to the adjoining establishments due to laying of new distribution lines, IA/Contractor will be advised to undertake the work only on one side of the road at a time.
5. For the purpose of RP preparation and to identify the land acquisition and resettlement impacts, census survey and consultations with the DPs were carried out in the Month of April-May 2014 for all sites/alignment of proposed sub-project components. These were conducted with the help of pre-designed tool and as per the final alignments given in the detailed project reports (DPRs). The census survey covered detailed assessment of impacts and gathered information related to the socioeconomic profile of the DPs. The result of census survey is presented in subsequent section.
6. Minimization of resettlement was achieved mainly by reducing the corridor of impact. Based on the availability of RoW and likely improvement strategy, it was agreed in consultation with PWD to reduce the corridor of impact in habitation and market area. This helped in bringing down the resettlement impact considerably and in some subproject up to 100 per cent as presented in Table 2.

Table 2: Minimization of Resettlement Impacts

Sl. No.	Package No.	Name of Road	No. of Affected Structure		No. of structure saved
			Before mitigation	After mitigation	
1	UEAP/PW D/C12 B	Reconstruction of internal road of Nagar Panchayat Dharchula	20	13	07
2	UEAP/PW D/C15	Reconstruction of internal road of Nagar Panchayat Didihaat	10	3	07
3	UEAP/PW D/C16	Reconstruction of internal road of Nagar Panchayat Almora	08	0	08
4	UEAP/PW D/C17 A	Reconstruction of internal road of Nagar Panchayat Ranikhhet	15	13	02
5	UEAP/PW D/C17B	Reconstruction of internal road of Nagar Panchayat Dwarahat	05	2	03
6	UEAP/PW D/C18	Reconstruction of Internal road of Bageshwar Nagar Palika	06	1	05
7	UEAP/PW D/C19	Reconstruction of Internal road of Nagar Panchayat Kafkot	03	2	01
8	UEAP/PW D/C28	Reconstruction of Internal Roads of Nagarpanchayat Berinag	10	5	05
Total No of DPs			77	39	38

III. Socio-economic Information/Profile

7. Census survey indicates that there is no permanent or temporary land acquisition impact for any of the sub-project component. Census survey identified a total 39 vendors and shops that will be temporarily affected during the road construction activities. Currently, these have encroached on the existing RoW of the roads and all are non-titleholders. In a majority of the cases these vendors have occupied one side of the road and can be provided assistance to shift to another side to minimize disturbance to their daily business. Consultations with APs have revealed that they are willing to shift to such alternate sides/sites to continue their economic activities.

8. The census survey identified the primary source of income of the affected people was mainly coming from running small shops and vendors (**Table**). A majority of the affected vendors have tea stall or small eatery, fruit vendors, selling of variety items pan shops and cobblers. Out of total 39 APs, 24 DPs belongs to vulnerable category.

Table 3: Summary of Land Acquisition and Resettlement Impacts

Impact	Quantity
Permanent Land Acquisition (hectars)	0
Temporary Land Acquisition (hectars)	0
Titled APs (Temporarily Affected)	0
Non-titled APs (Temporarily Affected Vendors)	39
Vulnerable APs	2(Both WHH are from ST category)
• Women Headed	19
• Scheduled Caste-SCs	04
• Scheduled Tribes-STs	0
• Below Poverty Line-BPL	0
• Physically handicapped	0
Affected Trees/crops	0
Temporarily affected common property resources	0
Average Family Size	5.0
Average household income (per year)	Rs. 35,000

Source: Census Survey April-May 2014

9. The survey revealed that about 91 percent of APs were literates, including the functional literates¹ while 46 percent of the affected APs having different occupations were found to have income less than Rs. 35,000 (**Table 4, 5, and 6**). Assessment of below poverty line (BPL) APs is underway. BPL APs will be treated as vulnerable along with other vulnerable APs (such as SC/STs, women headed household etc.) and will be provided with additional assistance as per UEAP Resettlement Framework.

Table 4: Educational Attainment of APs

Sl. No.	Educational Attainment	No. of APs	Percentage
1.	Functional Literate	15	38.5
2.	Primary	5	12.8
3.	Middle	6	15.4
4.	Secondary	2	5.1
5.	Higher Secondary	2	5.1
6.	Illiterate	09	23.1
	Total	39	100.00

Source: Census Survey April-May 2014

Table 5: Income Level of the of APs

Sl. No.	Annual Income (in Rs.)	No. of APs	Percentage
1.	Less than Rs. 35,000	18	46.2
2.	Rs. 35,000-40,000	8	20.4
3.	Rs. 40,000-50,000	6	15.4
4.	Above Rs. 50,000	7	18.0
	Total	39	100.00

Source: Census Survey April-May 2014

¹ Functional Literates: APs who have not taken any formal education but can read and possesses mathematic skills (though limited).

Table 6: Occupation of the APs

Sl. No.	Occupation Category	No. of APs	Percentage
1.	Vegetables and fruit vending	10	25.6
2.	Tea stall and small eatery	12	30.8
3.	Pan shop	2	5.1
4.	Cobbler	8	20.5
5.	Decorative and multipurpose shop	7	18.0
	Total	39	100.00

Source: Census Survey April-May 2014

10. Gender Impacts. The census survey and consultations analyzed the potential impact of the Sub-project on women. 2 DPs covered under census survey are woman-headed households which are treated as vulnerable (along with other vulnerable APs (such as SC/STs, BPL household etc.) and are provided with additional assistance as per UEAP RF. The Sub-project in a whole will benefit all women in sub project area due to road reconstruction.

IV. Information Disclosure, Consultation and Participation

11. Public consultation and information disclosure is been carried out as an integral part of the UEAP since the beginning. This also included briefing on safeguard issues and requirements. The key consultations held with stakeholders are given in **Table** . Informal consultations at the sample Sub-project sites, involving the community and NGOs, were also conducted in January 2014, to understand needs and preferences for basic infrastructure facilities, and discuss social and environmental issues in order to reflect these in program design and to avoid/minimize land acquisition and resettlement.

Table 7: Public Consultations and Information Disclosure Meetings

Consultation Details	Schedule	Participants	No. of participants
First consultation workshop for the project	April 2014	Citizens, business community, Nagar Palika Councilors, NGO's, Elected Representatives, Senior Officers UJS etc.	45
Group Discussions and Consultation with Working Groups	April 2014	2 groups – Local leaders (g) Governance and Finance	48
Series of Consultation with line departments	January to May 2014	Nagar Palika, PWD, District administration and such other organizations	12
Discussion on Identified infrastructure projects	Nov 2014	All Secondary Stakeholders and PWD of GoU	17
Information consultations at sample Sub-project sites	November 2014	With the community and NGOs	34
Safeguards disclosure meeting	May 2014	Citizens, business community, Nagar Palika ward members, CBO's and NGO's, Elected Representatives.	Total: 46

12. The RP for Kumaun Region urban road Sub-project was also prepared in consultation with the primary and secondary stakeholders² employing various methods (meetings, focus group discussions, census survey-individual interviews through structured questionnaires etc.). Public consultation has also been conducted in April 2014 involving all major stakeholders to brief on proposed Sub-project components and to understand the local issues and public views regarding the possible impact of the Sub-project.

13. During consultations it was found that people were aware about the proposed investments and welcomed the project as it was benefiting to them. However few concerns raised were: (i) Construction activities should be scheduled properly so as not to disturb residents/affected people for a longer duration; (ii) Few movable vendors indicated that they are very poor and disturbance to their economic activity needs to be adequately compensated; and (iii) affected people were ready to shift to other sides of roads/locations however were not very sure if they can earn similar income and hence indicated a need for proper compensation.

