

Resettlement Plan

March 2015

IND: Second Jharkhand State Road Project

Dumka – Hansdiha Road

Prepared by State Highways Authority of Jharkhand (SHAJ), Government of India for the Asian Development Bank.

CURRENCY EQUIVALENTS

(As of March 2015)

Currency Unit	–	Indian Rupee (INR)
INR 1.00	=	0.016 USD
USD 1.00	=	INR 62

ABBREVIATIONS

ADB	Asian Development Bank
AHH	Affected Households
AP	Affected Person
BSR	Basic Schedule of Rates
CPR	Common Property Resources
EA	Executing Agency
EE	Executive Engineer
FGD	Focus Group Discussion
FHH	Female Headed Household
GoI	Government of India
GoJH	Government of Jharkhand
GRC	Grievance Redress Committee
GRM	Grievance Redressal Mechanism
IR	Involuntary Resettlement
KMS	Kilometers
LA	Land Acquisition
LARC	Land Acquisition and Resettlement Commission
MAW	Minimum Agriculture Wage
M&E	Monitoring & Evaluation
NGO	Non-Governmental Organization
NRRP	National Resettlement Rehabilitation Policy
PMU	Project Management Unit
PIU	Project Implementation Unit
RFCLARRA, 2013	The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
R&R	Resettlement & Rehabilitation
RO	Resettlement Officer
RP	Combined Resettlement and Indigenous Peoples Plan
RoW	Right-of-Way
SC	Scheduled Caste
SPS	Safeguard Policy Statement (ADB 2009)
ST	Scheduled Tribe

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EXECUTIVE SUMMARY

A. Project Description

1. Government of Jharkhand has embarked upon massive up-gradation of its road network through State Highways Authority of Jharkhand (SHAJ). As part of this endeavor, State Highways Authority of Jharkhand (SHAJ) has been mandated to undertake improvement and up-gradation of various State Highways and Major District Roads at different locations in Jharkhand. As part of this mandate, the Second Jharkhand State Road Project (SJSRP) has been conceptualized to improve state highways connectivity in the state of Jharkhand. The project has been proposed for financing to Asian Development Bank (ADB). The said project involves rehabilitation/reconstruction and widening of 4 existing roads totaling 176.90 kilometers in length. State Highways Authority of Jharkhand (SHAJ) has prepared this Resettlement Plan (RP) for the 44 kms long Dumka-Hansdiha subproject road section that is being proposed for improvements under SJSRP.

B. Objectives of the RP

2. The main objective of this RP is to mitigate all involuntary resettlement impacts caused by the subproject and provide adequate resettlement and rehabilitation assistance to the affected households to restore or improve their pre-project standard of living. The Resettlement Plan has been prepared based on detailed design for road improvements proposed as part of DPR study. The RP is in compliance with ADB's Safeguard Policy Statement 2009, The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and National Rehabilitation and Resettlement Policy, 2007.

C. Subproject Impacts

3. The project would lead to the improvement of road connectivity in the project area. The project construction will augment road infrastructure by providing the connectivity to the neglected areas, contributing towards expansion of economic opportunities and hence contributing towards the reduction of interstate disparities within India. The subproject construction would necessitate land acquisition and will also lead to displacement and loss of private land, assets, livelihood and community property resources. The subproject construction will involve acquisition of private land measuring 10.30 ha and will impact 350 private structures. The land being acquired is not the source of all affected households as many are squatters. A total of 611 households (including 53 tenants and 98 employees) comprising of 4025 DPs will be affected as a result of the Project. A total of 84 CPRs would also be affected. The government title for the entire road is secured and there are no outstanding claims for the entire section of the subproject road.

D. Impacts on Scheduled Tribes (ST)

4. The sub-project improvements will impact 47 scheduled tribe households accounting for 10.21% of the total affected households. The percentage of affected ST households is lesser than the ST population (26.2%) in the State (Census 2011). Attempts were made to study the differential patterns as well as impacts of the Project construction on tribal and non-tribal affected households. The census found that these households are not distinctive in the sense that they are inherently integrated with the dominant population of the project area. Tribal groups in the subproject areas freely interact with the outside community. These groups have nuclear families and are open to new ideas like family planning and formal education. This

resettlement plan provides adequate compensation provisions to mitigate adverse impacts on indigenous peoples.

E. Consultation, Participation and Disclosure

5. Consultations and discussions were held during project preparatory stage with both primary and secondary stakeholders. During RP preparation stage, consultations were held with affected household and commercial establishment owners along the project corridor, officials of the district administration and elected members of the local panchayat. Consultations and discussions were held along the subproject corridor with the affected households during census survey. During September – October 2013, consultations were held in 8 villages involving about 137 participants to elicit the opinion of the affected persons and others along the subproject corridor. The discussion were carried out with the people to explain to them about subproject features, understand their perceived benefits and losses due to the project and seek their views about the project. People were aware that there is going to be improvements to the road but not the details of how wide or what the quantum of compensation would be for those losing their place of business and / or living. An overview of the magnitude of impact, entitlements proposed and details of improvements proposed were explained.

6. The resettlement principles and entitlements matrix and the RP will be translated in Hindi and Santhali and both the versions will be made available to the public and in particular to the affected people by the Executing Agency (EA). Electronic version of the RPs will be placed on the official website of the respective State Governments and the official website of ADB after approval and endorsement by EA and ADB. All RPs will be approved by ADB prior to contract award and then disclosed on ADB's website. Furthermore, a notification on the Project implementation will be issued by the PIU, in local newspapers, at the time of RP Disclosure.

F. Policy and Legal Framework

7. The resettlement principles adopted for this project is in line with the The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and Asian Development Bank's Safeguards Policy Statement, 2009.

G. Entitlements, Assistance and Benefits

8. All Affected households are entitled to receive compensation for all losses and assets affected on the principle of replacement value. All compensation and assistance will be paid as per the entitlement matrix included in the RP. Special assistance will be provided to vulnerable and severely affected households. In addition, all DHHs will be entitled to livelihood restoration assistance to help improve or at least restore their pre-project living standards and income-earning capacities of affected households. The RP will be fully implemented prior to commencement of any civil works. Compensation and other assistances will be paid to DPs prior to any physical or economic displacement of affected households and commencement of civil work.

9. Affected persons meeting the cut-off date requirements will be entitled to a combination of compensation measures and resettlement assistance, depending on the nature of ownership rights of lost assets and scope of the impact, including social and economic vulnerability of the affected persons. For title holders, the date of notification as per RFCLARR Act will be treated as the cut-off date, and for non-titleholders the date of subproject census survey i.e. 20 August,

2014 will be the cut-off date. Unforeseen impacts will be mitigated in accordance with the principles of the RP prepared for this subproject.

H. Relocation of Housing and Settlement

10. With the scattered nature of resettlement impacts, a project based resettlement option is difficult. Further, most of the affected residences and businesses have voiced preference for self-managed relocation at existing plots or new locations. It will be ensured that relocation does not result in further squatting. The cash compensation at market rate for loss of structures will be a more practical solution when it is not feasible to provide alternate residence/shop. Nonetheless, efforts will be made by EA to provide assistance to the affected residential and business structures in relocation.

11. The EA will provide compensation at replacement cost for affected land and structure in accordance with the eligibility and entitlements. Further, compensation for partially damaged structures and shifting assistance has also been provided to the affected households in the entitlement matrix. Compensation to the non-title holders for the loss of assets other than land, such as dwellings and shops have been provided for in the entitlement matrix. The entitlements to the non-titleholders will be given only if they were in occupation of the land or structure in the project area prior to the cut-off date, the date of commencement of census survey i.e. 20 August, 2014.

I. Income Restoration and Rehabilitation

12. The subproject would impact the livelihood of a number of households. A total of 213 households would incur significant impact on their livelihood. Out of these, 7 households would lose more than 10% agriculture land, 101 HHs would lose their place of business, 52 DHHs would lose their place of residence cum business and 53 commercial tenants would also be impacted. Further, 98 employees working in the affected commercial and residential cum commercial structures would also be impacted as a result of the subproject. The affected persons losing livelihood will be assisted to improve or at least restore their income levels to pre-project level.

13. The entitlement proposed for this subproject has adequate provisions for restoration of livelihood of the affected communities. Wherever feasible and if the AP so desires, income restoration schemes will be identified and implemented by the PIU with the assistance of the implementing NGO. Efforts will be made to provide employment to the DPs during the construction phase by facilitating their engagement by the civil works contractor.

J. Resettlement Budget and Financing Plan

14. The resettlement cost estimate for this subproject include compensation for private land determined in accordance with RFCLARRA, 2013, compensation for structure at replacement cost without depreciation, resettlement assistances and cost of RP implementation. The total resettlement cost for the subproject is Rs. 343,882,042 or approximately USD 5.54 million.

15. The EA for this subproject, will provide necessary funds for compensation for land and structure. The EA will ensure timely availability of funds for smooth implementation of the RP.

K. Grievance Redress Mechanism

16. The EA will establish a mechanism to receive and facilitate the resolution of affected persons' concerns and grievances about physical and economic displacement and other subproject impacts, paying particular attention to the impacts on vulnerable groups including indigenous peoples. The grievance redress mechanism will address AP's 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. The Grievance redress committee will be established as soon as the subproject is approved by the government.

L. Institutional Arrangement

17. State Highways Authority of Jharkhand will be the Executing Agency for this Project. Member (Administration) with support from a Deputy General Manager (DGM) will act as the main focal for safeguards. SHAJ will have the overall responsibility for policy guidance, coordination and planning, internal monitoring and overall reporting of the RP implementation. At the field level, PIUs will be set up to manage the day-to-day activities. In the PIU, a safeguard focal point will be appointed. The EA will be supported by Project Implementation Units (PIU) at the subproject level. The PIU will be headed by an Executive Engineer (EE) responsible for the overall execution of this subproject. One full-time Resettlement Officer (RO) with relevant experience in land acquisition and resettlement issues will be deputed to the PIU for the duration of resettlement activities and RP implementation. A qualified and experienced firm or NGO, will be engaged by SHAJ to assist in the implementation of the RP.

M. Implementation Schedule

18. The RP implementation activities are divided into three set of activities namely project preparation activities, RP implementation activities and monitoring and reporting activities. The RP shall be implemented over a period of 24-36 months.

N. Monitoring and Reporting

19. The monitoring mechanism for the RP shall comprise of both internal and external monitoring. This subproject involving significant resettlement impacts is classified as Category-A and hence will have to be monitored by an experienced external expert/agency.

20. While internal monitoring as a mechanism will be carried out in parallel to subproject implementation and at different stages respectively by PIU, external monitoring will be carried out by an External Expert to verify the effective implementation of RP as well as the monitoring data collected by the RO/PIU and PMU.

21. The Resettlement Officer in PIU responsible for RP implementation will prepare monthly and quarterly progress reports on resettlement activities and submit to PIU. The quarterly progress report will be submitted by PIU to EA and ADB for review. The external monitoring expert/agency responsible for monitoring of the RP implementation will submit a semi annual review report to PMU/EA and ADB

I. PROJECT DESCRIPTION

A. Background

1. Government of Jharkhand (GoJ) has embarked upon a comprehensive program to upgrade its road network through the State Highways Authority of Jharkhand (SHAJ). SHAJ was constituted by GoJ with the purpose of development of highways and other related structures. As part of this endeavor, SHAJ has been mandated to undertake improvement of various State Highways and Major District Roads at different locations in Jharkhand. As part of this mandate, the Second Jharkhand State Road Project (SJSRP) has been conceptualized to improve state highways connectivity. The proposed Project will improve state highways. Beneficiaries, including the poor, will benefit from improved access to basic services and living environment. The proposed Project will also result in improved livelihood and trade opportunities for non-urban population. The project has been proposed for financing to Asian Development Bank (ADB). The said project involves rehabilitation/reconstruction and widening of 4 existing roads totaling 176.90 kilometers in length (See Table 1).

Table 1: Details of Road sections proposed under the Project

Name of the road section	Length (in kms)
1. Dumka - Hansdiha Road	44.00
2. Giridih – Jamua - Sarwan Road	45.20
3. Gobindpur - Tundi-Giridih Road	44.00
4. Khunti – Tamar Road	43.70
Total	176.90 kms

B. Subproject Description

2. The subproject involves reconstruction and widening of the 44 kms long road corridor, which connects the Dumka town with Hansdiha. The start point of the corridor is Dumka and reaches Bhagalpur border meeting two districts of Dumka and Godda. The road is a key artery and is one of the most important roads in Dumka district. The road caters not only to traffic from Dumka (in Jharkhand), Siuri, Asansol and Durgapur (in West Bengal) travelling to Bihar and North Bengal via Bhagalpur, but also to traffic from Godda, Deoghar and other major places in Eastern Jharkhand travelling to the said places. The proposed corridor traverses along 31 villages in the districts of Dumka and Godda. Some of the key villages that the road passes through are: are Dumka, Maharo, Lakrapahari, Katinia, Sirsa, Baisa, Lagla, Gajambha, Nayachowk, Sahajana, Nonihat, Sultanatakar, Khasia, Lakhratand, Kurmahat, Barhet, Hansdiha, Baniyara, Bhaljore. Apart from the villages, the road also traverses through several market places in the two districts namely - Bara, Plasi, Naunihat, Hansdiha, Kamradol, Bhaljor, Baniyara, Singhvi and Kesba.

Figure 1: Map of the Project road



C. Subproject Impacts

3. The project would lead to the improvement of road connectivity in the project area. The project construction will augment road infrastructure by providing the connectivity to the neglected areas, contributing towards expansion of economic opportunities and hence contributing towards the reduction of interstate disparities within India. The immediate impact out of the subproject would be the reduction in the travel time among the project area, immersion of new livelihoods opportunities along the roadside, fast and easy access to health services, educational institutions, markets and low spoilage of food grains in reaching the market place. Further the project would lead to decrease in travel time and have easy and fast access to health facilities, markets and educational institution.

4. However, the subproject construction would necessitate land acquisition and will also lead to displacement and loss of private land, assets, livelihood and community property resources such as temples, dargah,¹ ponds, tubewell and tanks. Some of the areas where land acquisition is required are Fasiadagal, Hatiyapathar, Haripur, Sarsabad, Lakrapahari, Lakradiwani, Bara and Plasi, Sirsa, Tarbandha, Gajamba, Nayachawk, Sahajana, Bhaturia, Nanihat, Sultantakar, Lakrapahar, Kurmapahar, Hansdiha, Kasba, Baniara, Mahadebgarh, Kamradol.

5. The subproject construction will involve acquisition of private land measuring 10.30 ha, will impact 350 private structures involving 611 households (including 53 tenants and 98 employees) and comprising of 4025 DPs will be affected as a result of the subproject. The land being acquired is not the source of all affected households as many are squatters. A total of 84 CPRs would also be affected. This subproject would entail involuntary resettlement impacts that are deemed significant and has been categorized as Category 'A' for Involuntary Resettlement as per ADB SPS, 2009. The government title for the entire road is secured and there are no outstanding claims for the entire section of the subproject road. The involuntary resettlement impacts are summarized in Table 2.

¹ A *dargah* is an Islamic Sufi shrine built over the grave of a revered religious figure, often a Sufi saint.

Table 2: Summary of Involuntary Resettlement Impacts

Permanent Land Acquisition (ha)	10.30 ha
Out of total land acquired	
Agriculture Land	2.50 ha
Residential Land (including Residential cum Commercial Land)	2.55 ha
Commercial Land	5.25 ha
No. of Affected Private Structures	350 structures
No. of Affected CPRs	84 CPRs
Total No. of Affected HHs	611 (including 53 tenants and 98 employees)
Total No. Of Affected Persons	4025 DPs
Out of the total affected households	
No. of Vulnerable Households	304 HHs
No. of Tenants	53 tenants
No. of Employees	98 employees
No. of Private Trees affected	43 trees

D. Minimizing Involuntary Resettlement

6. Resettlement impacts of linear projects are often less adverse than those of large area projects as linear projects can be usually re-routed to avoid large-scale resettlement. Road widening projects invariably impact assets. Measures were taken to minimize adverse involuntary resettlement impacts due to up-gradation of this road section. The key measures taken are as follows:

- Widening the road within available ROW as far as possible subject to technical limitations;
- Planning for widening of road in such a manner as to avoid the impact on built-up properties
- In built-up sections, the road improvements for 2-lanning were restricted to 18 – 20 meters to minimize impact on structures and assets.

E. Scope and Objectives of Resettlement Plan

7. This Resettlement Plan has been prepared for the Dumka-Hansdiha subproject based on detailed design for road improvements proposed as part of DPR study. The aim of this document is to mitigate all unavoidable negative social and resettlement impacts caused due to the upgrading of the subproject road by provision of commensurate measures to resettle the displaced Persons and restore their livelihoods.

8. The Resettlement Plan details the approach, principles and measures adopted in minimizing the social impacts caused by the subproject. This plan has been prepared on the basis of survey findings and consultation with different stakeholders and complies with National and State laws and policies and ADB's Safeguard Policy Statement, 2009 (SPS-2009) to protect the rights of the affected and Displaced Persons and communities. The issues / aspects identified and addressed in this RP are:

- Type and extent of non-land assets, loss of livelihood or income opportunities and collective losses such as common property resources and social infrastructure;

- Impacts on vulnerable groups specifically women;
- Consultation with stakeholders and scope of peoples participation in the Project;
- Existing legal and administrative framework;
- Entitlement matrix with provisions for relocation assistance and restoration of businesses/income;
- Estimation of cost for implementation of R&R activities;
- Institutional framework for the implementation of plan including monitoring and evaluation mechanism.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Involuntary Resettlement Impacts

9. This RP has been prepared based on the final detailed design of the subproject. A detailed inventory of all the property and assets has been done along with the engineering team to identify the land acquisition and resettlement impacts of the subproject. Following the finalization of detailed design, in order to accurately assess the project impacts and establish legality, a detailed census survey was undertaken in the subproject-affected area covering all affected households.

10. The census survey was carried out along the road section in September – October 2013 and updated in August 2014. The objective of the census was to identify the displaced persons and households and generate an inventory of social and economic impacts on the project displaced persons, the structures affected, socio-economic profile of the project displaced people, their perceptions about the project and rehabilitation and resettlement options. A Census Questionnaire was prepared to collect detailed information on the socio-economic status of the displaced persons and households as well as their ensuing losses. The Census Questionnaire is enclosed in **Appendix I**. All the other impacts including Community Property Resources were also recorded in the Census survey. The findings of the census survey led to the creation of an Inventory of Loss where all immovable affected assets were determined, counted, measured, tagged, owners identified and their places of residence verified. The following section deals with the findings of census survey and the subproject impact on land acquisition and resettlement.

11. The census survey and assessment of subproject brought forth that this subproject would entail involuntary resettlement impacts that are deemed significant.²

B. Land Acquisition and IR impacts

12. Since the available RoW is limited and not sufficient to accommodate the proposed road improvement works, the road construction would entail land acquisition resulting in adverse impacts on households. The total private land required for the improvements proposed is 1. The entire private land measuring 10.30 ha comprises of mostly strips of land along the road corridor, required for curve improvement and realignments. The Government has clear ownership of all land to be used with exception of those to be acquired. Table 3 below provides the break up of the private land to be acquired for the Project.

Table 3: Type of Land to be Acquired

Type of Land	Extent of land to be acquired (in ha)
Agriculture Land	2.50 ha
Residential Land (including Residential cum Commercial Land)	2.55 ha
Commercial Land	5.25 ha
Total	10.30 ha

² The involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).

13. A total of 350 private structures involving 611 households (including 53 tenants and 98 employees) and comprising of 4025 DPs will be affected as a result of the subproject. These affected households would incur a range of impacts like agricultural land loss, residential loss, commercial loss, loss of livelihood, trees, irrigation structures and other assets. Apart from private assets, 84 CPRs would also be affected as a result of the subproject.

Table 4: Type of Loss incurred by Affected Households

Type of Loss	No. of affected households (AHHs)
Impact on Structures	
Residential Structure	169
Commercial Structure	109
Residential cum commercial Structure	55
Impact on Land	
Agriculture	109
Residential land	236
Commercial Land	114
Impact on Trees	41
Loss of Income	213
Loss of employment	98

14. These 611 affected households include 53 tenants and 98 employees as well. 39 of the 611 affected households comprised of absentee households who were not present at the time of the census survey. The main findings of the census survey are discussed in the section below:

C. Impact on Structures

1. Type of Structures affected

15. The improvement of the subproject section will have impact on 350 private structures (belonging to 333 households) and 84 community structures. 51% of the affected private structures comprise of are residential structures, whereas the remaining comprise of commercial structures, including structures that are residential cum commercial in nature. 53 tenants in the affected commercial structures and 98 employees working in the affected commercial and residential cum commercial structures would also be impacted as a result of the project.

Table 5: Type of Structures affected

Use of affected structure	No. of affected households	Affected Structures	
		In numbers	In Percentage
Residential	169	178	50.85
Commercial	109	114	32.57
Residential cum commercial	55	58	16.57
Grand Total	333 DHH	350 structures	100%

2. Ownership Pattern of the Affected Structures

16. Of the total 350 structures affected as a result of the subproject, 78.28% (274 structures) comprise of non-titleholders including 204 encroachers and 70 squatters. Amongst the remaining affected structures, only 64 affected structures belong to titleholders whereas the remaining 12 comprise of absentee household, the title status for whom could not be ascertained.

Table 6: Ownership Pattern of the Affected Structures

Use of Affected Structure	Total No. of Affected Structure	Ownership Type of the Affected Structures			
		Titleholders	Encroacher	Squatter	Absentee
Residential	178	15	116	35	12
Commercial	114	32	54	28	-
Residential cum Commercial	58	17	34	7	-
Total	350 structures	64	204	70	12

3. Construction type of the Affected Structures

17. Out of the 178 residential structures impacted by the subproject, 53% (94 structures) are semi-pucca in nature while 30% (53 structures) comprise of kutcha structures. In comparison, only 21 of the affected residences comprise of a pucca structure, majority of which are one-floored structures (See Table 7).

Table 7: Construction Type of Affected Structures

Use of Affected Structure	Number of Affected Structure	No. of Affected Structures by Construction type				
		Kutcha	Semi-Pucca	Pucca (1 floor)	Pucca (2 Floor)	Absentee HHs
Residential	178	53	94	20	1	10
Commercial	114	13	91	9	1	-
Residential cum Commercial	58	6	39	12	1	-
Grand Total	350 structures	72	224	41	3	10

18. In case of the affected commercial structures, 80% of the affected structure comprise of semi-pucca structures. The remaining 23 commercial structures comprise of kutcha structures (11.4%) and pucca structures (8.7%).

19. In case of the affected residential cum commercial structures, 67% (39 structures) of these structures are semi-pucca in nature. 22.4 % (13 structures) comprise of pucca structures made of brick and cements and mostly 1-floored. The remaining of 6 structures are kutcha structures.

4. Extent of Impact on Structures

a. Residential Structures

20. Among the 178 residential structures impacted, 166 structures would bear an impact on their primary structure whereas the remaining would bear an impact on secondary structures (such as boundary wall, frontage and fencing).

Table 8: Part of the Structures Affected

Part of the structure affected	Affected Residential structure	
	Number	Percentage
Primary structure	166	93.25
Secondary Structure	12	6.74
Grand Total	178 Structures	100

21. Of the residential structures incurring impact on their primary structure, only 11 structures will remain fit for living post-impact. The remaining 167 residential structures (93.82%) would be severely affected making them non-livable and necessitating full reconstruction of these structures. All these 167 structures would be fully acquired for the subproject.

22. **Viability of remaining Residential Plots:** In case of 162 out of the 166 primary structures impacted, the remaining residential plot (on which the structure is located) shall remain viable for reconstruction of new structure. In case of four structures, the remaining land plot will not be viable necessitating relocation of structure to a new location.

23. **Relocation Option for Affected Residential structures:** During the census survey, detailed interactions were undertaken with the 166 households who would incur significant impact on their primary structures thereby making them non-livable. During these interactions, the preferences of these households with regard to relocation were discussed (See Table 8). 162 out of these 166 households said that they would reconstruct their affected structure within the same plot (in the same village) not necessitating relocation. They opted for self-managed reconstruction of their structures in existing plots and requested for timely and adequate compensation from the Project. In case of four structures, wherein the impact will be significant necessitating their relocation to another location, these households opted for self-managed relocation and declined project assisted relocation option.

Table 6: Relocation Preferences of Severely Affected Residential Structures

Relocation Preferences	Affected Residential Structures	
	In Number	In Percentage
Self-managed within the same plot	162	91.01
Self-managed relocation at another location	4	2.40
Grand Total	166	100

b. Commercial Structures

24. **Type of Affected Business:** 50.87% of the affected Commercial structures comprise of roadside hotels and eateries whereas 42.98% comprise of small shops and businesses. The remaining affected commercial structures include 3 workshops, 3 roadside kiosks and 1 office complex.

Table 7: Nature of Business usage of the Affected Commercial Structure

Type of structure affected	Number of structure	Percentage
Kiosks	3	2.63

Type of structure affected	Number of structure	Percentage
Office ³	1	0.87
Shops	49	42.98
Roadside eateries	58	50.87
Workshop	3	2.63
Grand Total	114 structures	100%

25. Among the 114 commercial structures impacted, 101 structures would bear an impact on their primary structure thereby making them non-livable whereas the remaining 13 would bear an impact on secondary structures such as boundary wall and frontage. All 101 structures incurring impact on their primary structure would be severely affected incurring full impact thereby making these structures non-livable and necessitating full reconstruction of these structures. All these 101 structures would be fully acquired for the project.

