

# Resettlement Plan

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March 2015

## IND: Second Jharkhand State Road Project

Khunti - Tamar 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
RRRP	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	Resettlement Plan
RoW	Right-of-Way
SC	Scheduled Caste
SPS	Safeguard Policy Statement (ADB 2009)
ST	Scheduled Tribe

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## Table of Contents

EXECUTIVE SUMMARY .....	i
A. Project Description.....	i
B. Objectives of the RP .....	i
C. Subproject Impacts .....	i
D. Impacts on Scheduled Tribes (ST).....	i
E. Consultation, Participation and Disclosure .....	ii
F. Policy and Legal Framework.....	ii
G. Entitlements, Assistance and Benefits .....	ii
H. Relocation of Housing and Settlement .....	iii
I. Income Restoration and Rehabilitation .....	iii
J. Resettlement Budget and Financing Plan .....	iii
K. Grievance Redress Mechanism .....	iii
L. Institutional Arrangement.....	iv
M. Implementation Schedule .....	iv
N. Monitoring and Reporting.....	iv
I. PROJECT DESCRIPTION.....	1
A. Background .....	1
B. Subproject Description.....	1
C. Subproject Impacts .....	2
D. Minimizing Involuntary Resettlement .....	3
E. Scope and Objectives of Resettlement Plan .....	3
II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT .....	5
A. Involuntary Resettlement Impacts .....	5
III. SOCIO-ECONOMIC PROFILE OF THE AFFECTED POPULATION .....	13
A. Profile of Subproject Districts.....	13
B. Profile of the Affected Households.....	13
IV. IMPACT ON SCHEDULED TRIBE HOUSEHOLDS .....	20
A. Scheduled Tribes in Jharkhand.....	20
B. Key impacts of the Project on Tribals.....	20
C. Project Impact on ST HHs .....	22
D. Asset Ownership Status of ST HHs .....	23
E. Information about the Subproject .....	24
F. Perceived Positive/Negative Impacts.....	24
G. Mitigation Measures for ST Households .....	25
V. GENDER IMPACTS OF THE PROJECT .....	26
A. Gender Analysis .....	26
B. Gender Impacts of the Project .....	27
VI. Consultation, Participation and Disclosure .....	30
A. Consultation in the Project.....	30
B. Methods of Consultation .....	30
C. Summary of the Consultations .....	33
D. Plan for further Consultation in the Project.....	34
E. Disclosure of Resettlement Plan .....	35
VII. POLICY AND LEGAL FRAMEWORK .....	37
A. Introduction.....	37
B. Policy Framework - Review of Resettlement Legal Framework.....	37
C. National Legislation - The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCLARRA, 2013) .....	37
D. ADB's Safeguard Policy Statement (SPS), 2009 .....	39

E.	Comparison of Government and ADB Policies.....	39
F.	Involuntary Resettlement Safeguard policy for the project .....	41
VIII.	ENTITLEMENTS, ASSISTANCE AND BENEFITS .....	43
A.	Eligibility and Entitlements .....	43
B.	Entitlement Matrix .....	44
C.	Cut-off date.....	53
D.	Valuation of Assets .....	53
IX.	RELOCATION OF HOUSING AND SETTLEMENTS .....	56
A.	Provision for Relocation .....	56
B.	Relocation Strategy .....	58
X.	INCOME RESTORATION AND REHABILITATION .....	59
A.	Loss of Livelihood in this Subproject.....	59
B.	Entitlements for Loss of Livelihood .....	59
C.	Income Restoration Measures .....	59
XI.	RESETTLEMENT BUDGET AND FINANCING PLAN .....	61
A.	Introduction.....	61
B.	Compensation .....	61
C.	Assistance .....	61
D.	Compensation for Community Assets and Government Structures.....	62
E.	RP Implementation Cost.....	62
F.	Source of Funding and Fund Flow .....	62
G.	Resettlement Budget Estimates.....	62
XII.	GRIEVANCE REDRESSAL MECHANISM.....	65
A.	Introduction.....	65
B.	Grievance Redress Mechanism .....	65
XIII.	INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION.....	68
A.	Key Institutions involved .....	68
B.	Executing Agency .....	68
C.	Project Implementation Unit (PIU).....	68
D.	Non-governmental Organization/ field staff .....	69
E.	Capacity building of SHAJ .....	69
F.	Implementation Schedule .....	70
XIV.	MONITORING AND EVALUATION.....	73
A.	Introduction.....	73
B.	Monitoring Mechanism.....	73
C.	First Tier Monitoring: Internal Monitoring.....	73
D.	Second Tier Monitoring: External Monitoring .....	73
E.	Reporting Requirements.....	74
	Appendix 1: Census Survey Questionnaire .....	75
	Appendix 2: Summary of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.....	85
	Appendix 3: Comparison between the Government of India's RFCLARRA, 2013 and ADB's Safeguard Policy Statement.....	89
	Appendix 4: Terms of Reference (TOR) for NGO to assist in Resettlement Plan Implementation for Second Jharkhand State Road Project .....	92
	Appendix 5: Sample TOR for the External Monitor .....	100

## 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 43.7 km long Khunti - Tamar 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 The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCLARRA, 2013) and ADB's Safeguard Policy Statement (SPS) 2009.

### 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 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 10.713 ha and will impact 134 private structures. A total of 352 households (including 3 tenants and 26 employees) comprising of 2,264 APs will be affected as a result of the Project. A total of 59 community property resources would also be impacted by the Project. The land being acquired is not the source of all affected households as many are squatters.

### D. Impacts on Scheduled Tribes (ST)

4. The subproject improvements will impact 204 scheduled tribe households accounting for 57.95% of the total affected households. 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. 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 corridor with the affected households during census survey. During October – November 2014, consultations were held in 3 villages involving about 55 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 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 (RFCLARRA, 2013) and Asian Development Bank's Safeguards Policy Statement (SPS), 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 AHHs 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 APs 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 project census survey i.e. 13 November 2014 will be the cut-off date. Unforeseen impacts will be mitigated in accordance with the principles of the RP prepared for this project.

## **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. 13 November 2014.

## **I. Income Restoration and Rehabilitation**

12. A total of 103 households would incur significant impact on their livelihood. Out of these, 10 households would lose more than 10% agriculture land, 54 HHs would lose their place of business, 1 AHHs would lose their place of residence cum business and 3 commercial tenants would also be impacted. Further, 26 employees working in the affected commercial and residential cum commercial structures would also be impacted as a result of the project. 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 APs 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. 128,071,491.

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 is divided into three sets of activities which includes project preparation activities, RP implementation activities, and monitoring and reporting activities. The RP is envisioned to 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 has embarked upon massive up-gradation of its road network through State Highways Authority of Jharkhand (SHAJ). The State Highways Authority of Jharkhand (SHAJ) has been constituted by Government of Jharkhand (GoJ) with the purpose of development of highways and any structures thereon / other infrastructure projects entrusted to it. As part of this endeavor, 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. The proposed Project will improve state highways and 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**

<b>Name of the road section</b>	<b>Length (in kms)</b>
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
<b>Total</b>	<b>176.90 kms</b>

### B. Subproject Description

2. The subproject involves reconstruction and widening of the 43.7 km long road corridor, which connects Khunti town and district headquarter with Tamar. The corridor starts at Khunti and ends at Tamar connecting Ranchi–Jamshedpur (NH – 33). The proposed road crossing two districts of Khunti and Ranchi is the lifeline of the people who resides in both district and the only way to connect the two. The road caters not only to traffic from Khunti to Tamar but also to other major places in North & Eastern Jharkhand such as Jamshedpur, Ranchi etc. The proposed corridor traverses along 21 villages in the districts of Khunti and Ranchi. Some of the key villages that the road passes through are: Bari, Barahatu, Hembrum, Jaranga, Jikilata, Kadma, Kesaribera, Kitahatu, Kurapurti, Lamba, Lumluma, Mahuatand, Manjhidihi, Rango, Saiko, Saradkel, Saranghatu, Simbhukel, Sindri, Tirla and Tamar.

**Figure 1: Map of the Project road**

### C. Subproject Impacts

3. The subproject would lead to the improvement of road connectivity in the project area. The subproject 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 project 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, masjid, ponds, well, tube well and bus shelters. Some of the areas where land acquisition is required are: Bari, Barahatu, Hembrum, Jaranga, Jikilata, Kadma, Kesaribera, Kitahatu, Kurapurti, Lamba, Lumluma, Mahuatand, Manjhidi, Rango, Saiko Saradkel, Saranghatu, Simbhukel, Sindri, Tirla and Tamar.

5. The project construction will involve acquisition of private land measuring 10.713 ha, will impact 134 private structures involving 352 households (including 3 tenants and 26 employees) and comprising of 2264 APs. A total of 59 CPRs would also be affected. The 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. There are no claims for the entire section of the subproject road and the government title for the entire road is secured. The involuntary resettlement impacts are summarized in Table 2.

**Table 2: Summary of Involuntary Resettlement Impacts**

Permanent Land Acquisition (ha)	10.713 ha
Out of total land acquired,	
Agriculture Land	10.68 ha
Residential land	0.033 ha
No. of Affected Private Structures	134 structures
No. of Affected CPRs	59 CPRs
Total No. of Affected HHs	352 (including 3 tenants and 26 employees)
Total No. Of Affected Persons	2264 APs
Out of the total affected households	
No. of Vulnerable Households	280 HHs
No. of ST Households	204 HHs

#### **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 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 up-grade of the Project 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 law 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 October to November 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 1. 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 project 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.<sup>1</sup>

#### 1. Land Acquisition and Involuntary Resettlement 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 project construction will involve acquisition of private land measuring 10.713 ha, comprising of mostly strips of land along the road corridor, required for curve improvement, realignments and bridge approach. The Government has clear ownership of all land to be used with exception of those to be acquired. Table 3 below provides the breakup 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	10.68 ha
Residential Land	0.033 ha
<b>Total</b>	<b>10.713 ha</b>

13. A total of 134 structures involving 352 households (including 3 tenants and 26 employees) and comprising of 2264 APs will be affected as a result of the Project. These affected households would incur a range of impacts like agricultural land loss, residential loss,

<sup>1</sup> 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).

commercial loss, loss of livelihood, trees, irrigation structures and other assets. Apart from private assets, 59 CPRs would also be affected as a result of the Project.

