

Resettlement Plan

March 2015

IND: Second Jharkhand State Road Project

Giridhi - Jamua – Sarwan Road

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

CURRENCY EQUIVALENTS

(As of March 2015)

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

ABBREVIATIONS

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

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EXECUTIVE SUMMARY

A. Project Description

1. Government of Jharkhand has embarked upon massive up-gradation of its road network through State Highways Authority of Jharkhand (SHAJ). As part of this endeavor, State Highways Authority of Jharkhand (SHAJ) has been mandated to undertake improvement and up-gradation of various State Highways and Major District Roads at different locations in Jharkhand. As part of this mandate, the Second Jharkhand State Road Project (SJSRP) has been conceptualized to improve state highways connectivity in the state of Jharkhand. The project has been proposed for financing to Asian Development Bank (ADB). The said project involves rehabilitation/reconstruction and widening of 4 existing roads totaling 176.90 kilometers in length. State Highways Authority of Jharkhand (SHAJ) has prepared this Resettlement Plan (RP) for the 45.20 kms long Jamua to Sarwan road subproject road section that is being proposed for improvements under SJSRP.

B. Objectives of the RP

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

C. Subproject Impacts

3. This subproject will provide connectivity to the neglected area by improving the road infrastructure and providing connectivity, which will contribute towards the expansion of economic opportunities, hence reducing the interstate disparities within India. The subproject construction would also require the acquisition of private land and would lead to the displacement and loss of private land, assets, livelihood and community property resources. The improvement project will involve acquisition of private land measuring 46.949 hectares, will impact 1073 private structures involving 1942 households (including 50 tenants and 90 employees) and comprising of 19895 DPs. The land being acquired is not the source of all affected households as many are non-titleholders. A total of 18 CPRs would also be affected.

D. Consultation, Participation and Disclosure

4. Consultations and discussions were held with both primary and secondary stakeholders during project preparatory stage. During RP preparation stage, consultations were held with affected household and commercial establishment owners along the project corridor, officials of the district administration and elected members of the local panchayat. Consultations and discussions were held along the subproject corridor with the affected households during census survey. Between November – December 2013 and August-September, 2014 consultations were held in 5 villages involving about 195 participants to elicit the opinion of the affected persons and others along the subproject corridor. The discussion was carried out to explain the DPs about the subproject features, understand their perceived benefits and losses due to the project and seek their views about the project.

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

E. Policy and Legal Framework

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

F. Entitlements, Assistance and Benefits

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

8. 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 titleholders, the date of notification as per RFCLARR Act will be treated as the cut-off date, and for non-titleholders the date of subproject census survey i.e. 30 September 2014 will be the cut-off date. Unforeseen impacts will be mitigated in accordance with the principles of the RP prepared for this subproject.

G. Relocation of Housing and Settlement

9. 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.

10. 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.

H. Income Restoration and Rehabilitation

11. The subproject would impact the livelihood of a number of households. A total of 603 households would incur significant impact on their livelihood, considering overlap of households comprising of multiple losses. This includes 45 households losing more than 10% agriculture land, 267 HHs losing business, 151 HHs losing Residential-cum commercial asset, 50 tenants and 90 employees working in affected commercial and residential cum commercial structure.

12. The affected persons losing livelihood will be assisted to improve or at least restore their income levels to pre-project level.

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

I. 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 INR 758,713,515 or approximately USD 12.23 million.

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

J. 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. 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 a soon as the subproject is approved by the government.

K. 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.

L. Implementation Schedule

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

M. 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 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 semiannual review report to PMU/EA and ADB

I. PROJECT DESCRIPTION

A. Background

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

Table 1: Details of Road sections proposed under the Project

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

B. Subproject Description

2. The subproject involves reconstruction and widening of the 45.20 km long road corridor, which connects the Jamua town with Sarwan. The proposed road traverses along 10 villages of the Giridih district. Some of the key villages that proposed road passes through and will incur impact as a result of the project are Bilotand, Deopahadi, Dhenga, Gamhardih, Jhalkhirudih, Khamarbad, Kusmabad, Manakdiha, Nekpura and Pathratand.

Figure 1: Map of the Project road



C. Subproject Impacts

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

4. However, the subproject construction would necessitate land acquisition and will also lead to displacement and loss of private land, assets, livelihood and community property resources such as temples, hand pumps etc. Some of the area where land acquisition is required are Bilotand, Deopahadi, Dhenga, Gamhardih, Jhalkhirudih, Khamarbad, Kusmabad, Manakdiha, Nekpura and Pathratand.

5. The improvement project will involve acquisition of private land measuring 46.949 hectares, will impact 1073 private structures involving 1942 households (including 50 tenants and 90 employees) and comprising of 19895 DPs. The land being acquired is not the source of all affected households as many are non-titleholders. A total of 18 CPRs would also be affected. This subproject would entail involuntary resettlement impacts that are deemed significant and has been categorized as Category 'A' for Involuntary Resettlement as per ADB SPS, 2009. The improvement project will involve the acquisition of private land measuring subproject.

Table 2: Summary of Involuntary Resettlement

| | |
|--|---------------------|
| Permanent Land Acquisition (ha) | 46.94 ha |
| Out of total land acquired | |
| Agriculture Land | 43.71 ha |
| Residential Land (including Residential cum commercial land) | 2.90 ha |
| Commercial Land | 0.337 ha |
| No. of Affected Private Structures | 1073 structures |
| No. of Affected CPRs | 18 CPRs |
| Total No. of Affected HHs | 1942 HHs |
| Total No. Of Affected Persons | 19,895 APs |
| Out of the total affected households | |
| No. of Vulnerable Households | 1607 Vulnerable HHs |
| No. of Tenants | 50 Tenants |
| No. of Employees | 90 Employees |
| No. of Private Trees affected | 129 trees |

D. Minimizing Involuntary Resettlement

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

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

E. Scope and Objectives of Resettlement Plan

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

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

- Type and extent of non-land assets, loss of livelihood or income opportunities and collective losses such as common property resources and social infrastructure;
- Impacts on vulnerable groups specifically women;
- Consultation with stakeholders and scope of peoples participation in the Project;
- Existing legal and administrative framework;
- Entitlement matrix with provisions for relocation assistance and restoration of businesses/income;
- Estimation of cost for implementation of R&R activities;
- Institutional framework for the implementation of plan including monitoring and evaluation mechanism.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Involuntary Resettlement Impacts

9. This RP has been prepared based on the final detailed design of the subproject. A detailed inventory of all the property and assets has been done along with the engineering team to identify the land acquisition and resettlement impacts of the subproject. Following the finalization of detailed design, in order to accurately assess the subproject 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 November – December 2013 and updated in August- September, 2014. The objective of the census was to identify the displaced persons and households and generate an inventory of social and economic impacts on the project displaced persons, the structures affected, socio-economic profile of the project displaced people, their perceptions about the project and rehabilitation and resettlement options. A Census Questionnaire was prepared to collect detailed information on the socio-economic status of the displaced persons and households as well as their ensuing losses. The Census Questionnaire is enclosed in **Appendix I**. All the other impacts including Community Property Resources were also recorded in the Census survey. The findings of the census survey led to the creation of an Inventory of Loss where all immovable affected assets were determined, counted, measured, tagged, owners identified and their places of residence verified. The following section deals with the findings of census survey and the subproject impact on land acquisition and resettlement.

11. The census survey and assessment of subproject brought forth that this subproject would entail involuntary resettlement impacts that are deemed significant.¹

B. Land Acquisition and IR impacts

12. Since the available RoW is limited and not sufficient to accommodate the proposed road improvement works, the road construction would entail land acquisition resulting in adverse impacts on households. The entire private land measuring 46.94 ha comprises of mostly land along the road corridor, required for curve improvement and realignments. Table 3 below provides the break up of the private land to be acquired for the Project.