14. Based on the concerns raised by affected people during consultations they were apprised of the mitigation measures that will be included in the RP including: (i) compensation for temporary loss of livelihood and other entitlements as per UEAP RF; (ii) prior information on schedule of construction activities; (iii) scheduling of construction activities during early morning or less rush hours to minimize the impacts; (iii) if required, shifting of movable vendors to other side of roads or to suitable sites in the vicinity so that they can continue with their economic activities etc.

15. Further to these consultations, APs will be continuously informed about the project progress and benefits extended to them. A summary of Kumaun Region urban road Sub-project RP (in local language-Hindi) will be made available for reference at concerned Nagar Nigam/ward offices, FPIU, PMU and PIU offices. The updated RP will also be disclosed on PMU website and ADB's website. The Social and Community Development and Gender Officer (SCDGO) at PIU will also keep the affected persons informed about the impacts, the compensation and assistances proposed for them and facilitate addressing any grievances. Additionally, the NGO engaged to implement Community Awareness and Participation Program will continue consultations, information dissemination, and disclosure during RP implementation.

V. Grievance Redress Mechanisms

16. There is a need for an efficient grievance redress mechanism that will assist the DPs in resolving their queries and complaints. Therefore, formation of Grievance Redress Committee (GRC) will be most important mechanism for grievance redress and it is anticipated that most, if not all grievances, would be settled by the GRC at the earliest, as far as possible

17. The EA will establish a mechanism to receive and facilitate the resolution of displaced persons' concerns and grievances about physical and economic displacement and other project impacts, paying particular attention to the impacts on vulnerable groups. The grievance redress mechanism will address affected persons' concerns and complaints promptly, using an understandable and transparent process that is gender responsive, culturally appropriate, and readily accessible to the displaced persons at no costs and

² These include: Elected representatives, PMU/ PIU, PWD-GoU, Nagarpalika/town area, other state and local authorities, NGOs/CBOs working with communities, community representatives/local leaders, beneficiary and the affected community etc.

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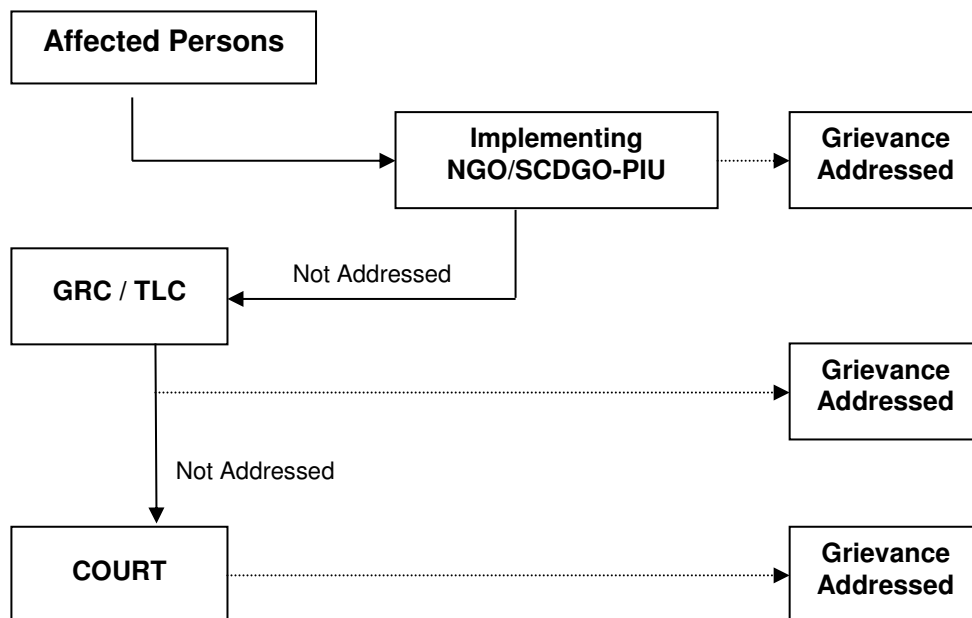
18. Grievance Redress Committee (GRC) for the each subproject will be constituted at the PIU level for the resolution of project-related grievances. The GRC headed by the District Collector will comprise of representative of program Director, Executive Engineer (UEAP)PWD, SCDGO, local elected representative, representatives of displaced persons including vulnerable groups and women . The GRC will be a voluntary body and will continue to function, for the benefit of the DPs, during the entire project cycle.

19. The GRC meetings will be convened in a month and will resolve the grievances of the eligible persons within one month from the time of the receipt of the grievance. The decision of the GRCs will be binding, unless approached to the competent court of law. Other than disputes relating to ownership rights under the court of law, GRC will review grievances involving all resettlement benefits, compensation, relocation, and other issues of assistance.

Some of the specific functions of the GRC will be as following:

- To provide support for the DPs on problems arising out of land/property acquisition like award of compensation and value of assets;
- To record the grievances of the DPs, categorize and prioritize the grievances that needs to be resolved by the Committee and solve them within a month;
- To inform PIU/PMU of serious cases within an appropriate time frame;
- To report to the aggrieved parties about the development regarding their grievance and decision of PIU/PMU; and to sort out the issues related to inadequate compensation received by the DPs. It was observed during the consultations that seven DPs filed cases in the court for enhancement of their compensation for which decision of the court case is still pending.

Figure: Grievance Redress Process



VI. Legal Framework

20. The resettlement principles adopted for this Project recognize the entitlement benefits as listed in Government of India's (GoI) the Right to Fair Compensation and

Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 (RFCLARRA), RF UEAP and ADB's Safeguard Policy Statement, 2009 (SPS). The resettlement principles adopted for the project shall comply with the SPS, 2009.

21. The project compensation for land acquisition (LA) and resettlement assistance for project-affected people will be governed by the Government of India's new Act, i.e., RFCLARRA, 2013 effective from January, 2014. The new Act aims to minimize displacement and promote, as far as possible, non-displacing or least displacing alternatives and also aims to ensure adequate compensation including rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of those affected. The Act also recognizes the need for protecting the weaker sections of the society especially members of the scheduled castes and scheduled tribes.

22. The RFCLARRA, 2013 repeals the Land Acquisition Act, 1984 and is applicable to all states in India (Except the state of Jammu and Kashmir). The RFCLARRA, 2013 is a first national/central law that addresses land acquisition and rehabilitation and resettlement collectively. Establishing of a completely new Act, which was due from a long time, is a pioneering step taken by the Government of India (GoI) in providing a humane, participative, informed and transparent process for permanent/temporary land acquisition in the public interest. The Act lays down procedures for estimating fair compensation of the affected families (and not just the title-holder) due to land acquisition, rehabilitation and resettlement. The Act prohibits acquisition of multi-cropped irrigated land as a special provision to safeguard food security, unless in exceptional circumstances as a demonstrable last resort³. Salient features of RFCLARRA, 2013 are furnished below.