**Table 4: Type of Loss incurred by Affected Households**

Type of Loss	No. of affected households (AHHs)
<b>Impact on Structures</b>	
Residential Structure	68
Commercial Structure	57
Residential cum commercial Structure	01
<b>Impact on Land</b>	
Agriculture	150
Residential land	76
<b>Impact on Trees</b>	
	14
<b>Loss of Income</b>	
	68
<b>Loss of employment</b>	
	26

14. 12 of the 352 affected households comprised of absentee households who were not present at the time of the census survey.

## 2. Impact on Structures

### a. Type of Structures affected

15. The improvement of the subproject section will impact 134 private structures (belonging to 126 households) and 59 community structures. 56.72% of the affected private structures comprise of residential structures, whereas all except 1 remaining structure comprise of commercial structures.

**Table 5: Type of Structures affected**

Use of Affected structure	No. of affected households	Affected Structures	
		In numbers	In Percentage
Residential	68	76	56.72
Commercial	57	57	42.6
Residential cum commercial	01	01	0.74
<b>Grand Total</b>	<b>126 AHH</b>	<b>134 structures</b>	<b>100%</b>

### b. Ownership Pattern of the Affected Structures

16. Of the total 134 structures affected as a result of the Project, the majority 89.55% (120 structures) comprise of non-titleholders including 105 encroachers and 15 squatters. Amongst the remaining affected structures, while 14 affected structures belong to titleholders.

**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
Residential	76	14	60	2
Commercial	57	-	44	13
Residential cum Commercial	01	0	1	0
<b>Total</b>	<b>134 structures</b>	<b>14</b>	<b>105</b>	<b>15</b>

### c. Construction type of the Affected Structures

17. Out of the 134 residential structures impacted by the project, 36.8% (28 structures) are pucca in nature, with majority (27 structures) of these structures comprising of 1<sup>st</sup> floor structures. 34.21% (26 structures) of residential structures are semi-pucca construction while 28.94% (22 structures) are kutcha structures.

**Table 7: Construction Type of the 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)
Residential	76	22	26	27	1
Commercial	57	7	33	15	2
Residential cum Commercial	1	0	1	0	0
<b>Grand Total</b>	134 structures	29	60	42	3

18. In case of the affected commercial structures, 33 of the total affected structures (57.89%) are semi-pucca construction, 29.82% (17 structures) are pucca construction while 12.28% (7 structures) are kutcha construction.

19. In case of the affected residential cum commercial structures, only 1 structure would incur impact, which is a semi-pucca construction. Pucca structures are made up of bricks and cements and are mostly 1-floored.

### 3. Extent of Impact on Structures

#### a. Residential Structures

20. Among the 76 residential structures impacted, 63 structures would bear an impact on its primary/main structure whereas the remaining would bear an impact on secondary structures including garden and boundary wall only.

**Table 8: Part of the Structures Affected**

Part of the structure affected	Affected Residential structure	
	Number	Percentage
Secondary structures (such as Boundary Wall, garden area, etc)	13	17.10
Primary structure	63	82.90
<b>Grand Total</b>	76 Structures	100%

21. All 63 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 63 structures would be fully acquired for the project.

22. **Viability of remaining Residential Plots:** In case of 61 out of the 63 primary structures impacted, the remaining residential plot (on which the structure is located) shall remain viable for reconstruction of new structure. In case of two 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 63 households who would incur full impact on their residential structures thereby making them non-livable. During these interactions, 61 out of the 63 households opted for reconstruction of 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 2 structures, wherein the impact will be significant necessitating relocation to another location, the affected households opted for self-managed relocation.

**Table 9: Relocation Preferences of Severely Affected Residential structures**

Relocation Preferences	Affected Residential Structures	
	In Number	In Percentage
Self-managed within the same plot	61	96.82
Self-managed relocation at another location	2	3.17
<b>Grand Total</b>	<b>63 structures</b>	<b>100%</b>

**b. Commercial Structures**

24. **Type of Affected Business:** 52.63% (30 structures) of the affected Commercial structures comprise of roadside small shops whereas 22.80% (13 structures) comprise of small kiosk and businesses. The remaining affected commercial structures include 8 small hotels, 2 Dhaba/roadside eatery, 1 workshop, 1 roadside poultry farm, 1 hair salon and 1 office complex.

**Table 10: Nature of Business usage of Affected Residential cum Commercial structure**

Type of structure affected	Number of structure	Percentage
Gumti/ Kiosks/ Khoka	13	22.80
Poultry farm	1	1.75
Shops	30	52.63
Hotel	8	14.03
Dhaba	2	3.50
Workshop	1	1.75
Salon	1	1.75
Office complex	1	1.75
<b>Grand Total</b>	<b>57 structures</b>	<b>100%</b>

25. Among the 57 commercial structures impacted, 54 structures would bear an impact on their primary main structure thereby making them non-livable whereas the remaining 3 would bear an impact on their secondary structure (boundary wall). All 54 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 54 structures would be fully acquired for the project.

**Table 5: Part of the Structures Affected**

Part of the structure affected	Affected Commercial structure	
	Number	Percentage
Primary structure	54	94.73
Secondary structure (such as Boundary Wall)	3	5.26
<b>Grand Total</b>	<b>57 structures</b>	<b>100%</b>



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 loosing around the range of rupees 1,000 to 5,000 are 40 (70.17%). In case of 14 businesses the loss of income will range from 5001 to 10,000 rupees and in 3 cases businesses would experience income loss between 10,001 to 15,000. Adequate provisions have been included in the RP Entitlement matrix to adequately address the losses of these households.

**Table 6: Impact on monthly income of affected businesses**

Income loss range	No. of affected structure	Percentage
1,000- 5,000	40	70.17
5,001- 10,000	14	24.56
10,001- 15,000	3	5.26
<b>Grand Total</b>	<b>57 structures</b>	<b>100</b>

27. **Impact on Tenants:** A total of 3 tenants residing in the commercial structures would also be affected as a result of the project. Adequate provisions have been included in the RP Entitlement matrix to provide assistance to the tenants.

28. **Impact on Employees:** 26 employees, working in the businesses being operated in the affected structures, would incur impact on their income as a result of permanent closure of business. 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 54 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 54 commercial structures incurring full impact on primary structures and necessitating relocation, 50 structures have opted for self-managed relocation, whereas 12.28% has voiced the need for support and assistance from project in identifying sites for relocation of their enterprises.

**Table 7: Relocation Preferences of Affected Commercial structures**

Relocation Option	Number	Percentage
Project assistance in identifying alternate locations	4	12.28
Self- managed	50	87.71
<b>Total</b>	<b>54 structures</b>	<b>100</b>

### c. Residential cum commercial (R+C) structures

31. Only one Residential cum commercial structure, mainly comprising of structures that is used as living quarter as well as for commercial activity (mostly small shops and businesses), will also be affected as a result of the Project.

32. **Type of Affected Business:** There is 1 affected RC structure affected. It is a semi-pucca structure. This structure would incur full impact on the primary structure thereby making it non-livable necessitating relocation. This structure would be fully acquired for the project.

33. **Impact on Income:** The impact on this RC structure would also adversely affect the income generated from this asset till the time the affected structure is restored. Interactions with the household brought forth that a monthly income of Rs. 6000 would be impacted from this affected business. Adequate provisions have been included in the RP Entitlement matrix to adequately address the losses of the affected household.

34. **Viability of remaining Residential cum Commercial Plot:** The remaining plot (on which the structure is located) shall not be viable for reconstruction of new structure necessitating relocation of this business to a new location.

35. **Relocation Option for Affected Residential cum Commercial structures:** During census survey, the preferences of this affected residential cum commercial structures with regard to relocation was also discussed. This structure owner has opted for self-managed relocation instead of project assistance.

#### 4. Impact on Irrigation and other private assets

36. Apart from structures, private irrigation units such as hand pump and well would also be affected as a result of the project improvements. A total of 5 such personal assets would be affected (See Table 14).

**Table 8: Other Private Assets affected**

<b>Irrigation units and Other Assets</b>	<b>Number of Affected Assets</b>
Hand pump with platform	1
Well	4
<b>Grand Total</b>	<b>5</b>

#### 5. Impact on Agricultural land

37. A total of 150 agriculture land plots would be affected as a result of the subproject incurring impact on 10.68 ha of private agriculture land.

38. **Ownership Status of Affected Agriculture Plot:** While 35.84% percent of the affected agricultural land plots comprise of encroachments upon RoW, the remaining 56.60% of the affected plots comprise of legal titled land. The ownership status of 20 of the 269 agriculture plots could not be ascertained due to non-availability of these households at the time of the census survey.

**Table 9: Ownership status of Affected Agriculture Plots**

<b>Ownership</b>	<b>Number of plots</b>	<b>Percentage</b>
Encroacher	95	35.31
Titleholder	154	57.24
Absentee Households	20	7.43
<b>Total</b>	<b>269 plots</b>	<b>100</b>

39. Of the total 269 plots, 4 land plots comprise of plots, which are barren and not under any cultivation.

40. **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 269 plots affected, only 10 plots will lose more than

10% of their total land holding thereby incurring significant impact on the livelihood of the affected household.

**Table 10: Magnitude of Loss of Affected Agriculture Plots**

<b>Ownership</b>	<b>Number of plots</b>	<b>Percentage</b>
1 to 10%	259	96.28
11% to 25%	8	2.9%
26% to 50%	2	0.74%
51% to 75%	-	-
More than 75%	-	-
<b>Total</b>	<b>269 plots</b>	<b>100</b>

41. **Viability of Residual Land plots:** Of the total 269 agriculture plots affected, 56 plots will become unviable for cultivation after acquisition.

## **6. Impact on Residential Land**

42. A total of 76 residential land plots would be affected as a result of the subproject incurring impact on 0.033 ha of private land.

43. Among the structures impacted on the 76 residential land plots, 63 structures would bear an impact on their primary/main structure and making these structures non-livable and necessitating full reconstruction of these structures. All these 63 structures would be fully acquired for the project.

44. **Viability of remaining Residential Plots:** In case of 61 out of the 63 primary structures impacted, the remaining residential plot (on which the structure is located) shall remain viable for reconstruction of new structure. In case of two structures, the remaining land plot will not be viable necessitating relocation of structure to a new location.

## **7. Impact on Trees**

45. Apart from impact on land and structures, a total of 33 trees belonging to 14 households will also be affected. Different types of trees like Mango, Bamboo, Jackfruit, Papaya and Neem would be affected as a result of the subproject.