Table 3: Type of Land to be Acquired

| Type of Land | Extent of land to be acquired (in ha) |
|--|---------------------------------------|
| Agriculture Land | 43.71 ha |
| Residential Land (including Residential cum Commercial land) | 2.90 ha |
| Commercial Land | 0.337 ha |
| Total | 46.94 ha |

¹ The involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).

13. The subproject construction will impact 1942 households (including 50 tenants and 90 employees) and comprising of 19,895 DPs. These affected households would incur a range of impacts on assets such as agricultural land loss, residential loss, commercial loss, loss of livelihood, trees, irrigation structures and other assets. A total of 18 CPRs would also be affected as a result of the subproject.

Table 4: Type of Loss incurred by Affected Households

| Type of Loss | No. of affected households (AHHs) |
|--------------------------------------|-----------------------------------|
| Impact on Structures | |
| Residential Structure | 524 |
| Commercial Structure | 291 |
| Residential cum commercial Structure | 158 |
| Impact on Land | |
| Agriculture | 1104 |
| Residential land | 768 |
| Commercial Land | 305 |
| Impact on Trees | 20 |
| Loss of Income | 513 |
| Loss of employment | 90 |

14. Out of 1942 affected households, 133 households comprised of absentee households who were not present at the time of the census survey.

15. The main findings of the census survey are discussed in the section below:

C. Impact on Structures

1. Type of Structures affected

16. The improvement of road under this subproject will impact 1073 private structures belonging to 973 households. 56.47% (606 structures) of the total affected structures comprise of residential structures, followed by 28.42% (305 structures) commercial structures and 15.09% (162 structures) of residential cum commercial structures. 35 tenants in the commercial structure and 15 tenants in the residential cum commercial structures will also be affected as a result of subproject impacts. Other than the tenants, a total of 90 employees (72 employees working in the commercial structure and 18 in the residential cum commercial structures) would also be affected as result of the subproject.

Table 5: Types of Structures affected

| Use of Affected Structure | Number of affected Households | Affected Structures | |
|----------------------------|-------------------------------|------------------------|---------------|
| | | In numbers | In percentage |
| Residential | 524 | 606 | 56.47 |
| Commercial | 291 | 305 | 28.42 |
| Residential cum Commercial | 158 | 162 | 15.09 |
| Grand Total | 973 AHHs | 1073 structures | 100% |

2. Ownership Pattern of the Affected Structures

17. 44.8% (481 structures) of the affected structures belong to titleholders whereas the remaining affected structures belong to non-titleholder households. Amongst non-titleholders, while 525 (48.9%) of the total affected structures are being operated by encroachers, only 67 structures (6.2% of the total structures) belong to squatters.

Table 6: Ownership pattern of affected structures

| Use of Affected Structure | Number of Affected Households | Total No. of affected structures | Ownership status of the affected structures | | |
|----------------------------|-------------------------------|----------------------------------|---|-----------------------|----------------------|
| | | | Titleholders | Encroacher | Squatter |
| Residential | 524 | 606 | 367 | 228 | 10 |
| Commercial | 291 | 305 | 37 | 213 | 55 |
| Residential cum Commercial | 158 | 162 | 77 | 84 | 2 |
| Total | 973 households | 1073 structures | 481 structures | 525 structures | 67 structures |

3. Construction type of the Affected Structures

18. Out of the 1073 structures impacted by the project, 593 (55.26%) of the total affected structure are semi-pucca in nature, followed by 327 structures (30.47%) pucca structure comprising of both pucca structures with 1 floor and 2 floors. Amongst the affected pucca structures, 276 of the 327 affected structures are pucca structures with 1 floor while the remaining are with 2 floors. Only 153 (14.25%) of the 1073 affected structures comprise of kutcha structures (See Table 7).

Table 7: Construction type of affected structure

| Use of Affected structure | Number of affected structure | No. of affected structure by construction type | | | |
|----------------------------|------------------------------|--|-----------------------|-----------------------|----------------------|
| | | Kutcha | Semi-pucca | Pucca (1 floor) | Pucca (2 floor) |
| Residential | 606 | 105 | 335 | 146 | 20 |
| Commercial | 305 | 29 | 196 | 74 | 6 |
| Residential cum Commercial | 162 | 19 | 62 | 56 | 25 |
| Grand Total | 1073 structures | 153 structures | 593 structures | 276 structures | 51 structures |

D. Extent of Impact on Structures

1. Residential Structures

19. Of the total 606 affected residential structures, 460 structures would bear impact on their primary structure followed by a total of 117 structures incurring impact on secondary structures including boundary wall, frontage, backyard etc.

Table 8: Parts of Residential structure affected

| Part of the structure affected | Affected Residential structure | |
|--------------------------------|--------------------------------|-------------|
| | Number | Percentage |
| Primary Structure | 460 | 75.90 |
| Secondary Structure | 146 | 24.09 |
| Grand Total | 606 Structures | 100% |

20. 460 residential structures incurring impact on their primary structure would become non-livable necessitating full reconstruction of these structures. All these structures would be fully acquired for the project.

21. **Viability of remaining Residential Plots:** In case of 431 out of the 460 primary structures impacted, the remaining residential plot (on which the structure is located) shall remain viable for reconstruction of new structure. In case of 29 structures, the remaining land plot will not be viable necessitating relocation of structure to a new location.

22. **Relocation Option for Affected Residential structures.** During the census survey, detailed interactions were undertaken with the households who would incur full impact on their primary structures thereby making the structure non-livable. During these interactions, 431 of the 460 primary structures impacted opted for self-managed reconstruction of their structures in existing plots and requested for timely and adequate compensation from the Project.

23. Out of the 29 structures, wherein the impact will be significant (with not sufficient land at the existing plot) necessitating their relocation to another location, 27 of the affected households have opted for self-managed relocation and declined project assisted relocation option whereas the remaining two households declined a response.

Table 9: Relocation Preference of Severely Affected Residential Structures

| Relocation Preference | Affected Residential Structure | Percentage |
|---|--------------------------------|-------------|
| Self-managed within the same plot | 431 | 93.69 |
| Self-managed relocation at other location | 27 | 5.86 |
| No Response | 2 | 0.43 |
| Grand Total | 460 structure | 100% |

2. Commercial Structures

24. A total of 305 commercial structures will be affected as a result of the subproject comprising 28% of the total affected structures. The severity of the impact is high on commercial structures. 87.54% of the total commercial structure impacted shall become non-functional as a result of impact on the main structure.

25. **Type of Affected Business:** Amongst the 305 commercial structures affected, 82.95% (253 structures) comprise of small shops followed by small hotels (7.54%) and roadside kiosks (4.26%). The remaining structures comprise of private clinics, roadside eatery and a small factory.

Table 10: Type of commercial structure affected

| Type of commercial structures affected | Number of structures | Percentage |
|--|-----------------------|-------------|
| Shops | 253 | 82.95 |
| Hotel | 23 | 7.54 |
| Roadside eatery (Dhaba) | 1 | 0.32 |
| Kiosk | 13 | 4.26 |
| Private Clinic | 6 | 1.96 |
| Factory | 1 | 0.32 |
| Other | 8 | 2.62 |
| Grand Total | 305 structures | 100% |

26. Among the 305 commercial structures impacted, 87.54% (267 structures) would incur impact on their primary structure impacting them significantly and making them non-functional. 14.23% (38 structures) of the commercial structures will bear impact only on their secondary structures such as boundary walls. All 267 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 267 structures would be fully acquired for the project.

Table 11: Parts of the commercial structure affected

| Part of the structure affected | Affected Commercial structure | |
|--------------------------------|-------------------------------|-------------|
| | Number | Percentage |
| Primary Structure | 267 | 87.54 |
| Secondary Structure | 38 | 14.23 |
| Grand Total | 305 | 100% |

27. **Impact on Income:** The loss of business enterprises has a direct impact on people's livelihood by affecting the income being generated from the affected business/enterprise.