- (i) Preliminary Investigations/Preparation of SIA/SIMP: It is mandatory under the Act to conduct a time bound Social Impact Assessment (SIA) and prepare Social Impact Management Plan (SIMP)⁴. No land acquisition shall be initiated unless SIA/SIMP is approved by the Expert Group. SIA shall also be conducted in a participatory manner and with all necessary public hearings, dissemination etc. duly followed.
- (ii) Preliminary Notification, Objections and Hearing: Under the Act, Preliminary Notification⁵ shall be issued only after the approval of SIA and within 12 months from the date of SIA approval, failing which a fresh SIA/SIMP will be prepared. Preliminary Notification shall allow appropriate Government to undertake various surveys and update records, which needs to be compulsorily completed within two months. Within this period (60 days), all affected landowners/families shall be given right to raise objections in writing to the District Collector (DC) and shall get a chance to be heard in person.
- (iii) Preparation of Rehabilitation and Resettlement Scheme and its Declaration. Following Preliminary Notification, Administrator appointed for rehabilitation and

³ Wherever such land is acquired, an equivalent area of culturable wasteland shall be developed for agricultural purposes or an amount equivalent to the value of land acquired shall be deposited with the appropriate Government for investment in agriculture for enhancing food-security. This condition has been included in the entitlement matrix. These provisions however do not apply in case of projects that are linear in nature such as railways, highways, other roads, canals, power lines etc.

⁴ SIA shall confirm: (i) the proposed acquisition is for the public purpose and extent of land proposed is the absolute bare minimum extent needed for the project; (ii) number of affected families, displaced families; details of extent of loss and other associated social impacts; and (iii) costing for addressing estimated losses and social impacts. The SIMP shall form a part of SIA and include each component wise ameliorative measures to address land acquisition and social impacts. SIA/SIMP shall be evaluated by independent multi-disciplinary Expert Group who reserves the right to approve it.

⁵ The preliminary notification shall include: (i) statement on project/ public purpose; (ii) reasons necessitating the land acquisition; (iii) summary of SIA; and (iv) particulars of the Administrator appointed for the purpose of rehabilitation and resettlement.

resettlement shall conduct a survey, census of the affected families and prepare a draft Rehabilitation and Resettlement Scheme (RRS)⁶. Administrator first submits RSS to the DC and DC then to the Commissioner-Rehabilitation and Resettlement who approves the RSS in the last. The DC shall publish a summary of RSS along with Declaration under the hand and seal of Secretary to such Government or any other official duly authorized⁷. Declaration shall be published only after the Requiring Body deposits amount towards the cost of land acquisition⁸. RSS summary and Declaration shall be compulsorily made within the twelve months after the issue of Preliminary Notification. If not complied, such notification shall be considered rescinded unless land acquisition was held up on account of any stay or injunction by the order of Court.

- (iv) Public Notice and Award: Following Declaration and Requiring Body deposits amount towards the cost of land acquisition; the DC shall issue a public notice and hear objections (if any) within six months from the date of its issue. The DC shall make an award within a period of twelve months from the date of publication of the Declaration and if award is not made within that period, the entire proceedings of the acquisition of the land shall lapse.

23. Policy framework and entitlements are further discussed in the RF. The entitlement matrix for the proposed Sub-project based on the above policies and identified impacts through census surveys/consultation is given in Entitlement Assistance and benefits.

24. The Resettlement plan describes the objectives, policy principles and procedures for land acquisition and involuntary resettlement, if any, compensation and other resettlement assistance measures and method for preparation of subprojects under the Loan. It is envisaged that land acquisition and involuntary resettlement is marginal since reconstruction of damaged infrastructure will generally be within the existing right-of-way (ROW) and available government land. The Entitlement Matrix (Table 8) based on Resettlement Framework details out various types of losses, identification/eligibility and entitlements and provides basic parameters for preparation of compensation and resettlement benefits. The matrix will apply to all the subprojects, based on the specific project impacts.

VII. Entitlement Assistance and benefits

25. The Resettlement plan describes the objectives, policy principles and procedures for land acquisition and involuntary resettlement, if any, compensation and other resettlement assistance measures and method for preparation of subprojects under the Loan. It is envisaged that land acquisition and involuntary resettlement is marginal since reconstruction of damaged infrastructure will generally be within the existing right-of-way (ROW) and available government land. The Entitlement Matrix (Table 8) based on Resettlement Framework details out various types of losses, identification/eligibility and entitlements and provides basic parameters for preparation of compensation and resettlement benefits. The matrix will apply to all the subprojects, based on the specific project impacts

⁶ Draft RSS shall include: (i) particulars of land and immovable property to be acquired of each affected family; (ii) livelihood losses of landowners as well as dependent landless families; (iii) list of government/public buildings and details of utilities and/or infrastructure facilities where resettlement of affected families is involved; (iv) details of common property resources being acquired; and (v) particulars of the rehabilitation and resettlement entitlements of each affected landowner and landless family and list/details of government buildings, utilities, infrastructure facilities to be provided in the area. The Administrator shall also set implementation timeline in draft RSS.

⁷ Summary RSS shall not be published unless it is published along with Declaration.

⁸ In full or part, as prescribed by the appropriate Government

Table 8: Entitlement Matrix

A. LOSSES OF NON-TITLEHOLDERS				
1	Loss of agricultural land, residential and commercial structure by encroachers	Households who have illegally extended their legally owned land/ property onto public or other private land	<ul style="list-style-type: none"> • No compensation for land • Compensation for structures only to vulnerable household • Shifting assistance for vulnerable encroachers • R&R Assistance only to vulnerable households • Right to salvage materials 	<ol style="list-style-type: none"> a. Encroachers will be notified and given a time in which they will be required to remove their assets and harvest their crops. b. Compensation for structures at replacement cost to the vulnerable households. c. Training would be provided for up gradation of skills to the DPs belonging to vulnerable groups and losing their commercial structures. d. Shifting allowance of INR1,500 to INR 2,500 lump sum for shifting depending on the type of structure and extent of impact. e. Right to salvage materials from the demolished structure.
2	Loss of residential and commercial structure by squatters/ informal settlers	Households living/ earning their livelihood by illegally occupying public or private land	<ul style="list-style-type: none"> • No compensation for land • Compensation for structures • Shifting assistance • R&R Assistance • Right to salvage materials 	<ol style="list-style-type: none"> a. Compensation for loss of structure at replacement cost. b. A lump sum shifting amount of INR 1,500 to INR 2,500, depending on the type of structure. c. Squatters/informal settlers will be notified and given a time in which they will be required to remove their assets. d. Transitional allowance of INR 3,000 for a period of 3 to a maximum of 6 months, depending on the extent of the impact. e. Training would be provided for up gradation of skills to DPs losing their commercial structures. f. Right to salvage material from the demolished structure. g. Project assisted relocation option provided to those whose residential/commercial structures become non-livable as a result of project impacts and relocation site will be developed in consultation with these affected households (subject to availability of land)

3	Shifting Business – Mobile vendors	Household	Assistance for business disruption	Ambulatory vendors who have been granted license for operating will be paid assistance as one time lump sum amount of INR 3000.
4	Kiosks	Household	Assistance for business disruption	Vendors who have been granted license for operating from a fixed location will be considered as kiosk. Assistance will be paid as one time lump sum amount of INR 3,000
B. ADDITIONAL SUPPORT TO VULNERABLE GROUP				
5	Primary source of income	Vulnerable households including BPL, SC, ST, WHH, disabled, and elderly	Additional assistance to vulnerable groups	One time lump sum assistance of INR 5,000 to vulnerable households. This will be paid above and over other assistance(s) as per this framework.
C. LOSS OF COMMUNITY INFRASTRUCTURE/COMMON PROPERTY RESOURCES				
6	Common property resources	Community	Compensatory replacement	Cash compensation or reconstruction of the community structure in consultation with the community.
7	Temporary impact during construction includes disruption of normal traffic, increased noise levels, and damage to adjacent parcel of land/assets due to movement of heavy machinery	Community/ Individual	Compensation	<p>a. The contractor shall bear the cost of any impact on structure or land due to movement of Machinery during construction.</p> <p>b. All temporary use of lands outside the proposed right-of-way to be through written approval of the landowner and contractor.</p> <p>c. Location of construction camps by contractors in consultation with EA.</p>
D. ANY OTHER IMPACT				
8	Unforeseen impacts, if any	Unforeseen impacts will be assessed on case by case basis and compensation/ assistance will be paid in accordance with agreed RF, IPPF, ADB's SPS (2009) and National and State policies.		