**Table 11: Types of trees affected**

<b>Type of Trees</b>	<b>Numbers of Affected Trees</b>
Amara Tree	1
Bamboo Grooves	7
Banana Groove	1
Kadam Tree	1
Bogh Tree	1
Fruit Bearing Tree	1
Ghamar Tree	1
Guava	2
Jack Fruit	4
Mango Tree	7
Neem Tree	2
Sagwan	1

Type of Trees	Numbers of Affected Trees
Seesam	3
Semal Tree	1
<b>Grand Total</b>	<b>33</b>

## 8. Impact on Community Property Resources (CPR)

46. 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 chabutra, masjid. A total of 59 CPR would be affected along the project corridor. The details of the different type of CPR, which will incur impact is provided in Table 18 below.

**Table 12: No. and Type of CPR Affected**

Type Of CPR	No. of Affected CPRs
Angan Bari Kendra	1
Bajrang bali Mandir (Temple)	1
Bajrangbali Mandir (Temple)	1
Bus Shelter	19
Chabutra (Platform)	1
Durga Mandir (Temple)	1
Forest Office	1
Kali Mandir (Temple)	1
Noorie Masjid (Mosque)	1
Panchayat Bhawan (Panchayat building)	1
Shiv Mandir (Temple)	1
Hand Pump	26
Water Tank	2
Well	2
<b>Grand Total</b>	<b>59</b>

47. 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/ organization responsible for the affected CPR, they have no objection to the project and understand that the impact on CPR is inevitable. However all the responsible institutions and persons stressed on getting adequate and timely compensation and/or restoration of the affected CPRs.

### III. SOCIO-ECONOMIC PROFILE OF THE AFFECTED POPULATION

48. 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 AHH, family type, sources of income, vulnerability status as well as their perception regarding the impacts of the project.<sup>2</sup> 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

49. The project road lies in two district of Jharkhand, where the major part of the road is in Khunti district (31 Km) while a small portion traverses through Ranchi district (12.8 Km). The road starts from the Khunti market area (Near Judge Colony) traversing through the market area of Sindri and ends at Tamar Market, connecting the road with the National Highway (NH)-33 (Jamshedpur – Ranchi).

50. Khunti district is at 23°00'50" North latitude and 85°16'21"East longitude. It is situated at the height of 611 meters above main sea level and constitutes of hilly terrain and dense forests as its featured landscape. The dense forest mostly comprises of various medicinal plants and timber wood such as Sal, Mahua, Kendu, Dhaura, Asan, and Bamboo among others. The district is well known for its rich mineral resources and for high production of Stone and Brick Clay.<sup>3</sup>

51. As per 2011 census, Khunti district has a population of 530,299. The district has a population density of 215 inhabitants per square kilometre (560/sq mtr). The district has a sex ratio of 994 females per 1000 males and a literacy rate of 64.51%. The district population mainly consists of tribal communities such as Munda, Kharia, Oraon, etc.

52. A small stretch of the Khunti - Tamar road also falls in Ranchi district. The Ranchi district has an area of 7574 sq.kms. The district shares its border with Khunti towards the South, Lohardaga District to the west, Ramgarh District to the North and Purulia District to the East. Ranchi also borders West Bengal to the East. According to the Census 2011, Ranchi has a population of 2,912,022 constituting of the male population of 1,493,345 and a female population of 1,418,677. Ranchi has been given the status of the most populous district and the largest district by the size of its area within Jharkhand.

#### B. Profile of the Affected Households

53. A total of 352 households comprising of 2264 affected persons would be affected as a result of the Project. The key socio-economic characteristics of the 352 affected households and populations losing personal assets has been discussed in the following sub-section.

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<sup>2</sup> Among the 352 AHHs, 12 HH were absent during the census survey in. Hence, the socio economic information of the absentee households could not be collected during the census survey.

<sup>3</sup> Dept. Of Mines & Geology, Govt. of Jharkhand, 2010 – 2011.

## 1. Demographic profile of project affected households

54. A total of 352 HHs would incur impact on personal assets as a result of the Project. Of the total affected households, 67.6 % (238 HHs) are from Khunti district whereas the remaining household are from Ranchi district.

55. **Households by sex:** Only 11.07 percent of the affected households are headed by women while all the remaining households are headed by men.

**Table 13: Head of the Household by Sex**

Head of the household	Number of affected households	Percentage
Male	301	85.52
Female	39	11.07
Absentees	12	3.41
Total	352	100

56. Males account for 54.46 percent and female account for 45.22 percent amongst the Affected Persons (APs) (See Table 20).

**Table 14: Affected Persons by Sex**

District	Affected Persons	Gender Distribution of Affected persons	
		Male	Females
Ranchi	1886	1,021	865
Khunti	371	212	159
Total	2,257 APs	1,233 Males	1,024 females

57. **Household by Religion:** Hindus accounts for 55.5% of the total affected household population followed by 32.10 affected households following Sarna<sup>4</sup>, 4.54% practicing Islam and 1.13% practicing Christianity. Religion of 16 absentee household is not known.

**Table 15: Affected Households by religion**

Religion	Number of affected households	Percentage
Christian	13	3.7
Hindu	195	55.5
Muslim	04	1.13
Sikh	11	3.12
Sarna	113	32.10
Absentees	16	4.54
Grand Total	352	100

58. **Households by Social Group.** 57.95 percent of the affected households comprise of Scheduled Tribe (ST) households, followed by 20.17 percent Other Backward Caste (OBC) households and 12.5 percent Scheduled Caste (SC) households. Only 6 percent of the total affected households comprised of general caste households.

59. The percentage of Scheduled Tribe households though significant is lower than the Khunti ST population,<sup>5</sup> where majority of the subproject road falls. The ST households form part

<sup>4</sup> Sarna defines the indigenous religions of the Adivasi populations of the states of Central-East India, such as the Munda, the Ho, the Santhali, the Khuruk, and the others.

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 16: Affected Households by social caste group**

Caste group	Number of AHHs	Percentage
General	21	6.00
SC	44	12.50
ST	204	57.95
OBC	71	20.17
Absentees	12	3.40
<b>Total</b>	<b>352</b>	<b>100</b>

60. **Households by family size.** Family size of 6 to 10 members account for 55.41 percent, followed by 25.57 percent with a family of size 1 to 5 members, 10.22 percent with a family of size 11 – 15 members and 1.14 percent with more than 15 members in their family. The average size of the affected households is 6 members.

**Table 17: Size of the Affected Households**

Size of the family	Number	Percentage
1-5	90	25.57
6- 10	195	55.41
11-15	36	10.22
16-20	04	1.14
More than 20 members	09	2.55
Absentees	12	3.41
No Response	06	1.71
Total	352	100

## 2. Socio-economic Profile

### a. Educational level of Affected Households

61. 21.022% of the head of the affected households were illiterate whereas 78.97% were literate with varied educational levels. While 30.12% have attained primary level of education and 17.89% have attained middle school level of education, the remaining households have attained secondary and higher levels of education. Graduates and Post Graduates together accounts for around 3.98% of the total affected household population.

**Table 18: Educational level of Affected head of the household**

Educational level	Total number	Percentage
Primary: Class I- V	106	30.12
Middle: Class VI- VIII	63	17.89
Secondary: Class IX- X	58	16.47
Higher Secondary: Class XI- XII	25	7.10
Graduate	13	3.7
Post Graduate	01	0.28
Functional Literacy	0	0

<sup>5</sup> According to 2011 Census of India, Khunti has a tribal population of 73.25%.

<b>Educational level</b>	<b>Total number</b>	<b>Percentage</b>
Illiterate	74	21.022
No response	0	0
Absentees	12	3.40
Grand Total	352	100

### **b. Households by Occupation**

62. Agriculture constitutes one of the key sources of livelihoods in the project area. 60% of the affected households are directly dependent upon agriculture as their primary source of income, where only 0.28 % households are engaged in allied agriculture.

63. Apart from agriculture and related occupations, non-agriculture labor is another key occupation for the affected households with 8.52% households engaged in it. 5.68% of the households reported having more than one occupation for sustenance of their livelihoods; a near equal proportion also reported being employed in government and private service.

**Table 19: Affected Households by Main occupation**

<b>Occupation</b>	<b>Numbers of AHHs</b>	<b>Percentage</b>
Agriculture	211	60.00
Non-Agriculture Labor	30	8.52
Allied Agriculture	01	0.28
Forestry	02	0.56
More than one occupation	20	5.68
Profession	06	1.70
Government and Private service	06	1.70
Trade/ Business	63	17.9
Ex-Service (Pension)	01	0.28
Absent	12	3.40
Grand Total	352 AHHs	100%

### **c. Income of Households**

64. 76.70% percent of the households reported an annual income of less than 65,089 per year i.e. an average of Rs. 5424 per month, followed by 11.64% percent reporting earning between 65,090 to 95,000 per annum. A small proportion (4.8%) households reported annual income of over 95,001 to 1.2 lakh per annum followed by remaining households earning more than 1.2 lakh per annum.

**Table 20: Affected Households by Income level**

<b>Annual Income range</b>	<b>Number of households</b>	<b>Percentage</b>
Less than 65,089 (BPL Households) <sup>6</sup>	270	76.70
65,090 to 95,000	41	11.64
95,001 to 1.2 lakh	17	4.8
1.2 lakh to 1.5 lakh	4	1.13

<sup>6</sup> 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.



<b>Annual Income range</b>	<b>Number of households</b>	<b>Percentage</b>
1.5 lakh to 2 lakh	3	0.85
More than 2 lakh to 2.5 lakh	5	1.42
Absentee Households	12	3.40
<b>Grand Total</b>	<b>352</b>	<b>100</b>

**d. Indebtedness of Affected households**

65. 86.37% of the affected households have not taken any credit in past one year. Only 8.24% (29 HHs) of the total affected households reported being under debt. 24 out of these 29 indebted households reported taking credit from a formal financial institution, whereas only 5 reported taking credit from a moneylender.

**Table 21: Indebtness Status of Affected Households**

<b>Under debt</b>	<b>No. of households</b>	<b>Percentage</b>
Yes	29	8.24
No	304	86.37
No response	07	1.98
Absent	12	3.40
<b>Grand Total</b>	<b>352</b>	<b>100</b>

66. 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.

**e. Purpose of loan**

67. In case of the 29 indebted households, in majority cases loan was taken for investment in agriculture (72.41%), whereas the remaining households reported taking credit for consumption purpose such as house construction, investment in business and weddings.

**Table 22: Purpose for loan**

<b>Purpose</b>	<b>Number</b>	<b>Percentage</b>
Investment in Agriculture	21	72.41
House construction	3	10.34
Wedding/Social functions	3	10.34
Investment in business	2	6.90
<b>Grand Total</b>	<b>29</b>	<b>100</b>

**f. Impact on Vulnerable Households**

68. 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.