Table 8: Part of the Structures Affected

Part of the structure affected	Affected Commercial structure	
	Number	Percentage
Primary structure	101	88.59
Secondary structure	13	11.40
Grand Total	114	100

26. **Impact on Income:** The loss of commercial structure has direct impact on people's livelihood. This affects the different range of income that is being generated from different types of occupation. The number of commercial structures getting affected and losing around the range of rupees 1,000 to 5,000 are 70. There are also instances where, the loss of income is quite high showing loss range of above 10,000 to 15,000 rupees by around 3.5%.

Table 9: Impact on monthly income of affected businesses

Income loss range	No. of affected structure	Percentage
1,000- 5,000	70	61.4
5,001- 10,000	21	18.42
10,001- 15,000	4	3.5
Absentee	10	8.77
No Response	9	7.89
Grand Total	114 structures	100

27. **Impact on Income:** The impact on business enterprises will have a direct affect on the income generated from these enterprises till the time the affected structures are restored. Interactions with the affected businesses brought forth that 61.4% of the affected businesses earn in the range of 1000 to 5000/month from the affected business enterprise followed by 18.42% earning in the range of Rs. 5001 – 10,000/month. Only 3.5% of the affected businesses reported earning 10,001-15,000/month from the affected enterprises. Adequate provisions have been included in the RP Entitlement matrix to address the income loss of these households in form of transitional assistance.

28. **Impact on Employees:** 89 employees, working in the businesses being operated in the affected structures, would incur impact on their income as a result of closure of business.

³ It is a private commercial structure, which has been rented out by the owner to a bank.

Adequate provisions have been included in the RP Entitlement matrix to address the losses of the employees.

29. **Viability of remaining Commercial Plots:** In case of all 101 primary structures impacted, the remaining commercial plot (on which the structure is located) shall not be viable for reconstruction of new structure necessitating relocation of these businesses to a new location.

30. **Relocation Option for Affected Commercial structures:** Of the total 101 commercial structures incurring full impact on primary structures and necessitating relocation, 85.14% of these significantly affected commercial structures have opted for self-managed relocation, whereas 8.91% has voiced the need for support and assistance from Project in identification of alternate sites for their businesses. The remaining 6 affected businesses declined a response to this during the survey.

Table 10: Relocation Preferences of Affected Commercial structures

Relocation Option	Number	Percentage
Self-managed	86	85.14
Project Assisted	9	8.91
No Response	6	8.77
Total	101 structures	100

c. Residential cum commercial (RC) structures

31. 58 Residential cum commercial structures, mainly comprising of structures that are used as living quarter as well as for commercial activities (mostly small shops and businesses) will also be affected as a result of the subproject.

32. **Type of Affected Business:** 69% of these RC structures comprise of small shops and businesses while 26% of these structures comprise of roadside hotels and eateries shops. The remaining affected structures comprise of 2 workshops and 1 private clinic.

Table 11: Nature of Business usage of the Affected Residential cum Commercial structure

Usage of different structures	Numbers	Percentage
Private Clinic	1	1.72
Roadside eateries and food joints	15	25.86
Shops	40	68.96
Workshop	2	3.44
Grand Total	58	100

33. 89.65% (52 structures) of the 58 affected residential cum commercial enterprises shall incur impact on the primary structure whereas the remaining would only incur impact on the secondary structure. All 52 structures incurring impact on their primary structure would be severely affected incurring full impact thereby making these structures non-livable and necessitating full reconstruction of these structures. All these 52 structures would be fully acquired for the project.

Table 12: Part of the structure getting affected

Part of the structure affected	Affected Residential cum Commercial structure	
	Number	Percentage
Secondary structure	4	6.89
Primary structure	52	89.65
Grand Total	58	100

34. **Impact on Income:** The impact on these structures would also adversely affect the income generated from these assets till the time the affected structures are restored. Interactions with the displaced households brought forth that 65.51% of them earn in the range of Rs. 1000 to 5000/month from the affected asset, followed by 10.34% earning in the range of 5,001 to 10,000 from the affected businesses, which would be adversely affected. 1 of the affected business reported earning between Rs. 10,000 to 15,000 per month from the affected enterprise. Adequate provisions have been included in the RP Entitlement matrix to adequately address the losses of these households.

Table 13: Impact on monthly income of affected businesses

Income loss range	Affected Business structures	
	In numbers	In Percentage
1,000 to 5,000	38	65.51
5,001 to 10,000	6	10.34
10,001 to 15,000	1	1.72
No Response	13	22.41
Total	58	100%

35. **Impact on Employees:** 9 employees, working in the businesses being operated in the affected structures, would also incur impact on their income as a result of closure of business. Adequate provisions have been included in the RP Entitlement matrix to address the losses of the employees.

36. **Viability of remaining Residential cum Commercial Plots:** In case of 48 out of the 52 primary structures impacted, the remaining plot (on which the structure is located) shall not be viable for reconstruction of a new structure necessitating relocation of these businesses to a new location. Only in case of four structures the remaining plot would remain viable for reconstruction of a new structure.

37. **Relocation Option for Affected Residential cum Commercial structures:** During census survey, the preferences of the affected residential cum commercial structures with regard to relocation were also discussed. 48 out of the 52 structures, incurring full impact on primary structures and necessitating relocation, have opted for self managed relocation instead of project assisted.

Table 14: Relocation Preferences of Affected Residential cum Commercial structures

Relocation Option	Number	Percentage
Self managed relocation to a new plot	48	92.30
Reconstruction of Asset at same plot	4	7.69
Grand Total	52 Structures	100%

D. Impact on Irrigation and other private assets

38. Apart from structures, private irrigation units such as hand pumps, water tanks and other assets such as toilets, staircase etc would also be affected as a result of the subproject improvements. A total of 19 such personal assets would be affected (See Table 17).

Table 15: Other Private Assets affected

Irrigation units and Other Assets	Number of Affected Assets
Hand pump with platform	1
Well	3
Water tank	8
Toilet	4
Staircase	1
Other assets	2
Grand Total	19

E. Impact on Agricultural land

39. A total of 109 agriculture land plots would be affected as a result of the Project incurring impact on 2.5 ha of private agriculture land.

40. **Ownership Status of Affected Agriculture Plot:** 73 percent of these land plots comprise of encroachments upon RoW and only 11% of the affected plots comprise of legal titled land. The ownership status of 17 of the 109 agriculture plots could not be ascertained due to non-availability of these households at the time of the census survey.

Table 16: Ownership status of Affected Agriculture Land Plot

Ownership	Number of plots	Percentage
Encroacher	80	73.39
Titleholder	12	11.00
Absentee Households	17	16.00
Total	109	100

41. **Extent of Impact on Agriculture Land Plots:** As part of the census survey, details of the extent of impact on the total land holding of the affected households were also gathered. The census survey brought forth that of the 109 plots affected, only 7 plots will lose more than 10% of their total land holding thereby incurring significant impact on the livelihood of the affected household.

Table 17: Magnitude of Loss of Affected Agriculture Plots

Ownership	Number of plots	Percentage
1 to 10%	100	91.74
11% to 25%	7	6.42
26% to 50%	-	-
51% to 75%	-	-
More than 75%	-	-
Total	109 plots	100

42. **Viability of Residual Land plots:** Of the total 109 agriculture plots affected, 9 residual plots will become unviable for cultivation after acquisition. Majority of the

F. Impact on Residential and Residential cum Commercial Land

43. A total of 178 residential land plots and 58 residential cum commercial land plots would be affected as a result of the subproject incurring impact on 2.55 ha of private land.

44. **Ownership status of the affected land:** Of 236 residential and residential cum commercial land plots affected, only 32 plots comprise of legal titled land whereas the remaining comprise of encroachment and/or squatting upon the RoW. The ownership status of 12 residential plots could not be ascertained due to the non-availability of these households at the time of the census survey.

Table 18: Ownership Pattern of the Affected Residential land

Type of Affected Land	Total No. of Affected plots	Ownership Type of the Affected Plots			
		Titleholders	Encroacher	Squatter	Absentee
Residential	178	15	116	35	12
Residential cum Commercial	58	17	34	7	-
Total	236 plots	32	150	42	12

45. **Viability of remaining Plots:** 174 out of the 178 residential land plots impacted shall remain viable for reconstruction of new structure. In case of four land plots, the remaining land will not be viable necessitating relocation of structure to a new location.

46. In case of 54 out of 58 impacted Residential cum commercial plots, the remaining plot shall not be viable for reconstruction of a new structure necessitating relocation of these businesses to a new location. Only in case of four structures the remaining plot would remain viable for reconstruction of a new structure.

G. Impact on Commercial Land

47. A total of 114 commercial land plots would be affected as a result of the subproject incurring impact on 5.25 ha of private land.

48. **Ownership status of the affected land:** Of 114 commercial land plots affected, only 32 plots comprise of legal titled land whereas the remaining comprise of encroachment and/or squatting upon the RoW.

Table 19: Ownership Pattern of the Affected Commercial Land

Type of affected land	Total No. of Affected Plot	Ownership Type of the Affected Structures			
		Titleholders	Encroacher	Squatter	Absentee
Commercial	114	32	54	28	0

49. **Viability of remaining Commercial Plots:** Out of 114 plots, 101 impacted commercial plots, shall not be viable for reconstruction of new structure necessitating relocation of affected businesses to a new location.

H. Impact on Trees

50. Apart from impact on land and structures, a total of 43 belonging to 41 households will also be affected. Mainly two types of trees are getting affected, bamboo trees and fruit bearing trees such as mango, jackfruit and papaya and neem tree.

Table 20: Types of trees and their sum value

Types of trees	Number of Trees Affected
Bamboo	39
Jack fruit	1
Mango	1
Neem	1
Papaya	1
Grand Total	43

I. Impact on Community Property Resources (CPR)

51. Apart from private assets, the road construction will lead to impacts on the Common Property Resources as well such as hand pumps, temples, bus shelters, boundary walls and statues. A total of 84 CPR would be affected along the subproject corridor. The details of the type of affected CPR is provided in Table 23 below.

Table 21: Village Wise Distribution of CPR

Type Of CPR	No. of Affected CPRs
Hand Pumps	56
Temples	15
Bus shelters	6
Boundary Walls and gates of Institutions	5
Statues	2
Total	84 CPRs

52. During the census, responsible persons/organizations were contacted to make them aware of the project, its impact on the CPR and to know their views on restoration options that they would prefer. According to the persons/organisation responsible for the affected CPR, they have no objection to the subproject and understand that the impact on CPR is inevitable. However, all person and institutions responsible for the affected CPRs stressed on the adequate and timely compensation and/or restoration of the affected CPRs.

III. SOCIO-ECONOMIC PROFILE OF THE AFFECTED POPULATION

53. The key social and economic profile of the project district and displaced households has been enumerated and discussed in this section. These include details on the educational status of the DHH, family type, sources of income, vulnerability status as well as their perception regarding the impacts of the project.⁴ Final verification of the affected household database shall be done by Government with support from NGO and adequate entitlements and assistance will be provided to ensure restoration to pre-project levels.

A. Profile of Subproject Districts

54. The project road lies in Dumka and Godda District of Jharkhand and begins at Dumka Market Area (Near Circuit House) and ends at Kamradol Village.

55. Dumka is one of the oldest districts of Jharkhand state under Santhal Pargana. This homeland of tribal is full of stunning landscapes, majestic mountains, verdant valleys and serpentine rivers. Dumka District is at 86°16" North latitude and 87°15" East longitude. It is situated at the height of 472 ft from the sea level. The district has an area of 3716.02 sq. kms. and consists of only one sub division namely Dumka. Under Dumka sub division, there are 10 blocks namely Dumka, Gopikander, Jama, Jarmundi, Kathikund, Maslia, Ramgarh, Raneshwar, Shikaripara and Saraiyahat. As of 2011 India census, Dumka had a population of 1,321,096. Males constitute 52% of the population and females 48%. Dumka has an average literacy rate of 62.54%, lower than the national average of 74.4% with male literacy of 75.17% and female literacy of 49.60%. Seven major tribal community are the inhabitants of the project location viz. Santhal, kharia, Bhumij, Lohra, Kharwar, Oraon and Munda with Santhal constituting 89.7% of the total population of the district.

56. A small stretch of the Dumka Hansdiha road also falls in Godda district. The Godda district is situated in the North East of Jharkhand State and is also part of the Santhal Pargana. It is surrounded by Sahibganj & Pakur district in the East, Bhagalpur district of Bihar State in North & West and Dumka district in the South. The total area of Godda district is 2110 sq. kms. According to the 2011 census, the total population of the district was estimated at 1,313,551 with an average literacy rate of 56.4%. Agriculture is the main economic activity of the district, with the major crops being Paddy, Wheat, Maize, Gram, Moong, Sugarcane etc.

B. Profile of the Affected Households

57. A total of 350 private structures involving 611 households (including 53 tenants and 98 employees) and comprising of 4025 DPs will be affected as a result of the Project. 39 of the 611 affected households comprised of absentee households who were not present at the time of the census survey.

58. The key socio-economic characteristics of the 460 affected households and populations (excluding tenants and employees) losing personal assets have been discussed in the following sub-section.

⁴ Among the 460 DHHs, 39 HH were absent during the census survey. Hence, the socio economic information of the absentee households could not be collected during the census survey.

C. Demographic profile of project affected households

59. A total of 460 HHs would incur impact on personal assets as a result of the Project. While the different numbers of households that are affected within each district varies, 91% (419 HHs) of the total affected households are from Dumka district. A small portion of the road also passes through Banka district in Bihar affecting 3 households.

60. **Households by sex:** Less than four percent of the affected households are headed by women and the remaining households are headed by men.

Table 22: Head of the Household by Sex

Head of the household	Number of affected households	Percentage
Male	404	87.82
Female	17	3.69
Absentees	39	8.47
Total	460	100

61. Males account for 52.86 percent and female account for 47.13 percent amongst Affected Persons (DPs) (See Table 25).

Table 23: Affected Persons by Sex

Village	Affected Persons	Gender Distribution of Affected persons	
		Male	Females
Banka	47	27	20
Dumka	3540	1865	1675
Godda	287	156	131
Total	3874 DPs	2048 Males	1826 Females

1. Household by Religion

62. Hindus accounts for 83% of the total affected household population excluding the 39 absentee households, followed by 7.30% Muslim households and 1.3% Christian households.

Table 24: Affected Households by religion

Religion	Number of affected households	Percentage
Christian	6	1.3
Hindu	381	82.82
Muslim	34	7.39
Absentees	39	8.47
Total	460	100

2. Households by Social Group

63. 72.17 percent of the affected households comprise of general caste households, followed by 10.21 percent Scheduled Tribe, 5.86 percent other backward caste (OBC) and 3.26 percent Scheduled Caste. The percentage of Scheduled Tribe households though significant is almost four times lower than the Dumka district ST population,⁵ where majority of the subproject

⁵ According to 2011 Census of India, Dumka District has a ST population of 43.2 percent.

road falls. The 10.21% ST household form part of the mainstream and do not maintain distinct culture or custom. A detailed analysis of the ST households has been presented in Chapter IV.

Table 25: Affected Households by social caste group

Caste group	Number of DHHs	Percentage
General	332	72.17
SC	15	3.26
ST	47	10.21
OBC	27	5.86
Absentees	39	8.47
Total	460	100

3. Households by family size

64. Family of size 6 to 10 members account for 40.86 percent, followed by 20.86 percent with a family of size 1 to 5 members, 19.13 percent with a family of size 11 – 15 members and 3.26 percent with more than 15 members in their family. The average size of the affected households is 9 members.

Table 26: Size of the Affected Households

Size of the family	Number	Percentage
1-5	96	20.86
6- 10	188	40.86
11-15	88	19.13
16-20	28	6.08
More than 20 members	15	3.26
Absentees	39	8.47
No Response	6	1.3
Total	460	100

D. Socio-economic Profile

1. Educational level of Affected Households

65. 11.95% of the head of the affected households were illiterate whereas 71.3% were literate with varied educational levels. While 3.47% of the head of the households had functional literacy, 14.34% had attained primary level of education and 19.34 % secondary level of education, the remaining households had attained secondary and even higher level of education. Graduates and Post Graduates together accounts for around 6% of the total affected household population.

Table 27: Educational level of Affected head of the household

Educational level	Total number	Percentage
Primary: Class I- V	66	14.34
Middle: Class VI- VIII	89	19.34
Secondary: Class IX- X	106	23.04
Higher Secondary: Class XI- XII	36	7.82
Graduate	25	5.43
Post Graduate	6	1.3
Functional Literacy	16	3.47

Educational level	Total number	Percentage
Illiterate	55	11.95
No response	22	4.78
Absentees	39	8.47
Total	460	100

2. Households by Occupation

66. Agriculture constitutes one of the key sources of livelihoods in the project area. 38.69% of the affected households are directly dependent upon agriculture as their primary source of income, whereas 8.47 are engaged in agriculture labour and 0.43 % in allied agriculture.

67. Apart from agriculture and related occupations, non-agriculture is another key occupation for the affected households with 7.82% households engaged in it. 2.39% of the households reported having more than occupations from which they were deriving their main income; a near equal proportion also reported being employed in government and private service.

Table 28: Affected Households by Main occupation

Occupation	Numbers of DHHs	Percentage
Agriculture	178	38.69
Agriculture Labour	39	8.47
Allied Agriculture	2	0.43
Non-agriculture labor	36	7.82
More than one occupation	11	2.39
Profession	10	2.17
Government and Private service	12	2.60
HH Industry	1	0.21
Absent	39	8.47
Total	460 DHHs	100%

3. Income of Households

68. 68.47 percent of the households reported earning an annual income of less than 48,960 per year i.e. an average of Rs. 4000 per month, followed by 10.43 percent reporting earning between 48,961 to 60,000 per annum and 5.21 percent reporting an annual income of 60,001 to 95,001. A small number of households reported annual income of over 95,001 per year.

Table 29: Affected Households by Income level

Annual Income range	Number of households	Percentage
Less than 65,089 (BPL Households) ⁶	363	78.91
65,090 to 95,000	24	5.21
95,001 to 1.2 lakh	10	2.17
1.2 lakh to 1.5 lakh	7	1.52
1.5 lakh to 2 lakh	4	0.86

⁶ As per Planning Commission, the Jharkhand Poverty Line (as per Rangarajan Committee report) in rural areas is Rs. 904 per capita per month (2011 -2012). The average family size amongst the affected households is 6 members per family. Based on the same, all those households earning less than Rs. 65,089 per annum comprise of households below poverty line.

Annual Income range	Number of households	Percentage
More than 2 lakh to 2.5 lakh	4	0.86
Absentee Households	39	8.47
No response	9	1.95
Total	460	100

4. Indebtedness of Affected households

69. 71% of the affected households have not taken any credit in past one year, whereas, 18% of the total affected households were under debt. 76 of the 81 indebted households reported taking credit from a formal financial institution, whereas only 5 reported taking credit from a moneylender.

Table 30: Indebtedness Status of Affected Households

Under debt	No. of households	Percentage
Yes	81	17.6
No	327	71.08
No response	13	2.82
Absent	39	8.47
Total	460	100

70. Experience shows that debt from informal moneylenders may become unsustainable if household incomes are not restored as part of resettlement. As a result, Government and NGO will monitor and assess the status of the households with debt during RP implementation. The same will also be monitored by the External Monitor.

5. Purpose of loan

71. In case of the 81 indebted households, in majority of the cases the loan was taken for investment in agriculture (46.91%) and business (40.74%). In case of the remaining households, the loan has been taken for consumption purpose such as house construction, personal emergency and weddings.

Table 31: Purpose for loan

Purpose	Number	Percentage
Emergency	3	3.7
House construction	5	6.17
Investment in agriculture	38	46.91
Investment in business	33	40.74
Wedding/Social functions	1	1.23
Any other	1	1.23
Total	81	100

6. Impact on Vulnerable Households

72. As per the ADB's Safeguard Policy Statement (2009), vulnerable sections include persons who are living below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land. These sections of the society by way of their socioeconomic realities are traditionally excluded from the developmental process and thus sometimes cannot fully leverage on project benefits. Special attention is paid to them

during the project cycle of any project funded by ADB to include such groups of people in the development process. At the planning stage, this primarily includes identifying the vulnerable population and incorporating special measures for their inclusion so that they too can enjoy the benefits of development.

73. A total of 304 of the total affected households comprise of socio-economically vulnerable households. Amongst these the highest proportion is of BPL households, who comprise 363 of the total vulnerable households followed by 47 ST households. In addition, 36 household comprise of disabled households, 17 female-headed households and 15 SC households. Amongst these, 101 households comprise of those with multiple vulnerabilities (See Table 34 below).

Table 32: Vulnerability Status of Affected Households⁷

Vulnerability	Number of AHH
Households Below Poverty Line (BPL)	363
Households with disability	36
Scheduled Tribe (ST)	47
Female headed Households (FHH)	17
Scheduled Caste Household	15

74. Provisions in form of additional assistance for the vulnerable households have been provided in the entitlement matrix to ensure that these households are not further marginalized as a result of the project.

7. Perceived Benefits/ Negative Impacts

75. 25% of the total affected households chose not to respond regarding their consideration about any benefits out of the project. 32% of the affected households considered increase in mobility as one of the major benefits out of the subproject, while 19.34 percent regarded improved access to resources as another important benefit of the Project. Some of the other benefits of the Project voiced by the affected households ranged from access to health (4.56%) and education infrastructure (3.91 percent), increase in sale (4.78%) and reduce in transportation cost (1.9 %).

Table 33: Perceived benefits

Perceived Benefits	Affected Households	
	Number	Percentage
Improved Mobility	147	31.95
Access to resources	89	19.34
Access to Health	21	4.56
Increase in sales	22	4.78
Access to Education	18	3.91
Reduce in transportation cost	9	1.9
No response	115	25.00
Absentee Households	39	8.47
Total	460	100

⁷ This table provides the number of vulnerable households in each category. However, as some households also have more than one vulnerability, the total number of vulnerable households is 304.

76. 58% of the total affected households consider that the negative impact of the Project would be in terms of loss of assets of people. Around 18% of the households regard increase risk of accidents due to speed enhancement as a negative project impact. The opinion of the affected households to the negative impacts of the subproject is presented in Table 36. Based on this information, detailed provisions for resettlement and rehabilitation of affected households have been made and included in form of an Entitlement Matrix in this RP. The EM has been prepared in accordance with the RFCLARRA, 2013 and ADB SPS, 2009. Adequate efforts will be made to improve or at least restore the lives and livelihoods of all affected households.

77. To address the risk of accidents, adequate provisions for road safety shall be integrated in the road design by the technical team.

Table 34: Perceived negative impacts

Perceived negative impacts	Number of HH	Percentage
Loss of assets	265	57.6
Risk of Accidents	84	18.26
Relocation	24	5.21
Shifting assets and belongings	20	4.34
Break in cultural and social ties	3	0.65
Any Other	5	1.08
No Response	20	
Absent	39	8.47
Total	460	100

IV. IMPACT ON SCHEDULED TRIBE HOUSEHOLDS

A. Scheduled Tribes in Jharkhand

78. The Scheduled Tribe (ST) population in Jharkhand as per 2011 census was 86,45,042 thereby constituting 26.2 per cent of the total state population. Of them, 78,68,150 live in rural and 7,76,892 in urban areas. In terms of proportion, scheduled tribe population constitutes 26.2% (rural 31.4% and urban 9.8%). The proportion during Census 2001 was 26.3%. The state has a total of thirty (30) Scheduled Tribes, out of which Santhal is the most populous constituting 34% of the total scheduled tribe population of the state.

B. Key impacts of the Project on Tribals

79. The subproject improvements will impact 47 scheduled tribe households accounting for 10.21% of the total affected households. The percentage of affected ST households is lesser than the ST population (26.2%) in the State (Census 2011). Attempts were made to study the differential patterns as well as impacts of the Project on tribal and non-tribal affected households. The census found that these households are not distinctive in the sense that they are inherently integrated with the dominant population of the project area. All ST households are not in culturally significant group, but live mixed with existing populations. The ST groups have nuclear families and are open to new ideas like family planning and formal education. The tribal groups in the subproject areas freely interact with the outside community. Since the subproject road comprises of an existing road, the local as well as outside groups and also live mixed with existing population. As a result, no cultural impacts are anticipated from the widening of road on them. This RP provides adequate compensation provisions to mitigate adverse impacts on indigenous peoples.

80. The following section presents the analysis of the data pertaining to the affected ST households as identified in the census.

C. Educational level of ST DHHs

81. 4% of the ST- affected households are illiterate, followed by 17 percent who have studied up until middle school level followed by 15 percent with primary level education and 13 percent with secondary level education. Only 8 percent of the ST households have studied up to higher secondary and graduate levels.