BPL=below poverty line, DP=displaced person, EA=Executing Agency, SC=scheduled caste, ST=scheduled tribe, WHH=women-headed household.

VIII. Relocation of housing and settlements

26. In this subproject, no relocation of households is envisaged as there is no loss of any residential or commercial structures. Impact is temporary on 39 structures and relocation is involved here. However, in this subproject none of the DPs will be displaced. The displaced

households also indicated for cash compensation for loss of their assets.

27. However to avoid any disturbance to daily business activities, road /path users it is proposed that work should be executed during early hours of day or in night in order to avoid inconvenience to public as well as traders and vendor.

IX. Compensation and Income Restoration

28. If construction activities results unavoidable livelihood disruption, compensation for lost income or a transitional allowance for the period of disruption whichever is greater will be provided. All APs will be entitled to resettlement benefits as given in the Table 8 of this RP. These will be (i) Cash Compensation for the lost income or a transitional allowance for the period of disruption whichever is greater during the disruption period (ii) Advance notice regarding construction activities, including duration and type of disruption and (iii) Restoration of affected roads back to original position.

29. Date of census survey (Census Survey April-May 2014) will be considered as cut-off-date for extending compensation to the identified APs. The census survey has identified 39 movable vendors whose will lose income/ livelihood for temporary period due to construction of roads. Since these are earning their livelihood from varied activities and their income is not consistent throughout the year, As per UEAP RF Rs 3000 will be considered for compensating loss of income/ livelihood. Vulnerable APs identified through census surveys will be given priority in project construction employment and provided with additional onetime special assistance for income restoration of Rs. 5,000. Compensation and assistance to APs will be made prior to prior to the award of civil works contracts.

30. APs will be provided 30 days advance notice to ensure no or minimal disruption in livelihood. If required, they will also be assisted to temporarily shift for continued economic activity. For example they will be assisted to shift to the other side of the road where there is no construction. Ensuring there is no income or access loss during sub-project construction is the responsibility of contractors. Consistent with the initial environmental examination, contractors will ensure: leaving spaces for access between mounds of soil, providing walkways and metal sheets to maintain access across trenches for people and vehicles where required, increased workforces to finish work in areas with impacts on access, timing of works to reduce disruption during business hours, phased construction schedule and working one segment at a time and one side of the road at a time.

X. Resettlement Budget

31. The compensation for the temporary loss of income/livelihood is based on UEAP RF. The same has been discussed with APs during surveys/ consultations and has been agreed by the APs. The additional support to vulnerable APs will be given on lump sum basis as one time assistance. This is fixed at Rs. 5000. The payment to all APs will be made through issuance of bank cheque. The estimated cost is given in the Table 9.

Table 9: Summary of Land Acquisition and Resettlement Costs

Sl. No	Item	Unit	Quantity	Unit Cost (Rs.)	Total Cost (Rs.)
A	Compensation and Assistance				
1	Temporary loss of income/livelihood on movable roadside vendors	Person	39	3000	117000
2	Additional assistance to vulnerable APs	lump sum	24	5000	120000
3	Support Cost for RP Implementation ⁹	Lump sum	-	-	100000

⁹ Note: Administrative Budget/ Costs are not included

4	Cost for external monitoring consultant	Lump sum	-	-	50000
	Total LA and R&R Cost				387000
	Contingency	5%			19600
	Grand Total				406600

XI. Institutional Arrangements

32. The State Disaster Management Authority is the Executing Agency (EA) of the Investment Program. The EA has already set up a state-level Program Management Unit (PMU). The Implementing Agencies (IAs) has set up district-level Field Program Implementation Units (FPIUs) to manage implementation of sub-projects in their districts. FPIUs is being assisted by Design and Supervision Consultants (DSCs), who are designing the infrastructure, managing tendering of Contractors and supervising the construction process. Construction Contractors (CC) has been appointed to build elements of the infrastructure. The CCs are being managed by the FPIUs, and construction is being supervised by the DSCs.

33. An Environmental and Social Management Centre (ESMC) has been set up within the PMU to address environmental and social issues of the Investment Program staffed by an Environmental Specialist and Social and Community Development and Gender Officer (SCDGO). The ESMC is assisted by the NGO to ensure timely and effective implementation of SRPs and to provide internal monitoring support. The DSC's also has resettlement specialists (DSC RS) who will work closely with the ESMC and will be responsible for updating existing RPs, preparing new RPs for future sub-projects, and support monitoring of RP implementation and grievance redress. The EA and FPIU will implement RPs through NGO. Detail about the institutional roles and responsibilities are described in the Table below.

Table 10: Institutional Roles and Responsibilities

Activity	Responsible Agency
<i>Sub-project Initiation Stage</i>	
Finalization of sites for sub-projects	PMU
Disclosure of proposed land acquisition and sub-project details by issuing Public Notice	PMU
Meetings at community/ household level with APs	PIU/ NGO
Formation of VCs	PMU/ PIU/DSC
<i>RP Preparation and Updating Stage</i>	
Conducting Census of all APs	NGO/ DSC RS
Conducting FGDs/ meetings/ workshops	NGO/ DSC RS
Computation of replacement values of land/ properties proposed for acquisition and for associated assets	VC/ ESMC/ CAPP NGO/ DSC RS
Categorization of APs for finalizing entitlements	ESMC/ DSC RS
Formulating compensation and rehabilitation measures	ESMC/ DSC RS
Conducting discussions/ meetings/ workshops with APs and other stakeholders	ESMC/ NGO/ DSC RS
Fixing compensation for land/ property with titleholders	VC/ PMU
Finalizing entitlements and rehabilitation packages	ESMC/ DSC RS
Disclosure of final entitlements and rehabilitation packages	PMU/ NGO
Approval of RP	EA/ ADB
Sale deed execution and payment	EA/ PMU
Taking possession of land	EA/ PMU
<i>RP Implementation Stage</i>	
Implementation of proposed rehabilitation measures	PIU/ NGO
Consultations with APs during rehabilitation activities	PIU/ NGO
Grievances redressal	NGO/ ESMC/ GRC
Internal monitoring	ESMC/ PIU
External monitoring	External Agency

ADB=Asian Development Bank, AP=Affected Person, DSC RS=Design and Supervision Consultant's Resettlement Specialist, ESMC=Environment and Social Management Cell, FGD=Focus Group Discussion, PIU= Program Implementation Unit, PMU= Program Management Unit, NGO=Nongovernmental Organization, RP=Resettlement Plan, VC=Valuation Committee

XII. Implementation Schedule

34. All the compensation and assistance will be completed prior to the start of the civil work at each specific alignment. The implementation process will broadly cover (i) identification of cut-off date and notification; (ii) verification of APs and distribution of identity cards; (iii) consultations with APs to address their needs, and priorities; and (iv) payment of compensate, grievance redressal (if any) of the APs. Since, the Sub-project is mainly affected movable vendors; NGO/IPMU should issue identity cards to all APs, at the earliest possible time to ensure that opportunistic squatters and encroachers are not encouraged. The tentative schedule for RP implementation is given in Table 11.