69. 280 affected households were identified as socio-economically vulnerable during the census survey. Amongst these the highest proportion is of BPL households who comprise 44.32 percent of the vulnerable households and 43.44 percent households comprising of ST households. The remaining households comprise of disabled households (6.11%), female-headed households (2.18%) and 3.93% households with multiple categories of vulnerabilities.

**Table 23: Vulnerability Status of Affected Households<sup>7</sup>**

Vulnerability	Number of AHH
BPL <sup>8</sup>	270
Disabled	35
Scheduled Tribe (ST)	204
Scheduled Caste (SC)	18
Female headed	39

70. 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.

#### **g. Perceived Benefits/ Negative Impacts**

71. As part of the census survey, views of the affected households were also sought on project impacts. 54.26% households reported that the project would lead to multiple benefits (ranging from improved mobility, better access to resources, better income opportunity). 13.63 % of the affected households regarded increase mobility as a major benefit, while 6.81 percent regarded improved access to resources as important benefit of the subproject.

72. Some of the other benefits of the Project voiced by the affected households ranged from access to health (0.56%) and education infrastructure (1.99 percent), increase in sale (1.13%) and reduce in transportation cost (4.54 %). 7.95% of the total affected households chose not to respond regarding their consideration about any benefits out of the project.

**Table 24: Perceived benefits**

Perceived Benefits	Affected Households	
	Number	Percentage
Improved Mobility	48	13.63
Access to resources	24	6.81
Access to Health	2	0.56
Increase in sales/ production	4	1.13
Access to Education	7	1.99
Multiple benefits	191	54.26
Increase in the value of assets	20	5.68
Reduce in transportation cost	16	4.54
No response	28	7.95
Absentee Households	12	3.40
Grand Total	352	100

<sup>7</sup> This table provides number of vulnerable households in each category. However, as some households also have more than one vulnerability, the total number of vulnerable households is 280.

<sup>8</sup> BPL status determined based on income level of the affected households.

73. Apart from positive impacts, the affected households also voiced certain negative impacts of the Project. 60.23% of the affected households felt that the project would lead to a range of negative impacts such as loss of assets, income and cause accidents.

74. 13.63% households regarded loss of assets as key negative impact of the subproject construction. 4.27% households regarded relocation resulting from widening of the road as an adverse impact. 3.12% affected households regard increase risk of accidents due to speed enhancement as an adverse subproject impact. Based on this information, adequate provisions for road safety have been integrated in the design by the technical team.

**Table 25: Perceived negative impacts**

<b>Perceived negative impacts</b>	<b>Number of HH</b>	<b>Percentage</b>
Loss of assets	48	13.63
Risk of Accidents	11	3.12
Relocation	15	4.27
Shifting assets and belongings	18	5.11
Multiple impacts	212	60.23
Decrease in sales/ production	10	2.84
Break in cultural and social ties	7	1.98
Any Other	01	0.28
No Response	18	5.12
Absent	12	3.40
Grand Total	352	100

#### IV. IMPACT ON SCHEDULED TRIBE HOUSEHOLDS

##### A. Scheduled Tribes in Jharkhand

75. The Scheduled Tribe (ST) population in Jharkhand as per 2011 census was 8,645,042 thereby constituting 26.2 per cent of the total state population. Of them, 7,868,150 live in rural and 776,892 in urban areas. In terms of proportion, scheduled tribe population constitutes 26.2% (Rural - 91.02% and Urban 8.98%).

76. Out of thirty (30) Scheduled Tribes notified in the State, Santhal is the most populous tribe having a population of 2,410,509, constituting 34 per cent of the total ST population of the State. Oraon, Munda and Ho are the 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> largest tribes constituting 19.6, 14.8 and 10.5 per cent respectively of the total ST population of the State. Four other major tribes, Kharia, Bhumij, Lohra and Kharwar having population ranging from 164,022 -192,024 along with Santhal, Oraon, Munda and Ho, constitute 89.1 per cent of the total tribal population. Of the thirty (30) Scheduled Tribes in the state, Munda is the 3<sup>rd</sup> largest tribe constituting 29.7% of the total scheduled tribe population in the state.<sup>9</sup>

##### B. Key impacts of the Project on Tribals

77. The subproject improvements will impact 204 scheduled tribe households accounting for 57.95% of the total affected households. The percentage of affected ST households is lesser than the ST population (26.2%) in the State (Census 2011) and in Khunti district (73.25%). 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. 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.

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

##### 1. Educational level of ST AHHs

79. Of the 204 ST households affected, 28.24% comprised of illiterates. 34.25% percent of the ST households have studied till primary school level followed by 16.20% percent with middle level education and 9.25% percent with secondary level education. Only 3.2% percent of the ST households have studied till higher secondary and only 4 ST household had graduate members.

**Table 26: Educational level of ST Households**

<b>Educational level</b>	<b>Numbers</b>	<b>Percentage</b>
Illiterate	61	29.90
Primary Class (1- V)	74	36.27
Secondary Class (IX – X)	20	9.80
Middle Class (VI- VIII)	35	17.15
Higher Secondary (XI- XII)	7	3.43

<sup>9</sup> Data Highlights: The Scheduled Tribes, Census of India, 2001

<b>Educational level</b>	<b>Numbers</b>	<b>Percentage</b>
Graduate	4	1.96
Post Graduate	1	0.49
No response	2	0.98
<b>Grand Total</b>	<b>204 ST HHs</b>	<b>100 percent</b>

## 2. Occupation of ST AHHs

80. Nearly one-third (74.01%) of the ST 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 6.37% percent of households engaged in non-agriculture wage labour and 3.43% percent engaged in agriculture cum non-agriculture labor for sustenance of their livelihood. Only 8.33% of the ST households are engaged in small trade and business while 2% in are in profession. Allied agriculture and forestry also comprised sources of income in a small proportion of ST households.

**Table 27: Occupation of ST Affected Households**

<b>Occupation</b>	<b>Numbers</b>	<b>Percentage</b>
Agriculture	151	74.01
Non-agriculture labour	13	6.37
Trade/ Business	17	8.33
Agriculture Cum Non Agriculture labor	7	3.43
Profession	1	0.49
Forestry	02	0.98
Allied Agriculture	01	0.49
Agriculture Cum Trade/ Business	01	0.49
Teaching	01	0.49
Agriculture Cum Forestry	06	2.94
No Response	04	1.96
<b>Grand Total</b>	<b>204 ST HHs</b>	<b>100 percent</b>

## 3. Income Level of ST AHHs

81. 66.17% of the affected ST households reported earning an annual income of less than 48,960 per year i.e. an average of Rs. 4000 month, followed by 16.17% percent reporting earning between 48,961 to 60,000 per annum, 12.25% percent reporting an annual income of 60,001 to 95,001 and 1.96% percent reporting an annual income of 95001 to 1.2 lakh. The remaining households reported an income earning of over 1.2 Lakh per annum.

**Table 28: Income level of ST Affected Households**

<b>Income range</b>	<b>Number of households</b>	<b>Percentage</b>
Less than 48,960	135	66.17
48,960 to 60,000	33	16.17
60,001 to 95000	25	12.25
95,001 to 1.2 Lakh	04	1.96
1.2 Lakh to 1.5 Lakh	02	0.98
1.5 Lakh to 2 Lakh	02	0.98
More than 2 Lakh to 2.5 Lakh	01	0.49
No Response	02	0.98
<b>Total</b>	<b>204</b>	<b>100</b>

#### 4. Gender profile for the ST affected households

82. 98.03% percent of the ST affected households comprised of male-headed households with only 1.96% percent female-headed households.

**Table 29: Gender profile of the ST affected households**

Gender	Number	Percentage
Male	200	98.03
Female	03	1.96
<b>Grand Total</b>	<b>204</b>	<b>100</b>

#### 5. Indebtedness of the household

83. Only 14 (6.86%) of the ST households reported that they have taken debt in the recent year for consumption purposes (personal emergency).

**Table 30: Indebtedness Status of ST Households**

Indebtedness Status	Number	Percentage
No	190	93.13
Yes	14	6.86
<b>Grand Total</b>	<b>204</b>	<b>100</b>

### C. Project Impact on ST HHs

84. 204 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, and other assets and residential cum commercial structures. 14 of these households would experience impact on more than one asset. The key impacts experienced by ST household have been discussed in the following sections.

**Table 31: Type of Impact on ST Households**

Type of Asset Affected	Number	Percentage
Agriculture	150	73.52
Land Plot	4	1.96
Residential	18	8.82
Commercial	11	5.39
More than one asset	15	7.35
Trees	6	2.94
<b>Grand Total</b>	<b>204</b>	<b>100</b>

#### 1. Impact on Agriculture Land and Plots

85. A total of 150 agriculture plots belonging to ST households would be affected as a result of the Project. Of the total affected plots, 109 plots belong to titleholders with legal title to the affected land plots, while the remaining plots are part of the RoW, which has been encroached upon by the households.

86. Apart from agriculture land, 4 ST households would also incur impact on their land plots. In all cases, strip acquisition of land will take place for road construction.

## 2. Impact on Private Structures of ST Households

87. The subproject will impact 37 structures belonging to ST households. 54.05 percent of these 37 affected structures comprise of residential structures, followed by 43.24% commercial structures and 2.70% of Residential cum commercial structures.

**Table 32 Structures affected**

Structure	Number	Percentage
Residential cum commercial	1	2.70
Commercial	16	43.24
Residential	20	54.05
<b>Grand Total</b>	<b>37</b>	<b>100</b>

88. **Resettlement and Relocation Preference of ST Households:** Of the 37 structures affected, 21 structures would become non-livable as a result of the impact necessitating relocation. Discussion were undertaken 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 cases in a new location. The ST households stressed on the need for timely and adequate compensation at market rate.

## 3. Impact on Trees of ST Households

89. Other than land and structures, the ST households would also incur impact on trees losing 16 trees. The type and number of trees affected is provided in Table 39 below.

**Table 33: Impacts on Trees of ST Households**

Types of Trees	Numbers of Trees	Percentage of loss
Bamboo Grooves	10	97.93
Seesam Tree	2	0.68
Mango Tree	1	0.34
Jack Fruit Tree	2	0.68
Neem Tree	1	0.34
<b>Grand Total</b>	<b>16</b>	<b>100</b>

## 4. Impact on Other Assets

90. Apart from land and structures, one ST household will incur impact on a bathroom structure as a result of the project.