Table 35: Educational level of ST Households

Educational level	Numbers	Percentage
Illiterate	16	34.00
Functional Literacy	3	6.00
Primary Class	7	15.00
Secondary Class	6	13.00
Middle Class	8	17.00
Higher Secondary	3	6.00
Graduate	1	2.00
No response	3	6.00
Grand Total	47 ST HHs	100 percent

D. Occupation of ST DHHs

82. A little more than three-fourth of the affected scheduled tribe households are engaged in agriculture as their primary source of income. Apart from agriculture, wage labour is another key source of livelihood for the ST households with 11 percent of these households engaged in non-agriculture wage labour and 4 percent engaged in agriculture wage labour. Only 6% of the scheduled tribe households are engaged in trade and business and only 2% in a profession.

Table 36: Occupation of ST Affected Households

Occupation	Numbers	Percentage
Agriculture	36	77.00
Non-agriculture labour	5	11.00
Trade/ Business	3	6.00
Agriculture labor	2	4.00
Profession	1	2.00
Grand Total	47 ST HHs	100 percent

1. Income Level of ST DHHs

83. 95.75% of the affected ST households reported earning an annual income of less than 65,088 per year i.e. an average of Rs. 5424 month, followed 4.25 percent reporting an annual income of 65,088 to 95,001.

Table 37: Income level of ST Affected Households

Income range	Number of households	Percentage
Less than 65,088	45	95.75
65,088 to 95000	2	4.25
Total	47 ST HHs	100

2. Gender profile for the ST affected households

84. 96 percent of the ST affected households comprised of male-headed households with only 4 percent female-headed households.

Table 38: Gender profile of the ST affected households

If female headed	Number	Percentage
Yes	45	96.00
No	2	5.00
Grand Total	47 ST HHs	100

3. Indebtedness of the household

85. Only three of the ST households have taken debt constituting of 6% of the total affected ST households.

Table 39: Indebtedness Status of ST Households

In debt	Number	Percentage
No	44	94.00
Yes	3	6.00
Grand Total	47 ST HHs	100

4. Type of Project Impact on ST HHs

86. The 47 ST households would experience a range of impact on their assets as a result of the project. Majority of the affected households would experience impact on agriculture land, followed by residential structures, commercial structures, trees, other assets and residential cum commercial structures. 5 of these households would experience multiple impacts on their assets.

Table 40: Type of Impact on ST Households

Type of Asset Affected	Number	Percentage
Agriculture	16	34.04
Agriculture + Land Plot+ Trees	1	2.12
Agriculture + Residential Structures	1	2.12
Agriculture + Trees	2	4.25
Residential Structures	14	29.78
Residential cum Commercial Structures	4	8.51
Residential Structure and Trees	1	2.12
Commercial Structures	3	6.38
Irrigation Units and other assets	2	4.20
Trees	3	6.38
Total	47 ST HHs	100%

5. Impact on Agriculture Land

87. A total of 20 agriculture plots belonging to ST households would be affected as a result of the Project. Only 3 of these affected land plots belong to titleholders with legal title to the affected land plots, in the remaining cases the RoW has been encroached upon by the ST households.

6. Impact on Private Structures of ST Households

88. The subproject will impact 22 structures belonging to ST households. 72 percent of these 22 affected structures comprise of residential structures, followed by an equal proportion of Residential cum commercial and commercial structures.

Table 41: Structures affected

Structure	Number	Percentage
Residential cum commercial	3	14
Commercial	3	14
Residential	16	72
Grand Total	22	100

89. **Resettlement and Relocation Preference of ST Households:** Of the 22 structures affected, 21 structures would become non-livable as a result of the impact necessitating structure relocation. During discussion with the affected ST households on relocation preferences, the households voiced preference for self-managed relocation at the same plot (existing plot) and in some case in a new location. The ST households stressed on the need for timely and adequate compensation at market rate.

7. Impact on Trees

90. Other than land and structures, the ST households would also incur impact on trees losing 6 trees. Except one papaya tree, all the other affected trees comprise of Bamboo trees.

8. Impact on Other Assets

91. Two ST households would experience impact on personal wells.

9. Ownership Status of ST HHs

92. Only 8 percent (i.e. 4 HHs) of the total affected 47 ST Households comprised of titleholder households, whereas the remaining ST households comprised of non-titleholders.

93. 31 of the 47 affected ST households comprised of encroachers followed by 12 squatters.

94. 66% of the total affected scheduled tribe households were identified as encroachers. Only four households identified were the titleholders.

Table 42: Ownership status of ST HHs

Ownership Status of ST HHs	Number	Percentage
Encroacher	31	66.00
Squatter	12	26.00
Title holder	4	8.00
Grand Total	47	100

E. Information about the Subproject

95. Interactions with affected ST households brought forth a high level of awareness with regard to the Project. 60% of the ST affected households were aware about the project. The project awareness was based on the different sources of information. Prior to the census survey, the maximum amount of awareness was created among the households through the help of Technical surveyors who undertook preparatory engineering surveys on the road. The other sources of information comprised of neighbors, government department and newspaper.

Table 43: Source of information

Source of information	Number	Percentage
Government department	3	6.00
Neighbors	5	11.00
Newspapers	2	4.00
Tech. Surveyor	18	39.00
Do not know	19	40.00
Grand Total	47	100

F. Perceived Positive/Negative Impacts

96. 42% of the total affected ST households identified improved mobility as the most common positive impact of the subproject. The ST households reported improved access to resources and services such as education and health, reduction in transportation cost and increase in sale of agriculture produce as other key benefits of the Project.

Table 44: Perceived positive impacts

Positive impacts	Numbers	Percentage
Access to resources	5	10.63
Access to Education services	2	4.25
Access to Health services	2	4.25
Increase in sale	2	4.25
Better Mobility	20	42.55
Reduction in transportation cost	2	4.25
Any other	1	2.12
No response	13	27.65
Grand Total	47	100

97. Loss of assets as a result of subproject construction was voiced as the most negative impact of the Project by 65% of the ST households. 26% of the ST HHs regarded increased risk of accidents as another adverse impact of the Project.

Table 45: Perceived negative impacts

Perceived negative impacts	Number	Percentage
Risk of Accidents	12	26.00
Loss of assets	31	65.00
No response	4	9.00
Grand Total	47	100

G. Mitigation Measures for ST Households

98. In order to mitigate the above impacts incurred by the ST households, the ST households will be entitled to the following compensation and assistance measures:

- Cash compensation at replacement cost as determined according to the formula proposed in RFCLARRA, 2013.
- All fees, stamp duties, taxes and other charges, as applicable under the relevant laws, incurred in the relocation and rehabilitation process, are to be borne by the EA.
- Replacement value of the affected residential and commercial structure, which will be calculated as per the latest prevailing basic schedule of rates (BSR) without depreciation.
- All displaced ST families will receive one time financial assistance of Rs. 50,000 as transportation cost towards shifting of family, building materials, belongings and cattle.
- Fees, taxes, and other charges related to replacement structure.
- ST households will have the right to salvage materials from structure and other assets with no deductions from replacement value.
- One time financial assistance of Rs. 25,000 to the ST families losing cattle sheds for reconstruction
- One time Resettlement allowance of Rs. 50,000 to affected ST family
- Additional one-time assistance of Rs. 50,000 to all vulnerable households, over and above the assistance mentioned above.

99. In case of loss of Livelihood of ST Agriculture Landowner, Business Owner, Commercial Squatters, Commercial Tenants, Employees in the affected businesses

- One time payment of Rs. 500,000 per family where livelihood is affected by the project
- Subsistence allowance of Rs. 3000 for one year (Total Rs 36,000) from the date of award.
- Skill upgradation training to DPs (one member from the affected family) who opted for income restoration
- Preference in employment under the project during construction and implementation

V. GENDER IMPACTS OF THE PROJECT

A. Gender Analysis

100. Gender is a major but not the only differentiating factor conditioning divisions in human societies. Gender is reflected in cultural norms that assign specific roles to men and women in a society. In the present day context, education, economic independence, employment and political participation are major indices of women's status in the society. Norms established are often legitimized in the name of supposed capacities, limitations or superiority or inferiority of people. The degrees to which these vary by region, state or area depend on a host of factors affecting the socio-economic context.

101. Like many other countries in the developing world, Indian women too fare worse than men on most of the social indicators. Gender Development Index (GDI), which adjusts the average achievement of each country in life expectancy, educational attainment and income in accordance with the disparity in achievement between women and men, is a powerful tool for tracking the trends in women's development. India with GDI value of 0.519 ranks 132 in the World (UNDP Human Development Indicators 2014).

102. Table 48 below presents the sex ratio and literacy rate among the male and female population at the national, state and project districts level. In comparison to the all-India sex ratio of 940 females per 1000 males, the state of JH fares better off with a sex ratio of 948 females per 1000 males (Census 2011). The subproject district wise sex ratio in purview of national context, the two subproject districts of Jharkhand have a higher ratio than the national ratio⁸.

103. Literacy rate is another parameter to assess the status of women in the society. The literacy rate prevalent in the state as well as project districts is lower than the national literacy rate of 73% with a male-female literacy of 80.90% – 64.60% respectively. Both Dumka and Giridih have a particularly low female literacy rate.

Table 46: Literacy rate of the Project districts

State	Sex Ratio	Literacy rate	Male	Female
India	940	73.00%	80.90	64.60
Jharkhand	948	66.41%	76.84	52.04
Dumka	977	61.02%	72.96	48.82
Giridih	944	63.14%	76.76	48.72

Source: Census of India, 2011

104. Through the discussions and consultations held with the women, villagers and teachers in the project area, it was found that at the primary level the enrolment ratio of male and female is equal but as the level increases the number of the female enrolment decreases with a sharp drop-out particularly at the high school level amongst the girls. One of the reasons quoted for the drop-out amongst girls was voiced as the unavailability of higher schools in and around the village and the lack of connectivity to the higher level education due to which many households on security and mobility grounds decline from sending their girls to school outside the village.

105. In the area of health, the Sample Registration System (SRS) Report 2010 of the Central Statistical Organization reported the Maternal Mortality Rate (MMR) in Jharkhand has been

⁸ As per Census of India 2011, Dumka has a sex ratio of 977 while Giridih has a sex ratio of 944.

steadily declining in the past few years but still remains much higher than the national average. In 1997-98, the MMR was 531 per 100,000 live births, which reduced to 372 in 2001-03, 312 in 2004-06 and 261 in 2008-10.

106. About 8.3 lakh women give birth every year In Jharkhand, of them 2,200 women die during delivery. Experts say that maternal deaths can be prevented by increasing institutional delivery and reducing anemia among women but the situation of the state is not good in either of the cases. The percentage of institutional delivery in Jharkhand, according to National Family Health Survey (NHFS) III, was 19.2 compared to national average of 40.7. The rate of anemia in women of Jharkhand is highest with 70.6% compared to all states in the country.

B. Gender Impacts of the Project

107. Discussions were held with local women during the census survey to elicit their opinion on the subproject and its impacts. A total of 37 women participants participated in these discussions.

108. The discussions were carried out with the women to explain to them about the features of the subproject and understand their concerns and benefits out of the project. There were various concerns that were raised by the women during the consultations.

109. The summary of the consultations conducted in the subproject area with women are presented in Table 49 below:

Table 47: Summary of Consultations with local women

Date and Location	No. of participant	Benefits perceived by the participants	Key Concerns raised by the People	Key suggestions given during the Consultations
29 Sept 2013 Singhni, Baniara and Kasba Village	10	Smooth Traffic, Better facilities for travel. Health facilities for women and children Promotion of livelihood	Displacement Possibility of accident at the time of road crossing. Loss of livelihood and business. Impact on small-scale traders. Pollution.	Zebra Crossing after each 500 mtr in habitation areas. Vocational training for livelihood generation and restoration. Augmentation of Health Centre.
30 Sept 2013 Kamradol & Bhaljor Village	05	Good traffic frequency. Possibilities of Livelihood generation. Better Health facilities. Increase sale and purchase of grain to the market.	Possibility of accident of both human and animal when crossing the road. Displacement and loss of assets, not availability of land at same place.	Construction of over bridge, zebra crossing, bicycle / footpath, service road, street light etc. Construction of market complex and allotment of shops for affected shopkeepers.

Date and Location	No. of participant	Benefits perceived by the participants	Key Concerns raised by the People	Key suggestions given during the Consultations
				Construction of Playground, bus stop with shelter.
16 th Oct 2013 Bara Palasi Village	8	<p>Transport & communication systems will improve.</p> <p>The community will have better access to better health services, education & Markets.</p>	<p>Problem of land acquisition</p> <p>Possibility of accident due to widening of the road near school and market area also will be negative impact on livelihood.</p> <p>Problem of drainage and water system.</p> <p>Vulnerability of livelihood for women.</p>	<p>Widening of road to be restricted to available govt. land (Only within 10 mtr)</p> <p>Over Bridge/Road crossing and Zebra crosses after each 500 mtr.</p> <p>Loan assistance for livelihood restoration especially for women.</p>
18 th Oct 2013 Naunihat Village	06	<p>Promotion of health facilities such as smooth traffic and investment of less time for going to hospital in emergency cases.</p> <p>Enhancement of education and health facilities for women and children.</p> <p>Livelihood opportunity for labourers in their own village.</p>	<p>Problem of residence due to destruction of houses.</p> <p>Loss of private land and crops</p> <p>Possibility of accident.</p>	<p>Minimization of the proposed width of the road.</p> <p>Satisfactory compensation and availability of residential / agricultural land.</p> <p>Road crossing/ Zebra Crossing/ Retaining wall/ Over bridge at village market area or near every school.</p>
21 st Oct 2013 Hansdiha Village	08	<p>Improvement of Transport & communication systems.</p> <p>Easy access to better health services, education & markets.</p> <p>Improvement in road safety.</p> <p>Value of roadside land will increase.</p>	<p>Construction work will be an obstacle for densely populated area.</p> <p>Road widening can impact on houses and can also impact on human habitation.</p> <p>Problems of pollution and accident</p> <p>Impact on CPR and private school.</p>	<p>Loan and vocational training for livelihood restoration.</p> <p>Water spray to reduce dust during construction work.</p> <p>Restoration and reconstruction of affected CPR.</p>

110. The augmentation of road network, as per the women participants, will have positive impacts on them and their lives. Firstly, they expressed that their mobility will be enhanced. The Project would definitely augment the frequency and quality of the transport, thereby further

improving access of women to various services and by and large women of various castes and communities on each of the project packages expressed the need for the road construction. They were of the opinion that they will especially benefit from the Project, since their mobility will be augmented both in terms of access to services such as health and education.

111. However, in terms of safety, women voiced some concerns particularly with regard to the safety of their children as they were of the opinion that the widening & up gradation of the road would increase the number of the vehicles thereby increasing the risk of accidents and safety hazards for children, elderly as well as women. Another negative impact of the project considered by women is the loss of the assets that includes the land, houses and other assets. To address the risk of accidents voiced by the local women, adequate provisions for road safety have been integrated in the road design by the technical design team.

112. The Project is anticipated to have direct adverse impacts on 17 female-headed households. These female-headed households are considered a vulnerable group as per this RP. Any negative impacts of a subproject on female-headed households will be treated on a priority basis.

113. Participation of women has been envisaged specifically in the following areas in various stage of the project implementation:

- In the pre-planning and planning stages, participation of women was sought by ensuring their participation during the census survey and consultations.
- Compensation for land and assets lost will be same for all the affected households and special care would be taken by the RP Implementation NGO to ensure that the female-headed households receive their compensation and entitlements in a timely manner.
- The PIU and NGO shall ensure that women continue to participate and are consulted during project implementation as well.
- The NGOs will make sure that women are actually taking part in issuance of identity cards, opening accounts in the bank, receiving compensation amounts by cheque in their name or not, etc. This will further widen the perspective of participation by the women in the project implementation.
- Under entitlement framework there is a number of provisions kept for compensation and assistance towards the losses incurred by the impacted female-headed households by the project. Female-headed households would also be entitled to additional assistance in line with the Project entitlements.
- During monitoring and evaluation, there would be scope for women's participation. Monitoring of project inputs concerning benefits to women would involve their participation that will make the process more transparent to them.

VI. CONSULTATION, PARTICIPATION AND DISCLOSURE

A. Consultation in the Project

114. In order to engage with the community and enhance public understanding on the Project and address the issues pertaining to resettlement, various sections of DPs and other stakeholders were consulted through focus group discussions (FGD), meetings and individual interviews in the preparation of the subproject. The opinions of the stakeholders and their perceptions were obtained during these consultations. This approach adopted towards the formulation of the RP would be continued during the program implementation

115. During the detailed survey, community consultations were held in many villages that lay en-route the subproject road. All relevant aspects of project planning and development were discussed with the affected communities. Consultations checklists were used to cover issues relating to demographic details of each village, perceptions of the community with respect to the benefits, apprehensions of the community and their willingness and endorsement (or otherwise) of the proposed project. Information was disseminated about the project and its benefits and impacts. Attempt was made to elicit suggestions from them and to incorporate the same in plan document. Also the approach adopted to minimize impact and timing of construction was informed to them to elicit their response. People were asked about their preference of resettlement during the census surveys.

B. Methods of Consultation

116. Consultations and discussions were held along the corridor with the affected households during census survey. The consultation methods followed and proposed are detailed below:

Table 48: Key Consultation Methods

Stakeholders	Consultation Method
Affected Persons	Census and Socio-economic Survey
Affected Persons	Focus Group Discussions
Local Leaders	Focus Group Discussions
Local Elected Members	Focus Group Discussions
Concerned Officials from Government	Focus Group Discussions

117. Focused group discussions were held during the census survey in 8 villages in two districts of Dumka and Giridih of Jharkhand to elicit the opinion of the affected persons and others along the project corridor. A total of 137 participants participated in these discussions.

118. The discussions were carried out with the people to explain to them about the features of the subproject, and understand their concerns and benefits out of the project. There were various concerns that were raised during the consultation with different stakeholders.

119. People were aware about the improvements that need to be done for the up gradation of the existing road but were not aware about the details of how wide the road would be or the final alignment of the project.

120. The summary of the consultations conducted in the project area is presented in Table 51 below:

Table 49: Summary of Consultations

Date and Location	No. of participants	Benefits perceived by the participants	Key Concerns raised by the People	Key suggestions given during the Consultations
29 Sept 2013 Singhni, Baniara and Kasba Village	046	Smooth Traffic, Better facilities for travel. Promotion of commercial activity Health facilities for women and children Promotion of livelihood	Displacement Possibility of accident at the time of road crossing. Loss of livelihood and business. Can promote unemployment. Small industries can be closed. Impact on small-scale traders. Unavailability of residential land for reconstruction of houses after displacement. Pollution. Problem of repairing or reconstruction of structure at same place.	Compensation for land and structure at market rate. Distribution of land to the marginal farmer for their loss of land. Zebra Crossing after each 500 mtr in habitation areas. Loan assistance, space for shop in market complex. Vocational training for livelihood generation and restoration. Augmentation of Health Centre. Compensation should be based on actual measurement of loss.
30 Sept 2013 Kamradol & Bhaljor Village	024	Good traffic frequency. Possibilities of Livelihood generation. Better Health facilities. Promotion of commercial activities. Increase sale and purchase of grain to the market.	Possibility of accident of both human and animal when crossing the road. Displacement and loss of assets, not availability of land at same place. More investment would require for repairing and reconstruction of affected structure. Shortage of land at the same place or in the same village for agricultural activity or for construction of new houses. Problem of livelihood restoration due to	Construction of over bridge, zebra crossing, bicycle / footpath, service road, street light etc. Distribution of adequate and right compensation at market replacement cost Compensation should be based on market and current rate. Allotment of land by government to the affected farmer (Gaucher land). Construction of market complex and allotment of shops for affected shopkeepers.

Date and Location	No. of participants	Benefits perceived by the participants	Key Concerns raised by the People	Key suggestions given during the Consultations
			<p>destruction of shops.</p> <p>Impact on irrigation system</p> <p>Impact on livelihood of tribal women.</p>	<p>There should be underground pipeline facilities after each 500 mtr, which will cross the road for irrigation purpose.</p> <p>Vocational training for livelihood generation.</p> <p>Construction of Playground, bus stop with shelter.</p>
<p>16th Oct 2013</p> <p>Bara Palasi Village</p>	030	<p>Transport & communication systems will improve.</p> <p>The community will have better access to better health services, education & Markets.</p> <p>Value of roadside land will increase</p>	<p>Problem of land acquisition</p> <p>Possibility of accident due to widening of the road near school and market area also will be negative impact on livelihood.</p> <p>Problem of drainage and water system.</p> <p>Vulnerability of livelihood for women.</p>	<p>Widening of road to be restricted to available govt. land (Only within 10 mtr)</p> <p>Over Bridge/Road crossing and Zebra crosses after each 500 mtr.</p> <p>Construction of drainage and water system</p> <p>Loan assistance for livelihood restoration especially for women</p> <p>Payment of compensation before starting the construction work.</p>
<p>18th Oct 2013</p> <p>Naunihat Village</p>	020	<p>Promotion of health facilities such as smooth traffic and investment of less time for going to hospital in emergency cases.</p> <p>Enhancement of education and health facilities for women and children.</p> <p>Facilities for elderly people to market.</p> <p>Enhancement of commercial activities and promotion of income generation</p>	<p>Problem of residence due to destruction of houses.</p> <p>Problem of livelihood</p> <p>Loss of private land and crops</p> <p>Possibility of accident.</p> <p>Environmental problem.</p> <p>Impact on Dargah boundary and on structure of temple.</p> <p>Problem of displacement and unavailability of land for habitation and agricultural activity.</p>	<p>Minimization of the proposed width of the road.</p> <p>Provide livelihood restoration facilities such as space for shops in government land or in market.</p> <p>Satisfactory compensation and availability of residential / agricultural land.</p> <p>Road crossing/ Zebra Crossing/ Retaining wall/ Over bridge at village market area or near every school.</p> <p>Roadside Plantation.</p>

Date and Location	No. of participants	Benefits perceived by the participants	Key Concerns raised by the People	Key suggestions given during the Consultations
		<p>activities.</p> <p>Livelihood opportunity for labourers in their own village.</p>	<p>Problems of drainage.</p>	
<p>21st Oct 2013</p> <p>Hansdiha Village</p>	<p>017</p>	<p>Improvement of Transport & communication systems.</p> <p>Growth in business.</p> <p>Easy access to better health services, education & markets.</p> <p>Increase in land value.</p> <p>Improvement in road safety.</p> <p>Value of roadside land will increase.</p>	<p>Loss of livelihood due to construction of proposed road.</p> <p>Construction work will be an obstacle for densely populated area.</p> <p>Road widening can impact on houses and can also impact on human habitation.</p> <p>Issue with compensation for commercial land or for same value for land of same category.</p> <p>Issue of resettlement before construction work.</p> <p>Displacement due to extension of road at Junction area.</p> <p>Problem of tenant and their livelihood loss.</p> <p>Problems of pollution and accident</p> <p>Problems of water supply and drainage.</p> <p>Problem with assessment of compensation.</p> <p>Lack of social survey and awareness.</p> <p>Possibility of accident during road crossing by students.</p>	<p>Loan and vocational training for livelihood restoration.</p> <p>Water spray to reduce dust during construction work.</p> <p>Compensation for structures and availability of home loans on 0% interest rate.</p> <p>Assessment of compensation rate should be in front of affected person and based on local rate.</p> <p>There should be minimum 1year time-line for rehabilitation and resettlement.</p> <p>Satisfactory arrangement for livelihood restoration.</p> <p>Zebra cross or over bridge near school, village and market area.</p> <p>Construction of drainage and water pipeline.</p> <p>Participation of affected households or their representative at the time of impact assessment.</p> <p>Zebra crossing and over bridge for prevention of accidents.</p> <p>Social</p> <p>Awareness</p> <p>Compensation should meet to affected households before starting the construction</p>

Date and Location	No. of participants	Benefits perceived by the participants	Key Concerns raised by the People	Key suggestions given during the Consultations
			<p>Break-up of social structure due to displacement.</p> <p>Construction work can be an obstacle for development of market area.</p> <p>Impact on CPR and private school.</p>	<p>works.</p> <p>Restoration and reconstruction of affected CPR.</p>

C. Summary of the Consultations

121. **Consensus on the Project:** In all the consultations held, the participants were largely supportive of the project and wanted commencement of civil works. At present mobility is deterred by the poor condition of roads. Hence the need for the project is strongly felt for by the participants. The community members were found positive about the Project and socio economic benefits that it will bring for them and the area.

122. **Project Design:** In all the consultations, the participants gave a range of suggestions on the Project design. In majority of the cases, the participants suggested the need for zebra crossing and foot over bridges along the road in the habitation areas and near schools to reduce risk of accidents. Participants also suggested that necessary efforts should be made to reduce impact on structures and private assets. Some participants also stressed on restricting the road width to available RoW so as to reduce impact on private assets.

123. **Compensation:** The community raised need for adequate compensation at current prices and demanded timely compensation. They stressed that full compensation had to be paid prior to starting the civil works of the project. Rates at which compensation will be paid for the affected assets and the compensation disbursal period was also discussed.

124. **Timeline of Project:** Queries pertaining to timeline of the Project were raised and addressed during the consultations. They were especially concerned regarding the date of commencement of the project as they have to shift their belongings etc. Thus they demanded that they be give adequate notice period and information to shift their belongings and assets.

125. Based on the above suggestions, the following issues have been addressed in this RP:

- Proper road safety measures have been integrated into the road design.
- All compensation would be paid at replacement value.
- Adequate support provisions for livelihood restoration have been integrated into the RP Entitlement Matrix.