Table 11: Implementation Schedule

Activity	Completed Tasks	Aug 2014	Sept 2014	Oct 2014	Nov 2014	Dec 2014	Jan 2015	Feb 2015
Approval of the RP from ADB		◆						
Appointment of RP Implementing NGO		◆						
Briefing of the TLC on GRC functions		◆						
Verification of census survey			◆					
Updation of RP (if required)			◆					
Approval of the updated RP from IPMU/ADB			◆					
Issuance of identification cards				◆				
Consultation and Disclosure			◆	◆	◆	◆		
Notice to the APs for shifting				◆				
Payment of compensation					◆	◆		
Shifting/relocation (as required)					◆	◆		
Taking possession of acquired RoW							◆	
Internal Monitoring			◆	◆	◆	◆	◆	
External Monitoring						◆		
Hand over RoW to contractors							◆	
Start of civil works								◆

XIII. Monitoring and Evaluation and Reporting

35. Internal monitoring will be the responsibility of the ESMC and the implementing NGO. Internal monitoring will include: (i) administrative monitoring: daily planning, implementation, feedback and trouble shooting, individual AP file maintenance, and progress reports; (ii) socio-economic monitoring: baseline information for comparing AP's socio-economic conditions, relocation, salvaging materials, community relationships, dates for consultations, and number of grievances placed; and (iii) impact evaluation monitoring: income restored, and socioeconomic conditions of affected persons. Monitoring and evaluation reports documenting progress on resettlement implementation and RP completion reports will be provided by the implementing NGO to the IPIU and after reviewing the report PIU will submit the report to PMU on monthly basis. The internal monitoring report will be submitted quarterly to the Asian Development Bank (ADB) by the PMU. Monitoring will also ensure recording of AP views on resettlement issues; AP understanding of entitlement policies, options, and alternatives; site conditions; compensation valuation and disbursement; grievance redress procedures; and staff competencies.

36. The implementing NGO will report its activity to PIU on a monthly basis and the IPIU will send it to DSC for review and then DSC will forward to PMU. PMU will send it to ADB on a quarterly basis. To review the field report of NGO, DSCs should help the PIU. The quarterly progress report to ADB from PMU will be supported and revised by DSC.

37. An external monitoring agency/Consultant with prior experience in resettlement implementation monitoring and evaluation will be engaged by the EA. The external monitor will monitor and verify RP implementation to determine whether resettlement goals have been achieved, livelihood and living standards have been restored, and provide recommendations for improvement. The external monitoring will undertake monthly monitoring and impact evaluation on a sample basis during mid-term and project completion. Monitoring will also ensure recording AP views on resettlement issues; AP understanding of entitlement policies, options, and alternatives; site conditions; compensation valuation and disbursement; grievance redress procedures; and staff competencies. The external agency will report its findings simultaneously to the EA and to ADB twice a year.

Annexure 1

Public Consultation & Focused Group Discussions (Socio-Economic and Environmental)

Name of the Sub-Project: Uttarakhand Emergency Assistance Project: Urban Road

Number of Participants: 45

Name of the Village/ Ward:

Dharchula,Didihaat,Almora,Ranikhet,Dwarahat,Bageshwar,Kafkot,Berinag

Name of the Division: Kumaun

Name of the Districts: Almora,Bageshwar,Pithoragarh

Date: 17/12/2014


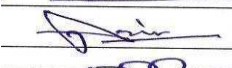
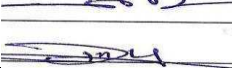

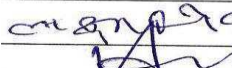
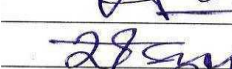
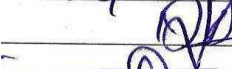



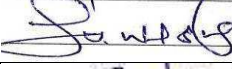



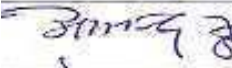
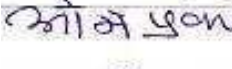

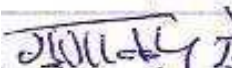

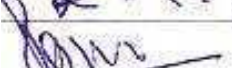
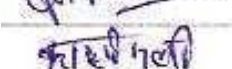
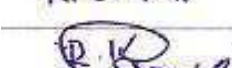
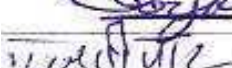
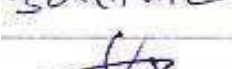





Issues	Participant's Opinion, Comments and Suggestions
General perception about the Investment Program UEAP. Awareness about the Investment Program especially the Road reconstruction component. Support of the people for the Investment Program.	Local people are aware of the road reconstruction programme. There is immense support of local people for the Investment Program.
Support of local people for the proposed Road reconstruction component of the project.	All people gathered for consultations raised one voice for the early and speedy construction of Road
Any critical issue or concern by the local people regarding this project?	Quality of construction should be better.
Any criteria you would like to see considered during project design, construction and operation stage?	During construction time the Executing Agency should conduct the work without affecting the common people. No suggestion for maintenance stage.
Number of Households in this area and Population of the village/ area	Around 500 households live in this area. Approximately 2000 populations live in these affected areas.
Any Ethnic minorities/ tribal population living in this area (Note the name of Tribe/ indigenous community, if any). Any Vulnerable groups are in the village/ Ward (women headed, BPL, ST, PH etc.).	No ethnic minorities/ tribal population living in this area Some BPL families are living in this area.
Do the village/ ward people face any problems due to damaged roads?	Condition of road is very poor and there are no safety signs and safety measures
If there is any problem related to these services, do you think that any up-gradation is necessary?	Yes upgradation is necessary.
Do you have any ideas on what is to be involved in the process of up-gradation?	No idea for the process of this up-gradation.
For this up-gradation, the road/ street/ path may be affected - What is your opinion on this? Is it acceptable?	Yes, it is acceptable to the local people but not for a prolonged period. The timing and period of work should be fixed and notified to the local people before the start of civil works.
Who else is to be affected due to this up-gradation process?	Local residents will also be affected for commuting to their destinations.
How intense could be the effect?	The effect could be much intense if the construction period for longer period after excavation works. The local residents will find it difficult to go office, schools, hospitals or any other destinations.
Do you think the effect will be of a permanent nature?	The effect may likely be of temporary in nature.
If it is not, how intense will be the temporary effect?	The intensity of effect may be temporary in nature and minimum to the local residents.
The work will be executed in this part of the road/footpath. You may require shifting to other side of the road. Please give your comments and suggestions.	Mostly ready to shift other side of the road by showing respect to Government work. If space and assistance provided for shifting to other side, DPs have no problem.
During the time of execution of work will you shift to other side of road or any other place in the town?	Some people are positive to the idea of shifting to other side of the road and others are bit apprehensive of shifting and doing business. Because they afraid of customer loss.
In what way Executive Agency of GOU can assist you so that your daily business is not affected?	They have no direct comment on this issue. But said that Government should think about their genuine