28. Interactions with the affected businesses brought forth that 86.85 percent of the businesses earn in the range of 1000 to 10,000 per month. This is followed by 2.95% commercial enterprises, which have a monthly income ranging between 10,000 to 20,000 per month and 1.63% earning in the range of 20,001 – 30,001 per month. Only 2 of the affected commercial structures reported monthly incomes in the range of 30,001 to 40,000. 24 affected structures declined to respond to this question.

29. As a result of impact on the main structure, 267 commercial structure would incur significant impact on their income. Adequate provisions have been included in the RP Entitlement matrix to adequately address the losses of these households.

Table 12: Income Loss range

| Income loss range (In Rs.) | Affected structure | Percentage |
|----------------------------|-----------------------|-------------|
| 1000 – 10,000 | 265 | 86.85 |
| 10,001 – 20,000 | 9 | 2.95 |
| 20,001 – 30,000 | 5 | 1.63 |
| 30,001 – 40,000 | 2 | 0.65 |
| No response | 24 | 7.86 |
| Grand Total | 305 structures | 100% |

30. **Impact on Employees:** 72 employees will be affected working in these commercial structures as a result of the project. Adequate provisions have been included in the RP Entitlement matrix to address the losses of the employees.

31. **Impact on Tenants:** 35 of the total tenants in the commercial structure will be affected as result of the project.

32. **Viability of remaining Commercial Plots:** In case of all 267 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.

33. **Relocation Option for Affected Commercial structures:** 191 of the affected commercial structures incurring full impact on primary structures and necessitating relocation, opted for self-managed relocation whereas, 31 of the structures incurring impact requested for project assistance in relocation. These structures would be provided assistance by the subproject in identifying alternate sites to relocate their businesses. 45 affected structures declined a response.

Table 13: Relocation Preference of Severely Affected Commercial structure

| Relocation Preference | Affected Structures | Percentage |
|----------------------------------|-----------------------|-------------|
| Self managed relocation | 191 | 71.53 |
| Project Assistance in Relocation | 31 | 11.61 |
| No Response | 45 | 16.85 |
| Grand Total | 267 structures | 100% |

3. Residential cum Commercial Structures

34. 162 Residential cum commercial (RC) structures, mainly comprising of structures that are used as living quarter as well as for commercial activities (mostly small shops and businesses), will also be affected as a result of the Project.

35. **Type of Affected Business:** 86.41% of these RC structures comprise of small shops and businesses while 3.70% of these structures comprise of roadside hotels. 3.08% of the affected structures each comprise of workshops and kiosks. The remaining affected RC structures comprise of private clinics and a roadside eatery.

Table 14: Usage of the residential cum commercial structures

| Usage of the structure | Number of structures | Percentage |
|------------------------|-----------------------|-------------|
| Shops | 140 | 86.41 |
| Hotel | 6 | 3.70 |
| Dhaba | 1 | 0.61 |
| Kiosk | 5 | 3.08 |
| Private Clinic | 4 | 2.46 |
| Workshop | 5 | 3.08 |
| Other | 1 | 0.61 |
| Grand Total | 162 structures | 100% |

36. 93.20% (151 structures) of the affected residential cum commercial enterprises shall incur impact on the primary structure while the remaining would only incur impact on the secondary structure. As a result of impact on the primary structure, all 143 RC structures would become non-livable necessitating their relocation. All these 143 structures would be fully acquired for the project.

Table 15: Parts of affected structures

| Part of affected structure | Number of affected structure | Percentage |
|----------------------------|------------------------------|-------------|
| Primary Structure | 151 | 93.20 |
| Secondary Structure | 11 | 6.79 |
| Grand Total | 162 structures | 100% |

37. **Impact on Income:** The impact on these structures would also adversely affect the income generated from these assets till the time the affected structures are restored.

Interactions with the displaced households brought forth that 72.22% (117 structures) of them earn in the range of Rs. 5001 to 10000/month from the affected asset, followed by 9.87% (16 structures) earning in the range of 10,001 to 14,000 from the affected businesses, which would be adversely affected. 2 structures each earn in the range of 14,001 to 18,500 and more than 18,501 per month from the affected assets. Adequate provisions have been included in the RP Entitlement matrix to adequately address the losses of these households.

Table 16: Income loss range

| Income Loss range | Affected Structures | Percentage |
|--------------------------|----------------------------|-------------------|
| 1000 -5,000 | 117 | 72.22 |
| 5001 – 10,000 | 16 | 9.87 |
| 10001 - 14000 | 7 | 4.32 |
| 14001 - 18500 | 2 | 1.23 |
| 18501 and above | 2 | 1.23 |
| No Response | 18 | 11.11 |
| Grand Total | 162 structure | 100% |

38. **Impact on Employees:** 18 employees, working in the businesses being operated in the affected structures, would also incur impact on their income as a result of closure of business. Adequate provisions have been included in the RP Entitlement matrix to address the losses of the employees.

39. **Impact on Tenants:** 15 of the total tenants would be affected as a result of the subproject.

40. **Viability of remaining Residential cum Commercial Plot:** In case of 143 out of the 151 primary affected structures, the remaining 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.

41. **Relocation Option for Affected Residential cum Commercial structures:** During census survey, the preferences of the affected primary residential cum commercial structures with regard to relocation were also discussed. 94.70% (143 structures) of the total affected structures opted for self-managed relocation while 2.64% (4 structures) of the affected structure requested for project-assistance in relocation.

Table 17: Relocation preference of Severely Affected Residential cum Commercial structure

| Relocation Preference | Affected structure | Percentage |
|-----------------------------------|---------------------------|-------------------|
| Self- managed to another location | 143 | 94.70 |
| Project assistance in relocation | 4 | 2.64 |
| No Response | 4 | 2.64 |
| Grand Total | 151 structure | 100% |

E. Impact on Irrigation and other private assets

42. Apart from the above structures, the project would also affect some other private assets including irrigation units and other structures like stairs, toilet tanks and platforms. A total of 14 wells, 10 staircases, 7 platforms, 6 toilet tanks and 2 water and toilet tanks would be affected.

Table 18: Type of assets affected

| Irrigation Units and Other Assets | Number of Affected Assets |
|--|----------------------------------|
| Hand Pump | 2 |
| Well | 14 |
| Platform | 7 |
| Stairs | 10 |
| Toilet Tank | 6 |
| Water Tank + Toilet Tank | 2 |
| Grand Total | 41 assets |

F. Impact on Agricultural land

43. A total of 1240 agricultural plots belonging to 1104 households would be affected as a result of the subproject incurring impact on 43.71 ha of agricultural land. Of the total 1240 plots, 62.09% (770) land plots comprise of plots, which are barren and not under any cultivation. The remaining (470 plots) are under cultivation.

44. **Ownership Status of Affected Agriculture Plot:** In terms of title ownership 70.00% of the total affected land plots belong to titleholders whereas 27.25% comprise of encroachments on the RoW.

Table 19: Ownership status of Affected Agriculture Plots

| Ownership | Number of plots | Percentage |
|---------------------|------------------------|-------------------|
| Encroacher | 338 | 27.25 |
| Titleholder | 868 | 70.00 |
| Absentee Households | 34 | 2.74 |
| Total | 1240 plots | 100 |

45. **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 1240 plots affected, only 45 plots will lose more than 10% of their total land holding thereby incurring significant impact on the livelihood of the affected household. Out of these, the majority (40 plots) will incur 11 to 25% impact on their total land holding while the remaining 5 plots will incur 26 to 50% impact on their total land holding.

Table 20: Magnitude of Loss of Affected Agriculture Plots

| Ownership | Number of plots | Percentage |
|------------------|------------------------|-------------------|
| 1 to 10% | 1195 | 96.37 |
| 11% to 25% | 40 | 3.22 |
| 26% to 50% | 5 | 0.40 |
| 51% to 75% | - | - |
| More than 75% | - | - |
| Total | 1240 plots | 100 |

46. **Viability of Residual Land plots:** Of the total 269 agriculture plots affected, 45 plots will become unviable for cultivation after acquisition.