126. It was further explained to the community that the project work is likely to commence sometime in late 2015 and compensation for land and building would be at replacement cost.

Participants were concerned about the shops being affected. They were informed that the project would provide compensation for structure and also assistance for loss of livelihood wherever livelihood is affected. Queries regarding eligibility of tenants and compensation for land for squatters were addressed. The GRC and project information brochure will be distributed once the government approval of RP which is expected by early 2015.

D. Plan for further Consultation in the Project

127. Meaningful consultation with the affected persons, their host communities and civil society for every subproject identified as having involuntary resettlement impact will be carried out throughout the resettlement plan implementation. PIU and implementing NGOs will be responsible for carrying out these consultations. The consultation process established for the program will employ a range of formal and informal consultative methods. Different techniques of consultation with stakeholders are proposed during project preparation, viz., in-depth interviews, public meetings, group discussions etc.

128. Particular attention will be paid to the need of the disadvantaged or vulnerable groups, especially those below poverty line, the landless, the elderly, female-headed households, women and children, Indigenous People/ Scheduled Tribes, and those without legal title to land. The key informants to be consulted, during the RP implementation, shall include the following stakeholders:

- Heads and members of households likely to be affected
- Affected households belonging to the vulnerable groups
- Women in the affected communities
- Local voluntary organizations and NGOs
- Government agencies and departments

129. The resettlement plan will be implemented in close consultation with the key stakeholders. Women's participation will be ensured by involving them in public consultation at various level and stages of project preparation and by arrangements, which would enhance their ability to attend such meetings.

130. The executing agency and implementing agency will ensure that views of the affected persons, particularly those vulnerable, related to the resettlement process are looked into and addressed. In case of any change in subproject design, the APs and other stakeholders will be consulted regarding the factors that necessitated the change, efforts taken to minimise resettlement impacts and mitigation measures available in accordance with the principles of the RP.

131. The PIU with the assistance of the NGO will carry out information dissemination sessions in the project area and solicit the help of the local panchayat / community leaders and encourage the participation of the AP's in Plan implementation. During the implementation of RP, NGO will organize public meetings, and will appraise the communities about the progress in the implementation of project works, including awareness regarding road construction and safety.

132. Consultation and focus group discussions will be conducted with the vulnerable groups like FHH and ST to ensure that the vulnerable groups understand the process and their needs are specifically taken into consideration in the implementation.

E. Disclosure of Resettlement Plan

133. Information will be disseminated to APs at various stages. During the subproject initiation phase, a public notice to acquire particular land/property for subproject component has been issued by the DC's office. The local revenue officials/officers from DC's office have also conducted a consultation with DPs in addition to the public notification to ensure that the information is given to all of them.

134. For the benefit of the community in general and DPs in particular, a summary of this RP will also be made available in local language during public meetings at the community level, and be disclosed in public places prior to project appraisal. This will enable stakeholders to provide inputs on the resettlement process, prior to award of civil work contract.

135. The subproject RP will be disclosed to the displaced community detailing information including measurement of losses, detailed asset valuations, entitlements and special provisions, grievance procedures, timing of payments and displacement schedule by the PIU with assistance from the RP implementing unit. This will be done through public consultation and made available as brochures, leaflets, or booklets, using local languages.

136. The summary of the RP will be translated in Hindi and Santhali and made available to the DPs. Hard copies of the resettlement plan will also be made available at: (i) Offices of the PIU; (ii) District Magistrate Office; (iii) Office of the Block Development Officer; (iv) Office of the Block level L&LRO; (v) District Council Offices; and (iv) any other local level public offices, as soon as the plans are available and certainly before land is acquired for the project. For non-literate people, other communication methods will be used, including verbally explaining the disclosed documents in community meetings. A report of disclosure, giving detail of date and location, will be shared with ADB.

137. The basic information in the resettlement plan including subproject locations, magnitude of impact, entitlements, implementation schedule etc. will be presented in the form of a brochure that will be circulated among the DPs. Posters designed to disseminate basic tenets of the plan will be distributed in different localities to generate mass awareness.

138. Electronic version of the RPs will be placed on the official website of the EA and the official website of ADB after approval and endorsement by EA and ADB. The RP will be approved by ADB prior to contract award and then disclosed on ADB's website. Furthermore, a notification on the start date of subproject implementation will be issued by the PIU in local newspapers one month ahead of the implementation works.

139. In case of change in project design thereby entailing change in resettlement impacts, a re-evaluation and updating of this RP will be undertaken. The updated RP will be disclosed to the affected persons, endorsed by EA and will be submitted to ADB for approval prior to award of civil works contracts for the project. The updated RP will be disclosed to the affected persons as well as uploaded on the ADB and EA website and after ADB review and approval.

VII. POLICY AND LEGAL FRAMEWORK

A. Introduction

140. The objective of this chapter is to discuss the key national, state and project-specific resettlement policies and legal issues involved in land acquisition and compensation. This chapter describes the principles and approach to be followed in minimizing and mitigating negative social and economic impacts by the projects. The guidelines are prepared for addressing the issues of resettlement and rehabilitation of the DPs under the Jharkhand State Highway Improvement Project.

B. Policy Framework - Review of Resettlement Policies and Legal Framework

141. The Resettlement Plan has been developed based on national law - The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013) and Asian Development Bank's Safeguards Policy Statement, 2009.

142. The Resettlement Plan outlines the objectives, policies and procedures for land acquisition, compensation and other assistance measures for Affected Persons. This Resettlement Plan will be disclosed to the affected persons and submitted to ADB for review and approval prior to commencement of any civil works. Compensation and other assistances will have to be paid to affected persons prior to any physical or economic displacement.

143. The salient features of government and ADB polices are summarized below

C. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCLARRA, 2013)

144. 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 this new Act, which was due from a long time, is a pioneering step taken by the Government of India (GoI). The Act provides for transparent process and fair compensation to land owners and those affected by land acquisition, for land acquired for public purpose. The Act lays down procedures for estimating fair compensation of the affected families (and not just the titleholders) 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 resort.⁹

145. Some salient features of RFCLARRA, 2013 are furnished below.

- The Act puts in place a 'comprehensive, participative and meaningful' process (involving the participation of local Panchayati Raj institutions) prior to the start of any acquisition proceeding.

⁹ Wherever such land is acquired, an equivalent area of cultivable 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. 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.

- The process for land acquisition involves a Social Impact Assessment survey, preliminary notification stating the intent for acquisition, a declaration of acquisition, and compensation to be given by a certain time. All acquisitions require rehabilitation and resettlement to be provided to the people affected by the acquisition.
- Special safeguards have been put in place for tribal communities and other disadvantaged groups. No land can be acquired in scheduled areas without the consent of the Gram Sabhas.
- Safeguards against displacement: The law provides that no one shall be dispossessed until and unless all payments are made and alternative sites for the resettlement and rehabilitation have been prepared. The Third Schedule even lists the infrastructural amenities that have to be provided to those that have been displaced.
- Compensation for livelihood losers: In addition to those losing land, the Bill provides compensation to those who are dependent on the land being acquired for their livelihood.
- Exemption from income tax and stamp duty: No income tax shall be levied and no stamp duty shall be charged on any amount that accrues to an individual as a result of the provisions of the new law.

146. Few of the key features that are revised from the old Act while estimating various losses include: (i) multiplying market value of a land by factor up to two, depending upon its distance from the urban area, to match it with the prevailing market values; (ii) providing 100 percent solatium on total compensation amount (instead of 30 percent); (iii) compensation for damage incurred during surveys/investigations etc.; (iv) compensation of expenses/or any change if affected landowner is compelled to change his place of residence or business due to proposed land acquisition; (v) compensation for loss of profits (if any) from the date of declaration; (vi) compensation for livelihood losses of families (other than landowner) who are dependent on the land for minimum three years prior to the acquisition; and (vii) increased allowance/assistance for livelihood losses, travel, additional assistance for vulnerable families, artisans etc.

147. It is also mandatory under the Act to make Land Acquisition payment within three months and R&R payment within six months from the date of the award. The Collector shall acquire land only after such payment. It is also necessary (at state level): (i) to appoint an officer of the rank of Commissioner or Secretary of that Government for rehabilitation and resettlement of affected families under this Act, to be called the Commissioner for Rehabilitation and Resettlement; and (ii) establish Land Acquisition, Rehabilitation and Resettlement Authority (LARRA) for the purpose of speedy disposal of disputes relating to land acquisition, compensation and R&R. The decisions made by Authority on disputes can only be challenged in high court/supreme court.

148. The RFCLARRA, 2013 also recognizes non-titleholders such as agricultural or non-agricultural labourer, landless person (not having homestead land, agricultural land, or either homestead or agricultural land), rural artisan, small trader or self-employed person; who have been residing or engaged in any trade, business, occupation or vocation continuously for a period of not less than three years as affected families. The RFCLARRA, 2013 also has provisions for public disclosures of draft R&R Plans to the community, grievance redress procedures and monitoring and evaluation systems.

149. Section 27 of the Act defines the method by which market value of the land shall be computed under the proposed law. Schedule I outlines the proposed minimum compensation based on a multiple of market value. Schedule II through VI outline the resettlement and rehabilitation entitlements to land owners and livelihood losers, which shall be in addition to the minimum compensation per Schedule I. Additional details regarding the Act can be found in Appendix 2.

D. ADB Safeguard Policy Statement (SPS), 2009

150. The objectives of ADB's SPS (2009) with regard to involuntary resettlement are: (i) to avoid involuntary resettlement wherever possible; (ii) to minimize involuntary resettlement by exploring project and design alternatives; (iii) to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and (iv) to improve the standards of living of the displaced poor and other vulnerable groups.

151. ADB's SPS (2009) covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (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. It covers displaced persons whether such losses and involuntary restrictions are full or partial, permanent or temporary.

152. The three important elements of ADB's SPS (2009) are: (i) compensation at replacement cost for lost assets, livelihood, and income prior to displacement; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to enhance, or at least restore, the livelihoods of all displaced persons relative to pre-project levels and to improve the standard of living of displaced poor and other vulnerable groups.

E. Comparison of Government and ADB Policies

153. The new act 'The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013', which has integrated provisions of National Rehabilitation and Resettlement Policy (2007) with that of The Land Acquisition Act (LAA) of 1894 (as amended in 1984), recognizes titleholders and non-titleholders affected by land acquisition. Whereby, squatters and encroachers are excluded from the purview of the act.

154. 'The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013' has come into effect from January 1, 2014. This Act is both complement the revision of the NRRP (2007) and decreases significantly the gaps between the LAA and ADB's SPS, 2009. In particular, the Act requires social impact assessments for projects involving land acquisition, although it has set minimum threshold of people affected for this provision to apply, while the ADB does not so require. The Act also expands compensation coverage of the principal act by requiring that the value of trees, plants, or standing crops damaged must also be included and solatium being 100% of the all amounts inclusive. The Act furthermore matches ADB requirements for all compensation to be paid prior to project taking possession of any land. While the RFCLARR and ADB SPS are by and large in agreement, there are also some gaps between the two. These key gaps are discussed in the Table 52 below along with measures taken to bridge the same in this RP.

Table 50: Key gaps between ADB SPS and RFCLARR

Aspect	ADB Safeguard Requirement	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act (RFCLARR), 2013	Measures taken in this RP to bridge the gaps
Compensation For non-title holders	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.	As per RFCLARR, a family residing on any land in urban areas for preceeding three years or more prior to the acquisition of land or whose primary source of livelihood for three years prior to the acquisition of land is affected by the acquisition of such land shall be regarded as affected family.	In line with the ADB SPS, all families residing on any land in the subproject area at the time of the census survey, irrespective of their titlestatus, shall be regarded as affected households. Specific entitlements have been included in the Entitlement Matrix for non-titleholders.
Grievance redress mechanism	Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of affected persons.	The Land Acquisition Rehabilitation and Resettlement Authority shall be established in each State by the concerned State Government to hear disputes arising out of projects where land acquisition has been initiated by the State Government or its agencies.	A subproject level GRM has been included the RP in line with ADB SPS.
Monitoring	Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.	The Central Government may, whenever necessary for national or inter-State projects, constitute a National Monitoring Committee for reviewing and monitoring the implementation of rehabilitation and resettlement schemes or plans under this Act.	For this sub-project, monitoring mechanism and frequency will follow the ADB SPS based on the subproject categorization (Category A in this case). Accordingly, an External Monitoring Agency will be hired for monitoring the RP implementation.
Negotiated Settlement	Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status	RFCLARR only apply in case of land acquired/purchased for PPP projects and for Private Companies. Section: 2. (2), and 46.	Provisions outlined in ADB SPS will be followed for the project.

155. The RFCLARRA, 2013 has established near equivalence of the government's policies with those of ADB's SPS, 2009. Adoption of the below principles for the project has ensured that both are covered in their application to this project. Appendix 3 provides a gap analysis.

F. Involuntary Resettlement Safeguard policy for the project

156. Based on the analysis of the national legal framework and ADB policy, the following resettlement principles are adopted for this sub-project.

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks. Measures to avoid and minimize involuntary resettlement impacts include the following: (i) explore alternative alignments or locations which are less impacting, (ii) ensure the appropriate technology is used to reduce land requirements, (iii) modify the designs, cross sections, and geometrics of components to maximize the ROW and ensure involuntary resettlement is avoided or minimized.
- (ii) Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of affected persons. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- (iii) Improve, or at least restore, the livelihoods of all displaced persons through; (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement cost for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement¹⁰ to ensure that those people who

¹⁰ ADB SPS 2009 (Safeguards Requirements 2) does not apply to negotiated settlements. The policy encourages acquisition of land and other assets through a negotiated settlement wherever possible, based on meaningful

- enter into negotiated settlements will maintain the same or better income and livelihood status.
- (vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
 - (viii) Prepare a resettlement plan elaborating on the entitlements of displaced persons, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule. This resettlement plan will be approved by ADB prior to contract award.
 - (ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
 - (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
 - (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
 - (xii) Monitor and assess resettlement outcomes, their impacts on the standard of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

consultation with affected persons, including those without title to assets. A negotiated settlement will offer adequate and fair price for land and/or other assets. Also, an independent external party will be engaged to document the negotiation and settlement processes. In cases where the failure of negotiations would result in expropriation through eminent domain or the buyer could acquire the property regardless of its owner's decision to sell it or not, will trigger ADB's involuntary resettlement policy. The Safeguard Requirements 2 will apply in such cases, including preparing a resettlement plan.

VIII. ENTITLEMENTS, ASSISTANCE AND BENEFITS

A. Eligibility and Entitlements

157. Regarding the eligibility of compensation, all the DPs will be provided with compensation and rehabilitation if (i) their land is lost/reduced (ii) income source adversely affected permanently or temporarily, (iii) houses partially or fully demolished, and (iv) other properties such as crops, trees and other assets or access to these properties are reduced or damaged due to the project. Absence of legal documents of their customary rights of occupancy/titles shall not affect their eligibility for compensation. It also must be noted that during the project implementation stage, if there are any change in the alignments, thereby adversely affecting the land, livelihood or other assets of the people, the same shall be compensated in accordance with the RP.

158. The RP stipulates payment of compensation as per the assessed value of the land and structure to the DPs. In addition to the compensation payments made by the Land Acquisition Officer/Competent Authority, the DPs will receive additional assistance in cash or kind to match replacement costs, as applicable, for lost assets (land and houses), transaction costs such as stamp duties/registration costs in case of purchase of replacement land and other cash grants and resettlement assistance such as shifting allowance, compensation for loss of work days/income due to dislocation. The vulnerable household such as household headed by women, scheduled tribes/scheduled castes, disabled and elderly persons will be eligible for further cash assistance for relocation and house reconstruction and will be assisted during shifting if required.

159. In this project, affected persons will include (i) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land. The involuntary resettlement requirements shall apply to all three types of affected persons. DPs entitled for compensation, assistance and rehabilitation provisions under the project are: (i) all DPs losing land either covered by formal legal title, recognizable title, or without legal status; and (ii) DPs losing business, income, and wages/salaries.

160. Taking into account the various losses, the entitlement matrix provides for compensation and resettlement assistance to all affected persons including the non-titleholders in the project area. In general terms, the people affected by the project will be entitled to the following types of compensation and assistance:

- i) Compensation for the loss of land, crops/ trees at their replacement cost;
- ii) Compensation for structures (residential/ commercial/ residential cum commercial) and other immovable assets at their replacement cost;
- iii) Assistance in place of the loss of business/ wage income and income restoration assistance;
- iv) Assistance for shifting and provision for the relocation site (if required), and
- v) Additional assistance to vulnerable groups, namely female-headed households, scheduled castes (SC), scheduled tribes (ST), those below the poverty line, elderly, landless and disabled.
- vi) Rebuilding or restoration of community resources and facilities.

B. Entitlement Matrix

161. The broad entitlement of compensation and assistance will include compensation for loss of agricultural land, compensation for loss of crops and trees, assistance for loss of income and additional assistance to vulnerable groups. Income losses will be compensated and no structure and property will be demolished or acquired for any Project related construction activity, until compensation and R&R assistance is made available to the affected households in accordance with this policy. The payment of compensation and assistance will be based on National and ADB's policies and the provisions of the ADB' SPS, 2009 will prevail in case of any discrepancy. The detailed entitlement matrix is given in Table 53 below.

Table 51: Entitlement Matrix

	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
Loss of Land						
1.	Loss of private land	Agricultural land ¹¹	Legal titleholders/ Family with traditional titleholders ¹²	<ul style="list-style-type: none"> • Compensation at replacement cost. • One time Resettlement allowance¹³ of Rs. 50,000 per affected family¹⁴ • In cases wherein the residual land becomes unviable, the AP will have the option of claiming compensation for the entire land at replacement cost. 	<ul style="list-style-type: none"> • Compensation accounts for all stamp duties, taxes and fees, as applicable under relevant laws and does not account for any depreciation. 	The Valuation Committee will determine replacement value as per the procedures outlined in the subsequent sections of this document. PIU will ensure provision of notice. PIU will verify the extent of impacts through a 100% survey of DPs and determine assistance.
		Homestead Land				
		Commercial Land plot				
		Agricultural land,	Tenants and leaseholders (whether having written tenancy/lease documents or not / sharecroppers	<ul style="list-style-type: none"> • Compensation for rental deposit or unexpired lease (such amount will be deducted from the compensation of land owners). • One time Resettlement allowance¹⁵ of Rs. 50,000 per affected family.¹⁶ 	<ul style="list-style-type: none"> • Land owners will reimburse tenants and leaseholders land rental deposit or unexpired lease 	
		Homestead Land				
		Commercial Land plot				

¹¹ The RFCLARRA, 2013 says no irrigated multi cropped land shall be acquired under this Act, except in exceptional circumstances, as a demonstrable last resort. 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. Such costing shall also reflect while preparing Resettlement Budget.

¹² Traditional land rights refer to households with customary rights to land, and shall be treated equivalent to titleholders

¹³ The RFCLARRA, 2013 specifies that each affected family shall be given one time Resettlement Allowance of Rs. 50,000 only.

¹⁴ 'Family' includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on him. Widows, divorcees and women deserted by families shall be considered separate family. An adult of either gender with or without spouse or children or dependents shall be considered as a separate family – as defined under LARR Act–2013.

¹⁵ The RFCLARRA, 2013 specifies that each affected family shall be given one time Resettlement Allowance of Rs. 50,000 only.

	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
2.	Loss of Government land	Agricultural land	Leaseholders	<ul style="list-style-type: none"> • Compensation for rental deposit or unexpired lease (such amount will be deducted from the compensation of the lessee). • One-time Resettlement allowance¹⁷ of Rs. 50,000 per affected family¹⁸ 		PIU will ensure provision of notice and identify vulnerable households.
		Homestead Land				
		Commercial Land plot				
		Vacant plot, RoW of road	Squatters ¹⁹ , Encroachers ²⁰	<ul style="list-style-type: none"> • 60 days advance notice to shift from occupied land. • Notice to harvest standing seasonal crops and compensation. • One-time Resettlement allowance²¹ of Rs. 50,000 per affected family²² • In case the household is cultivating the land and would incur crop or tree loss, the same shall be compensated in line with the provisions made in Section 5 of this 	<ul style="list-style-type: none"> • 60 days advance notice to shift from occupied land. 	PIU will ensure provision of notice.

¹⁶ 'Family' includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on him. Widows, divorcees and women deserted by families shall be considered separate family. An adult of either gender with or without spouse or children or dependents shall be considered as a separate family – as defined under LARR Act–2013.

¹⁷ The RFCLARRA, 2013 specifies that each affected family shall be given one time Resettlement Allowance of Rs. 50,000 only.

¹⁸ 'Family' includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on him. Widows, divorcees and women deserted by families shall be considered separate family. An adult of either gender with or without spouse or children or dependents shall be considered as a separate family – as defined under LARR Act–2013.

¹⁹ Squatters are those who have no recognizable rights on the land that they are occupying.

²⁰ Encroachers are those who build a structure which is in whole or is part of an adjacent property to which he/she has no title.

²¹ The RFCLARRA, 2013 specifies that each affected family shall be given one time Resettlement Allowance of Rs. 50,000 only.

²² 'Family' includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on him. Widows, divorcees and women deserted by families shall be considered separate family. An adult of either gender with or without spouse or children or dependents shall be considered as a separate family – as defined under LARR Act–2013.

	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
				Entitlement matrix.		
Loss of Structures						
3.	Loss of Structures	Residential, Residential cum Commercial, Commercial structure and other assets ²³	Legal titleholders Family with traditional land right	<ul style="list-style-type: none"> Each affected household shall be eligible for replacement cost of the structure and other assets (or part of the structure and other assets, if remainder is viable); For partly affected structure, the AP will have the option of claiming compensation for the entire structure if the remaining portion is unviable or if the existing floor space cannot be restored. Fees, taxes, and other charges related to replacement structure. Right to salvage materials from structure and other assets with no deductions from replacement value. One-time financial assistance of Rs. 25,000 to the families losing cattle sheds for reconstruction (only in case of Residential and Residential cum 	<ul style="list-style-type: none"> Compensation accounts for all stamp duties, taxes and fees, as applicable under relevant laws and does not account for any depreciation. 	<p>Valuation committee will verify replacement value. PIU will verify the extent of impacts through a 100% survey of AHs to determine assistance.</p> <p>Households affected by partial loss of structures and where the remaining structures are viable for continued use, will be entitled to an allowance, over and above the compensation for affected portion of the structure, for repair of the remaining structure.</p>

²³ Other assets include, but is not limited to walls, fences, sheds, wells, etc.

	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
				<p>Commercial structures)</p> <ul style="list-style-type: none"> • One-time Resettlement allowance²⁴ of Rs. 50,000 per affected family.²⁵ • All displaced families will receive one time financial assistance of Rs. 50,000 as transportation cost towards shifting of family, building materials, belongings and cattle. 		
		Residential, Residential cum Commercial, Commercial structure	Tenants and leaseholders	<ul style="list-style-type: none"> • Replacement cost of part/whole of structure constructed by the tenant/leaseholder, and the same will be deducted from the compensation amount of the owner. • Compensation for rental deposit or unexpired lease. • Right to salvage materials (of the portion constructed by tenants or leaseholders) from structure and other assets • One-time financial assistance of Rs. 25,000 to the families losing cattle sheds for reconstruction (only in case of Residential and Residential cum 	<ul style="list-style-type: none"> • Land/structure owners will reimburse tenants and leaseholders rental deposit or unexpired lease. • Tenants will be given a 60-day advance notice to vacate. 	Valuation committee will verify replacement value. PIU will verify the extent of impacts through a 100% survey of AHs to determine assistance.

²⁴ The RFCLARRA, 2013 specifies that each affected family shall be given one time Resettlement Allowance of Rs. 50,000 only.

²⁵ 'Family' includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on him. Widows, divorcees and women deserted by families shall be considered separate family. An adult of either gender with or without spouse or children or dependents shall be considered as a separate family – as defined under the RFCLARRA 2013.

	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
				Commercial structures). <ul style="list-style-type: none"> • One-time Resettlement allowance²⁶ of Rs. 50,000 per affected family²⁷ • All displaced families will receive one time financial assistance of Rs. 50,000 as transportation cost towards shifting of family, building materials, belongings and cattle. 		
		Residential, Residential cum Commercial, Commercial structure	Squatters, Encroachers	<ul style="list-style-type: none"> • Replacement cost of structure constructed by the squatter • Right to salvage materials from structure and other assets with no deduction from replacement value. • One time Resettlement allowance²⁸ of Rs. 50,000 per affected family²⁹ • All displaced families will receive one time financial assistance of Rs. 50,000 as transportation cost towards shifting of family, building materials, belongings and cattle. 	<ul style="list-style-type: none"> • 60 days advance notice to demolish the affected structure. 	PIU will verify the extent of impacts through a 100% survey of AHs to determine assistance.

²⁶ The RFCLARRA, 2013 specifies that each affected family shall be given one time Resettlement Allowance of Rs. 50,000 only.

²⁷ 'Family' includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on him. Widows, divorcees and women deserted by families shall be considered separate family. An adult of either gender with or without spouse or children or dependents shall be considered as a separate family – as defined under LARR Act–2013.