Issues	Participant's Opinion, Comments and Suggestions
What extra support you want from the Executing Agency of GOU?	problem and whatever possible way GoU can help them, it is welcome.
What are your perceived benefits from the Investment Program?	They may get better communication and access.
Do you think that local labour force would like to participate in construction work?	Obviously, local unemployed labour force would like to participate in the construction work.
Do you think that the local people would like to get regular information regarding this Investment Program?	Yes, the local people would like to get regular information regarding this project and Investment Program.
Number of Shops/ Commercial establishments in the village/ town/ area	Around 300 shops/ commercial area in this locality.
Numbers of Industrial Units in the village/ town and surrounding area	No industrial unit available in this and surrounding area.
General socio-economic standing: What are the economic activities? Land use, cropping pattern (Seasonal), types of crops, value of the crops, Average land holding size etc.	General socio-economic standing is lower middle class or poor family background. Mainly selling vegetables, fruits, and variety of items for their livelihood and support to family.
Is the land irrigated and what are the sources of Irrigation?	Not Applicable
Current rates for the agricultural land (Government as well as market rates).	Not Applicable
Source of drinking water in this area.	UJS water pipe line and hand pump is the source of drinking water in this area.
Loss of residential/ commercial structures, if any due to the project.	No loss to residential / commercial structures due to the project.
Loss of community life like any Market Places or community activities to be affected	No loss to community activities or market places.
Resettlement and Land acquisition (if foreseen due to setting up of road reconstruction especially on private land). Has there been land acquisition before? If yes, what was the process of land acquisition and compensation package?	No Private land acquisition and resettlement impacts are seen for this sub-project. No land acquisition before.
Protected areas (national park, protected forest, religiously sensitive sites, historical or archaeological sites near the project area around 3km), if any	No protected areas (national park, protected forest, religiously sensitive sites, historical or archaeological sites near to the sub-project area.
Health status, Availability of Hospitals, Is there any chronic disease prevalent in this area. Over all environmental condition of the area. Are you aware about HIV/AIDS and STD?	Health status is normal to this area. Hospital is available .Most of the people are aware of HIV/AIDS and STD.
Poverty Level: Is the village/ ward is poor or very poor or well off?	Poor
Education Status in this Village/ward: Literate, illiterate etc.	Mostly literate.
Type of compensation expected (Cash or Kind)	Cash compensation expected.
Perceived benefits from the project	Road connectivity and better facilities to the urban population.
Perceived losses from the project	Temporary loss of livelihood.
What other organizations of a social nature (NGOs/CBOs/ Civil Society) active in this village/ward? Name of these organizations.	Local people do not know about these organizations.
Organization of the village/ ward and its structure. Do you have a village/ ward committee? What is the decision-making system in your village/ward? Who are the decision makers on community related issues in your village/ward? Are they elected or selected? If elected: By consensus or By majority vote.	There is ward committee and the councilor is the head of the ward. Ward Committee decides issues of ward and finalize it with the presence of councilor. The committee and councilor are all elected members by majority vote.
Any Other Issues you may feel to share: (Demand of any support form Authority and	All issues depend on GoU. If Government is sympathetic to the DPs then, they are also ready to

Issues	Participant's Opinion, Comments and Suggestions
whether they welcome the project, will there be cooperation from the local community during the implementation, security measures, etc).	cooperate and welcome the project during the implementation and security measures.
Is this consultation useful? Comments	Yes, it is useful
Will there be likely involvement of local people in the implementation of this programme?	It depends on the individual local APs to decide.

Source: FGD April-May 2014

List of Participants - Public Consultation & Focused Group Discussions

Sl. No	Name of the Participant	Occupation	Signature (If agreed by the participants)
1	Sharafat Hussain	Shop keeper	
2	Sanjeev Kumar	Shop keeper	
3	Kishan Dutt Joshi	Shop keeper	
4	Lakshman Ram	Shop keeper	
5	Chhote Khan	Shop keeper	
6	Saheb Thakur	Shop keeper	
7	Ramesh Rathore	Shop keeper	
8	Sarkar Rathore	Shop keeper	
9	Vishnu Rathore	Shop keeper	
10	Prahlad Tolia	Shop keeper	
11	Pari Kumar	Shop keeper	
12	Lucky Sagar	Shop keeper	
13	Narayan Ram	Shop keeper	
14	Jagmohan Singh Bisht	Local people	
15	Rakesh singh	Local people	
16	Sunil Singh	Shop keeper	
17	Deepak Kumar	Shop keeper	
18	Vimla Devi	Shop keeper	
19	Om Prakash	Shop keeper	
20	Pooran Chandra Pandey	Shop keeper	
21	Mohan Ram	Shop keeper	
22	Suresh Chandra Sharma	Shop keeper	
23	Jagdish Chandra Papnai	Shop keeper	
24	Radha Devi	Shop keeper	
25	Kripal Pawar	Shop keeper	
26	Kailash Lal	Shop keeper	
27	Ravi Kumar	Shop keeper	
28	Munesh Kumar	Shop keeper	
29	Amit Kumar	Shop keeper	
30	Prem Bahadur	Shop keeper	
31	Joga Bahadur	Shop keeper	
32	Mohan Lal	Shop keeper	
33	Jawed	Shop keeper	
34	Omprakash Singh	Business	
35	Sakharnand Bhatt	Retired	

36	Gopal singh Rana	Retired	
37	Anand Kumar	Contractor	
38	Omprakash sani	Retired	
39	Subash pawar	Driver	
40	Gunanand samwal	Service	
41	Dhum singh	Labourer	
42	Parmod Kumar	Labourer	
43	Kashi kala	House wife	

List of Affected persons

Sl.	Name	Father/ husband name	Ward/ Village	Type of Impact	Use of structure	No. of family Member	Social Status	Vulnerability	Entitlement as per Resettlement Framework		
									Assistance for business disruption	Additional assistance to vulnerable group	Total Entitlements
Package No- UEAP/PWD/C12 B									Road Name: Tehsil to Gandhi Chowk Road, Dharchula		
1	Sharafat Hussain	Shafi Ahmed	Dharchula	Temporary	Kiosk	6	Gen	Non-Vulnerable	3000/-	-	3000/-
2	Sanjeev Kumar	Late Nand Kishor	Dharchula	Temporary	Kiosk	4	Gen	Non-Vulnerable	3000/-	-	3000/-
3	Kishan Dutt Joshi		Dharchula	Temporary	Mobile Vendor	5	Gen	Non-Vulnerable	3000/-	-	3000/-
4	Lakshman Ram	Ratan Ram	Dharchula	Temporary	Kiosk	5	SC	Vulnerable	3000/-	5000/-	8000/-
5	Chhote Khan	Barkatullah Khan	Dharchula	Temporary	Mobile Vendor	5	Gen	Non-Vulnerable	3000/-	-	3000/-
6	Saheb Thakur	Sarkar Thakur	Dharchula	Temporary	Kiosk	6	Gen	Non-Vulnerable	3000/-	-	3000/-
7	Ramesh Rathore	Mahar Lal Rathore	Dharchula	Temporary	Mobile Vendor	12	Gen	Non-Vulnerable	3000/-	-	3000/-
8	Sarkar Rathore	Heera Lal Rathore	Dharchula	Temporary	Mobile Vendor	5	Gen	Non-Vulnerable	3000/-	-	3000/-
9	Vishnu Rathore	Kandhi Lal Rathore	Dharchula	Temporary	Mobile Vendor	6	Gen	Non-Vulnerable	3000/-	-	3000/-
10	Prahlad Tolia	Mani Ram	Dharchula	Temporary	Mobile Vendor	6	ST	Vulnerable	3000/-	5000/-	8000/-
11	Pari Kumar	Shiv Kumar	Dharchula	Temporary	Mobile Vendor	5	SC	Vulnerable	3000/-	5000/-	8000/-
12	Lucky Sagar	Ram Swaroop Sagar	Dharchula	Temporary	Kiosk	6	SC	Vulnerable	3000/-	5000/-	8000/-
13	Narayan Ram	Khem Ram	Dharchula	Temporary	Kiosk	4	SC	Vulnerable	3000/-	5000/-	8000/-