### D. Asset Ownership Status of ST HHs

91. 55.88% percent (i.e. 114 HHs) of the total affected 204 ST Households comprise of titleholders households with legal title to affected land and assets.

92. The remaining 90 households comprise of non-titleholder households mainly comprising of 88 encroachers and 2 squatter households.

**Table 34: Ownership status of ST HHs**

<b>Ownership Status of ST HHs</b>	<b>Number</b>	<b>Percentage</b>
Title holder	114	55.88
Encroacher	88	43.13
Squatter	2	0.98
<b>Grand Total</b>	<b>204</b>	<b>100</b>

**E. Information about the Subproject**

93. Interactions with affected ST households brought forth a high level of awareness with regard to the Project. 84.80% of the ST affected households were aware about the project. The project awareness was based on the different sources. 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 35: Source of information**

<b>Source of information</b>	<b>Number</b>	<b>Percentage</b>
Government department	49	24.01
Neighbors	23	11.27
Newspapers	12	5.88
Tech. Surveyor	89	43.62
Do not know	31	15.19
<b>Grand Total</b>	<b>204</b>	<b>100</b>

**F. Perceived Positive/Negative Impacts**

94. 9.31% of the total affected ST households identified improved mobility as the most common positive impact of the subproject. 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. A large number of households did not respond to this question.

**Table 36: Perceived positive impacts**

<b>Positive impacts</b>	<b>Numbers</b>	<b>Percentage</b>
Access to resources	19	9.31
Access to Education services	3	1.47
Access to Education and Health services	04	1.96
Increase in sales/ Production	01	0.49
Better Mobility	01	0.49
Reduction in transportation cost	07	3.43
No response	169	82.84
<b>Grand Total</b>	<b>204</b>	<b>100</b>

95. Multiple negative impacts of the subproject were voiced by 59.80% of the ST households ranging from loss of assets, loss of income and enhanced risk of accidents. 18.62% households regarded loss of assets resulting from the subproject construction as the major negative impact followed by risk of accidents (3.43%).



**Table 37: Perceived negative impacts**

<b>Perceived negative impacts</b>	<b>Number</b>	<b>Percentage</b>
Risk of Accidents	7	3.43
Loss of assets	38	18.62
Multiple negative impacts	122	59.80
No response	37	18.13
<b>Grand Total</b>	<b>204</b>	<b>100</b>

### **G. Mitigation Measures for ST Households**

96. 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.

97. 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

98. 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.

99. 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).

100. Table 44 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 ratio<sup>10</sup>.

101. 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 Khunti and Ranchi have a particularly low female literacy rate.

**Table 38: 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
Khunti	997	63.86%	74.08	53.69
Ranchi	971	76.06%	84.26	67.44

Source: Census of India, 2011

102. 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.

103. 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

<sup>10</sup> As per Census of India 2011, Khunti has a sex ratio of 997 while Ranchi has a sex ratio of 971.

steadily declining in the past few years but still remains much higher than the national average. In 2004 - 2006, the MMR was 254 per 100,000 live births, which reduced to 212 in 2007-2009, and 261 in 2008-10.

104. 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

105. Discussions were held with the local women to elicit their opinion on the subproject and its impacts during the time of the census survey. A total of 17 women participants were present in these discussions.

106. The augmentation of road network, as per the women participants, will have both positive and negative 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.

107. The summary of the consultations conducted in the subproject area with women are presented in the 45 below:

**Table 39: Summary of the Consultations with local women**

VILLAGES	DATE	NO. OF PARTICIPANTS	BENEFITS PERCEIVED BY THE PARTICIPANTS	KEY CONCERNS RAISED BY WOMEN	KEY SUGGESTIONS GIVEN DURING THE CONSULTATIONS
Manjidih	10/11/14	8	It will enhance value of land and resources. It will enhance health facilities for women, children and old aged. Easy access to market and school for women and girl child. It will promote participation of women in developmental	Exclusion of local women labors during construction due to hiring of outside labor. There are no facilities for sanitation or public toilets along the road. Mostly women use open area for sanitation purpose.	Executing Agency should focus more on hiring of local labor during construction especially women labor. Agency should provide sanitation facilities such as public toilets etc along the road.

VILLAGES	DATE	NO. OF PARTICIPANTS	BENEFITS PERCEIVED BY THE PARTICIPANTS	KEY CONCERNS RAISED BY WOMEN	KEY SUGGESTIONS GIVEN DURING THE CONSULTATIONS
			work and lead to improvement of livelihood.		
Tamar	10/11/14	5	It will promote access to essential facilities such as education, health and infrastructures. It can enhance economy of the rural areas. It will provide opportunities to the rural women to explore new areas of livelihood and market for their indigenous product.	Women have no access to market due to long distance from village to market. Women are forced to work on minimum wage and even for selling their product on cheap rates due to not having resource and permanent shop in MCD market complex. There are no facilities available for sanitation and safe drinking water.	Government should construct commercial shopping area and allot that to local women for income generation. Government should launch more program for women for sustainability of their livelihood and survival.
Sindri	10/11/14	4	It will create livelihood for tribal women. Women can easily access market for new tools and technique for their agricultural works.	Vulnerability is prevailing among tribal women due to ignorance from government as there are no program and facilities available for women and girls child such as credit facilities for livelihood generation, nutritional supplement aid, health facilities widow pension program and sanitation etc.	Government should focus especially on tribal women related issues and should strictly monitor on facilities provided by the govt. in tribal areas.

108. 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.

109. The Project is anticipated to have direct adverse impacts on 10 female-headed households. These female-headed households are considered as vulnerable group as per this

RP. Any negative impacts of a subproject on female-headed households will be treated on a priority basis.

110. 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

111. In order to engage with the community and enhance public understanding on the Project and address the issues pertaining to resettlement, various sections of APs 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

112. 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

113. 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 40: 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

114. Focused group discussions were held during the census survey in 3 villages in two districts of Khunti and Ranchi of Jharkhand to elicit the opinion of the affected persons and others along the project corridor. A total of 55 participants including affected households participated in these discussions.

115. 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.

116. 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.

117. The summary of the consultations conducted in the project area is presented in Table 47 below:

**Table 41: Summary of Consultations**

<b>Date and Location</b>	<b>No. of participants</b>	<b>Benefits perceived by the participants</b>	<b>Key Concerns raised by the People</b>	<b>Key suggestions given during the Consultations</b>
<p>10 November 2014</p> <p>Manjhidih Village At- Jhagru Seth House.</p>	025	<ul style="list-style-type: none"> <li>• Proposed project can enhance per capita purchasing power</li> <li>• People can easily access to market and can fill gap between urban and rural business setup.</li> <li>• Community can easily access to education and other facilities for their career and betterment of livelihood.</li> <li>• It will reduce time consumption in the travel between one city to another.</li> <li>• Better access to health and medicine.</li> </ul>	<ul style="list-style-type: none"> <li>• Problem of water lodging</li> <li>• Impact on mobility at the time of construction and accident while crossing the road in the night.</li> <li>• Possibilities of accident due to widening of the road.</li> <li>• Lack of water facilities due to impact on hand pumps and irrigation units.</li> <li>• Lack of public sanitation facilities.</li> <li>• Problem of pollution due to construction and deforestation.</li> <li>• Impact on religious structure (Temple) can be a hurdle in the development of the road project.</li> </ul>	<ul style="list-style-type: none"> <li>• Facilities of drainage to resolve problems of water lodging (Due to waste water used by villagers and rain).</li> <li>• Facilities of Bus stop and Bus shelter.</li> <li>• Facilities of street light at junction and road crossing area.</li> <li>• Facilities of subway or road crossing for safe crossing to the road.</li> <li>• Construction of the public toilet by the Govt. authority.</li> <li>• Prevention to demolish religious palaces (Mosque and Temple) if impacting then reconstruct and replace the structure and provide financial assistance to the committee before starting the work.</li> <li>• Provisions for prevention from pollution and tree plantation.</li> <li>• Concern authority should do actual assessment of agriculture and loss of the crops and should be compensate it.</li> <li>• Free distribution of fertilizers and seeds for AHH.</li> <li>• Provisions of box culvert for animal and pedestrian.</li> <li>• Distribution of tube well/ hand pump</li> </ul>

Date and Location	No. of participants	Benefits perceived by the participants	Key Concerns raised by the People	Key suggestions given during the Consultations
				<p>and facilities of irrigation system (New and replacement of affected irrigation unit)</p> <ul style="list-style-type: none"> <li>• Fare compensation should provide by the authority after doing actual assessment of the loss for owners and tenants both.</li> </ul>
<p>10 November 2014</p> <p>Tamar Market &amp; Village area.</p> <p>At- Tamar MCD Market Campus.</p>	015	<ul style="list-style-type: none"> <li>• Smooth and frequent travel.</li> <li>• More options for Livelihood generation.</li> <li>• Betterment of Health and related facilities.</li> <li>• Easy to access market for sale and purchase varieties of quality products.</li> <li>• Easy to access market for marginal farmers and tribes to sale their products and handy craft.</li> <li>• Creation of more opportunities for Business development and networking with other partners in another city.</li> </ul>	<ul style="list-style-type: none"> <li>• Dismantling of the market can increase vulnerability of livelihood of the local shopkeepers. Displacement of local business owner/ traders and shopkeepers will be another negative impact of the proposed road.</li> <li>• Commercial AHH are anticipating the problem of relocation and regeneration of livelihood due to break up of their customer chain and also will not be able to repay their loan.</li> <li>• Affected community will face problem of irrigation and safe drinking water due to impact on irrigation units.</li> <li>• Widening of the road can be a factor for accident of animal and human at the time of road crossing. It can also affect water channel system across the roads.</li> <li>• There will be impact on livelihood of the</li> </ul>	<ul style="list-style-type: none"> <li>• AHH and shopkeepers are agreed to support the project and will always support all developmental projects.</li> <li>• On mitigation of severity of loss and livelihood. Most of the participants have given their suggestion authority should construct road to use mainly govt. land on priority basis. So that, issues of impact on livelihood can be mitigate.</li> <li>• Concern authority/ department should reconstruct religious structures before commencement of the road work.</li> <li>• Authority should provide adequate facilities and basic amenities to the AHH.</li> <li>• There should be provisions for public facilities such as Public Toilets, irrigation facilities, drinking water and</li> </ul>