²⁸ The RFCLARRA, 2013 specifies that each affected family shall be given one time Resettlement Allowance of Rs. 50,000 only.

²⁹ 'Family' includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on him. Widows, divorcees and women deserted by families shall be considered separate family. An adult of either gender with or without spouse or children or dependents shall be considered as a separate family – as defined under LARR Act–2013.

	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
Loss of Livelihood						
4	Loss of livelihood	Livelihood	<p>Legal titleholder</p> <p>Family with traditional land right</p> <p>Commercial tenant</p> <p>Commercial leaseholder</p> <p>Employee in commercial establishment</p> <p>Agricultural laborer (long term)</p> <p>Artisans</p> <p>Squatters</p>	<ul style="list-style-type: none"> • One-time payment of Rs. 500,000 per family. • All displaced families will receive monthly Subsistence allowance of Rs. 3,000 for one year (total Rs. 36,000) from the date of award. • Skill up-gradation training to DPs (one member of the affected family) who opted for income restoration. • Preference in employment under the project during construction and implementation. 		<p>PIU will verify the extent of impacts through a 100% survey of AHs to determine assistance.</p> <p>In case of Agricultural laborer (long timer) Only those who are in fulltime/ permanent employment of the land owner, will be eligible for this assistance. Seasonal agricultural laborers will not be entitled for this assistance.</p>
Loss of Trees and Crops						
5	Loss of trees and crops	Standing trees and crops	<p>Legal titleholder</p> <p>Family with traditional land right</p> <p>Agricultural tenant/ leaseholder</p> <p>Sharecroppers</p> <p>Squatter</p>	<ul style="list-style-type: none"> • Advance notice to harvest crops, fruits, and timbers. • Compensation for standing crops in case of such loss, based on an annual crop cycle at market value • Compensation for trees based on timber value at market price, and compensation for fruit trees at annual net product market value 	<ul style="list-style-type: none"> • Harvesting prior to acquisition will be accommodated to the extent possible • Work schedules will avoid harvest season. • Seasonal crops will be given 6-month notice. If notice cannot be given, compensation for standing crops will be 	<p>PIU will ensure provision of advance notice. Valuation Committee will undertake valuation of standing crops, perennial crops and trees, and finalize compensation rates in consultation with DPs.</p>

	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
				multiplied by remaining productive years; to be determined in consultation with the Forest Department for timber trees and the Horticulture Department for other trees/crops.	compensated at market value. • Market value of trees/crops has to be determined.	
• Impact on Vulnerable Households						
6	Impacts on vulnerable DPs	All impacts	Vulnerable DPs	<ul style="list-style-type: none"> Affected households belonging to vulnerable groups namely – [Scheduled Caste (SC), Scheduled Tribe (ST), BPL households, female-headed households, disabled, elderly] will receive additional one-time assistance of Rs. 50,000. Receive preference in income restoration training program under the project. Preference in employment under the project during construction and implementation. 	<ul style="list-style-type: none"> Vulnerable households will be identified during the census and implementation of project. 	<p>PIU will verify the extent of impacts through a 100% surveys of AHs determine assistance, verify and identify vulnerable households.</p> <p>The PIU with support from the CSC and NGO/Firm/Agency will conduct a training need assessment in consultations with the affected persons so as to develop appropriate income restoration schemes.</p> <p>Suitable trainers or local resources will be identified by PIU and NGO in consultation with local training institutes.</p>
Temporary Loss						
7	Temporary loss of land ³⁰	Land temporarily required for	Legal titleholders Family with	<ul style="list-style-type: none"> Any land required by the Project on a temporary basis will be 	<ul style="list-style-type: none"> Assessment of impacts if any on structures, assets, 	Valuation Committee will determine rental value and duration of construction

³⁰ Temporary possession of land for project purpose can be taken only for three years from the date of commencement of such possession/occupation.

	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
		sub-project construction	traditional land right	<p>compensated in consultation with the landholders.</p> <ul style="list-style-type: none"> • Rent at market value for the period of occupation • Compensation for assets at replacement cost • Restoration of land to previous or better quality.³¹ • Location of construction camps will be fixed by the contractors in consultation with the Government and local community. 	<p>crops and trees due to temporary occupation.</p> <ul style="list-style-type: none"> • Site restoration. 	<p>survey and consultation with DPs. PIU will ensure compensation is paid prior to site being taken-over by contractor. Contractor will be responsible for site restoration.</p>
8	Temporary disruption of livelihood		Legal titleholders, non-titled DPs	<ul style="list-style-type: none"> • 60 days advance notice regarding construction activities, including duration and type of disruption. • Cash assistance based on the minimum wage/average earnings per month for the loss of income/livelihood for the period of disruption, and contractor's actions to ensure there is no income/access loss consistent with the EMP.³² 	<ul style="list-style-type: none"> • Identification of alternative temporary sites to continue economic activity. 	<p>Valuation Committee will determine income lost. Contractors will perform actions to minimize income/access loss.</p>

³¹ If the land has become permanently unfit to be used for the purpose for which it was used immediately before the commencement of such term, and if the persons interested shall so require, the appropriate Government shall proceed under the Act to acquire the land as if it was needed permanently for a public purpose.

³² This includes: 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.

	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
				<ul style="list-style-type: none"> Assistance to mobile vendors/hawkers to temporarily shift for continued economic activity.³³ 		
Impact on Common Property Resources						
9.	Loss and temporary impacts on common resources	Common property resources	Communities	<ul style="list-style-type: none"> Replacement or restoration of the affected community facilities – including public water stand posts, public utility posts, temples, shrines, etc. 	The affected CPRs will be restored or compensated in consultation with the concerned community or responsible institution.	PIU and Contractor will restore and/or compensate the affected CPR in line with ADB's SPS, 2009. The same shall be monitored by the PMU as well as the External Monitoring Agency.
Any Other unanticipated impacts						
11	Any other loss not identified	-	-	<ul style="list-style-type: none"> Unanticipated involuntary impacts will be documented during the implementation phase and mitigated. 	-	PIU will finalize the entitlements in line with ADB's SPS, 2009.

³³ For example assistance to shift to the other side of the road where there is no construction.

C. Cut-off date

162. The cut-off date for those who have legal titles of their land/asset is the date of notification of acquisition under the Land Acquisition Act, 2013 and for those without titles the cut-off will be 20 August 2014. People moving into the subproject area after this date will not be entitled for support.

163. During the census survey all the affected assets were covered with the respective affected households. In case of absent households, the affected assets too were listed into the database. The census database hence shall act as an instrument to check fresh arrivals and influx, if any, into the affected area. All further claims being made (apart from those listed in census database) shall be verified by the District Land Acquisition Officer with assistance from the NGO.

D. Valuation of Assets

164. The valuation of affected land and structures will be governed by the following process:

165. Land surveys for determining the payment of compensation would be conducted on the basis of updated official records and ground facts. All legal titles will be checked including titles of individuals/households and government. The land records containing information like legal title, and classification of land will be updated expeditiously for ensuring adequate cost compensation and allotment of land to the entitled affected persons. After determination of ownership and compensation amount the same is sent to the district collector. Records as they are on the cut-off date will be taken into consideration while determining the current use of land. The uneconomic residual land remaining after land acquisition will be acquired as per the provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, as the case may be. The owner of such land/property will have the right to seek acquisition of his/her entire contiguous holding/ property provided the residual land is less than the average land holding of the district.

166. The rate of compensation for acquired land, structures, and other assets will be calculated at full replacement cost. That is, based on (i) fair market rate, (ii) transaction costs, (iii) interest accrued, (iv) transitional and reiteration costs, and (v) other payments, if any. For land acquisition the District Collector/Deputy Commissioner will decide the compensation for acquired land as per the legal provisions. If the compensation amount is less than the market/replacement cost of the land, the competent authority will award the compensation and the difference between the award rate and market / replacement rate will be paid by the EA as 'assistance'. The project authority will determine the possible replacement cost of land and assets to be acquired, possibly on the market rate through an independent valuer preferably hired from land and revenue department. This difference between the award money and the market/replacement rate, if any, will be submitted to the independent Land Valuation Committee (LVC) before resettlement plan (RP) implementation i.e. during physical verification and updating of database. For this purpose, the LVC will be constituted, comprising of the DM, RO, and a retired District Land Revenue Officer who is familiar with land matters. The LVC shall also include 2 civil society (not necessarily NGO) representatives to ensure transparency in the proceedings. Compensation will be transferred to DPs by cheque. For those without bank account, the NGO will assist DPs in opening accounts. Compensation under law will be paid to the person whose name is on the title. The EA will ensure that re-titling will be completed prior to the completion of the project.

167. The value of houses, buildings and other immovable properties will be determined on the basis of relevant Basic Schedule of Rates (BSR) as on date without depreciation. While considering the BSR rate, the PIU will ensure that it uses the latest BSR for the residential and commercial structures in the urban and rural areas of the region. Compensation for properties belonging to the community or common places of worship will be provided to enable construction of the same at new places through the local self-governing bodies like Village Panchayat in accordance with the modalities determined by such bodies to ensure correct use of the amount of compensation.

168. The independent valuer will assess the compensation rates for various types of losses during the preparation of detailed designs and implementation of RP. Also, to ensure that the rates reflect current replacement costs, the LVC will verify and approve the estimates wherever felt necessary. The methodology for verifying the replacement cost for each type of loss will include, but not be limited to, the following:

- a) **For valuation of land:** Appraisal of recent sales and transfer of title deeds, informal sale and purchase of land among people in the project area, registration certificates for land in urban and rural areas of the district and consultation with local panchayats, district council, village council and DPs; Determination of whether the rates established for the project are sufficient or not to purchase the same quality and quantity of land based on compilation of appraised rates;
- b) **For valuation of crops and trees:** Compensation for trees will be based on their full replacement cost. Loss of timber bearing trees will be compensated at their replacement cost and compensation for the loss of crops fruit bearing trees will be decided by the PIU in consultation with the Departments of Forest, Agriculture and Horticulture. Prior to taking possession of the land or properties, the compensation will be fully paid and DPs will have the opportunity to harvest trees.
- c) **For valuation of structures:** To evaluate the compensation for structures to find out whether the amount will enable DPs to rebuild or replace their affected structures. This is to be done by consulting land owners on the following:
 - From where they use to buy materials
 - Type of shops (private or state-owned)
 - Distance to be traveled
 - Sources (local or foreign) and the cost of various materials
 - Who will built the structures (owner or contractor) and whether they will use the hired labor or their own labor;
 - Obtaining cost estimates by meeting at least three contractors/suppliers in order to identify cost of materials and labor
 - Identifying the cost of different types of houses of different categories and compare the same with district level prices.

169. Even after payment of compensation, DPs would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for the same. A notice to that effect will be issued intimating that DPs can take away the materials so salvaged within 48 hours of their demolition; otherwise, the same will be disposed by the project authority without giving any further notice.

170. Trees standing on the land owned by the government will be disposed through open auction by the concerned Revenue Department/ Forest Department. DPs will be provided with an advance notice of three months prior to relocation. Further, all compensation and assistance will be paid to DPs at least 2 months prior to displacement or dispossession of assets.

171. For temporary impact on land and common resources, any land required by the project on a temporary basis will be compensated in consultation with landowners and will be restored to previous or better quality. Implementation issues can be found in the Entitlement Matrix.

IX. RELOCATION OF HOUSING AND SETTLEMENTS

A. Provision for Relocation

172. The EA will provide compensation at replacement cost for affected land and structure in accordance with the eligibility and entitlements elucidated in Chapter-VIII of this report. Further, compensation for partially damaged structures and shifting assistance has also been provided for the affected households in the entitlement matrix. Compensation to the non-title holders for the loss of assets other than land, such as dwellings and shops has been provided for in the entitlement matrix. The non-titleholders such as squatters will be assisted by the PIU and RP implementation NGO/Agency in identifying alternate places for relocation of their dwellings and shops so that involuntary resettlement does not result in any further squatting on the road. The PIU will also ensure that there is no further encroachment on the subproject road section in future. Also, the project will have impact on 350 private structures including 178 residential structures, 114 commercial structures and 58 residential cum commercial structures (See table 54).

Table 52: Number and Types of Structures Affected

Type of Structure	Total No. of Affected Structure	Ownership Type of the Affected Structures			
		Titleholders	Encroacher	Squatter	Absentee
Residential	178	15	116	35	12
Commercial	114	32	54	28	-
Residential cum Commercial	58	17	34	7	-
Total	350 structures	64	204	70	12

173. 51% of the affected private structures comprise of residential structures, whereas the remaining comprise of commercial structures, including structures that are residential cum commercial in nature. Of the total 350 structures affected as a result of the Project, 78.28% (274 structures) comprise of non-titleholders including 204 encroachers and 70 squatters.

174. **Extent of Impact on Residential Structures:** Among the 178 residential structures impacted, 166 structures would bear an impact on their primary structures thereby making them non-livable whereas the remaining would bear an impact on secondary structures only. Of the 166 structures incurring impact on their primary structure, only 11 structures will remain fit for living post-impact. The remaining 155 residential structures would be severely affected making them non-livable and necessitating full reconstruction of these structures. All these 155 structures would be fully acquired for the subproject.

175. **Viability of remaining Residential Plots:** In case of 162 out of the 166 primary structures impacted, the remaining residential plot (on which the structure is located) shall remain viable for reconstruction of new structure. In case of four structures, the remaining land plot will not be viable necessitating relocation of structure to a new location.

176. **Relocation Option for Affected Residential structures:** During the census survey, detailed interactions were undertaken with the 166 households who would incur significant impact on their primary structures thereby making them non-livable. During these interactions, the preferences of these households with regard to relocation were discussed (See Table 8). 162 out of these 166 households said that they would reconstruct their affected structure within the same plot (in the same village) not necessitating relocation. They opted for self-managed

reconstruction of their structures in existing plots and requested for timely and adequate compensation from the Project. In case of four structures, wherein the impact will be significant necessitating their relocation to another location, these households opted for self-managed relocation and declined project assisted relocation option.

Table 53: Relocation Preferences of Severely Affected Residential Structures

Relocation Preferences	Affected Residential Structures	
	In Number	In Percentage
Self-managed within the same plot	162	91.01
Self-managed relocation at another location	4	2.40
Grand Total	166	100

177. **Extent of Impact on Commercial Structures:** Among the 114 commercial structures impacted, 101 structures would bear an impact on their primary structure thereby making them non-livable whereas the remaining 13 would bear an impact on secondary structures such as boundary wall and frontage. All 101 structures incurring impact on their primary structure would be severely affected incurring full impact thereby making these structures non-livable and necessitating full reconstruction of these structures. All these 101 structures would be fully acquired for the project.

Table 54: Part of the Structures Affected

Part of the structure affected	Affected Commercial structure	
	Number	Percentage
Primary structure	101	88.59
Secondary structure	13	11.40
Grand Total	114	100

178. **Viability of remaining Commercial Plots:** In case of all 101 primary structures impacted, the remaining commercial plot (on which the structure is located) shall not be viable for reconstruction of new structure necessitating relocation of these businesses to a new location.

179. **Relocation Option for Affected Commercial structures:** Of the total 101 commercial structures incurring full impact on primary structures and necessitating relocation, 85.14% of these significantly affected commercial structures have opted for self-managed relocation, whereas 8.91% has voiced the need for support and assistance from Project in identification of alternate sites for their businesses. The remaining 6 affected businesses declined a response to this during the survey.

Table 55: Relocation Preferences of Affected Commercial structures

Relocation Option	Number	Percentage
Self-managed	86	85.14
Project Assisted	9	8.91
No Response	6	8.77
Total	101 structures	100

180. **Extent of Impact on Residential Cum Commercial Structures:** 96% (56 structures) of the 58 affected residential cum commercial enterprises shall incur impact on the primary structure whereas the remaining would only incur impact on the secondary structure. All 52

structures incurring impact on their primary structure would be severely affected incurring full impact thereby making these structures non-livable and necessitating full reconstruction of these structures. All these 52 structures would be fully acquired for the project.

Table 56: Part of the structure getting affected

Part of the structure affected	Affected Residential cum Commercial structure	
	Number	Percentage
Secondary structure	2	3.44
Primary structure	56	96.55
Grand Total	58	100

181. **Viability of remaining Residential cum Commercial Plots:** In case of 48 out of the 52 primary structures impacted, the remaining plot (on which the structure is located) shall not be viable for reconstruction of a new structure necessitating relocation of these businesses to a new location. Only in case of four structures the remaining plot would remain viable for reconstruction of a new structure.

182. **Relocation Option for Affected Residential cum Commercial structures:** During census survey, the preferences of the affected residential cum commercial structures with regard to relocation were also discussed. 48 out of the 52 structures, incurring full impact on primary structures and necessitating relocation, have opted for self managed relocation instead of project assisted.

Table 57: Relocation Preferences of Affected Residential cum Commercial structures

Relocation Option	Number	Percentage
Self managed relocation to a new plot	48	92.30
Reconstruction of Asset at same plot	4	7.69
Grand Total	52 Structures	100%

B. Relocation Strategy

183. With the scattered nature of resettlement impacts, a project based resettlement option is difficult. Further, most of the affected residences and businesses have voiced preference for self-managed relocation at existing plots or new locations. The cash compensation at market rate for loss of structures will be a more practical solution when it is not feasible to provide alternate residence/shop. Nonetheless, efforts will be made by EA to provide assistance to the affected residential and business structures in relocation.

184. All the structures affected in the subproject will be entitled for the following assistances in accordance with the entitlement matrix.

- i Compensation of structure will be paid at the replacement cost to be calculated as per latest prevailing basic schedules of rates (BSR) without depreciation.
- ii All displaced families will receive one time financial assistance of Rs. 50,000 as transportation cost towards shifting of family, building materials, belongings and cattle.
- iii For partly affected structure, the AP will have the option of claiming compensation for the entire structure if the remaining portion is unviable or if the existing floor space cannot be restored.
- iv Fees, taxes, and other charges related to replacement structure.

- v Right to salvage materials from structure and other assets with no deductions from replacement value.
- vi One time financial assistance of Rs. 25,000 to the families losing cattle sheds for reconstruction
- vii One time Resettlement allowance of Rs. 50,000 per affected family

185. To help the DPs losing structures, in getting all the above entitlements and facilitate self-relocation, following relocation strategy will be adopted in the subproject:

- i All compensation will be paid and other resettlement entitlements will be provided before physical displacement.
- ii At least two months advance notice before demolition of structure.
- iii DPs will be entitled to salvage the material from their dismantled structure.
- iv The NGO engaged for RP implementation will assist DPs during verification of assets and will provide necessary counseling on payment of compensation and assistance.
- v The NGO will assist the project authorities in ensuring a smooth transition (during the part or full relocation of the DPs), helping the DPs to take salvaged materials and shift.
- vi In close consultation with the DPs, the NGO will fix the shifting dates agreed with the DPs in writing
- vii In case of self-relocation also, the NGO will assist the DPs in finding alternative land within the village if so desired by the DPs in consultation with village committee and other beneficiaries in the villages.

186. NGO will play an active role in providing assistance to those undertaking self-managed relocation. The same will also be monitored by the External Monitor.

X. INCOME RESTORATION AND REHABILITATION

A. Loss of Livelihood in this Subproject

187. The subproject would impact the livelihood of a number of households. A total of 213 households would incur significant impact on their livelihood. Out of these, 7 households would lose more than 10% agriculture land, 101 HHs would lose their place of business, 56 DHHs would lose their place of residence cum business and 53 commercial tenants would also be impacted. Further, 98 employees working in the affected commercial and residential cum commercial structures would also be impacted as a result of the project.

B. Entitlements for Loss of Livelihood

188. The affected persons losing livelihood will be assisted to improve or at least restore their income levels to pre-project level. The subproject entitlements for loss of livelihood include the following entitlements:

- 1. Loss of Livelihood of Agriculture Landowner, Business Owner, Commercial Squatters, Commercial Tenants, Employees in the affected businesses**
 - a) Cash compensation at replacement cost as determined according to the formula proposed in RFCLARRA, 2013.
 - b) All fees, stamp duties, taxes and other charges, as applicable under the relevant laws, incurred in the relocation and rehabilitation process, are to be borne by the EA.
 - c) One time payment of Rs. 500,000 per family where livelihood is affected by the project
 - d) Subsistence allowance of Rs. 3000 for one year (Total Rs 36,000) from the date of award.
 - e) Skill upgradation training to DPs (one member from the affected family) who opted for income restoration
 - f) Preference in employment under the project during construction and implementation

189. Effort will be made by the PIU with the support of the NGO to assist the AP in their effort to restore their income. If the AP so desires, the subsistence allowance can be utilized to deliver suitable income restoration activities in order to leverage on the existing skills of the AP.

C. Income Restoration Measures

190. The entitlement proposed for this subproject has adequate provisions for restoration of livelihood of the affected communities. Wherever feasible and if the AP so desires, income restoration schemes will be identified and implemented by the PIU with the assistance of the implementing NGO. Efforts will be made to provide employment to the DPs during the construction phase by facilitating their engagement by the civil works contractor. The PIU with the assistance of the implementing NGO will make the training need assessment and will impart training to the eligible DPs, in particular to the vulnerable DPs, for income restoration and skill up-gradation as necessary.

191. Each AP whose income or livelihood is affected by the subproject will be assisted to improve or at least restore it to pre-project level. For vulnerable households, their living

standards will be improved to national minimum standard³⁴, including the provision of access to basic utilities and services. The results of the socioeconomic survey and census will be used as baseline. One of the key steps in this direction would be income restoration schemes, which will be designed in consultation with DPs, particularly vulnerable households and considering their resource base and existing skills. The PIU with support from the NGO will identify the number of eligible displaced vulnerable persons based on the 100% census of the DPs and will conduct a training need assessment in consultations with the DPs so as to develop appropriate income restoration schemes. The PIU with support of the NGO, will also examine local employment opportunities and produce a list of possible income restoration options. Suitable trainers or local resources will be identified by PIU and NGO in consultation with local training institutes. The PIU and NGO will also facilitate access of DPs, particularly vulnerable households to Government schemes that could help them to not only restore but also improve their income and livelihood.

³⁴ In India, the national minimum standard could be defined as the designated poverty line in the country. People living above the nationally designated poverty threshold or poverty line (i.e. an earning of more than Rs. 972 per capita per month in rural areas and more than Rs. 1407 per capita per month in urban areas) are considered to be living at the national minimum standard. In case of Jharkhand, those earning more than Rs. 904 per capita per month in rural areas and Rs. 1272 per capita per month in urban areas are considered to be living at state minimum standard.

XI. RESETTLEMENT BUDGET AND FINANCING PLAN

A. Introduction

192. The resettlement cost estimate for this subproject include compensation for private land determined in accordance with RFCLARRA, 2013, compensation for structure at replacement cost without depreciation, resettlement assistances in accordance with the NPRRR, and cost of RP implementation. The total resettlement cost for the subproject is Rs. 343,882,042 or approximately USD 5.54 million. The major heads of budget items are listed below.

- Compensation for land,
- Compensation for structure (residential / commercial / residence cum commercial),
- Assistance for loss of residence,
- Assistance for loss of income / wages / livelihood,
- Shifting assistance for those who have to relocate,
- Additional assistance for vulnerable displaced households,
- Rental allowance for tenants,
- Compensation for community structures,
- Cost of NGO/Research assistants (social) in PIU,
- Cost of monitoring and evaluation consultant,
- Cost of dissemination of entitlement matrix, gist of RP, etc., and
- Administrative cost for RP implementation

B. Compensation

193. **Private Land:** The compensation for private land has been calculated as an average of replacement cost of land in rural and semi-urban area adjoining the road corridor. The replacement cost was gathered during census survey in discussion with local community and the elected local body representatives. In order to arrive at the land compensation, in line with the RFCLARRA, 2013 the market value of land has been multiplied by factor up to two and a 100 percent solatium on total compensation amount has been added to it. For budgetary purposes, in order to arrive at the replacement cost of land, in line with the LA Act 2013, the per hectare market value was taken as Rs. 1,000,000 per hectare for agriculture land, Rs. 1,200,000 per hectare for residential land and Rs. 1,500,000 per hectare for commercial land, which has been multiplied by factor up to two and a 100% solatium on this amount has been added to arrive at the final compensation.

194. **Structure:** The compensation for structures have been arrived at based the latest available PWD (JH) Basic Schedule of Rates (2013) for building works, material and labour.

C. Assistance

195. Apart from compensation for land and structure, the following assistance are being provided to affected households to restore their lives and livelihoods. The same have been budgeted for included in the RP budget

- All displaced families will receive one time financial assistance of Rs. 50,000 as transportation cost towards shifting of family, building materials, belongings and cattle.

- One time financial assistance of Rs. 25,000 to the families losing cattle sheds for reconstruction
- One time Resettlement allowance of Rs. 50,000 per affected family
- Vulnerable households have been provided with additional assistance of Rs. 50,000 per household

196. In case of loss of Livelihood of Agriculture Landowner, Business Owner, Commercial Squatters, Commercial Tenants, Employees in the affected businesses, the following assistance has been budgeted for

- One time payment of Rs. 500,000 per family where livelihood is affected by the project
- Subsistence allowance of Rs. 3000 for one year (Total Rs 36,000) from the date of award.
- Skill upgradation training to DPs (one member from the affected family) who opted for income restoration
- Preference in employment under the project during construction and implementation

D. Compensation for Community Assets and Government Structures

197. The unit cost for well, water tap, bus shelter, hand pump and public toilet has been arrived at based on replacement cost. For other community structures including places of worship, lump sum unit cost has been provided in the budget, which would be assessed and paid during implementation by PIU.