Package No- UEAP/PWD/C15 Road Name: Didihat Adichaura Road											
14	Deepak Kumar	Harish Ram	Didihat	Temporary	Kiosk	5	SC	Vulnerable	3000/-	5000/-	8000/-
15	Vimla Devi	Mohan Ram	Didihat	Temporary	Kiosk	2	SC	Vulnerable	3000/-	5000/-	8000/-
16	Om Prakash	Devi Ram	Didihat	Temporary	Kiosk	6	SC	Vulnerable	3000/-	5000/-	8000/-
Package No- UEAP/PWD/C17A Road Name: Subhash Chowk – Gandhi Chowk Road Ranikhet											
17	Mohan Ram	Chanar Ram	Ranikhet	Temporary	Mobile Vendor	3	SC	Vulnerable	3000/-	5000/-	8000/-
18	Suresh Chandra Sharma	Ram Gopal Sharma	Ranikhet	Temporary	Mobile Vendor	7	Gen	Non-Vulnerable	3000/-	-	3000/-
19	Jagdish Chandra Papnai	Hansa Dutt Papnai	Ranikhet	Temporary	Kiosk	6	Gen	Non-Vulnerable	3000/-	-	3000/-
20	Radha Devi	Padam Singh	Ranikhet	Temporary	Kiosk	7	WHH/ST	Vulnerable	3000/-	5000/-	8000/-
21	Kripal Pawar	Sunhari Pawar	Ranikhet	Temporary	Mobile Vendor	2	Gen	Non-Vulnerable	3000/-	-	3000/-
22	Kailash Lal	Chhote Lal	Ranikhet	Temporary	Mobile Vendor	5	SC	Vulnerable	3000/-	5000/-	8000/-
23	Ravi Kumar	Soran Lal	Ranikhet	Temporary	Mobile Vendor	5	SC	Vulnerable	3000/-	5000/-	8000/-
24	Munesh Kumar	Om Prakash	Ranikhet	Temporary	Mobile Vendor	3	SC	Vulnerable	3000/-	5000/-	8000/-
25	Amit Kumar	Babban Kumar	Ranikhet	Temporary	Mobile Vendor	6	SC	Vulnerable	3000/-	5000/-	8000/-
26	Prem Bahadur	Vijay Bahadur	Ranikhet	Temporary	Mobile Vendor	3	SC	Vulnerable	3000/-	5000/-	8000/-
27	Joga Bahadur	Bheem Bahadur	Ranikhet	Temporary	Mobile Vendor	6	ST	Vulnerable	3000/-	5000/-	8000/-
28	Mohan Lal	Dhani Ram	Ranikhet	Temporary	Mobile Vendor	6	SC	Vulnerable	3000/-	5000/-	8000/-
29	Jawed	Moinuddin	Ranikhet	Temporary	Mobile Vendor	4	SC	Vulnerable	3000/-	5000/-	8000/-
Package No- UEAP/PWD/C17B Dwarahat Someshwar Road											

30	Subhash Chandra	Kheem Ram	Dwarahat	Temporary	Kiosk	-	OBC	Non Vulnerable	3000/-	--	3000/-
31	Dev Dhar Pandey	Jai Ballabh Pandey	Dwarahat	Temporary	Mobile Vendor	-	Gen	Non-Vulnerable	3000/-	-	3000/-
Package No- UEAP/PWD/C18 Road Name: District Hospital- Suraj Kund Road Bageshwar											
32	Sobaran	Yaad Ram	Bageshwar	Temporary	Kiosk	5	SC	Vulnerable	3000/-	5000/-	8000/-
Package No- UEAP/PWD/C19 Road Name: Bhiyun – Guler Motor Road Kapkot											
33	Kalyan Singh	Mohan Singh	Kapkot	Temporary	Encroacher	2	Gen	Non-Vulnerable	3000/-	-	3000/-
Package No- UEAP/PWD/C19 Road Name: Kapkot- Karmi Motor Road Kapkot											
34	Harendra Singh	Bishan Singh	Kapkot	Temporary	Mobile Vendor	6	Gen	Vulnerable	3000/-	--	3000/-
Package No- UEAP/PWD/C28 Road Name: Berinag Askot Motor Road Berinag											
35	Ram Swaroop	Natthi Lal	Berinag	Temporary	Kiosk	3	SC	Vulnerable	3000/-	5000/-	8000/-
36	Buddhi Ram	Gulab Ram	Berinag	Temporary	Mobile Vendor	2	SC	Vulnerable	3000/-	5000/-	8000/-
37	Ram Das	Devi Ram	Berinag	Temporary	Kiosk	6	SC	Vulnerable	3000/-	5000/-	8000/-
38	Sonu	Naresh Kumar	Berinag	Temporary	Kiosk	8	SC	Vulnerable	3000/-	5000/-	8000/-
39	Saraswati Khampa	Neem Singh	Khampa	Temporary	Kiosk	7	WHH/ST	Non-Vulnerable	3000/-	5000/	8000/-

**Photograph:
Road side vendors (May 2014)**

Mobile/ambulatory vendors



**MOHAN RAM KMU
STATION**



**SURESH CHANDRA
SHARMA KMU STATION**



**JAGDEESH CHANDRA
PAPNE SUBHASH CHAUK**



**RADHA DEVI SHUBHASH
CHAUK**



**KRIPAL PAWAR
SHUBHASH CHAUK**



**KAILASH LAL SHUBHASH
CHAUK**



**RAVI KUMAR SHUBHASH
CHAUK**



**MUNESH KUMAR
SHUBHASH CHAUK**



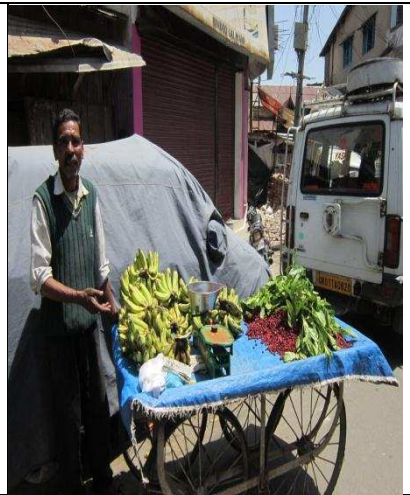
**AMIT KUMAR SHUBHASH
CHAUK**



PRM BAHADUR GANDHI CHAUK



MOHA LAL GANDHI CHAUK



JOGA BAHADUR GANDHI CHAUK



JAWED GANDHI CHAUK

TERMS OF REFERENCE FOR NGO**I. Project description**

1. In the wake of the Uttarakhand Disaster, ADB had launched its relief and rehabilitation initiatives. Most of State Highways, Major Districts Roads, Urban Roads have been collapsed due to disaster. The project will rehabilitate and reconstruct about 1,800 km of state highways (SH) and major district roads (MDR) affected by the disaster and rehabilitate and reconstruct about 16 damaged bridges on SH and MDR. In addition, the project will rehabilitate and reconstruct about 600 km of road section on ADB assisted projects in Uttarakhand, which have been damaged by the disaster. The Program and the ensuing projects will improve and rehabilitate roads and bridges in the affected areas of the Uttarakhand state. During preparation of RP Base line survey have been conducted and identified households will be provided compensation for lost income on the basis of income reported during the census survey or a transitional allowance for the period of disruption whichever is greater. This compensation will be provided prior to award of civil works contracts. Affected vulnerable households identified during the census survey will be given priority in project construction employment and provided with additional special assistance for income restoration support.

II. Scope of work

2. In general, the PMU will be responsible to the Executing Agency, for the effective, timely and efficient execution of the RP. The key tasks of the selected NGO will be responsible for the following:

A. Identification of DPs and Issuance of Identity (ID) Cards

3. The agency will identify and verify DPs, on the basis of the resettlement census survey carried out and will facilitate the distribution of ID cards. This work will include identification of DPs based on a census survey, preparation of ID cards, taking photograph of DPs in the field, issuance of ID cards to DPs and updating of ID cards, if required. An identity card would include a photograph of the DP, his/her socio-economic profile and vulnerability, the nature and extent of loss suffered due to the project construction, and the choice of DP with regard to the mode of compensation and assistance (if applies, as per the RP).