G. Impact on Residential Land

47. A total of 768 (606 residential and 162 residential cum commercial) land plots would be affected as a result of the subproject incurring impact on 2.90 ha of private land.

48. **Ownership Status of Affected Residential Land:** In terms of title ownership 57.81% of the total affected land plots belong to titleholders whereas 40.62% comprise of encroachments on the RoW and 1.5% comprise of squatters.

Table 21: Ownership status of Affected Residential Plots

| Residential Land | Total No. of affected plots | Ownership status of the affected plots | | |
|----------------------------|-----------------------------|--|-----------------------|----------------------|
| | | Titleholders | Encroacher | Squatter |
| Residential | 606 | 367 | 228 | 10 |
| Residential cum Commercial | 162 | 77 | 84 | 2 |
| Total | 768 structures | 444 structures | 312 structures | 12 structures |

49. Among the structures impacted on the 768 residential land plots, 611 structures would bear an impact on their primary/main structure and making these structures non-livable and necessitating full reconstruction of these structures. Out of these, 410 structures would be fully acquired for the project necessitating their relocation.

50. **Viability of remaining Residential Plots:** In case of 439 out of the 768 primary structures impacted, the remaining residential plot (on which the structure is located) shall remain viable for reconstruction of new structure. In case of remaining structures, the remaining land plot will not be viable necessitating relocation of structure to a new location.

H. Impact on Commercial Land

51. A total of 305 commercial land plots would be affected as a result of the subproject incurring impact on 0.337 ha of private land.

52. **Ownership Status of Affected Commercial Land:** In terms of title ownership, only 12.13% of the commercial land plots belongs to titleholders whereas the remaining land comprises of encroachments on the RoW.

Table 22: Ownership status of Affected Commercial Plots

| Use of Affected Structure | Total No. of affected plots | Ownership status of the affected structures | | |
|---------------------------|-----------------------------|---|------------|----------|
| | | Titleholders | Encroacher | Squatter |
| Commercial | 305 | 37 | 213 | 55 |

53. Among the structures impacted on the 305 commercial land plots, 87.54% (267 structures) would incur impact on their primary structure impacting them significantly and making them non-functional. 14.23% (38 structures) of the commercial structures will bear impact only on their secondary structures such as boundary walls. All 267 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.

54. **Viability of remaining Commercial Plots:** In case of all 267 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.

I. Impact on trees

55. Apart from impact on land and structures, a total of 129 trees will also be affected. Mostly two types of trees will be affected - fruit bearing trees such as mango, jackfruit, blackberry and coconut tree and non-fruit trees such as bamboo, neem, ashok etc.

Table 23: Type of trees affected

| Type of trees | Number of affected trees |
|--------------------|--------------------------|
| Asam | 2 |
| Ashok | 10 |
| Bamboo | 14 |
| Bail | 1 |
| Blackberry | 1 |
| Dahuw | 1 |
| Gambhar | 7 |
| Gonch | 1 |
| Guava | 2 |
| Jackfruit | 20 |
| Kadamb | 2 |
| Kiranj | 1 |
| Kronch | 2 |
| Mahua | 2 |
| Mango | 30 |
| Neem | 8 |
| Paras | 1 |
| Parmi | 1 |
| Sagwan | 3 |
| Seesam | 13 |
| Simal | 1 |
| Teak | 5 |
| Grand Total | 129 |

J. Impact on Community Property Resources (CPR)

56. Apart from private assets, the road construction would also lead to impacts on the Common Property Resources like school, government office, milk centre, temple, a cooperative bank, hand pumps and toilet. A total of 18 CPR would be affected along the subproject corridor. The details of the different type of affected CPR are provided in Table 24 below.

Table 24: Village Wise Distribution of CPR

| Village | Types of CPR | Total |
|-------------|---|-------|
| Chitradih | MNREGA Office | 1 |
| Bhandaridih | Holy Trinity School Rotary International Imam Bara Milk centre | 4 |

| Village | Types of CPR | Total |
|---------------------|--|----------------|
| Parakharo | Cooperative bank Durga Sthan Hand pump (3 No.) | 5 |
| Shyam Singh Nawadih | Hanuman Mandir Durga Mandir | 2 |
| Kachahri Road | Khankah | 1 |
| Kusaiya | Toilet Room (Middle school Kusaiya). Kali Mandir Durga Mandir | 3 |
| Pachambha | Masjid (building and market). | 1 |
| Kandajore | Budh Temple | 1 |
| Grand Total | | 18 CPRs |

57. During the census survey, the responsible persons and the organizations to be impacted were contacted to make them aware about the subproject and to understand their perception and about the restoration options that they would prefer. According to the persons/ organization responsible for the affected CPR, they have no objection regarding the subproject but they emphasized on the need of adequate and timely compensation.

III. SOCIO-ECONOMIC PROFILE OF THE AFFECTED POPULATION

58. The key social and economic profile of the displaced households from the affected area 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.² 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

59. The project road lies in Giridih district of Jharkhand that begins at Giridih Market Area (Near Giridih Station) and ends at Sarawan (Bihar Border) passing through Pachambha, Jamua, Kharagdiha and Chatro.

60. Giridih district is spread over an area of 4,853.56 sq.kms and is bounded on the north by Jamui district and Nawada district of Bihar state, on the east by the districts of Deoghar and Jamtara, on the south by Dhanbad and Bokaro, and on the west by Hazaribagh and Koderma districts. Giridih town is an industrial city, popularly known for coal and mica industries and hub for all mining related activities in Jharkhand (after Bokaro and Dhanbad).

61. As per Census 2011, Giridih district has a population of 2,445,474 of which male and female were 1,258,098 and 1,187,376 respectively. Average literacy rate of the district in 2011 is 63.14% compared to 44.50% of 2001. If things are looked out at gender wise, male and female literacy rate in the district is 76.76 and 48.72 respectively. The district has a sex ratio of 944 females per 1000 male.

B. Profile of the Affected Households

62. A total of 1942 households will be affected as a result of the project improvements incurring impact on a total of 19895 affected persons. 133 of the affected households comprised of absentee households who were not present at the time of the census survey.

63. The key socio-economic characteristics of the affected household and populations have been discussed in the following sub-section.

C. Demographic profile of project affected household

64. A total of 1942 HHs comprising of 19,895 APs will be affected as a result of the subproject. The road passes through 41 different villages of Giridih district.

1. Households by Sex

65. Only 5.71% of the affected households are headed by women, while 87.43% are headed by males. The remaining households comprised of absentees.

² Among the 1942 AHHs, 133 HH were absent during the census survey. Hence, the socio economic information of the absentee households could not be collected during the census survey.

Table 25: Head of the households by Sex

| Head of the household | Number of affected households | Percentage |
|-----------------------|-------------------------------|-------------|
| Male | 1698 | 87.43 |
| Female | 111 | 5.71 |
| Absentees | 133 | 6.84 |
| Grand Total | 1942 AHHs | 100% |

66. Amongst the 19,895 persons affected as a result of the project, 53.05% (10,555 males) comprised of males and 46.9% (9340 females) comprised of females.

2. Households by Religion

67. Hindus accounted for majority of the affected households with 81% of the total affected households comprising of Hindus, followed by 12% Muslim households.

3. Households by Social Group

68. Most of the households belong to the Other backward Caste (OBC) group constituting 70.54% of the total affected households, followed by 15.49% general caste households and 7.1% scheduled caste (SC) households. None of the affected households comprise of Scheduled Tribe (ST) households.