E. RP Implementation Cost

198. The cost of hiring NGO or a R&R Implementation agency in PIU for assisting in RP implementation has been provided with a budget of Rs. 6,500,000/- and the RP implementation is expected to be completed in 36 months including disbursement of compensation for land acquired.

199. Cost for external monitoring and evaluation has also been envisaged as this subproject is Category-A for IR necessitating external monitoring of RP Implementation. A budgetary provision of Rs.1,000,000/- has been made available for hiring of a consultant for the same.

200. A lump sum budgetary provision of Rs. 200,000/- has been made to cover grievance handling expenses. Further, a lump sum budget of Rs, 200,000 has also been kept for ongoing Consultation and disclosure. A lump sum provision of Rs. 100,000/- for staff training, in particular the PIU team, has also been included in the RP budget.

F. Source of Funding and Fund Flow

201. The Executing agency (EA) for this subproject, will provide necessary funds for compensation for land and structure. The EA will ensure timely availability of funds for smooth implementation of the RP.

G. Resettlement Budget Estimates

202. The budget for this sub-project is based on data and informed collected during census surveys conducted between 2013 and August 2014 and unit rates worked out through market and Basic Schedule of Rates (BSR). The total budget for the proposed subproject RP is estimated at Rs. 343,882,042 (USD 5.54 million). A detailed budget estimate is given in Table 60. This budget is based on estimates and the final costs related to land acquisition and resettlement and rehabilitation shall be worked out at by the competent authority.

Table 58: Resettlement Budget

	Component	Unit	Unit rate (in Rs.)	Quantity	Amount (in Rs.)
1	Private Land & Structures				
1.1.	Agriculture Land	Hectare	1,000,000 + 1.3 multiplier and 100% solatium	2.5 ha	6,500,000
1.2	Residential Land	Hectare	1,200,000 + 1.3 multiplier and 100% solatium	2.55 ha	7,956,000
1.3	Commercial Land	Hectare	1,500,000 + 1.3 multiplier and 100% solatium	5.25 ha	20,375,000
1.2.	Temporary Structures (Kutcha)	Sq.ft	300	4994.34.	1,498,302
1.3.	Semi-permanent structures	Sq.ft	550	84353.14	46,394,227
1.4.	Permanent structures				
	Permanent Structures – I Floor	Sq.ft	1200	7304.023	8,764,828
	Permanent Structure – II Floors	Sq.ft.	1500	558.9	838,350
1.5.	Irrigation Units	Unit	360,000	3 wells	1,080,000
1.6.	Other structures (Toilets, boundary wall, gates etc)	Sq.ft.	-	16 units	1,400,000
1.7.	Compensation for Trees				
1.7.1.	Fruit Trees	Unit	-	4 trees	10,000
1.7.2.	Non-Fruit Trees	Unit	-	39 trees	200,000
	Sub-total Cost of Private Land & Structures (1)				95,016,707
2	R&R Assistance				
2.3.	Resettlement allowance for each affected household	One-time	50,000/HH	<u>513 HHS</u> ³⁵	25,650,000
2.4.	Onetime payment of Rs. 500,000 per affected family	One-time	500,000/HH	<u>315 HHS</u> ³⁶	157,500,000

³⁵ The Resettlement allowance is being paid to all affected households except affected employees who are being separately assisted for loss of livelihood.

³⁶ Includes 7 households losing more than 10% agriculture land, 101 HHS losing business, 56 HHS losing Residential-cum commercial asset, 53 tenants and 98 employees working in affected commercial and residential cum commercial structure.

	Component	Unit	Unit rate (in Rs.)	Quantity	Amount (in Rs.)
2.5.	Subsistence allowance of Rs. 3000 for one year from date of award	One-time	Rs. 3000/mnth X 12 mnth	<u>315 HHS</u> ³⁷	11,340,000
2.7.	One-time financial assistance of Rs. 50,000 as transportation cost towards shifting of family, building materials, belongings and cattle	One-time	50,000	<u>236 HHS</u> ³⁸	11,800,000
2.9	Additional Assistance for vulnerable households including SC, ST		50,000/HH	304 Vulnerable HHS	15,200,000
Sub-total Cost of R&R Assistance (2)					221,490,000
3	Community Assets				
3.1.	Restoration of CPRs	Lump sum	-	84 CPRs	3,000,000
Sub-total Cost of Restoration of Community Assets (3)					3,000,000
4	Support for RP Implementation				
4.1	Training of staff	Lump sum			100,000
4.2	Budget for NGO/ R&R Implementation Agency	Lump sum	For a period of 36 months	-	6,500,000
4.3.	External Monitoring Consultant	Lump sum	-	-	1,000,000
4.4.	Cost for Grievance Redressal	Lump sum	-	-	200,000
4.5.	Ongoing Consultation and disclosure	Lump Sum			200,000
Sub-Total Cost of Support for RP Implementation (4)					8,000,000
5	Total Cost 1 + 2 + 3 + 4				327,506,707
6	Contingency (5% of the Total Cost)				16,375,335
7	Grand Total				INR 343,882,042 USD 5,546,484

1 USD = INR 62

³⁷ Includes 7 households losing more than 10% agriculture land, 101 HHS losing business, 56 HHS losing Residential-cum commercial asset, 53 tenants and 98 employees working in affected commercial and residential cum commercial structure.

³⁸ Includes 220 severely affected residential, commercial, residential cum commercial structures and 16 other affected assets.

XII. GRIEVANCE REDRESSAL MECHANISM

A. Introduction

203. In the project, there is a need for an efficient grievance redressal mechanism (GRM) that will assist the DPs in resolving their queries and complaints. GRM is aimed to provide a trusted way to voice and resolve concerns linked to the project, and to be an effective way to address displaced person's concerns without allowing it to escalate resulting in delays in project implementation.

B. Grievance Redress Mechanism

204. The EA will establish a mechanism to receive and facilitate the resolution of affected persons' concerns and grievances about physical and economic displacement and other project impacts, paying particular attention to the impacts on vulnerable groups. A Grievance redress committee (GRC) will be established as soon as the project is approved by the government. The grievance redress mechanism will address AP's 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.

205. During project preparation, information regarding GRCs will be disclosed as part of the public consultation process. Grievances related to the implementation of the project will be acknowledged, evaluated, and responded to the complainant with corrective action proposed. The outcome shall also form part of the semi-annual monitoring report that will be submitted to ADB.

1. Level 1: PIU and field level

206. The grievance related to the implementation of resettlement plan will be taken to the PIU level. The grievance redress mechanism will be accessible to people throughout the length of the road in the subproject. The Resettlement staff of PIU and NGO will facilitate displaced persons in registering their grievances at the PIU level. A complaint register will be maintained at PIU level (located in Dumka) to facilitate ease of access of the DPs to the grievance redress mechanism. The details related to the date of complaint, complaint, date of personal hearing, action taken and date of communication sent to complainant will be recorded. This complaint register will be initiated at the PIU level as soon as possible. Investigation of grievances will involve site visits and consultation with relevant parties like affected persons, contractors etc. At the PIU level the GRC will comprise of the:

- i) A representative from SHAJ PIU
- ii) A representative from local NGOs or a local person of repute and standing in the society, elected representative from Zila Parisad
- iii) One representatives from the affected village
- iv) A representative for women from a relevant agency which could be from the government, or NGO or local community
- v) A representative from IP community or NGO for IP related issue.

207. If the grievances remain unresolved it can be taken to the next level.

2. Level 2: State Level

208. Grievances not redressed by the PIU level) will be brought to the State level Grievance Redress Committee (GRC). The State level GRC will be headed/chaired by Executive Engineer. The state level GRC will comprise of the following:

- i) Member (Administration), SHAJ
- ii) Land Acquisition and Resettlement Officer (LARO)
- iii) A representative from IP community or NGO for IP related issue
- iv) Representative of the implementation NGO

209. The main responsibilities of the GRC at both the levels will be to: (i) provide support to DPs on problems arising from land/property acquisition; (ii) record AP grievances, categorize, and prioritize grievances and resolve them; (iii) immediately inform the EA of serious cases; and (iv) report to DPs on developments regarding their grievances and decisions of the GRC. Other than disputes relating to ownership rights under the court of law, GRC will review grievances involving all resettlement benefits, compensation, relocation, replacement cost and other assistance.

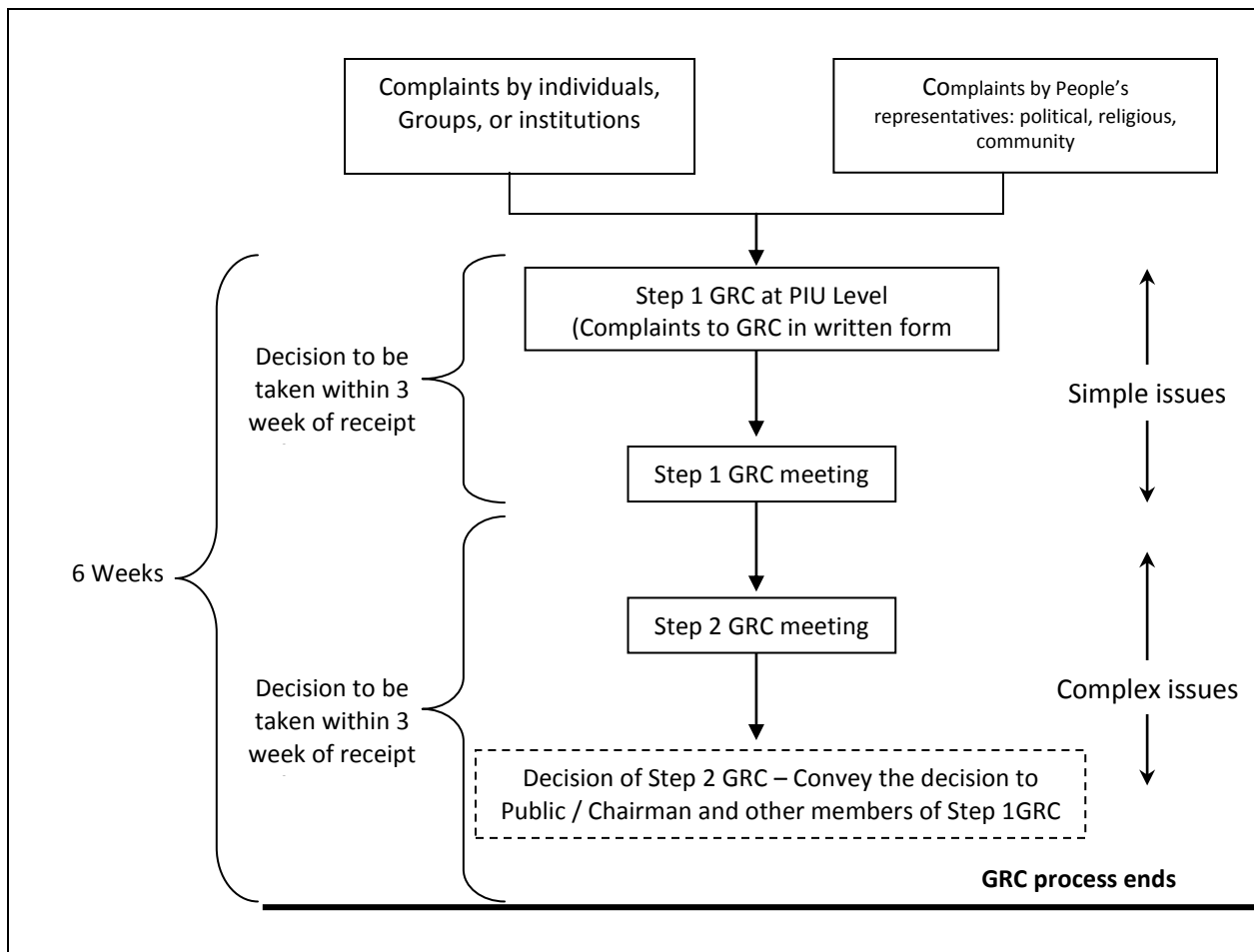
210. The GRC will meet every month (if grievances are brought to the Committee), determine the merit of each grievance, and resolve grievances within a month of receiving the complaint—failing which the grievance will be referred to appropriate court of Law for redressal. Records will be kept of all grievances received including: contact details of complainant, date the complaint was received, nature of grievance, agreed corrective actions and the date these were effected, and final outcome. The GRCs will continue to function during the life of the Project. The GRC is expected to resolve grievances of the eligible persons within a stipulated time of 3 weeks at the PIU level and 3 weeks at the state level.

3. Level 3: Court of Law

211. The affected person is free to access the country's legal system at any time and stage although Project GRM is the preferred route.

212. **Costs:** All costs involved in resolving the complaints (meetings, consultations, communication and reporting / information dissemination) will be borne by the Project.

Figure 2: Grievance Redress Mechanism



XIII. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION

A. Key Institutions involved

213. Implementation of RP will be carried out through a set of institutions at various levels. This chapter describes the implementation framework, and the organizations involved – their roles and responsibilities – in the implementation of the plan. The primary R&R institutions in this project would include the following:

- Executing Agency (EA) will be the State Highways Authority of Jharkhand (SHAJ)
- EA will be supported by Project Implementation Units (PIU) at the subproject level. The PIU will use the services of the following institutions in implementation of the sub components of the project including resettlement actions.
- Non-Government Organizations (NGO) or R&R Implementation agency

B. Executing Agency

214. State Highway Authority of Jharkhand (SHAJ) has been constituted by The State Highway Authority of Jharkhand Act, 2007 for development, maintenance and management of state highway or any other stretch and the matters concerned therewith or incidental thereto. The primary objectives of SHAJ are to – a) develop, manage and maintain state highways or any other stretch and for matters connected therewith or incidental thereto and b) Develop models for bringing in private and institutional and international funding for the state road sector.

215. State Highways Authority of Jharkhand (SHAJ) will be the Executing Agency for this Project. At the state level, SHAJ will be headed by a full-time Director (ADB Project) reporting to the Chief Executing Officer – SHAJ. A Deputy General Manager (DGM) focusing on safeguard will support the Project Director. SHAJ at the state level will have the overall responsibility for policy guidance, coordination and planning, internal monitoring and overall reporting of the RP implementation. Some of the key responsibilities will be the following: a) Appointing Project Support Consultants, and R&R implementing NGO/agency, where required; b) Design and supervision of the sub project; c) Ensuring availability of budget for R&R activities; d) conducting/commissioning social assessment, updating the RP for the subproject and RP implementation.

C. Project Implementation Unit (PIU)

216. PIU will be established at subproject level headed by an Executive Engineer (EE) responsible for the overall execution of this subproject. The Executive Engineer, supported by a safeguard focal point will be responsible for (i) overall implementation of R&R activities according to the Plan including responsible for land acquisition and R&R activities in the field; (ii) ensure availability of budget for R&R activities; (iii) liaison with district administration for support for land acquisition and implementation of R&R.

217. Some of the specific tasks to be performed by PIU are: (i) liaison with district administration for timely completion of land acquisition and payment of compensation; (ii) maintain the database of DPs; (iii) facilitate opening of bank accounts for DPs in nationalised banks to transfer assistances to DPs; (iv) monitor physical and financial progress of RP implementation; (v) convene GRC periodically and facilitate resolving grievances; and (vi) conduct monthly meetings with the NGO/implementation agency team to review the progress on R&R and submit monthly progress report to EA and quarterly progress report to ADB.

218. The PIU's safeguard focal point will have relevant experience in land acquisition and resettlement issues. The PIU will maintain all databases and work closely with DPs and other stakeholders. Based on regularly updated data, a central database will also be maintained by EA. The focal point will work closely with the District Administration and revenue department to expedite the payments of compensation for land acquisition. Further, the focal will ensure timely disbursement of assistances to DPs.

D. Non-governmental Organization/ field staff

219. A qualified and experienced firm or NGO will be engaged by the EA/PIU to assist in the implementation of the RP. The NGO/Firm/Agency would play the role of a facilitator and will work as a link between the PIU and the affected community. Key activities of this RP implementation agency in relation to resettlement planning and implementation include: (i) verify and update, if required, the detailed census and socio-economic survey of physically and economically displaced persons carried out during DPR preparation based on detailed design, and verify the identity of poor, female-headed, and vulnerable households affected by land acquisition and resettlement; (ii) prepare the list of the potential DPs and issue ID cards; (iii) facilitate the process of disbursement of compensation to the DPs – coordinating with the revenue department, informing the affected persons of the compensation disbursement process and timeline; (iv) assist DPs in opening bank accounts explaining the implications, the rules and the obligations of a joint account and how s/he can access the resources s/he is entitled to; (v) assist the DPs in ensuring a smooth transition (during the part or full relocation of the affected persons), helping them to take salvaged materials and shift, in close consultation with the affected persons, the RP implementing unit shall inform the PIU about the shifting dates agreed with them in writing and the arrangements they desire with respect to their entitlements; (vi) organize training programs for income restoration; (vii) conduct meaningful consultations throughout the RP implementation and ensure disclosure of resettlement plans in an accessible manner to the affected persons; (viii) assist PIUs in grievance redressal; (ix) assist PIUs in keeping detailed records of progress and establish monitoring and reporting system of RP implementation; (x) act as the information resource center for community interaction with the project and maintain liaison between community, contractors and project management and implementing units during the execution of the works; and (xi) provide advice, capacity building and other supports to PIU as required. The Terms of Reference for the NGO/Implementation Agency is provided as Appendix IV.

E. Capacity building of SHAJ

220. The staff of SHAJ, responsible for land acquisition and RP Implementation, will be provided capacity building inputs to familiarize them with RFCLARRA, 2013, NRRP 2007 and ADB SPS. In order to build the capacity of the SHAJ team, an orientation and training in resettlement management at the beginning of the project will be undertaken by EA with the assistance of ADB. In addition, the Project Management Consultant will be staffed with a Resettlement Specialist who will provide support at the institutional level. The capacity development training inputs would include ADB resettlement policy and principles. The training activities will focus on issues concerning (i) principles and procedures of land acquisition, (ii) public consultation and participation, (iii) entitlements and compensation disbursement mechanisms, (iv) Grievance redressal, and (v) monitoring of resettlement operation. The training would specifically focus on the differences between provisions of ADB SPS, RFCLARRA, 2013, and NRRP 2007. The awareness of these differences and the need to follow the provisions of the ADB policy are critical for successful implementation of the RP.

F. Implementation Schedule

221. The proposed RP implementation activities are divided into three broad set of activities viz. project preparation activities, RP implementation activities, and monitoring and reporting activities. Each of these are discussed below.

- **Project Preparation Activities:** The activities to be performed in this phase include establishment of PMU and PIU with a designated officer (LARO and RO) in charge of safeguards; submission of RP to ADB for approval; appointment of NGO/RP implementation agency; and establishment of GRC. The information dissemination and stakeholder consultations will commence in this stage and continue till the end of the project.
- **RP Implementation Activities:** The key activities will be carried out including payment of compensation for land and structure; payment of other rehabilitation assistances; and issuing site clearance certificate to enable commencement of civil works.
- **Monitoring and Reporting Activities:** Internal monitoring will commence as soon as RP implementation begins and continue till end of RP implementation. External monitoring will also commence from the beginning of RP implementation.

222. An implementation schedule for land acquisition, payment of compensation and resettlement activities in the project including various sub tasks and time line matching with civil work schedule is provided in Table 61.

XIV. MONITORING AND EVALUATION

A. Introduction

223. Monitoring and Evaluation (M&E) are critical activities in involuntary resettlement in order to ameliorate problems faced by the DPs and develop solutions immediately. Monitoring is a periodic assessment of planned activities providing midway inputs. It facilitates change and gives necessary feedback of activities and the directions on which they are going, whereas evaluation is a summing up activity at the end of the project assessing whether the activities have actually achieved their intended goals and purposes. In other words, M&E apparatus is a crucial mechanism for measuring project performance and fulfillment of the project objectives.

B. Monitoring Mechanism

224. The monitoring mechanism for the RP shall comprise of both internal and external monitoring. While internal monitoring as a mechanism will be carried out in parallel to project implementation and at different stages respectively, external monitoring will be carried out by an External Expert to verify the effective implementation of RP as well as the monitoring data collected by the RO/PIU and PMU.

C. First Tier Monitoring: Internal Monitoring

225. PIU will be responsible for the timely implementation of all activities in RP. The monitoring will include: (i) administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis; (ii) socio-economic monitoring during and after the rehabilitation process utilizing the baseline information established by the socio-economic survey of DPs undertaken during project preparation to ensure that people are rehabilitated and are recovering; (iii) overall monitoring whether recovery from loss due to project has indeed taken place successfully and in time; (iv) data from the baseline socio-economic surveys undertaken during the project preparation stage will provide the benchmark for the monitoring process to assess the progress and success of the resettlement and rehabilitation programme.

226. Further, monitoring process will also include the following: (i) communication and reactions from DPs; (ii) valuation of properties; (iii) usage of grievance redress mechanism; and (iv) disbursement of compensation and assistance amounts. The PIU will use the census data as the baseline for internal monitoring. The census database will be maintained by the PMU and shall be updated as and when there are any changes in project impact.

D. Second Tier Monitoring: External Monitoring

This subproject involving significant resettlement impacts is classified as Category-A and hence will have to be monitored by an experienced external expert/agency and submit semi-annual monitoring reports to EA and ADB. The main objective of this monitoring is to supervise overall monitoring of the subproject to determine whether RP goals have been achieved, more importantly whether livelihoods and living standards have been restored/ enhanced and suggest suitable recommendations for improvement. The external monitoring consultant will be selected within three months of loan approval and the monitoring will be carried out intermittently during the RP implementation. The external monitoring consultant will refer to the census database as project baseline data.

227. The external monitoring will include: (i) review and verify the monitoring reports prepared by PIU; (ii) review of socio-economic baseline census information of displaced persons; (iii) identification and selection of indicators for monitoring and impact evaluation; (iv) impact assessment through sample surveys amongst displaced persons; (v) consultation with DPs, officials, community leaders for preparing review report; (vi) assess the resettlement efficiency, effectiveness and efficiency of PIU, impact and sustainability, and drawing lessons for future resettlement policy formulation and planning. Particular attention will be paid by the external monitor to assess and verify the progress as well as outcomes of self-managed relocation undertaken by affected households. Specific monitoring indicators will be developed to assess the same.

228. It is preferred that the external monitoring party should come from academic or research institutions but the general rule is that it should not be party that prepares and implements the RP. A sample ToR for External monitoring agency/expert is attached as Appendix 5.

E. Reporting Requirements

229. The RO in PIU responsible for RP implementation will prepare monthly and quarterly progress reports on resettlement activities and submit to PIU. The quarterly progress report will be submitted by PIU to EA and ADB for review.

230. The external monitoring expert/agency responsible for monitoring of the RP implementation will submit a semi annual review report to PMU/EA and ADB to determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/ enhanced and suggest suitable recommendations for improvement. The External Monitoring report will be used by ADB as a basis to issue notice to proceed with civil work activities to the contractor for road construction.

231. All the resettlement monitoring reports will be disclosed to DPs in line with the procedure followed for disclosure of resettlement documents by the EA. The monitoring reports will also be disclosed on ADB website.

APPENDIX 1: CENSUS SURVEY QUESTIONNAIRE

ROAD CORRIDOR:

01. District: _____ **Block:** _____

02. Name of Village: _____ **Gram Panachayat:** _____

03. AP Code: _____

04. Ownership Status: _____

- a. Title Holder b. User's right c. Non-Tribal owning Tribal Land d. Squatter e. Encroacher

05. Type of Loss:

a. Agriculture b. Land Plot c. Residential d. Commercial

e. Residential cum Commercial f. Trees g. Orchards h. Irrigation Units i. Others.....

06. Name of the Respondent: _____ **a. Absent b. Unknown.**

07. Sex: a. Male b. Female

08. Status of the Respondent in the family: _____

- a. Self b. Husband c. Wife d. Son e. Daughter f. Son-in-Law g. Daughter-in-Law

h. Grand Son i. Grand Daughter j. Grand Father k. Grand Mother l. Brother m. Others

09. Name of the Title owner: _____ **a. Absent b. Unknown**

10.a. Living status of the Title owner: a. Alive b. Dead c. NA

10. In case of non-titleholders and non-tribals owning tribal land, name of the occupier: _____

11. Social Vulnerability: Is it a ST Household? a. Yes b. No

- If ST, specify the name of the Tribe: _____
- Is it a Female-headed Household? a. Yes b. No
- Is it a SC Household? a. Yes b. No
- Is it an OBC Household? a. Yes b. No
- Is it a BPL Household? a. Yes b. No
- Is it a Disabled-headed Household? a. Yes b. No

12. Religious group: a: Muslim b: Sikh c: Buddhists d: Hindu e: Christian f: Others.....

13. Total members in the household (i.e. living and eating together):

a. Adult Male..... b. Adult Females.....c. Children (Girls..... boys.....)