Date and Location	No. of participants	Benefits perceived by the participants	Key Concerns raised by the People	Key suggestions given during the Consultations
			<p>shopkeepers especially on eateries and sweet corners due to construction work (Dust, smoke and ash).</p> <ul style="list-style-type: none"> <li>• Impact on agricultural land and its fertility and crops.</li> <li>• Lack of public toilets</li> <li>• (Most of the rural population use open sanitation).</li> </ul>	<p>other facilities etc.</p> <ul style="list-style-type: none"> <li>• Govt. should provide fare compensation before commencement of the work.</li> <li>• Govt. should also provide sufficient timeline for shifting of assets and belongings.</li> </ul>
<p>10 November 2014 Sindri Village and Market area.  At- Bajrangbali Mandir Campus</p>	015	<ul style="list-style-type: none"> <li>• It will create more efficiency to reach out market and resources for development.</li> <li>• Value of land will increase and farmers can easily sale their product in market and can easily purchase new techniques, fertilizers and hybrid seeds for their agro business development.</li> <li>• It will promote basic facilities such as education, health and infrastructures.</li> <li>• It can enhance economy of the rural poor areas.</li> </ul>	<ul style="list-style-type: none"> <li>• Problems of habitation due to dismantling of the houses.</li> <li>• Dismantling of Religious structure such as Sindri Masjid, Temples and other CPR structure can negatively impact on communal harmony and peace among local community.</li> <li>• Problem of drainage and water system.</li> <li>• It will increase vulnerability of livelihood of poor people especially women who are involve in agro - works.</li> </ul>	<ul style="list-style-type: none"> <li>• Widening of road to be restricted to available govt. land (Only within 10 mtr) so that impact on CPR especially on Masjid and Temples can be reduce</li> <li>• Over Bridge/Road crossing and Zebra crosses after each 500 mtr.</li> <li>• Construction of drainage and water system</li> <li>• Loan assistance for livelihood restoration especially for women</li> <li>• Payment of compensation before starting the construction work.</li> </ul>

### C. Summary of the Consultations

118. **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.

119. **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.

120. **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 disbursement period was also discussed.

121. **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 given adequate notice period and information to shift their belongings and assets.

122. 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.

123. It was 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**

124. 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.

125. 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

126. 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.

127. 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.

128. 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.

129. 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**

130. 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/officials 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.

131. 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.

132. 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.

133. The summary of the RP will be translated in Hindi 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.

134. 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.

135. 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.

136. 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

137. 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 APs under the Jharkhand State Highway Improvement Project.

### B. Policy Framework - Review of Resettlement Legal Framework

138. 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.

139. 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.

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

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

141. 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.<sup>11</sup>

142. 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.

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<sup>11</sup> 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.

143. 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.

144. 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.

145. 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.

146. 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's Safeguard Policy Statement (SPS), 2009**

147. 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.

148. 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.

149. 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**

150. 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.

151. '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 48 below along with measures taken to bridge the same in this RP.

**Table 42: Key gaps between ADB SPS and RFCLARR**

<b>Aspect</b>	<b>ADB Safeguard Requirement</b>	<b>Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation &amp; Resettlement Act (RFCLARR), 2013</b>	<b>Measures taken in this RP to bridge the gaps</b>
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 preceding 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 title status, 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.



152. 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**

153. 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 settlement<sup>12</sup> to ensure that those people who 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.

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<sup>12</sup> ADB SPS 2009 (Safeguards Requirements 2) does not apply to negotiated settlements. The policy is encourages acquisition of land and other assets through a negotiated settlement wherever possible, based on meaningful 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

154. 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.

155. 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.

156. 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.

157. 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**

158. 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 law 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 49 below.

Table 43: Entitlement Matrix

	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
<b>Loss of Land</b>						
1.	Loss of private land	Agricultural land <sup>13</sup>	Legal titleholders/ Family with traditional titleholders <sup>14</sup>	<ul style="list-style-type: none"> <li>• Compensation at replacement cost.</li> <li>• One time Resettlement allowance<sup>15</sup> of Rs. 50,000 per affected family<sup>16</sup></li> <li>• In cases wherein the residual land becomes unviable, the AP will have the option of claiming compensation for the entire land at replacement cost.</li> </ul>	<ul style="list-style-type: none"> <li>• Compensation accounts for all stamp duties, taxes and fees, as applicable under relevant laws and does not account for any depreciation.</li> </ul>	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"> <li>• Compensation for rental deposit or unexpired lease (such amount will be deducted from the compensation of land owners).</li> <li>• One time Resettlement allowance<sup>17</sup> of Rs. 50,000 per affected family.<sup>18</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Land owners will reimburse tenants and leaseholders land rental deposit or unexpired lease</li> </ul>	PIU will confirm land rental and ensure tenants and leaseholders receive reimbursement for land rental deposit or unexpired lease, and report to PIU. PIU will ensure provision of notice.
		Homestead Land				
		Commercial Land plot				
2.	Loss of	Agricultural	Leaseholders	<ul style="list-style-type: none"> <li>• Compensation for rental</li> </ul>		PIU will ensure provision of

<sup>13</sup> 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.

<sup>14</sup> Traditional land rights refer to households with customary rights to land, and shall be treated equivalent to titleholders

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

<sup>16</sup> '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.

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

<sup>18</sup> '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
	Government land	land		deposit or unexpired lease (such amount will be deducted from the compensation of the lessee). • One-time Resettlement allowance <sup>19</sup> of Rs. 50,000 per affected family <sup>20</sup>		notice and identify vulnerable households.
		Homestead Land				
		Commercial Land plot				
		Vacant plot, RoW of road	Squatters <sup>21</sup> , Encroachers <sup>22</sup>	<ul style="list-style-type: none"> <li>• 60 days advance notice to shift from occupied land.</li> <li>• Notice to harvest standing seasonal crops and compensation.</li> <li>• One-time Resettlement allowance<sup>23</sup> of Rs. 50,000 per affected family<sup>24</sup></li> <li>• 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 Entitlement matrix.</li> </ul>	<ul style="list-style-type: none"> <li>• 60 days advance notice to shift from occupied land.</li> </ul>	PIU will ensure provision of notice.
<b>Loss of Structures</b>						
3.	Loss of Structure	Residential, Residential cum	Legal titleholders Family with	<ul style="list-style-type: none"> <li>• Each affected household shall be eligible for replacement cost of the</li> </ul>	<ul style="list-style-type: none"> <li>• Compensation accounts for all stamp duties, taxes and fees,</li> </ul>	Valuation committee will verify replacement value. PIU will verify the extent of

<sup>19</sup> The RFCLARRA, 2013 specifies that each affected family shall be given one time Resettlement Allowance of Rs. 50,000 only.

<sup>20</sup> '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.

<sup>21</sup> Squatters are those who have no recognizable rights on the land that they are occupying

<sup>22</sup> 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.

<sup>23</sup> The RFCLARRA, 2013 specifies that each affected family shall be given one time Resettlement Allowance of Rs. 50,000 only.

<sup>24</sup> '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
		Commercial, Commercial structure and other assets <sup>25</sup>	traditional land right	<p>structure and other assets (or part of the structure and other assets, if remainder is viable);</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Fees, taxes, and other charges related to replacement structure.</li> <li>• Right to salvage materials from structure and other assets with no deductions from replacement value.</li> <li>• One-time financial assistance of Rs. 25,000 to the families losing cattle sheds for reconstruction (only in case of Residential and Residential cum Commercial structures)</li> <li>• One-time Resettlement allowance<sup>26</sup> of Rs. 50,000 per affected family.<sup>27</sup></li> <li>• All displaced families will receive one time financial assistance of Rs. 50,000 as transportation cost towards</li> </ul>	as applicable under relevant laws and does not account for any depreciation.	<p>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>

<sup>25</sup> Other assets include, but is not limited to walls, fences, sheds, wells, etc.

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

<sup>27</sup> '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
		Residential, Residential cum Commercial, Commercial structure	Tenants and leaseholders	<p>shifting of family, building materials, belongings and cattle.</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Compensation for rental deposit or unexpired lease.</li> <li>• Right to salvage materials (of the portion constructed by tenants or leaseholders) from structure and other assets</li> <li>• One-time financial assistance of Rs. 25,000 to the families losing cattle sheds for reconstruction (only in case of Residential and Residential cum Commercial structures).</li> <li>• One-time Resettlement allowance<sup>28</sup> of Rs. 50,000 per affected family<sup>29</sup></li> <li>• 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.</li> </ul>	<ul style="list-style-type: none"> <li>• Land/structure owners will reimburse tenants and leaseholders rental deposit or unexpired lease.</li> <li>• Tenants will be given a 60-day advance notice to vacate.</li> </ul>	Valuation committee will verify replacement value. PIU will verify the extent of impacts through a 100% survey of AHs to determine assistance.

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

<sup>29</sup> '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
		Residential, Residential cum Commercial, Commercial structure	Squatters, Encroachers	<ul style="list-style-type: none"> <li>• Replacement cost of structure constructed by the squatter</li> <li>• Right to salvage materials from structure and other assets with no deduction from replacement value.</li> <li>• One time Resettlement allowance<sup>30</sup> of Rs. 50,000 per affected family<sup>31</sup></li> <li>• 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.</li> </ul>	<ul style="list-style-type: none"> <li>• 60 days advance notice to demolish the affected structure.</li> </ul>	PIU will verify the extent of impacts through a 100% survey of AHs to determine assistance.
<b>Loss of Livelihood</b>						
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>	<ul style="list-style-type: none"> <li>• One-time payment of Rs. 500,000 per family.</li> <li>• All displaced families will receive monthly Subsistence allowance of Rs. 3,000 for one year (total Rs. 36,000) from the date of award.</li> <li>• Skill up-gradation training to DPs (one member of the affected family) who opted for income restoration.</li> <li>• Preference in employment under the project during construction and</li> </ul>		<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>

<sup>30</sup> The RFCLARRA, 2013 specifies that each affected family shall be given one time Resettlement Allowance of Rs. 50,000 only.