Table 24: Households by different caste group

| Caste Group | Number of AHHs | Percentage of AHHs |
|--------------------|------------------|--------------------|
| General | 301 | 15.49 |
| SC | 138 | 7.1 |
| OBC | 1370 | 70.54 |
| Absentees | 133 | 6.84 |
| Grand Total | 1942 AHHs | 100% |

4. Households by family size

69. Family of size 1 to 10 members account for 56.48 percent, followed by 29.04 percent with a family of size 11 to 20 members, 5.56 percent with a family of size 21– 30 members and 2.05 percent with more than 30 members in their family. The average family size of the affected households is 10.2 members per households, which signifies majority of the joint families incurring impact.

Table 25: Size of the affected households

| Size of the family | Number of AHHs | Percentage |
|--------------------|----------------|-------------|
| 1 to 10 | 1097 | 56.48 |
| 11 to 20 | 564 | 29.04 |
| 21 to 30 | 108 | 5.56 |
| More than 30 | 27 | 2.05 |
| Absentees | 133 | 6.84 |
| Grand Total | 1942 | 100% |

D. Socio-economic Profile

1. Educational level of Affected households

70. 9.88% of the head of the affected households were illiterate whereas the remaining were literate with varied educational levels. While 0.61% of the head of the households had functional literacy, 14.57% had attained primary level of education and 19.92% middle school level of education, the remaining households had attained secondary, higher secondary and even higher level of education. Graduates and Post Graduates together accounts for around 6.18% of the total affected household population

Table 26: Households by educational level

| Educational level | Number of Affected households | Percentage |
|----------------------------------|--------------------------------------|-------------------|
| Primary Class: I – V | 283 | 14.57 |
| Middle Class: VI – VIII | 387 | 19.92 |
| Secondary Class: IX – X | 494 | 25.43 |
| Higher Secondary Class: XI – XII | 227 | 11.68 |
| Graduate | 115 | 5.92 |
| Post- Graduate | 11 | 0.56 |
| Illiterate | 192 | 9.88 |
| Functional Literacy | 12 | 0.61 |
| No Response | 88 | 4.53 |
| Absentees | 133 | 6.84 |
| Grand Total | 1942 AHHs | 100% |

2. Households by Occupation

71. 36.97% of the affected households are dependent on agriculture for sustenance of their livelihood. Small trade and business constitute another key source of livelihood with 439 (22.6%) of the total affected households engaged in it.

72. Apart from the above two, wage labour including both non-agricultural wage labor (10.04%) and agricultural wage labor (8.49%) comprise another key source of livelihood of the affected households. The remaining households are engaged in varied occupations ranging from professions, government and private service etc.

Table 27: Occupation by the head of the households

| Occupation | Number of Affected Households | Percentage |
|--------------------------|--------------------------------------|-------------------|
| Agriculture | 718 | 36.97 |
| Dairy | 2 | 0.1 |
| Forestry | 2 | 0.1 |
| Trade/Business | 439 | 22.6 |
| More than one occupation | 61 | 3.14 |
| Profession | 68 | 3.5 |
| Government Service | 53 | 2.72 |
| Private Service | 90 | 4.63 |
| Agriculture Labor | 165 | 8.49 |
| Non- agriculture labor | 195 | 10.04 |
| Others | 16 | 0.82 |
| Absentees | 133 | 6.84 |
| Grand Total | 1942 AHHs | 100% |

3. Income of Affected Households

73. 75.90% of the affected households reported earning an annual income of less than 65,089 followed by 7.92% of the affected households earning income in the range of 65,090 to 95,000 per annum. 3.39% reported an annual income between 95,001 to 1.2 lakh. Only 2.93% of the affected households reported an annual income of more than 2 lakhs.

74. 13 of the total affected households chose not to respond to this, while 133 households were absent during the time of the census survey.

Table 28: Households by Income level

| Income level | Number of affected households | Percentage |
|--|-------------------------------|-------------|
| Less than 65,089 (BPL Households) ³ | 1474 | 75.90 |
| 65,089 to 95000 | 154 | 7.92 |
| 95,001 to 1.2 lakh | 66 | 3.39 |
| 1.2 lakh to 1.5 lakh | 15 | 0.77 |
| 1.5 lakh to 2 lakh | 30 | 1.54 |
| More than 2 lakh to 2.5 lakh | 57 | 2.93 |
| No response | 13 | 0.66 |
| Absentees | 133 | 6.84 |
| Grand Total | 1942 AHHs | 100% |

4. Indebtedness of Affected Households

75. 82.8% of the total affected households have not taken any credit in past one year. Amongst the 201 households who have taken credit, 152 of them reported taking credit from a formal financial institution, whereas the remaining households shared taking credit from informal money lender.

Table 29: Households under debt

| Under Debt | Number of affected households | Percentage |
|--------------------|-------------------------------|-------------|
| Yes | 201 | 10.35 |
| No | 1608 | 82.8 |
| Absentees | 133 | 6.84 |
| Grand Total | 1942 AHHs | 100% |

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

5. Purpose for Loan

77. Of the 201 affected households who reported taking credit, the majority reported borrowing for investment in agriculture, personal emergency, for house construction and investment in business.

³ 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.

Table 30: Purpose for loan

| Purpose for loan | Number of Affected Households | Percentage |
|---------------------------|--------------------------------------|-------------------|
| Investment in Agriculture | 92 | 4.73 |
| Investment in Business | 22 | 1.13 |
| House Construction | 23 | 1.18 |
| Wedding/ Social Functions | 11 | 0.56 |
| Emergency | 40 | 2.05 |
| Any other | 13 | 0.66 |
| Not Applicable | 1608 | 82.8 |
| Grand Total | 1942 AHHs | 100% |

6. Impact on Vulnerable Households

78. As per the ADB's Safeguard Policy Statement 2009, vulnerable groups 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. 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 get the benefits of development.

79. A total of 1607 of the total affected households comprise of socio-economically vulnerable households. Under this, the BPL households share the major part constituting of 1474 of the total vulnerable households. This is followed by 111 female headed households and 96 households with disability. 85 of the total households comprise of SC households. The details of the affected households by type of vulnerability are presented in the following Table 31.

Table 31: Vulnerability status of the affected households⁴

| Vulnerability | Number of AHH |
|--|----------------------|
| Female headed household (FHH) | 111 |
| Households Below Poverty Line (BPL) ⁵ | 1474 |
| Households with disability | 96 |
| Scheduled Caste (SC) households | 85 |

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

7. Perceived Benefits/ Negative Impacts

81. 63% of the total affected households perceived more than one benefits as a result of the project. The benefits according to them vary from one to other as described below. 9% of the affected household considered improved mobility as one of the major benefit out of the project followed by 6% considering access to market as one of the vital benefits from the project.

⁴ This table provides the number of vulnerable households in each category. However, as some households also have more than one vulnerability, the total number of vulnerable households is 1607.

⁵ BPL status determined based on reported income level of the affected households.

Table 32: Perceived benefits from the project

| Perceived Benefits | Affected Households | |
|-------------------------------------|---------------------|-------------|
| | Number | Percentage |
| Education | 8 | 0.41 |
| Health | 20 | 1.02 |
| Access to resources/market | 113 | 5.81 |
| Improved mobility | 184 | 9.47 |
| Increase in the value of the assets | 52 | 2.67 |
| Multiple benefits | 1218 | 62.71 |
| Increase in sales/ production | 21 | 1.08 |
| Reduce in transportation cost | 52 | 2.67 |
| No Response | 141 | 7.26 |
| Absentees | 133 | 6.84 |
| Grand Total | 1942 AHHs | 100% |

82. 19% of the total affected households considered loss of assets to be one of the major negative impacts to be resulting from the project. 48% of the total affected household population perceived multiple impacts, that is, more than one negative impact to incur as a result of the project. 6% of the households considered relocation as a major concern followed by shifting of assets and break in cultural ties as the other major concern sharing around 3 percent and 1 percent respectively. The opinion of the affected households to the negative impacts of the subproject is presented in Table 35. Based on this information, detailed provisions for resettlement and rehabilitation of affected households have been made and included in form of an Entitlement Matrix in this RP. The EM has been prepared in accordance with the RFCLARRA, 2013 and ADB SPS, 2009. Adequate efforts will be made to improve or restore the lives and livelihoods of all affected households.