14. Family Type: a: Joint b: Nuclear c: Extended

15. Education Level of the HoH: _____

- a: Primary: Class I – V b: Middle: Class VI – VIII c: Secondary: Class IX-X d: Higher Secondary(XI – XII)

e: Graduate f: Post Graduate g: Illiterate h: Functional Literacy i: No response

16. Do you have a ration card? a. Yes b. No
 17. Is your name included in the voter's list? a. Yes b. No
 18. Do you have a BPL card? a. Yes b. No

ASSET OWNERSHIP

19. Agricultural Land (Title Holder) : _____ In Acres
 20. Agricultural Land (Encroacher) : _____ In Acres
 21. Agricultural Land (Leased land) : _____ In Acres
 22. Agricultural Land (Squatted land): _____ In Acres
 23. Residential (Title Holder) : _____ In Units
 24. Residential (Encroached) : _____ In Units
 25. Residential (Squatter) : _____ In Units
 26. Commercial (Title Holder) : _____ In Units
 27. Commercial Assets (Encroached) : _____ In Units
 28. Commercial Assets (Squatter) : _____ In Units
 29. R+C Assets (Title Holder) : _____ In Units
 30. R+C Assets (Encroached): _____ In Units
 31. R+C Assets (Squatter): _____ In Units
 32. Trees (Fruit): _____ In Units
 33. Trees (Timber/Furniture/Industry) : _____ In Units

34. Primary source of income:

- a. Agriculture b. Allied Agriculture c. Dairy d. Forestry e. HH Industry f. Trade/business
 g. Profession h. Govt. Service i. Pvt. Service j. Agri Labour k. Non Agriculture Labour
 l. other.....

35. What is the Annual Income earned from Primary Source (in Rs):

Please also tick the income category below

- a. Less than 48,960 lakh b. 48960 – 60,000 c. 60,001 - 95000 d. 95,001 – 1.2 lakh
 e. 1.2 lakh – 1.5 lakh f. 1.5 lakh – 2 Lakh g. More than 2 lakh to 2.5 lakh

36. Is the Primary Source of Income getting affected: a. Yes b. No

37. Do you have another source of income:- a. Yes b. No (If No, go to Q 48)

38. If yes, then what is the income earned from the other sources (in Rs.):

Please also tick the income category below

- a. Less than 48,960 lakh b. 48960 – 60,000 c. 60,001 - 95000 d. 95,001 – 1.2 lakh
 e. 1.2 lakh – 1.5 lakh f. 1.5 lakh – 2 Lakh g. More than 2 lakh to 2.5 lakh

Total annual income (in Rs): Please also tick the income category below

- a. Less than 48,960 lakh b. 48960 – 60,000 c. 60,001 - 95000 d. 95,001 – 1.2 lakh
 e. 1.2 lakh – 1.5 lakh f. 1.5 lakh – 2 Lakh g. More than 2 lakh to 2.5 lakh

39. Do you have a bank account: a. Yes b. No c. No Response
40. Have you taken any credit in last one year: a. Yes b. No (If No, go to Q 53) c. No Response (If No, go to Q 53)
41. If yes, please indicate your source of borrowing:
- a. Bank b. Private money lender c. Friends/relatives d. Others (specify.....) e. NA
42. **Purpose for borrowing:** a: Investment in agriculture b: Investment in business c: House Construction
 d: Wedding/social functions e: Emergency f: Any other (specify)
 g. NA
43. Do you have any information about this Project? a. Yes, I know about the Project b. Yes, somewhat
 c. No d. No response (If No/No response, go to Q 55)
44. If yes, from where did you hear about the Project? a. Govt. Deptt. b. Tech. Surveyors c. Newspapers
 d. Neighbors e. Any Other..... f. NA
45. What are Positive Impacts from the Project that you anticipate on your Family and income:
- a. Education b. Health c. Access to resources/market d. Mobility e. Increase in the value of the assets
- g. Increase in sales/production h. Reduce in transportation cost i. Any Other..... J. No response
46. What are the Negative Impacts that you anticipate on your Family and income:
- a. Loss of Assets b. Accidents c. Relocation d. Shifting of assets & belongings
- e. Break in cultural & social ties f. Decrease in sales/production g. Any Other..... h. No Response
47. Eligibility for Livelihood Restoration: a. Yes b) No
48. What livelihood option do you prefer: _____

NAME OF SURVEYOR..... **DATE**.....

AGRICULTURAL LAND (TITLEHOLDER + NON TITLEHOLDERS)

AP Code: _____ Chainage: _____

49. Distance of the agricultural land from the center line of the road (in mtr): a. Not Applicable
50. Title Holder: Yes No
 (If NO, please give details of contract letter/ agreement paper)
51. Khasra No.: _____
52. Jamabandi No/ Khata No.: _____
53. Type of Land: a. Irrigated b. Unirrigated c. Pasture/Wasteland d. Any other.....
54. Total Land Holding _____ In Acres
55. Out of that, land getting affected _____ In Acres
56. Percentage of Land Loss _____
57. Is the affected person/household a marginal farmer household? A. Yes b. No
58. Impact on livelihood – Average annual Income loss as a result of land acquisition: (in Rs. Per annum) _____

59. Is the residual land plot becoming unviable for cultivation as a result of the acquisition? A. Yes b. No
60. If yes, would you like the executing agency to acquire the remaining portion of your land as well?
 a. Yes b. No c. No response d. Not Applicable
61. Income restoration Assistance:
 a) Employment opportunity during road construction
 b) Assistance/ loan from the project for income restoration
 c) Vocational training
 d) Others (Specify.....)

AGRICULTURAL LAND (For Leaseholders)

AP Code: _____ Chainage: _____

62. Name of the Leaseholder: _____
63. Distance of the agricultural land from the center line of the road (in mtr): _____ a. Not Applicable
64. Duration of Lease: _____
65. Please provide details of the lease agreement: _____
66. Type of Land Leased: a. Irrigated b. Unirrigated c. Pasture/Wasteland d. Anyother.....
67. Total Leased land _____ In Acres
68. Total Loss of Leased Land _____ In Acres
69. Percentage of Loss _____
70. Impact on livelihood – Average annual Income loss as a result of land acquisition: (in Rs. Per annum) _____
71. Did you pay any advance for the lease? A. Yes b. NO
72. If yes, how much:.....
73. Did you make any investment in land: a. Yes b. No
 (If Yes, give details and cost):

LAND PLOT (TITLEHOLDER / NON-TITLEHOLDER)

74. AP Code: _____ Chainage: _____
75. Distance of the land plot from the center line of the road (in mtr): _____ a. Not Applicable
76. Title Holder: Yes No
 (If NO, please give details of contract letter/ agreement paper)

77. Khasra No.: _____
78. Jamabandi No/ Khata No.: _____
79. Current Usage of Land: _____
80. Total Land Holding _____ In Acres
81. Out of that, land getting affected _____ In Acres
82. Percentage of Land Loss _____
83. Impact on livelihood – Average annual Income loss as a result of land acquisition: (in Rs. Per annum) _____

84. Is the residual land plot becoming unviable as a result of the acquisition? A. Yes b. No
85. If yes, would you like the executing agency to acquire the remaining portion of your land as well?
 a. Yes b. No c. No response d. Not Applicable
86. Preference for Income restoration and Assistance:
 e) Employment opportunity during road construction
 f) Assistance/ loan from the project for income restoration
 g) Vocational training
 h) Others (Specify.....)

RESIDENTIAL LOSS

AP Code: _____ Chainage: _____

87. Distance of the resident from the center line of the road (in mtr): _____ a. Not Applicable
88. Khasra No: _____
89. JB/ Khata No: _____
90. Part's of Asset getting affected: a. Plot/land b. boundary Wall c. Garden Area d. Main Structure
 e. Backyard f. Any Other
91. Total Residential Land: (in Sqmtrs)
92. Total Affected Residential Land: (in Sqmtrs)
93. Percentage of Land Loss
94. Total Residential Structure: (in cubic mtrs)
95. Total Affected Residential Structure: (in cubic mtrs)
96. Percentage of Structure Loss
97. Severity of Loss a. Livable b. Non-Livable
98. Construction Type of Affected Structure a. Kuccha b. Semi-pucca c. Pucca (1 Floor) d. Pucca (2 Floor)
99. Is there any tenant in the affected structure? a. YES (*If Yes, Please fill FORM for TENANTS with Tenant Households*)
 b. No c. NA
100. If yes, number of tenant households in the affected structure:
101. In case of significant loss of the residential asset, thereby making it non-livable, what kind of relocation option would you prefer?
 a. Self-managed within the same plot b. Self-managed relocation at another location c. Project assisted
 d. No response e. Not Available e. Not Applicable
102. In case of self –managed relocation at another location, where would you relocate?
 a. Within the city b. Outside the city c. Can't Say d. Not Available e. Not Applicable
103. In case of project assisted relocation, please suggest an appropriate location in and around the area where you can be relocated?

COMMERCIAL LOSS

AP Code: _____ Chainage: _____

- 104. Distance of the commercial structure from the center line of the road (in mtr): _____ a. Not Applicable
- 105. Khasra No: _____
- 106. JB/ Khata No: _____
- 107. Part's of Asset getting affected: a. Plot/land b. boundary Wall c. Main Structure d. Any Other
- 108. Usage: a. Shop/s b. Hotel c. Dhaba d. Gumti/kiosk/khokha e. Pvt.Clinic
f. STD Booth g. Workshop h. Office Complex i. Factory j. Other.....)
- 109. Total Commercial Land: (in Sqmtrs)
- 110. Total Affected Commercial Land: (in Sqmtrs)
- 111. Percentage of Land Loss
- 112. Total Commercial Structure: (in cubic mtrs)
- 113. Total Affected Commercial Structure: (in cubic mtrs)
- 114. Percentage of Structure Loss
- 115. Total Monthly Income from affected structure..... In Rs.
- 116. Total Income Loss from due to impact on structureIn Rs.
- 117. Severity of Loss: a. Functional b. Non-Functional
- 118. Construction Type of Affected Structure a. Kuccha b. Semi-pucca c. Pucca (1 Floor) d. Pucca (2 Floor)
- 119. Are there any tenants in the affected structure? a. Yes (If Yes, Please fill FORM for TENANTS with Tenant Households)
b. No c. NA
- 120. If yes, number of tenant households in the affected structure:
- 121. Are there any employees in the affected structure? a. Yes b. No
- 122. Number of Employees in the affected structure.....
- 123. Total Monthly salary paid to the Employees:..... (in Rs)
- 124. In case of significant loss of the Commercial asset, thereby making it non-functional, what kind of relocation option would you prefer?
a. Self-managed b. Project assisted c. No response d. Not Available e. Not Applicable
- 125. In case of self –managed relocation, where would you relocate?
a. Within the city b. Outside the city c. Can't Say d: Not Available e. Not Applicable
- 126. In case of project assisted relocation, please suggest an appropriate location in and around the area where you can be relocated?

RESIDENTIAL CUM COMMERCIAL LOSS

AP Code: _____ Chainage: _____

- 127. Distance of the residential cum commercial structure from the center line of the road (in mtr): _____
- 128. Khasra No: _____
- 129. JB/ Khata No: _____
- 130. Part's of Asset getting affected: a. Plot/land b. boundary Wall c. Garden Area d. Main Structure e. Backyard f. Any Other

131. Usage: a. Shop/s b. Hotel c. Dhaba d. Gumti/kiosk/khokha e. Pvt. Clinic
 f. STD Booth
 g. Workshop h. Office Complex i. Factory j.
 Other.....)

132. Total Commercial Land: (in Sqmtrs)
 133. Total Affected Commercial Land: (in Sqmtrs)
 134. Percentage of Land Loss (in sq mtrs)
 135. Total Commercial Structure: (in cubic mtrs)
 136. Total Affected Commercial Structure: (in cubic mtrs)
 137. Percentage of Structure Loss
 138. Total Monthly Income earned from affected structure In Rs.
 139. Total Income Loss due to impact on structureIn Rs.
 140. Severity of Loss a. Livable b. Non-Livable
 141. Construction Type of Affected Structure a. Kuccha b. Semi-pucca c. Pucca (1 Floor) d. Pucca (2 Floor)
 142. Are there any tenants in the affected structure? a. Yes (If Yes, Please fill FORM for TENANTS with Tenant Households)
 b. No c. NA
 143. If yes, number of tenant households in the affected structure:
 144. Are there any employees in the affected structure? a. Yes b. No c. NA (If No, go to Q 128)
 145. Number of Employees in the affected structure.....
 146. Monthly salary paid to the Employees working in the affected structure..... (Average)
 147. In case of significant loss of the Commercial asset, thereby making it non-functional, what kind of relocation option would you prefer?
 a. Self-managed b. Project assisted c. No response d. Not Available e. Not Applicable

148. In case of self –managed relocation, where would you relocate?
 a. Within the city b. Outside the city c. Can't Say d: Not Available e. Not Applicable

149. In case of project assisted relocation, please suggest an appropriate location in and around the area where you can be relocated?

TREES

AP Code: _____ Chainage: _____

150. Distance of the trees from the center line of the road (in mtr): _____ a. Not Applicable
 151. What are the types of trees that are likely to be affected?

Type of Tree	No. of trees	Age of the tree a. Full Grown b. Sapling c. Medium	Market Value of Trees in Rs.

ORCHARDS

AP Code: _____ Chainage: _____

152. Distance of the orchards from the center line of the road (in mtr): _____ a. Not Applicable

153. Khasra No.: _____

154. Jamabandi / Khata No: _____

155. Total Land: (in acres)

156. Total Affected Land: (in acres)

157. Percentage of Land Loss:

158. Total no. of Trees getting affected:

159. Details of the affected trees

Type of Tree	No. of trees	Age of the tree	Market Value of Trees in Rs.
		a. Full Grown c. Medium b. Sapling	

IMPACT ON SOURCES OF WATER OR IRRIGATION UNITS

AP Code: _____ Chainage: _____

160. Distance of the irrigation unit from the center line of the road (in mtr): _____ a. Not Applicable

161. Type of Irrigation Unit:
162. No. of Irrigation Units getting affected:
163. Extent of Impact a. Full B. Partial
164. Value of Loss (in Rs):.....

OTHER ASSETS

AP Code: _____ Chainage: _____

165. Distance of the assets from the center line of the road (in mtr):_____ a. Not Applicable
166. Khasra No: _____
167. Jamabandi/ Khata No: _____
168. Type of Asset Affected/usage: _____
169. Total Land: (in Sqmtrs)
170. Total Affected Land: (in Sqmtrs)
171. Percentage of Land Loss
172. Total Structure: (in cubic mtrs)
173. Total Affected Structure: (in cubic mtrs)
174. Percentage of Structure Loss
175. Severity of Loss a. Functional b. Non-Functional
176. Construction Type of Affected Structure
- a. Kuccha b. Semi-Pucca c. Pucca (1 Floor) d. Pucca (2 Floor)

TENANTS IN AFFECTED STRUCTURES

AP Code: _____ Chainage: _____

177. Name of the Respondent/Head of the Tenant Household:
178. Distance of the structure used by tenant from the center line of the road (in mtr): _____
179. Usage of structure: a. Residential b. Commercial c. Residential cum Commercial d. Any
Other:.....
180. Impact of the project on tenant household: a. Livable b. Non-livable c. Others.....
181. Did you pay any advance? A. YES B. NO.
182. If yes, how much:
183. Did you make any investment in the structure: a. Yes b. No
(If Yes, give details and cost in Rs):
184. In case of a Commercial or Residential cum Commercial Structures, type of enterprise run in it by the tenant household:
- a. Shop/s b. Hotel c. Dhaba d. Gumti/kiosk/khokha e. Pvt.Clinic
- f. STD Booth g. Workshop h. Office Complex i. Factory j. Other.....)
- h. Not Applicable

185. Are there any employees in the enterprise? A. Yes B. No C. Not
Applicable
186. If yes, total no. of employees in the enterprise
187. Total monthly salary paid to the employees:

**APPENDIX 2: SUMMARY OF THE RIGHT TO FAIR COMPENSATION AND
TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT,
2013**

1. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 has been effective from January 1, 2014 after receiving the assent of the President of Republic of India. This Act extends to the whole of India except the state of Jammu and Kashmir. The Act replaced the Land Acquisition Act, 1894.

2. The aims and objectives of the Act include: (i) to ensure, in consultation with institutions of local self-government and Gram Sabhas established under the Constitution of India, a humane, participative, informed and transparent process for land acquisition for industrialization, development of essential infrastructural facilities and urbanization with the least disturbance to the owners of the land and other affected families; (ii) provide just and fair compensation to the affected families whose land has been acquired or proposed to be acquired or are affected by such acquisition; (iii) make adequate provisions for such affected persons for their rehabilitation and resettlement; (iv) ensure that the cumulative outcome of compulsory acquisition should be that affected persons become partners in development leading to an improvement in their post-acquisition social and economic status and for matters connected therewith or incidental thereto.

3. Section 27 of the Act defines the method by which market value of the land shall be computed under the proposed law. Schedule I outlines the proposed minimum compensation based on a multiple of market value. Schedule II through VI outline the resettlement and rehabilitation entitlements to land owners and livelihood losers, which shall be in addition to the minimum compensation per Schedule I.

4. Preparation of Social Impact Assessment Study under section 4 (1): it is obligatory for the appropriate Government intends to acquire land for a public purpose to carry out a Social Impact Assessment study in consultation with concern Panchayat, Municipality or Municipal Corporation, as the case may be, at village level or ward level in the affected area. The Social Impact Assessment study report shall be made available to the public in the manner prescribed under section 6.

5. **Notification under Section 11 (1):** Whenever, it appears to the appropriate Government that land in any area is required or likely to be required for any public purpose, a notification to that effect along with details of the land to be acquired in rural and urban shall be published in the official Gazette; in two daily newspapers circulating in the locality of such area of which one shall be in the regional language; in the local language in the *Panchayat*, Municipality or Municipal Corporation, as the case may be and in the officers of the District Collector, The Sub-divisional Magistrate and the *Tehasil*; uploaded on the website of the appropriate Government; in the affected areas.

6. **Hearing of Objection under section 15 (1):** any person interested in any land which has been notified under sub-section (1) of section II, as being required or likely to be required for a public purpose, may within sixty days from the date of the publication of the preliminary notification makes his/her objection, if any, to the collector in writing and shall be heard by the collector or by any person authorized by him/her in this behalf or by an Advocate. After hearing all such objections and after making such further inquiry, if any, as he/she thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of Section II, Or make different reports in respect of different parcels of such land, to the

appropriate Government, containing his/her recommendations on the objections, together with the records of the proceedings held by him/her along with a separate report giving therein the approximate cost of land acquisition, particulars as to the number of affected families likely to be resettled, for the decision of that Government.

7. **Publication of declaration and summary of Rehabilitation and Resettlement under section 19 (1):** when the appropriate Government is satisfied, after considering the report, if any, made under sub-section (2) of section 15, that any particular land is needed for a public purpose, a declaration shall be made to that effect, along with a declaration of an area identified as the “resettlement area” for the purpose of rehabilitation and resettlement of the affected families. It is obligatory for the State to publish declaration in the official Gazette; in two daily newspapers circulating in the locality of such area of which one shall be in the regional language; in the local language in the *Panchayat*, Municipality or Municipal Corporation, as the case may be and in the officers of the District Collector, The Sub-divisional Magistrate and the *Tehasil*; uploaded on the website of the appropriate Government; in the affected areas.

8. After declaration the Collector shall take order for acquisition. The Collector then causes the land to be marked out, measured and planned. The Collector then causes public notice to be given at convenient places on or near the land to be taken, stating the intention of the Government to take possession of the land, and that claims to compensation may be made.

9. **Enquiry and Land Acquisition award by Collector under section 23:** on the day so fixed, or any other day to which the enquiry has been adjourned, the Collectors shall proceed to enquire into the objections (if any) which any person interested has stated pursuant to a notice given under section 21, to the measurements made under section 20, and into the value of the land at the date of the publication of the notification, and into the respective interest of the persons claiming the compensation and rehabilitation and resettlement, shall make an award under his/her hand of:

- i. the true area of the land;
- ii. the compensation as determined under section 27 along with Rehabilitation and Resettlement award as determined under section 31 and which in his/her opinion should be allowed for the land, and;
- iii. the apportionment of the said compensation among all the persons known or believed to be interested in the land, of whom, or of whose claims, he has information, whether or not they have respectively appeared before him.

10. **Period within which an Award shall be made:** under section 25, it is obligatory for the Collectors to make an Award within a period of twelve months from the date of publication of the declaration under section 19 and if no Award is made within the period, the entire proceedings for the acquisition of the land shall lapse.

11. **Determination of market value of land by Collector under section 26 (1):** the Collector shall adopt the following criteria’s in assessing and determining the market value of the land, namely:

- i. the market value, if any, specified in the Indian Stamp Act, 1899 for the registration of sale deeds or agreements to sell, as the case may be, in the area, where the land is situated; or

- ii. the average sale price for similar type of land situated in the nearest village or nearest vicinity area; or
- iii. consented amount of compensation as agreed upon under sub-section (2) of section 2 in case of acquisition of lands for private companies or for public private partnership projects. Wherever is higher.

12. **Determination of amount of Compensation under section 27:** the Collector having determined the market value of the land to be acquired shall calculate the total amount of compensation to be paid to the land owner (whose land has been acquired) by including all assets attached to the land.

13. **Determination of value of things attached to land or building under section 29 (1):** the Collector in determining the market value of the building and other immovable property or assets attached to the land or building which are to be acquired, use the services of a competent engineer or any other specialist in the relevant field, as may be considered necessary by him/her. Under section 29 (2), the Collector for the purpose of determining the value of trees and plants attached to the land acquired, use the services of experienced persons in the field of agriculture. In the same manner, the Collector under section 29 (3), for the purpose of assessing the value of standing crops damaged during the process of land acquisition, may use the services of experienced persons in the field of agriculture.

14. **Rehabilitation and Resettlement Award for affected families by Collector under section 31 (1) of section V:** the Collector shall pass Rehabilitation and Resettlement Awards for each affected family in terms of the entitlements provided in the second schedule. As per section 31 (1), the Rehabilitation and Resettlement Award shall include all the following, namely;

- i. rehabilitation and resettlement amount payable to the family;
- ii. bank account number of the person to which the rehabilitation and resettlement award amount is to be transferred;
- iii. particulars of house site and house to be allotted, in case of displaced families;
- iv. particulars of the land allotted to the displaced families;
- v. particulars of one time subsistence allowance and transportation allowance in case of displaced families;
- vi. particulars of payment for cattle shades and petty shops;
- vii. particulars of one time amount to artisans and small traders;
- viii. details of mandatory employment to be provided to the members of the affected families;
- ix. particulars of any fishing rights that may be involved;
- x. particulars of annuity and other entitlements to be provided;
- xi. particulars of special provisions for the scheduled cast and the scheduled tribes to be provided.

15. **Special powers in case of urgency to acquire land in certain cases under section 40 (1):** in case of urgency, whenever the appropriate Government so directs, the Collector, though no such award has been made, may, on the expiration of thirty days from the publication of the notice mentioned in section 21, take possession of any land needed for a public purpose and such land shall thereupon vest absolutely in the Government, free all encumbrances.

16. **Special Provision for Scheduled Caste and Scheduled Tribes under section 41 (1):** as far as possible, no acquisition of land shall be made in the Scheduled Areas. As per section 41 (2), where such acquisition does take place it shall be done only as a demonstrable last

resort. As per section 41 (3), in case of land acquisition in Scheduled Area, the prior consent of the concern *Gram Sabha* or the *Panchayats* or the autonomous District Councils shall be obtained.

17. In case of a project involving land acquisition on behalf of a Requiring Body which involves involuntary displacement of the Scheduled Cast or the Scheduled Tribes families, a Development Plan shall be prepared (section 41 [4]). As per section 41 (5), the Development Plan shall also contain a program for development of alternate fuel, fodder and non timber forest produce resources on non forest lands within a period of five years.

18. In case of land being acquired from members of Scheduled Cast or the Scheduled Tribes, at least one-third of the compensation amount due shall be paid to the affected families initially as first installment and the rest shall be paid after taking over of the possession of the land. The affected families of the Scheduled Tribes shall be resettled preferably in the same Scheduled Area in a compact block so that they can retain their ethnic, linguistic and culture identity.

19. Under section 42 (1), all benefits including the reservation benefits available to Scheduled Cast and the Scheduled Tribes in the affected areas shall continue in the resettlement area.