<sup>31</sup> '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
			Agricultural laborer (long term)  Artisans  Squatters	implementation. •		
<b>Loss of Trees and Crops</b>						
5	Loss of trees and crops	Standing trees and crops	Legal titleholder  Family with traditional land right  Agricultural tenant/ leaseholder  Sharecroppers  Squatter	<ul style="list-style-type: none"> <li>• Advance notice to harvest crops, fruits, and timbers.</li> <li>• Compensation for standing crops in case of such loss, based on an annual crop cycle at market value</li> <li>• Compensation for trees based on timber value at market price, and compensation for fruit trees at annual net product market value 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.</li> </ul>	<ul style="list-style-type: none"> <li>• Harvesting prior to acquisition will be accommodated to the extent possible</li> <li>• Work schedules will avoid harvest season.</li> <li>• Seasonal crops will be given 6-month notice. If notice cannot be given, compensation for standing crops will be compensated at market value.</li> <li>• Market value of trees/crops has to be determined.</li> </ul>	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.
<b>Impact on Vulnerable Households</b>						
6	Impacts on vulnerable DPs	All impacts	Vulnerable DPs	<ul style="list-style-type: none"> <li>• 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.</li> <li>• Receive preference in</li> </ul>	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</p>

	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
				income restoration training program under the project. <ul style="list-style-type: none"> <li>• Preference in employment under the project during construction and implementation.</li> </ul>		conduct a training need assessment in consultations with the affected persons so as to develop appropriate income restoration schemes.  Suitable trainers or local resources will be identified by PIU and NGO in consultation with local training institutes.
<b>Temporary Loss</b>						
7	Temporary loss of land <sup>32</sup>	Land temporarily required for sub-project construction	Legal titleholders  Family with traditional land right	<ul style="list-style-type: none"> <li>• Any land required by the Project on a temporary basis will be compensated in consultation with the landholders.</li> <li>• Rent at market value for the period of occupation</li> <li>• Compensation for assets at replacement cost</li> <li>• Restoration of land to previous or better quality.<sup>33</sup></li> <li>• Location of construction camps will be fixed by the contractors in consultation with the Government and local community.</li> </ul>	<ul style="list-style-type: none"> <li>• Assessment of impacts if any on structures, assets, crops and trees due to temporary occupation.</li> <li>• Site restoration.</li> </ul>	Valuation Committee will determine rental value and duration of construction 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.
8	Temporary disruption of		Legal titleholders, non-titled DPs	<ul style="list-style-type: none"> <li>• 60 days advance notice regarding construction</li> </ul>	<ul style="list-style-type: none"> <li>• Identification of alternative temporary</li> </ul>	Valuation Committee will determine income lost.

<sup>32</sup> Temporary possession of land for project purpose can be taken only for three years from the date of commencement of such possession/occupation.

<sup>33</sup> 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.

	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
	livelihood			<p>activities, including duration and type of disruption.</p> <ul style="list-style-type: none"> <li>• 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.<sup>34</sup></li> <li>• Assistance to mobile vendors/hawkers to temporarily shift for continued economic activity.<sup>35</sup></li> </ul>	sites to continue economic activity.	Contractors will perform actions to minimize income/access loss.
<b>Impact on Common Property Resources</b>						
9.	Loss and temporary impacts on common resources	Common property resources	Communities	<ul style="list-style-type: none"> <li>• Replacement or restoration of the affected community facilities – including public water stand posts, public utility posts, temples, shrines, etc.</li> </ul>	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.
<b>Any Other unanticipated impacts</b>						
11	Any other loss not identified	-	-	<ul style="list-style-type: none"> <li>• Unanticipated involuntary impacts will be documented during the implementation phase and mitigated.</li> </ul>	-	PIU will finalize the entitlements in line with ADB's SPS, 2009.

<sup>34</sup> 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.

<sup>35</sup> For example assistance to shift to the other side of the road where there is no construction.

### **C. Cut-off date**

159. 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 the 13 November 2014. People moving into the subproject area after this date will not be entitled for support.

160. 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**

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

162. 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.

163. 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.

164. 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.

165. 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.

166. 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.

167. 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.

168. 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.

169. 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

170. 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 have 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 134 private structures including 76 residential structures, 57 commercial structures and only 1 residential cum commercial structures (See table 50).

**Table 44: Numbers and Types of Structures Affected**

Type of Structure	Total No. of affected structure	Ownership Type of the Affected Structures			
		Titleholders	Encroacher	Squatter	Absentee
Residential	76	14	60	2	12
Commercial	57	15	28	14	0
Residential cum Commercial	01	0	1	0	0
Total	134 structures	29	89	16	12

171. 57% of the affected private structures comprise of residential structures, whereas the remaining comprise of commercial structures, including only 1 structure that is residential cum commercial in nature. Of the total 134 structures affected as a result of the Project, only 29 structures belong to titleholders, whereas, the majority of the households were identified as being operated by non-titleholders (encroachers and squatters).

172. **Extent of Impact on Residential Structures:** Among the 76 residential structures impacted, 63 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. All 63 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 63 structures would be fully acquired for the project.

173. **Viability of remaining Residential Plots:** In case of 61 out of the 63 primary structures impacted, the remaining residential plot (on which the structure is located) shall remain viable for reconstruction of new structure. In case of two structures, the remaining land plot will not be viable necessitating relocation of structure to a new location.

174. **Relocation Option for Affected Residential structures:** During the census survey, detailed interactions were undertaken with the 63 households who would incur full impact on their residential structures thereby making them non-livable. During these interactions, 61 out of the 63 households opted for reconstruction of 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 2 structures, wherein the impact will be significant necessitating relocation to another location, the affected households opted for self-managed relocation.

**Table 45: Relocation Preferences of Severely Affected Residential structures**

Relocation Preferences	Affected Residential Structures	
	In Number	In Percentage
Self-managed within the same plot	61	96.82
Self-managed relocation at another location	2	3.17
<b>Grand Total</b>	<b>63 structures</b>	<b>100%</b>

175. **Extent of Impact on Commercial Structures:** Among the 57 commercial structures impacted, 54 structures would bear an impact on their primary main structure thereby making them non-livable whereas the remaining 3 would bear an impact on their secondary structure (boundary wall). All 54 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 54 structures would be fully acquired for the project.

176. **Viability of remaining Commercial Plots:** In case of all 54 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.

177. **Relocation Option for Affected Commercial structures:** Of the 54 commercial structures incurring full impact on primary structures and necessitating relocation, 50 structures have opted for self-managed relocation, whereas 12.28% has voiced the need for support and assistance from project in identifying sites for relocation of their enterprises.

**Table 46: Relocation Preferences of Affected Commercial structures**

Relocation Option	Number	Percentage
Project assistance in identifying alternate locations	4	12.28
Self- managed	50	87.71
<b>Total</b>	<b>54 structures</b>	<b>100</b>

178. **Extent of Impact on Residential cum Commercial Structure:** Only one Residential cum commercial structure, mainly comprising of structures that is used as living quarter as well as for commercial activity (mostly small shops and businesses), will also be affected as a result of the Project. This structure would incur full impact on the primary structure thereby making it non-livable necessitating relocation. This structure would be fully acquired for the project.

179. **Viability of remaining Residential cum Commercial Plot:** The remaining plot (on which the structure is located) shall not be viable for reconstruction of new structure necessitating relocation of this business to a new location.

180. **Relocation Option for Affected Residential cum Commercial structures:** During census survey, the preferences of this affected residential cum commercial structures with regard to relocation was also discussed. This structure owner has opted for self-managed relocation instead of project assistance.

## B. Relocation Strategy

181. 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.

182. 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

183. 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.

184. 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**

185. A total of 103 households would incur significant impact on their livelihood. Out of these, 10 households would lose more than 10% agriculture land, 54 HHs would lose their place of business, 1 AHHs would lose their place of residence cum business and 3 commercial tenants would also be impacted. Further, 26 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**

186. 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 and Employees in the affected businesses**
  - (i) Cash compensation at replacement cost as determined according to the formula proposed in RFCLARRA, 2013.
  - (ii) 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.
  - (iii) One time payment of Rs. 500,000 per family where livelihood is affected by the project
  - (iv) Subsistence allowance of Rs. 3000 for one year (Total Rs 36,000) from the date of award.
  - (v) Skill upgradation training to DPs (one member from the affected family) who opted for income restoration
  - (vi) Preference in employment under the project during construction and implementation

187. 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 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**

188. 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 APs 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 APs, in particular to the vulnerable APs, for income restoration and skill up-gradation as necessary.

189. 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 standards,<sup>36</sup> 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.

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<sup>36</sup> 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

190. 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. 128,071,491. 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

191. **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 of land was taken as Rs. 500,000 per hectare for Agriculture land and Rs. 800,000 per hectare for residential 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.

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

### C. Assistance

193. 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

194. 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**

195. 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**

196. 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.

197. 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.

198. 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**

199. 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**

200. 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. 128,071,491. A detailed budget estimate is given in Table 53. This budget is based on estimates and the final costs related to land acquisition shall be worked out at by the competent authority.

**Table 47: Total budget for Land Acquisition & Resettlement**

Khunti - Tamar					
S.No.	Component	Unit	Unit rate (in Rs.)	Quantity	Amount (in Rs.)
<b>1</b>	<b>Private Land &amp; Structures</b>				
1.1.	Agriculture Land	Hectare	500,000/ha + 1.3 multiplier and 100% solatium <sup>37</sup>	10.68 ha	13,884,000
1.2	Residential Land	Hectare	800,000/ha + 1.3 multiplier and 100% solatium <sup>38</sup>	0.033 ha	68,640
1.2.	Temporary (Kutch) Structures	Sq.ft	149	28,748.25	4,312,237
1.3.	Semi-permanent structures	Sq.ft	250	3263.9	1,142,365
1.4.	Permanent structures				
	Permanent Structures – I Floor	Sq.ft	800	3532.77	2,826,216
	Permanent Structure – II Floors	Sq.ft.	950	1163.57	1,105,391
1.5.	Irrigation Units	Unit	300,000	4 wells	1,200,000
1.6.	Compensation for Trees				
1.6.1.	Fruit Trees	Unit	-	15 trees	100,000
1.6.2.	Non-Fruit Trees	Unit	-	17 trees	250,000
	<b>Sub-total Cost of Private Land &amp; Structures (1)</b>				<b>24,888,849</b>
<b>2</b>	<b>Assistance</b>				
2.3.	Resettlement allowance for each affected household	One-time	50,000/HH	326 HHs <sup>39</sup>	16,300,000
2.4.	Onetime payment of Rs. 500,000 per affected family	One-time	500,000/HH	94 HHs <sup>40</sup>	47,000,000
2.5.	Subsistence allowance of Rs. 3000 for one year from date of award	One-time	Rs. 3000/month X 12 month	94 HHs <sup>41</sup>	3,384,000

<sup>37</sup> In order to arrive at the replacement cost of agriculture land, in line with the LA Act 2013, the market value of land per hectare has been calculated at 500,000 multiplied by a factor of 1.30. In addition a 100 percent solatium on total compensation amount has been added which brings the compensation per hectare to Rs. 1,300,000.