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

Table 33: Perceived negative impacts

| Perceived negative impacts | Affected Households | |
|-----------------------------------|---------------------|-------------|
| | Number | Percentage |
| Loss of assets | 380 | 19.56 |
| Accidents | 277 | 14.26 |
| Relocation | 114 | 5.87 |
| Shifting of assets and belongings | 53 | 2.72 |
| Break in cultural and social ties | 26 | 1.33 |
| Multiple negative impacts | 935 | 48.14 |
| Decrease in sales/ production | 16 | 0.82 |
| Any other | 1 | 0.05 |
| No Response | 7 | 0.36 |
| Absentees | 133 | 6.84 |
| Grand Total | 1942 AHHs | 100% |

IV. GENDER IMPACTS OF THE PROJECT

A. Gender Analysis

84. 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.

85. 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).

86. Table 36 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 ratio⁶.

87. 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. Giridih district has a particularly low female literacy rate.

Table 34: 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 |
| Giridih | 944 | 63.14% | 76.76 | 48.72 |

Source: Census of India, 2011

88. 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.

89. 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 steadily declining in the past few years but still remains much higher than the national average.

⁶ As per Census of India 2011, Dumka has a sex ratio of 977 while Giridih has a sex ratio of 944.

In 1997-98, the MMR was 531 per 100,000 live births, which reduced to 372 in 2001-03, 312 in 2004-06 and 261 in 2008-10.

90. About 8.3 lakh of women delivers a child every year In Jharkhand, of them 2,200 women die during the time of their delivery. According to experts, the 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

91. Discussions were held with local women during the census survey to elicit their opinion on the subproject and its impacts. A total of 55 women participants participated in these discussions.

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

93. The women expressed a number of both key benefits and concerns that they perceive out of this subproject. The improvement of the road network will have positive impact as it will increase the frequency and quality of the transportation which will not only improve the accessibility issue but will also increase the value of land. They were also of opinion that the augmentation of the road network would help in creating employment opportunities for the local people.

94. However, the women participants did voiced their concerns regarding the safety of them and their children as they were of opinion that the widening of the road would increase the frequency of the vehicles which would lead to the risk regarding accidents. Though to address the risk of accidents, adequate provisions for road safety and have been integrated in the road design by the technical design team. The other negative impacts that they raised was the increase in the level of air and noise pollution as a result of the project.

95. The summary of the consultations conducted with the women participants in the subproject area are presented in the table 35 below.

Table 35: Summary of Consultations with local women

| Location | Date | No. of Participants | Benefits perceived by the participants | Key Concerns raised by the People | Key Suggestions given during the time of the Consultations |
|----------|----------|---------------------|---|--|--|
| Rajpura | 16/12/13 | 13 | Good Traffic Frequency Better Health facilities and health care centers Increase in value of land and better infrastructure | Increase in Traffic would pose a risk of accidents (of both human and cattle). Demolition of a nearby school would harm the | Adequate road safety measures need to be integrated into the road. Restoration of community property resources such as schools to be done promptly. |

| Location | Date | No. of Participants | Benefits perceived by the participants | Key Concerns raised by the People | Key Suggestions given during the time of the Consultations |
|----------------|----------|---------------------|---|---|---|
| | | | Easy to access market | education of children. | Government should run buses for girl child to support their schooling from rural to urban areas. |
| Nawadih | 12/12/13 | 18 | Enhancement in job opportunities and commercial activities Job opportunities for women and youth. Access to market and participation in women related programs and activities. | Increase in air pollution because of the construction work may lead to pollution and health risks. Adverse impact on livelihood. | EA should provide livelihood restoration assistance and compensation for loss of livelihood to affected households. There should be actual assessment of loss and provision for fair compensation before acquiring or dismantling the residential and commercial structures. |
| Ranidih | 14/12/13 | 10 | Easy to access market bank. Increase in traffic. Betterment in health facilities and neonatal care | Possibilities of more accident due to sharp 'U-Turn'. | Adequate road safety measures need to be integrated into the road. |
| Kusaiya & Bati | 15/12/13 | 6 | Betterment in education, health and infrastructure Improvement in living standard of people due to easily access to market Awareness about government program and activities related women due to link between villages and district headquarter. | The construction work would impact the fertile and irrigated land. Loss of assets and livelihoods. Impact on religious place and cemetery. Impact on education due to impact on educational institute. | Fair compensation needs to be provided for lost assets and community need to be closely consulted during the project. Restoration of community property resources such as schools to be done promptly so that there is minimum disruption of education. |
| Parakharo | 14/12/13 | 8 | Easy to sale agro-product in the market and get more profit. Easy to access | Impact on irrigation system and agriculture field due to construction | Construction of culvert for water crossing across the road and compensation of crops. |

| Location | Date | No. of Participants | Benefits perceived by the participants | Key Concerns raised by the People | Key Suggestions given during the time of the Consultations |
|----------|------|---------------------|--|--|---|
| | | | central and state development programs related to farmers and women. Loan assistance and skill development program. | work. Impact on poor people and daily wage agricultural workers especially women. Impact on health due to construction work and pollution. | Reconstruction of irrigation facilities. Creation of job and involvement of workers in the construction. |

96. The Project is anticipated to have direct adverse impacts on 20 female-headed households. These female-headed households are considered as a vulnerable as per this RP. Any negative impacts of the subproject on female-headed households will be addressed on a priority basis.

97. 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.

V. CONSULTATION, PARTICIPATION AND DISCLOSURE

A. Consultation in the Project

98. 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 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

99. 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

100. 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 36: 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 |

101. Consultation was done in 6 different villages including market area to elicit the opinions and concerns of the affected communities regarding the proposed road improvement project. The described project includes different roads of Rajpura, Nawadih, Ranidih, Parakharo, Kusaiya and Bati. 195 persons participated in these consultations.

102. The discussions were carried out with the people to aware 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.

103. 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.

104. The summary of the consultations conducted in the project area is presented in the table below:

Table 37: Summary of the Consultation

| Date | Village | Number of Participants | Benefits from the Project as perceived by participants | Key concerns raised by the people | Key suggestions provided during the Consultations |
|-------------|----------------|-------------------------------|---|---|---|
| 16/12/13 | Rajpura | 43 | <p>Good traffic frequency.</p> <p>Better Health facilities and improvement in health care (especially for women and child).</p> <p>Better access to educational institutions.</p> | <p>The compensation was not paid for a past project. Hence, the doubt remains amongst the community regarding the payment of compensation for recent acquisition.</p> <p>Livelihood restoration will be a challenge due to acquisition of agricultural land and dismantling of shops/commercial structures.</p> <p>Impact on businesses may negatively impact commercial activities, which may triggers the issue of unemployment among locals.</p> | <p>Fair compensation should be provided for both (past⁷ and proposed acquisitions) on the basis of current land rate assessment.</p> <p>There should be provision for employability in the project (also in government services).</p> <p>Financial assistance for commercial loss to affected households.</p> <p>Vocational training and loan assistance on subsidized rate for the affected households.</p> |
| 12/12/13 | Nawadih | 75 | <p>It can enhance smooth traffic and mobility.</p> <p>Enhancement of commercial activities and promotion of income generation activities.</p> <p>Livelihood opportunity for local laborers due to proposed construction of the road.</p> <p>Rate and value of the land will increase.</p> | <p>There will be significant displacement at some places.</p> <p>Widening of the road can also promote accident of human and animal.</p> <p>Acquisition and construction of proposed road shall impact fertile agricultural land.</p> <p>Loss of houses especially loan based houses and Indra Awas.</p> <p>Loss of business and livelihood.</p> | <p>Need to provide employment and loan assistance for livelihood restoration to affected households.</p> <p>Satisfactory compensation and availability of residential / agricultural land.</p> <p>Road crossing/ Zebra Crossing/ Retaining wall/ Over bridge at village and market area.</p> <p>Compensation should be based on local market rates.</p> |