**APPENDIX 3: COMPARISON BETWEEN THE GOVERNMENT OF INDIA'S RFCLARRA,
2013 AND ADB'S SAFEGUARD POLICY STATEMENT**

	Aspect	ADB Safeguard Requirement	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013	Measures to Bridge the GAP
1	Screen the project	Screen the project to identify past, present, and future involuntary resettlement impacts and risks. Conduct survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement	4 (I) it is obligatory for the appropriate Government intends to acquire land for a public purpose to carry out a Social Impact Assessment study in consultation with concern Panchayat, Municipality or Municipal CoRPoration, as the case may be, at village level or ward level in the affected area. The Social Impact Assessment study report shall be made available to the public in the manner prescribed under section 6.	Screening of all sub-projects in line with the IR checklist of ADB, towards enabling identification of the potential resettlement impacts and associated risks.
2	Consultation with stake holders and establish grievance redress mechanism	Carryout consultations with displaced persons, host communities and concerned NGOs. Inform all displaced persons of their entitlements and resettlement options	Whenever a Social Impact Assessment is required to be prepared under section 4, the appropriate Government shall ensure that a public hearing is held at the affected area, after giving adequate publicity about the date, time and venue for the public hearing, to ascertain the views of the affected families to be recorded and included in the Social Impact Assessment Report. The Land Acquisition Rehabilitation and Resettlement Authority shall be established in each State by the concerned State Government to hear disputes arising out of projects where land acquisition has been initiated by the State Government or its agencies.	No gap between SPS and RFCTLARR. Given that the Resettlement impacts are not envisaged to be significant, a project level GRM is included.
3.	Improve, or at least restore, the livelihoods of all displaced, and payment at replacement cost	Improve or restore the livelihoods of all displaced persons through: (i) land-based resettlement strategies; (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.	The Collector having determined the market value of the land to be acquired shall calculate the total amount of compensation to be paid to the land owner (whose land has been acquired) by including all assets attached to the land.	No gap between SPS and FCTLARR. Assets to be compensated at replacement cost without depreciation
4.	Assistance for displaced persons	Provide physically and economically displaced persons with needed assistance	Schedule I, provides market value of the land and value of the assets attached to land. Schedule II provides R&R package for landowners and for livelihood losers including landless and special provisions for Scheduled Tribes.	No gap between SPS and FCTLARR. Entitlement Matrix outlines

	Aspect	ADB Safeguard Requirement	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013	Measures to Bridge the GAP
				compensation and assistance for DPs.
5.	Improve standard of living of displaced vulnerable groups	Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards.	Special provisions are provided for vulnerable groups.	No gap between SPS and FCTLARR. Entitlement Matrix outlines assistance for vulnerable groups.
6.	Negotiated Settlement	Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status	RFCTLARR only apply in case of land acquired/purchased for PPP projects and for Private Companies. Section: 2. (2), and 46.	Provisions outlined in ADB SPS will be followed for the project.
7.	Compensation For non-title holders	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.	This is included	No gap between SPS and RFCTLARR. Entitlement Matrix outlines compensation and assistance for DPs.
8.	Requirement of RP	Prepare a resettlement plan / indigenous peoples plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.	Preparation of Rehabilitation and Resettlement Scheme including time line for implementation. <i>Section: 16. (1) and (2).</i> Separate development plans to be prepared. <i>Section 41</i>	No gap between SPS and RFCTLARR. RP will be prepared for subprojects with impact.
9.	Public disclosure	Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a	Under clause 18, the Commissioner shall cause the approved Rehabilitation and Resettlement Scheme to be made available in the local language to the <i>Panchayat</i> , Municipality or Municipal Corporation. As the case may be, and the offices of the District Collector, the Sub-Divisional Magistrate and the <i>Tehsil</i> , and shall be published in the	In addition to the publishing of the approved resettlement plan, also provision for disclosure of the various documents

	Aspect	ADB Safeguard Requirement	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013	Measures to Bridge the GAP
		form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced persons and other stakeholders.	affected areas, in such manner as may be prescribed and uploaded on the website of the appropriate Government.	pertaining to RP implementation.
10.	Cost of resettlement	Include the full costs of measures proposed in the resettlement plan and indigenous peoples plan as part of project's costs and benefits. For a project with significant involuntary resettlement impacts and / or indigenous peoples plan, consider implementing the involuntary resettlement component of the project as a stand-alone operation.	16. (I) Upon the publication of the preliminary notification under sub-section (/) of section 11 by the Collector, the Administrator for Rehabilitation and Resettlement shall conduct a survey and undertake a census of the affected families, in such manner and within such time as may be Prescribed, which shall include: (a) particulars of lands and immovable properties being acquired of each affected family; (b) livelihoods lost in respect of land losers and landless whose livelihoods are primarily dependent on the lands being acquired; (c) a list of public utilities and Government buildings which are affected or likely to be affected, where resettlement of affected families is involved; (d) details of the amenities and infrastructural facilities which are affected or likely to be affected, where resettlement of affected families is involved; and (e) details of any common property resources being acquired.'	No gap between SPS and RFCTLARR. Cost of resettlement will be covered by the EA.
11.	Taking over possession before Payment of compensation	Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.	38 (I) The Collector shall take possession of land after ensuring that full payment of compensation as well as rehabilitation and resettlement entitlements are paid or tendered to the entitled persons within a period of three months for the compensation and a period of six months for the monetary part of rehabilitation and resettlement entitlements listed in the Second Schedule commencing from the date of the award made under section 30.	No gap between SPS and RFCTLARR.
12.	Monitoring	Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.	48 (I) The Central Government may, whenever necessary for national or inter-State projects, constitute a National Monitoring Committee for reviewing and monitoring the implementation of rehabilitation and resettlement schemes or plans under this Act.	For project, monitoring mechanism and frequency will follow ADB SPS based on categorization.

APPENDIX 4: TERMS OF REFERENCE (TOR) FOR NGO TO ASSIST IN RESETTLEMENT PLAN IMPLEMENTATION FOR SECOND JHARKHAND STATE ROAD PROJECT

A. Project Background

1. Government of Jharkhand has embarked upon an upgradation of its road network. As part of this endeavor, State Highways Authority of Jharkhand (SHAJ) has been mandated to undertake improvement and upgradation of various State Highways and Major District Roads at different locations in Jharkhand. As part of this mandate, the Second Jharkhand State Road Project (SJSRP) has been conceptualized to improve state highways connectivity in the state of Jharkhand. The project has been proposed for financing to Asian Development Bank (ADB).
2. The NGO shall be responsible for assisting SHAJ in implementing land acquisition and resettlement activities for the XX Road which totals XX km. The proposed road traverses along XX villages of the XX district. Some of the key villages that proposed road passes through and will incur impact as a result of the project are [name of affected villages].
3. The project construction would necessitate land acquisition and will also lead to displacement and loss of private land, assets, livelihood and community property resources. The displaced households include titleholders losing land and assets, and non-titleholders losing various assets. Table 1 provides an overall summary of likely impact. Numbers will likely change after final verification.
4. The overall implementation period for this assignment is 36 months from the commencement of contract.

Table 1: Summary of Likely Impact

Permanent Land Acquisition (ha)	XX ha
No. of Affected Private Structures	XX structures
No. of Affected Community Property Resources (CPRs)	XX CPRs
Total No. of Affected Households (HHs)	XX HHs
Out of the total affected households	
No. of Vulnerable Households	XX Vulnerable HHs
No. of Encroachers	XX
No. of Tenants	XX Tenants
No. of Employees	XX Employees
No. of Private Trees affected	XX trees

B. Objectives of the Assignment

5. The NGO shall be responsible for assisting SHAJ in facilitating land acquisition and Resettlement Plan (RP) implementation in an efficient and transparent manner for the project road. The implementation shall follow The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and the ADB's Safeguard Policy Statement 2009.
6. The overall tasks of the NGO are to:

- (i) Coordinate the entire process from start to finish for disseminating assistance to relevant DPs;
- (ii) Coordinate with, and provide support, where needed, to Revenue officials and other relevant line agencies in expediting the land acquisition and resettlement process;
- (iii) Implement livelihood and income restoration program;
- (iv) Disseminate project information to DPs in an ongoing manner;
- (v) Assist the DPs in redressing their grievances (through the grievance redress committee set up for the project);
- (vi) Conduct awareness program for HIV/AIDs, health and hygiene, and human trafficking in affected villages;
- (vii) Collect data and submit progress reports on a monthly and quarterly basis for SHAJ to monitor the progress of RP implementation; and
- (viii) Any other tasks as assigned by SHAJ.

C. Scope of Work

7. The principal responsibilities of the NGO will include, but not limited to the following:

1. Administrative Responsibilities of the NGO

8. The NGO will work under the direction of the Member (Administration), or any person authorized by the Member (Administration). NGO shall assist SHAJ in carrying out the implementation of the RP for the project road.

9. The NGO shall assist SHAJ in conducting all public meetings, information campaigns at the commencement of the project and give full information to the affected villages. This includes translating the summarized RP into local language in a form of a Project Information Brochure for disclosure and dissemination to DPs.

10. The NGO shall submit monthly and quarterly progress report to SHAJ. The report should cover implementation issues, grievances and summary of consultations

11. The NGO shall assist SHAJ in convening the GRC and keep the records of GRC at PIU and State level.

12. Assist SHAJ in the management of the database of the DPs, and at the end of the assignment, ensure proper handover of all data and information to SHAJ.

2. Responsibilities for Implementation of the RP

13. The NGO shall verify the information already contained in the RPRP and make suitable changes if required and wherever changes are made it should be supported by documentary evidence. The NGO shall establish rapport with all DPs, consult and provide information to them about the respective entitlements as proposed under the RP, and distribute entitlement cum Identity Cards to the eligible DPs. The identity card should include a photograph of the DP, the extent of loss suffered due to the project, and the choice of the DP with regard to the mode of compensation and assistance.

14. The NGO shall develop rapport between the DPs and the Project Authority. This will be achieved through regular meetings with both the PIU and the DPs. Meetings with the PIU will be

held at least fortnightly, and meetings with the DPs will be held monthly, during the entire duration of the assignment. All meetings and decisions taken shall be documented by the NGO.

15. The NGO shall display the list of eligible DPs in prominent public places like villages, Panchayat Offices, Block/Tehsil headquarters, and the District Headquarters.

16. During the verification of the eligible DPs, the NGO shall ensure that each of the DPs are contacted and consulted either in groups or individually. The NGO shall specially ensure consultation with women from the DP families especially women headed households.

17. Participatory methods should be adopted in assessing the needs of the DPs, especially with regard to the vulnerable groups of DPs. The methods of contact may include village level meetings, gender participation through group's interactions, and Individual meetings and interactions.

18. The NGO shall explain to the DPs the provisions of the policy and the entitlements under the RP. This shall include communication to the roadside squatters and encroachers about the need for their eviction, the timeframe for their removal and their entitlements.

19. The NGO shall disseminate information to the DPs on the possible consequences of the project on the communities' livelihood systems and the options available, so that they do not remain ignorant.

20. In all of these, the NGO shall consider women as a special focus group, and deal with them with care and sympathy.

21. The NGO shall assist the project authorities in ensuring a smooth transition (during the part or full relocation of the DPs), helping the DPs to take salvaged materials and shift. In close consultation with the DPs, the NGO shall inform PIU about the shifting dates agreed with the DPs in writing and the arrangements desired by the DPs with respect to their entitlements.

22. The NGO shall assist the DPs in opening bank accounts explaining the implications, the rules and the obligations of a bank account and how s/he can access the resources s/he is entitled to. The NGO shall recommend methods of disbursement for assistance to SHAJ for approval. The disbursement method should be transparent, efficient and meets government audit requirements.

23. The NGO shall implement the livelihood restoration program for those DPs who qualify. The NGO shall coordinate with relevant organization or mobilize its own short-term experts in carrying out the training activities.

24. The NGO shall ensure proper utilisation of the R&R budget available for the subproject. The NGO shall counsel the DPs in finding suitable economic investment options and help them in regaining the losses of land and other productive assets.

3. Accompanying and Representing the DPs at the Grievance Committee Meetings

25. The NGO shall nominate a suitable person (from the staff of the NGO) to be a member of the GRCs. The NGO shall make the DPs aware of the existence of grievance redressal committees (GRCs).

26. The NGO shall help the DPs in filling the grievance application and also in clearing their doubts about the procedure as well as the context of the GRC award.

27. The NGO shall record the grievance and bring it to the notice of the GRCs within seven days of receipt of the grievance from the DPs. It shall submit a draft resolution with respect to the particular grievance of the DP, suggesting multiple solutions, if possible, and deliberate on the same in the GRC meeting through the NGO representative in the GRC.

28. To accompany the DPs to the GRC meeting on the decided date, help the DP to express his/her grievance in a formal manner if requested by the GRC and again inform the DPs of the decisions taken by the GRC within 3 days of receiving a decision from the GRC.

4. Carry out Public Consultation

29. In addition to counseling and providing information to DPs, the NGO will carry out periodic and ongoing consultation with DPs and other stakeholders.

5. Assisting the PIU with the Project's Social Responsibilities

30. The NGO shall assist the SHAJ to implement HIV/AIDS awareness measures, basic health and hygiene and trafficking. The NGO shall coordinate with relevant organization or mobilize its own short-term experts in carrying out the activities.

6. Monitoring and Reporting

31. The NGO involved in the implementation of the RP will be required to supply all information, documents to the external monitor.

D. Documentation and Reporting by NGO

32. The NGO shall submit all of the following reports, brochures and outputs in a format approved by SHAJ.

- (i) **Inception Report.** To be submitted within two weeks of mobilization which includes work plan for the whole contract period, staffing and personnel deployment plan, and a withdrawal plan at the end of the period of contract.
- (ii) **Project Information Brochure.** Summarize the RP, translate summary and produce Project Information Brochure in local language within 1 month of mobilization. For distribution to all affected households.
- (iii) **Microplans for relevant Non-titleholders.** Includes issuance of ID cards and other documents. To be completed at an agreed time with SHAJ.
- (iv) **Monthly Progress Reports.** To be submitted to SHAJ at the end of each month. Shall include weekly progress and work charts as against the scheduled timeframe of RP implementation.
- (v) **Quarterly Progress Reports.** To be submitted to SHAJ at the end of each quarter. Shall include progress on implementation, livelihood restoration program, GRC, HIV/AIDS awareness program, issues and challenges, and etc.
- (vi) **Completion Report** at the end of the contract period summarizing the actions taken during the project, the methods and personnel used to carry out the assignment, and a summary of support/assistance given to the DPs.

- (vii) All other reports/documentation as described in these terms of reference.
 (viii) Record minutes of all meetings.

E. Staffing Schedule

33. The table below details the required staffing structure for the assignment. Key personnel will be evaluated during the proposal evaluation stage. The NGO is required to submit CVs for the key personnel positions. Non-key personnel will not be evaluated during proposal stage. At least one woman should be included as Field Support Staff.

1. Required Experts

No.	Particulars	No. Positions	Estimated Person-months
Key Personnel			
1	Team Leader	1	24 (intermittent over 36 months)
2	Field Coordinator 1	1	24 (intermittent over 36 months)
3	Field Coordinator 2	1	24 (intermittent over 36 months)
Non-key Personnel			
4	Field Support Staff	4	24 (intermittent over 36 months)
5	MIS Officer	1	24 (intermittent over 36 months)
Total		8	192

34. All staff should be mobilized within 15 days of actual commencement.

2. Key Indicative Tasks per Position

35. The position-based tasks specified for each of the positions is mentioned below. The tasks are indicative and the NGO needs to propose its own working arrangement as a team based on the overall requirements in the TOR.

No.	Particulars	
1	Team Leader	<ul style="list-style-type: none"> • Provide overall technical and operational management of NGO team. • Act as main counterpart when communicating with SHAJ and relevant government agencies. • Draft work plan and ensure work plan is followed. • Ensure deliverables and activities are completed in a timely and transparent fashion. • Review documentation and reports to verify accuracy.
2	Field Coordinator	<ul style="list-style-type: none"> • Responsible for assigned section of alignment • Provide guidance to Field Staff and verify information collected. • Ensure deliverables and activities are completed in a timely and transparent fashion. • Provide support to Grievance Redressal Mechanism
4	Field Support Staff	<ul style="list-style-type: none"> • Responsible for assigned section of alignment. • Establish rapport with relevant DPs. • Responsible collecting field level information. • Undertake continued information disclosure and consultation.

No.	Particulars	
5	MIS Officer	<ul style="list-style-type: none"> Perform all computer/database related needs for the assignment.

3. Qualification

36. Qualification and experience requirements for experts are listed below.

No.	Particulars	
1	Team Leader	<p>Minimum: Post graduate degree in social science is Sociology, Economics, Master in Social Work, Masters in Rural Development, Bachelors of law shall be added qualification</p> <p>10 years of minimum professional experience</p> <p>5 years of minimum relevant experience in implementing land acquisition and resettlement and rehabilitation activities. Previous experience in project funded by external donors. Good understanding of land acquisition process and The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013</p>
2	Field Coordinator	<p>Minimum: Bachelor's degree in any discipline Post graduate degree in social science is preferred</p> <p>10 years of minimum professional experience</p> <p>5 years of minimum relevant experience in implementing land acquisition and resettlement and rehabilitation activities. Previous experience in project funded by external donors strongly preferred. Good understanding of land acquisition process and The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Proficient in local language preferred.</p>
4	Field Support Staff	<p>Minimum: Bachelor's degree in any discipline civil Post graduate degree in social science is added qualification</p> <p>3 years of minimum professional experience</p> <p>Previous experience in working rural communities required. Proficiency in local language is required. Previous experience in land acquisition activities is strongly preferred.</p>
5	MIS Officer	<p>Minimum: Bachelor's degree in computer application or related fields.</p> <p>3 years of minimum professional experience</p> <p>Proficient in operating computer and Microsoft Word, and Excel. Ability to design and manage database. Proficient in English and local language.</p>

4. Condition of Services

37. The NGO shall ensure that the RP is implemented in an effective and proper manner. The prime responsibility of the NGO shall be to ensure that each and every eligible DP receives appropriate and due entitlement (within the Entitlement Framework) and that, at the end of the project R&R services, the eligible DPs have improved (or at least restored) their previous standard of living. Additionally the NGO shall help the SHAJ in all other matters deemed to be required to implement the RP in its spirit and entirely including activities involving some financial implications.

38. All documents created, generated or collected during the period of contract, in carrying out the services under this assignment will be the property of the SHAJ. No information gathered or generated during and in carrying out this assignment shall be disclosed by the NGO without explicit permission of the SHAJ.

5. Data, Services and Facilities to be provided by SHAJ

39. The SHAJ will provide to the NGO the copies of all relevant documents required for the NGO to undertake its work. Documents will include the DPs' Census, the RP, and technical drawings. The SHAJ will assist the NGO in collaborating with the Supervision Consultants. All facilities required in the performance of the assignment, including office space, office stationery, transportation and accommodation for staff of the NGO, etc., shall be arranged by the NGO.

6. Payment Schedule:

40. The following payment milestone is proposed for making the payment to the NGO. The payment will be made subject to the submission of a certificate from the SHAJ that the targets have been achieved in a satisfactory manner.

SI. No.	Indicative Payment Milestone	Indicative Payment (% of contract Value)
1	On submission of the inception Report complete in all respects	10%
2	On completion of the identification, verification of DPs and initial consultation sessions, and submission of updated data on DPs (Identification and Verification report) and review of the same by the SHAJ.	20%
3	On submission and approval of first 30% of the Micro Plans of DPs	6%
4	On submission and approval of second 30% of the Micro Plans of DPs	7%
5	On submission and approval of final 40% of the Micro Plans of DPs	7%
6	On completion of the rehabilitation process and implementation of Livelihood and Income Restoration Program and HIV/AIDs, health and hygiene, and human trafficking in affected villages.	20%
7	On submission of the Final Completion Report	10%
8	On approval of the Final Completion Report	20%
	Total	100%

41. For livelihood restoration and HIV/AIDS awareness component, SHAJ will provide additional funding specific for those activities. NGO will submit cost proposal to SHAJ for approval prior to implementation of specific component. NGO will be reimbursed based on actual costs.

42. The above remuneration includes all costs related to carrying out the services, including overhead. The service tax or any other tax component shall be reimbursed/ paid to NGO on production of documents. The insurance cost will be separate of the total project cost; the client shall be billed for this.

APPENDIX 5: SAMPLE TOR FOR THE EXTERNAL MONITOR

A. Introduction

1. Government of Jharkhand has embarked upon massive up-gradation of its road network through State Highways Authority of Jharkhand (SHAJ). As part of this endeavor, State Highways Authority of Jharkhand (SHAJ) has been mandated to undertake improvement and up-gradation of various State Highways and Major District Roads at different locations in Jharkhand. As part of this mandate, the Second Jharkhand State Road Project (SJSRP) has been conceptualized to improve state highways connectivity in the state of Jharkhand. The project has been proposed for financing to Asian Development Bank (ADB). The said project involves rehabilitation/reconstruction and widening of 4 existing roads totaling 176.90 kilometers in length. State Highways Authority of Jharkhand (SHAJ) has prepared this Resettlement Plan (RP) for the 44 kms long Dumka-Hansdiha road section that is being proposed for improvements under SJSRP.

2. The project construction would necessitate land acquisition and will also lead to displacement and loss of private land, assets, livelihood and community property resources. The project construction will involve acquisition of private land measuring 1 ha and will impact 350 private structures. A total of 611 households (including 53 tenants and 98 employees) comprising of 4025 DPs will be affected as a result of the Project. A total of 84 CPRs would also be affected. Monitoring and evaluation will include, but will not be limited to, (i) the progress and effectiveness of the implementation of the RP; and (ii) the evaluation of income restoration and post-resettlement conditions of the displaced persons (DPs) and affected communities, including host communities.

B. Objectives and Requirements of Monitoring and Evaluation

3. The objectives of monitoring and evaluation are to assess whether the LARP is implemented on schedule and within budget and whether the goals and principles of the LARP are achieved. Specifically, monitoring and evaluation will focus on the following aspects of the DPs' situation and the resettlement process.

- Social and economic situation prior to and after land acquisition and/or resettlement;
- Timely disbursement of funds;
- Functioning of the grievance redress mechanism
- Environmental conditions;
- Social adaptability after resettlement;
- Rehabilitation of vulnerable groups
- Special items related to the vulnerable groups;
- Condition and quality of land temporarily acquired when it is returned to the original land users;
- Measures taken to restore affected livelihoods; and,
- Living conditions and economic status of DPs following resettlement in comparison to the “without project” scenario.

4. Monitoring and evaluation will include (i) the verification or establishment of a socio-economic baseline of the DPs prior to actual land acquisition, physical displacement/relocation, loss of assets or disruption of businesses (as relevant); (ii) verification of internal monitoring data and reports; (iii) the regular monitoring of their {resettlement or displacement/relocation (as relevant)} and adjustment during Project implementation; and (iv) evaluation of their situation for a period of one year after land acquisition or displacement or relocation (as relevant). In

addition, qualitative and quantitative evaluation will be made on the sustainability of living conditions of DPs. Investigation will include consultations and observations with DPs, IAs, local officials, village leaders, as well as a quantitative sample survey of at least 20% of displaced households. Focus group discussion will be conducted with male and female DPs, and vulnerable groups.

5. If the findings of the EM indicate significant compliance issues, the EM will work with the EA and PIU to prepare a separate corrective action plan (CAP) in cooperation with the relevant stakeholders, to address pending or new LAR impacts. The EM will monitor and report on the implementation of the CAP.

C. Monitoring Indicators

6. Monitoring will include process, output and outcome indicators. The monitoring framework and formats stipulated in the RP will be adopted. The following general indicators will be covered.

- Disbursement of entitlements to DPs and enterprises/businesses: compensation, relocation, housing, cultivated farmland, and employment as specified in the LARP.
- Provision of relocation options: the affected persons must move into chosen resettlement/housing option at least one month before physical displacement/relocation; for those opting for self-construction, payment of compensation and provision of housing sites should be completed at least three months before physical displacement/relocation; the compensation for construction of houses should be equivalent to the replacement cost; the DPs must receive their entitlements and allowances on time.
- Development of economic productivity: re-allocation of cultivated land, land restoration, job opportunities available to DPs, number of DPs employed or unemployed.
- Standard of living: Throughout the implementation process, the trends in standards of living will be observed and the potential problems in the way of restoration of standards of living will be identified and reported. The Monitor will carry out a comprehensive socio-economic survey after the completion of resettlement implementation to document the standards of living and the conditions of the DPs after resettlement. The survey will be updated annually.
- Restoration of civic infrastructure: all necessary infrastructure should be restored at the resettlement sites at least up to a standard equal to the standard at the original location; the compensation for all infrastructure should be sufficient to reconstruct it to the same quality
- Effectiveness of resettlement planning. Adequacy of assets measurement, entitlements, sufficiency of budget, and timeliness of mitigation measures.
- Level of satisfaction of DPs: level of satisfaction of DPs with various aspects of the resettlement program; the operation of the mechanisms for grievance redress will be reviewed and the speed and results of grievance redress measures will be monitored.
- Social adaptability and cohesion: impacts on children, indigenous peoples/ethnic minorities and other vulnerable groups, public participation, DPs' attitudes and reaction to post resettlement situation, number of complaints and appeal procedures, implementation of preferential policies, income restoration measures, and improvements in women's status in villages.

- Other Impacts. The monitor will verify if there are unintended environmental impacts and impacts on employment and incomes.

D. Special Considerations

7. Special attention will be paid to women, indigenous peoples/ethnic minorities/groups, as well as the poor and vulnerable groups during monitoring; these include:

- The status and roles of women: Closely monitor any change in women's status, function and situations. At least 40% of DPs surveyed will be women.
- Differential impacts on indigenous peoples/ethnic minority groups. Closely monitor the socioeconomic status of indigenous peoples to ensure that they have not been further marginalized. Monitoring indicators should to the extent possible be disaggregated by gender and ethnicity.
- Care and attention to vulnerable groups: Closely monitor living conditions of the poor, the elderly, the handicapped, female headed households and other vulnerable groups after resettlement, to ensure that their livelihood is improved.
- Monitoring and evaluation will provide information on the utilization and adequacy of resettlement funds.