4. The agency shall prepare a list of DPs, enlisting the losses and the entitlements as per the RP, after verification. During the identification and verification of the eligible DPs, agency shall ensure that each of the DPs are contacted and consulted either in groups or individually. The agency shall ensure consultation with vulnerable groups namely (a) those who are below the poverty line (BPL); (b) those who belong to scheduled castes (SC), scheduled tribes (ST); (c) female-headed households (FHH); (d) elderly and (e) disabled persons.

B. Participation in Grievance Redress

5. The agency will play a key role in assisting the DPs in presenting their grievances or queries to the Grievance Redress Committee (GRC) which will be established at the PMU level with the primary objective of providing a mechanism to mediate conflict and cut down on lengthy litigation.

C. Income Restoration

6. The agency will also play a key role in providing income restoration assistance to the affected households losing their primary sources of livelihood/income as a result of the Project. The agency shall undertake consultations with the affected households on finalizing the skills training and also undertake a market feasibility survey to ascertain the feasibility of the skills being imparted to those affected. Based on the outputs of these, the NGO will plan out livelihood restoration activities. Emphasis will be paid on the vulnerable groups such as female headed households, SC & ST households, poor etc. In addition, the development agency would also be responsible for liaising with the various government departments, in order to create a linkup between the existing government schemes and the affected groups.

III. Time frame

7. The work is scheduled to start in May 2014 and will continue till the end of the Project December 2014. The agency should be fully prepared in terms of all logistics support to tackle and carry out the resettlement activities and tasks laid down above.

IV. Selection criteria, Staffing, Implementation Plan

8. The NGO to be selected for the tasks must have proven experience in resettlement planning and implementation. Specifically, key quality criteria include:

- Experience in direct implementation of programs in local, similar and/or other states;
- Availability of trained staff capable of including DPs into their programs;
- Competence, transparency and accountability based on neutral evaluations, internal reports, and audited accounts; and
- Integrity and experience to represent vulnerable groups against abuses and demonstrable mandate to represent local groups.
- Demonstrated experience in computerizing and managing resettlement-related database,
- Experience in resettlement survey, planning, monitoring and evaluation.

9. The agency chosen will have to agree to the terms and conditions under the RP. The following staffing provision may be necessary for smooth and effective implementation of the RP within the time frame:

- Team Leader;
- Field coordinator

10. Interested agency should submit proposal for the work with a brief statement of the approach, methodology, and field plan to carry out the tasks. The proposal should include: -

- Relevant information concerning previous experience on resettlement implementation and preparation of reports.
- The proposal should also include samples of ID cards, information brochures, AP files etc. to be used during the implementation phase.
- The field plan must address training and mobilization of resettlement workers.

11. Full CVs (2-3 pages) of key personnel (for e.g. the Team Leader, Field Co-coordinator) must be submitted along with the proposal. The Team Leader must have degree in social science (preferably economics, sociology, anthropology, development studies). The Field coordinator must have prior experience in resettlement operation and management. The

agency must be an established organization registered with the Government of India/Uttarakhand Government.

V. Budget

12. Two copies of the proposal - both technical and financial - should be submitted. The budget should include all expenses such as staff salary, training, computer/database, transport, field and any other logistics necessary for resettlement implementation. Additional expense claims whatsoever outside the budget will not be entertained.

TERMS OF REFERENCE FOR AN EXTERNAL MONITORING & EVALUATION

I. Project description

1. In the wake of the Uttarakhand Disaster, ADB had launched its relief and rehabilitation initiatives. Most of State Highways, Major Districts Roads, Urban Roads have been collapsed due to disaster. The project will rehabilitate and reconstruct about 1,800 km of state highways (SH) and major district roads (MDR) affected by the disaster and rehabilitate and reconstruct about 16 damaged bridges on SH and MDR. In addition, the project will rehabilitate and reconstruct about 600 km of road section on ADB assisted projects in Uttarakhand, which have been damaged by the disaster. The Program and the ensuing projects will improve and rehabilitate roads and bridges in the affected areas of the Uttarakhand state. During preparation of RP Base line survey have been conducted and identified households will be provided compensation for lost income on the basis of income reported during the census survey or a transitional allowance for the period of disruption whichever is greater. This compensation will be provided prior to award of civil works contracts. Affected vulnerable households identified during the census survey will be given priority in project construction employment and provided with additional special assistance for income restoration support.

II. Scope of work (General)

- To review and verify the progress in resettlement implementation as outlined in the RP;
- To monitor the effectiveness and efficiency of PMU and NGO in RP implementation.
- To assess whether resettlement objectives, particularly livelihoods and living standards of the Displaced Persons (DPs) have been restored or enhanced
- To assess the efforts of PMU & NGO in implementation of the 'Community Participation strategy' with particular attention on participation of vulnerable groups namely (a) those who are below the poverty line (BPL); (b) those who belong to scheduled castes (SC), scheduled tribes (ST); (c) female-headed households (FHH); (d) elderly and (e) disabled persons.
- To assess resettlement efficiency, effectiveness, impact and sustainability, drawing both on policies and practices and to suggest any corrective measures, if necessary.
- To review the project impacts on Indigenous People and groups and assess the effectiveness of the mitigative actions taken;

III. Scope of work (Specific)

2. An Independent monitoring agency will be involved in ongoing monitoring of the resettlement efforts by the EA. The major tasks expected from the external monitor are:

- To develop specific monitoring indicators for undertaking monitoring for Resettlement Plan;
- Review results of internal monitoring and verify claims through random checking at the field level to assess whether land acquisition/resettlement objectives have been generally met. Involve the affected people and community groups in assessing the impact of land acquisition for monitoring and evaluation purposes.
- Identify the strengths and weaknesses of the land acquisition/resettlement objectives and approaches, implementation strategies.
- To review and verify the progress in land acquisition/resettlement implementation of subproject on a sample basis and prepare bi-annual reports for the EA and ADB.
- Evaluate and assess the adequacy of compensation given to the DPs and the livelihood opportunities and incomes as well as the quality of life of DPs of post project phase.

- To evaluate and assess the adequacy and effectiveness of the consultative process with affected DPs, particularly those vulnerable, including the adequacy and effectiveness of grievance procedures and legal redress available to the affected parties, and dissemination of information about these.

IV. Time Frame and Reporting

3. The independent monitoring agency will be responsible for overall monitoring of both the Executing Agency (EA) and will submit biannual review directly to ADB and determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/ enhanced and suggest suitable recommendations for improvement.

V. Qualifications

4. The monitoring agency will have significant experience in resettlement policy analysis and RP implementation. Further, work experience and familiarity with all aspects of resettlement operations would be desirable. Candidates with degrees in anthropology, sociology, and development studies will be preferred.

5. Interested agencies/consultants should submit proposal for the work with a brief statement of the approach, methodology, and relevant information concerning previous experience on Monitoring of resettlement implementation and preparation of reports. The profile of agency along with full CV of monitors to be engaged must be submitted along with the proposal. The agency must be an established organization registered with the Government of India.

VI. Budget and Logistics

6. Two copies of the proposal - both technical and financial - should be submitted and the budget should include all cost and any other logistics details necessary for resettlement monitoring. Additional expense claims whatsoever outside the budget will not be entertained.