<sup>38</sup> In order to arrive at the replacement cost of residential land, in line with the LA Act 2013, the market value of land per hectare has been calculated at 800,000 multiplied by a factor of 1.30. In addition a 100 percent solatium on total compensation amount has been added which brings the compensation per hectare to Rs. 2,080,000.

<sup>39</sup> The Resettlement allowance is being paid to all affected households except affected employees who are being separately assisted for loss of livelihood.

<sup>40</sup> Includes 10 households losing more than 10% agriculture land, 54 HHs losing business, 1 HHs losing Residential-cum commercial asset, 3 tenants and 26 employees working in affected commercial and residential cum commercial structure.

<sup>41</sup> Includes 10 households losing more than 10% agriculture land, 54 HHs losing business, 1 HHs losing Residential-cum commercial asset, 3 tenants and 26 employees working in affected commercial and residential cum commercial structure.

<b>Khunti - Tamar</b>					
<b>S.No.</b>	<b>Component</b>	<b>Unit</b>	<b>Unit rate (in Rs.)</b>	<b>Quantity</b>	<b>Amount (in Rs.)</b>
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	118 HHS <sup>42</sup>	5,900,000
2.9	Additional Assistance for vulnerable households including SC, ST	One-time	50,000/HH	280 Vulnerable HHS	14,000,000
<b>Sub-total Cost of Assistance (2)</b>					<b>86,584,000</b>
<b>3</b>	<b>Community Assets</b>				
3.1.	Restoration of CPRs	Lump sum	-	59 CPRs	<b>2,500,000</b>
<b>Sub-total Cost of Restoration of Community Assets (3)</b>					<b>2,500,000</b>
<b>4</b>	<b>Support for RP Implementation</b>				
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
<b>Sub-Total Cost of Support for RP Implementation (4)</b>					<b>8,000,000</b>
<b>5</b>	<b>Total Cost 1 + 2 + 3 + 4</b>				<b>121,972,849</b>
<b>6</b>	<b>Contingency (5% of the Total Cost)</b>				<b>6,098,642</b>
<b>7</b>	<b>Grand Total</b>				<b>INR 128,071,491</b>

<sup>42</sup> Includes 118 severely affected residential, commercial, residential cum commercial structures.



## **XII. GRIEVANCE REDRESSAL MECHANISM**

### **A. Introduction**

201. 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**

202. 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.

203. 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**

204. 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 (in Khunti) 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.

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

## 2. Level 2: State Level

206. 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

207. 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.

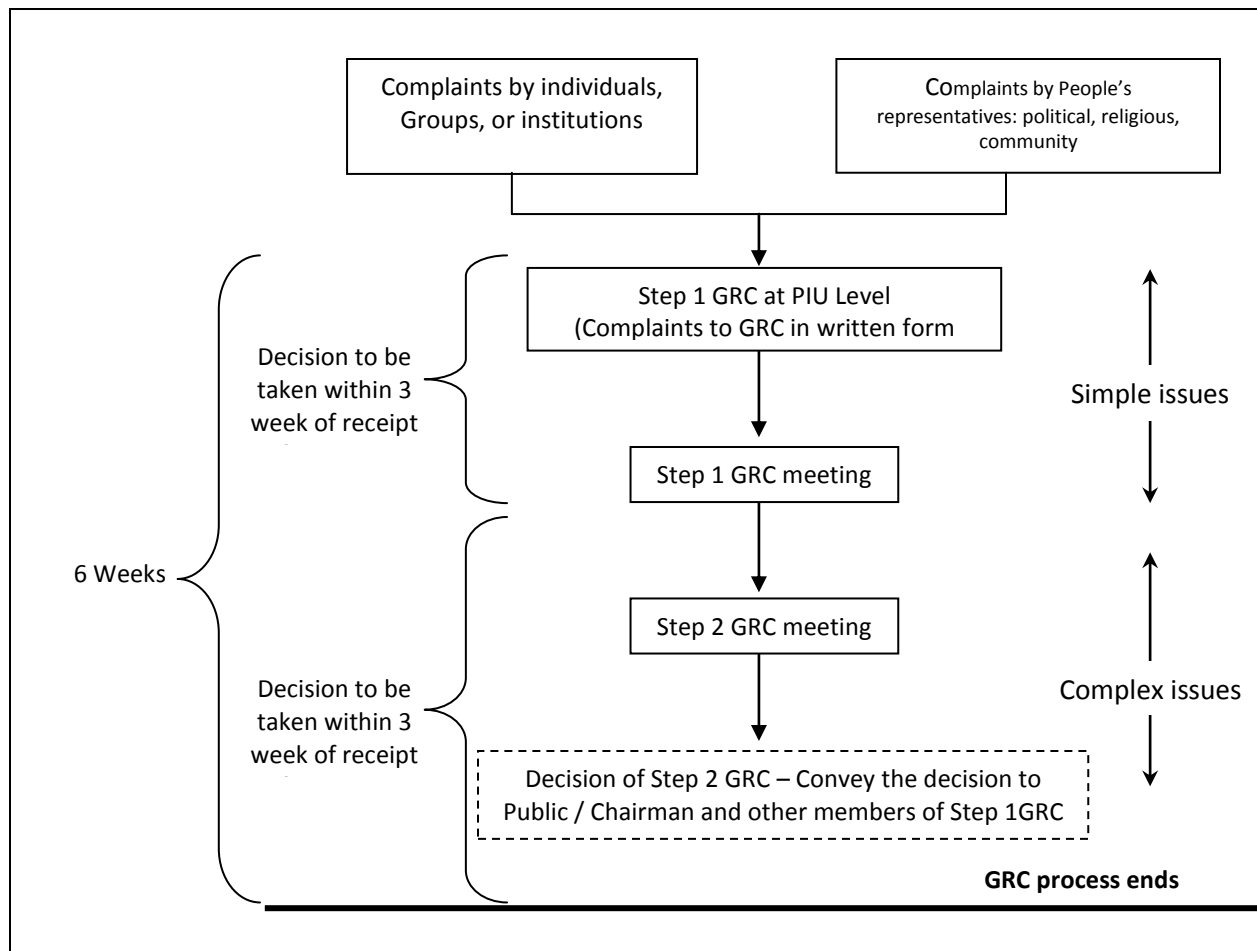
208. The GRC will meet every month (if grievances are brought to the Committee), determine the merit of each grievance, and resolve grievances within a month of receiving the complaint—failing which the grievance will be referred to appropriate court of Law for redressal. Records will be kept of all 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

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

210. **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**

211. 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**

212. 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.

213. 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)**

214. 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.

215. 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.

216. 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**

217. 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**

218. 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**

219. The proposed RP implementation activities are divided into three set of activities viz. project preparation activities, RP implementation activities, and monitoring and reporting activities. Each of these is 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 to be carried out include 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.

220. 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 54.

Table 48: RP Implementation Schedule

Activity	2014				2015				2016				2017			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
<b>I. Project Preparation Phase</b>																
Screen Subproject Impacts		■														
Carry out census survey			■													
Public consultations with APs and other stakeholders			■		■	■	■	■	■	■	■	■	■			
Preparation of Resettlement Plan				■												
Updating of RP (if required)				■	■											
Submission of updated RP for ADB review and approval					■											
RP Disclosure						■										
<b>II. RP Implementation Phase</b>																
Hiring of NGO / R&R Implementation Agency for RP Implementation						■	■									
Declaration of Cut off date/LA Notification						■										
Submission of LA Proposal to DC						■										
Grievance Redressal							■	■	■	■	■	■	■	■	■	■
Payment of Compensation for Structures								■	■							
Disbursement of R&R Assistance								■	■	■	■					
Payment of compensation for land								■	■	■	■					
Demolition and Relocation of Affected											■	■	■			





## **XIV. MONITORING AND EVALUATION**

### **A. Introduction**

221. 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**

222. 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**

223. 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 utilising 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 program.

224. 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**

225. 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.

226. 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.

227. 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**

228. 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.

229. 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.

230. 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      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      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      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. Kuchcha                      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 structure .....In 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 structure .....In 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 c. Medium b. Sapling	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

84      Appendix 1

**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 offices 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 sheds 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 instalment 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**

	<b>Aspect</b>	<b>ADB Safeguard Requirement</b>	<b>Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013</b>	<b>Measures to Bridge the GAP</b>
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 (l) 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 compensation and assistance for DPs.

	Aspect	ADB Safeguard Requirement	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013	Measures to Bridge the GAP
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 RFCTLARR.  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 form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and	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 affected areas, in such manner as may be prescribed and uploaded on the website of the appropriate Government.	In addition to the publishing of the approved resettlement plan, also provision for disclosure of the various documents pertaining to RP implementation.

	Aspect	ADB Safeguard Requirement	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013	Measures to Bridge the GAP
		its updates to displaced persons and other stakeholders.		
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 RP and the individual losses of the relevant DPs. They should validate the data provided in the RP 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
<b>Key Personnel</b>			
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)
<b>Non-key Personnel</b>			
4	Field Support Staff	4	24 (intermittent over 36 months)
5	MIS Officer	1	24 (intermittent over 36 months)
<b>Total</b>		<b>8</b>	<b>192</b>

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"> <li>• Provide overall technical and operational management of NGO team.</li> <li>• Act as main counterpart when communicating with SHAJ and relevant government agencies.</li> <li>• Draft work plan and ensure work plan is followed.</li> <li>• Ensure deliverables and activities are completed in a timely and transparent fashion.</li> <li>• Review documentation and reports to verify accuracy.</li> </ul>
2	Field Coordinator	<ul style="list-style-type: none"> <li>• Responsible for assigned section of alignment</li> <li>• Provide guidance to Field Staff and verify information collected.</li> <li>• Ensure deliverables and activities are completed in a timely and transparent fashion.</li> <li>• Provide support to Grievance Redressal Mechanism</li> </ul>
4	Field Support Staff	<ul style="list-style-type: none"> <li>• Responsible for assigned section of alignment.</li> <li>• Establish rapport with relevant DPs.</li> <li>• Responsible collecting field level information.</li> <li>• Undertake continued information disclosure and consultation.</li> </ul>



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

### 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.

<b>Sl. No.</b>	<b>Indicative Payment Milestone</b>	<b>Indicative Payment (% of contract Value)</b>
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%
	<b>Total</b>	<b>100%</b>

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 43.70 kms long Khunti- Tamar road section that is being proposed for improvements under SJSRP.

### **B. Objectives and Requirements of Monitoring and Evaluation**

2. 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.

3. 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.

4. If the findings of the EM indicate significant compliance DPs, 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

5. 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

6. 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.