⁷ The past acquisition being referred to by the community is not part of the Project.

| Date | Village | Number of Participants | Benefits from the Project as perceived by participants | Key concerns raised by the people | Key suggestions provided during the Consultations |
|----------|---------|------------------------|---|--|---|
| | | | | Problems of pollution and its impact on local residents. | Fair compensation for loss of business and commercial activities on actual assessment basis. Adequate provision for rehabilitation and resettlement. |
| 14/12/13 | Ranidih | 31 | Shopkeepers/ businessmen/ traders will be more fruitful from the project. Promotion of trade and industries. | Affected household did not receive any compensation for previous land acquisition for a previous project. Impact on shops/ markets may promote the unemployment. Problem of fair compensation for land and structures. | Actual measurement should be done for the proposed road by the concerned authority as per the village revenue map. Fair compensation for shopkeepers and building owners for rehabilitation and resettlement and assistance from the govt. for livelihood promotion. Compensation should be based on market rate for agricultural and residual plot. Preservation of fertile land for agricultural works or compensation and allotment of government land within the area. |

| Date | Village | Number of Participants | Benefits from the Project as perceived by participants | Key concerns raised by the people | Key suggestions provided during the Consultations |
|------------|----------------|------------------------|---|---|--|
| 15/ 12/ 13 | Kusaiya & Bati | 24 | <p>Promotion of commercial activity and livelihood.</p> <p>It will promote smooth traffic.</p> <p>Better access to health care and treatment.</p> <p>Land value will increase.</p> <p>Increase in employment and business.</p> | <p>Impact on religious buildings.</p> <p>Impact on houses and resultant displacement.</p> <p>Impact on agricultural land or loss of agricultural land can lead to economic vulnerability.</p> | <p>Re-construction or Re- establishment of religious places or building before starting the construction work.</p> <p>Adequate Provision for rehabilitation and compensation on market rate for affected assets.</p> <p>Allotment of agricultural land to the farmers and financial assistance for continuation of livelihood.</p> <p>Fair and full compensation for losses of land, houses, shop or any other and sufficient timeline for rehabilitation.</p> |
| 14/12/13 | Parakharo | 22 | <p>Improvement in Transportation & communication systems.</p> <p>Decrease in numbers of accident such as human and animal.</p> <p>Growth in business.</p> <p>Improved access better health services, education & markets.</p> | <p>Impact on houses and problems of habitation.</p> <p>Dismantling of shops, houses and market complex can lead to economic vulnerability and unemployment.</p> <p>Deforestation and cutting of trees will pollute ecology.</p> | <p>Ensure to minimization of impact on residential structures and full and fair compensation for affected assets.</p> <p>Compensation should be based on market rate.</p> <p>Tree plantation alongside the proposed road.</p> <p>Construction govt. market complex for affected shopkeepers and traders.</p> |

C. Summary of Consultation

105. The affected community understood that widening of the road would be beneficial to the whole community and it would promote development in the area. They were aware about the existing ROW and the need to acquire additional land at some places. Besides, the probable impacts of dismantling of structures owned privately and by the community were explained, the impacts on other assets like trees, water supply pipelines and drainage were also explained to them.

1. Perception of the community

106. It was observed that the road was perceived by the communities as a very critical construction and the importance of the road was considered very crucial to their lives. They stated a range of benefits such as:

- Improvement of transportation and communication system.
- Communities will have better access to health services, education & markets.
- Value of roadside land will increase.
- Growth in the business and trade.
- Employment opportunities

2. Concerns of the community

107. Besides the benefits, certain concerns and grievances were also discussed during the time of the consultation. They requested to emphasis more on the details to curb issues of the impact of the project at the time of implementation. Some of the key concerns by the community has been described below:

- A wider road shall mean more and faster vehicles that could lead to more accidents.
- Loss of fertile and residual land, residential structures and commercial assets.
- Deforestation and construction work would lead to pollution & ecological imbalance.
- Dismantling of commercial and residential cum commercial enterprises would lead to loss of major source of income of not only the owners of the property but also the employees.

108. Other than the described concerns, the affected households involved during the time of the consultation also highlighted the issues related to the transparency in the process of fixation and delivering of the compensation amount. According to them, they cited example of a past acquisition and shared that they may be deprived of compensation if there is lack of transparency in the procedure of fixation of compensation. Community further requested that compensation should be paid before the commencement of the construction work and process should also be transparent in nature. They also highlighted the need of involvement of affected people in the procedure of fixation of compensation. Furthermore, the provision for the availability of sufficient time to the affected households for their rehabilitation after the sanction of compensation was also highlighted.

3. Suggestion by the affected households

109. A few suggestions were provided by the affected community during the time of the consultation as described below.

- Proper road safety measures like zebra crossing, over bridge related to road crossing should be taken
- Adequate support should be provided to the affected households for the restoration of their livelihood.
- Dismantling of the houses and commercial structures should be minimized.
- Deforestation should be minimized and plantation should be done as far as possible. Measures should also be taken to minimize the air pollution that would be resulted from the construction of the road. For example splashing/ throwing water on the road at the time of construction.
- Local labors should be provided with employment opportunities during road construction.

110. 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.
- Adequate support provisions for livelihood restoration have been integrated into the RP Entitlement Matrix.
- Local labour would be given employment opportunity during road construction.

D. Plan for further Consultation in the project

111. 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.

112. 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

113. 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.

114. 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 minimize resettlement impacts and mitigation measures available in accordance with the principles of the RP.

115. 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.

116. 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 RP

117. The RP summary will be translated in Hindi and Santhali and made available to the affected persons. Hard copies of the RP will also be made available at: (i) Offices of the PIU; (ii) District Magistrate Office (iii) Block Development Officers' Office (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. A report of disclosure, giving detail of date and location, will be shared with ADB.

118. The basic information in the RP including subproject locations, impact estimations, entitlements, implementation schedule etc. will be presented in the form of a brochure that will be circulated among the APs. These brochures would be distributed to the APs by the PIU with assistance from the NGO at the time of the RP disclosure.

119. Additionally, during RP implementation public meetings will be organized by the PIU with assistance from the NGO to disclose the RP in each of the affected villages to inform the APs about the Project, their entitlements as well as the grievance redress mechanism. The PIU and NGO will pay particular attention to the needs of the disadvantaged or vulnerable groups, especially those below poverty line, the landless, the elderly, female-headed households, women and children, Scheduled Caste etc. Separate focus group discussions and house visits, if needed, shall be undertaken during RP implementation in case of the vulnerable households by the PIU and NGO to follow up on the concerns (related to Project and entitlements) as well as to assess the needs of these households.

120. 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.

121. Furthermore, a notification on the Project implementation will be issued by the PIU in local newspapers at the time of RP Disclosure.

122. 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.

VI. POLICY AND LEGAL FRAMEWORK

A. Introduction

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

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

124. 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.

125. 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.

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

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

127. 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.⁸

128. Some of the 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.

⁸ 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.

129. 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.

130. 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.

131. The RFCLARRA, 2013 also recognizes non-titleholders such as agricultural or non-agricultural laborer, 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.

132. Section 27 of the Act defines the method by which market value of the land shall be computed under the proposed law. Schedule I outlines the proposed minimum compensation

based on a multiple of market value. Schedule II through VI outline the resettlement and rehabilitation entitlements to land owners and livelihood losers, which shall be in addition to the minimum compensation per Schedule I. Additional details regarding the Act can be found in Appendix 2.

D. ADB Safeguard Policy Statement (SPS), 2009

133. 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.

134. 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.

135. 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

136. 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.

137. '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 40 below along with measures taken to bridge the same in this RP

Table 38: Key gaps between ADB SPS and RFCLARR

| Aspect | ADB Safeguard Requirement | Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act (RFCLARR), 2013 | Measures taken in this RP to bridge the gaps |
|------------------------------------|---|--|--|
| Compensation For non-title holders | Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets. | As per RFCLARR, a family residing on any land in urban areas for 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 in 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. |

138. The RFCLARR, 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

139. 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 settlement⁹ to ensure that those people who

⁹ 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,

- 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.

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.

VII. ENTITLEMENTS, ASSISTANCE AND BENEFITS

A. Eligibility and Entitlements

140. 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.

141. 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.

142. 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.

143. 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

144. The broad entitlement of compensation and assistance will include compensation for loss of agricultural land, compensation for loss of crops and trees, assistance for loss of income and additional assistance to vulnerable groups. Income losses will be compensated and no structure and property will be demolished or acquired for any Project related construction activity, until compensation and R&R assistance is made available to the affected households in accordance with this policy. The payment of compensation and assistance will be based on National and ADB's policies and the provisions of the ADB' SPS, 2009 will prevail in case of any discrepancy. The detailed entitlement matrix is given in Table 41 below.

Table 39: Entitlement Matrix

| | Type of Loss | Application | Definition of Entitled Person | Compensation Policy | Implementation Issues | Responsible Agency |
|---------------------|--|---|--|--|--|--|
| Loss of Land | | | | | | |
| 1.. | Loss of private land | Agricultural land ¹⁰ | Legal titleholders/ Family with traditional titleholders ¹¹ | <ul style="list-style-type: none"> • Compensation at replacement cost. • One time Resettlement allowance¹² of Rs. 50,000 per affected family¹³ • In cases wherein the residual land becomes unviable, the AP will have the option of claiming compensation for the entire land at replacement cost. | <ul style="list-style-type: none"> • Compensation accounts for all stamp duties, taxes and fees, as applicable under relevant laws and does not account for any depreciation. | The Valuation Committee will determine replacement value as per the procedures outlined in the subsequent sections of this document. PIU will ensure provision of notice. PIU will verify the extent of impacts through a 100% survey of DPs and determine assistance. |
| | | Homestead Land | | | | |
| | | Commercial Land plot | | | | |
| | Agricultural land, Homestead Land Commercial Land plot | Tenants and leaseholders (whether having written tenancy/lease documents or not / sharecroppers | <ul style="list-style-type: none"> • Compensation for rental deposit or unexpired lease (such amount will be deducted from the compensation of land owners). • One time Resettlement allowance¹⁴ of Rs. 50,000 per affected family.¹⁵ • | <ul style="list-style-type: none"> • Land owners will reimburse tenants and leaseholders land rental deposit or unexpired lease | 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. | |
| | | | | | | |
| | | | | | | |
| 2. | Loss of | Agricultural | Leaseholders | <ul style="list-style-type: none"> • Compensation for rental | | PIU will ensure provision |

¹⁰ 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.

¹¹ Traditional land rights refer to households with customary rights to land, and shall be treated equivalent to titleholders

¹² The RFCLARRA, 2013 specifies that each affected family shall be given one time Resettlement Allowance of Rs. 50,000 only.

¹³ '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.

¹⁴ The RFCLARRA, 2013 specifies that each affected family shall be given one time Resettlement Allowance of Rs. 50,000 only.

¹⁵ '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). | | of notice and identify vulnerable households. |
| | | Homestead Land | | • One-time Resettlement allowance ¹⁶ of Rs. 50,000 per affected family ¹⁷ | | |
| | | Commercial Land plot | | | | |
| | | Vacant plot, RoW of road | Squatters ¹⁸ , Encroachers ¹⁹ | <ul style="list-style-type: none"> • 60 days advance notice to shift from occupied land. • Notice to harvest standing seasonal crops and compensation. • One-time Resettlement allowance²⁰ of Rs. 50,000 per affected family²¹ • 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. | <ul style="list-style-type: none"> • 60 days advance notice to shift from occupied land. | PIU will ensure provision of notice. |
| Loss of Structures | | | | | | |
| 3. | Loss of Structure | Residential, Residential cum | Legal titleholders Family with | • Each affected household shall be eligible for replacement cost of the | • Compensation accounts for all stamp duties, taxes and fees, | Valuation committee will verify replacement value. PIU will verify the extent |

¹⁶ The RFCLARRA, 2013 specifies that each affected family shall be given one time Resettlement Allowance of Rs. 50,000 only.

¹⁷ '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.

¹⁸ Squatters are those who have no recognizable rights on the land that they are occupying.

¹⁹ 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.

²⁰ The RFCLARRA, 2013 specifies that each affected family shall be given one time Resettlement Allowance of Rs. 50,000 only.

²¹ '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 ²² | 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"> • For partly affected structure, the AP will have the option of claiming compensation for the entire structure if the remaining portion is unviable or if the existing floor space cannot be restored. • Fees, taxes, and other charges related to replacement structure. • Right to salvage materials from structure and other assets with no deductions from replacement value. • One-time financial assistance of Rs. 25,000 to the families losing cattle sheds for reconstruction (only in case of Residential and Residential cum Commercial structures) • One-time Resettlement allowance²³ of Rs. 50,000 per affected family.²⁴ • All displaced families will receive one time financial assistance of Rs. 50,000 as transportation cost towards shifting of family, building | as applicable under relevant laws and does not account for any depreciation. | <p>of impacts through a 100% survey of AHs to determine assistance.</p> <p>Households affected by partial loss of structures and where the remaining structures are viable for continued use, will be entitled to an allowance, over and above the compensation for affected portion of the structure, for repair of the remaining structure.</p> |

²² Other assets include, but is not limited to walls, fences, sheds, wells, etc.

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

²⁴ '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 |
|--|--------------|---|-------------------------------|---|--|--|
| | | | | materials, belongings and cattle. | | |
| | | Residential, Residential cum Commercial, Commercial structure | Tenants and leaseholders | <ul style="list-style-type: none"> • Replacement cost of part/whole of structure constructed by the tenant/leaseholder, and the same will be deducted from the compensation amount of the owner. • Compensation for rental deposit or unexpired lease. • Right to salvage materials (of the portion constructed by tenants or leaseholders) from structure and other assets • One-time financial assistance of Rs. 25,000 to the families losing cattle sheds for reconstruction (only in case of Residential and Residential cum Commercial structures). • One-time Resettlement allowance²⁵ of Rs. 50,000 per affected family²⁶ • All displaced families will receive one time financial assistance of Rs. 50,000 as transportation cost towards shifting of family, building materials, belongings and cattle. | <ul style="list-style-type: none"> • Land/structure owners will reimburse tenants and leaseholders rental deposit or unexpired lease. • Tenants will be given a 60-day advance notice to vacate. | Valuation committee will verify replacement value. PIU will verify the extent of impacts through a 100% survey of AHs to determine assistance. |
| | | Residential, | Squatters, | • Replacement cost of | • 60 days advance | PIU will verify the extent |

²⁵ The RFCLARRA, 2013 specifies that each affected family shall be given one time Resettlement Allowance of Rs. 50,000 only.

²⁶ '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 cum Commercial, Commercial structure | Encroachers | structure constructed by the squatter <ul style="list-style-type: none"> • Right to salvage materials from structure and other assets with no deduction from replacement value. • One time Resettlement allowance²⁷ of Rs. 50,000 per affected family²⁸ • 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. | notice to demolish the affected structure. | of impacts through a 100% survey of AHs to determine assistance. |
| Loss of Livelihood | | | | | | |
| 4 | Loss of livelihood | Livelihood | Legal titleholder Family with traditional land right Commercial tenant Commercial leaseholder Employee in commercial establishment | <ul style="list-style-type: none"> • One-time payment of Rs. 500,000 per family. • All displaced families will receive monthly Subsistence allowance of Rs. 3,000 for one year (total Rs. 36,000) from the date of award. • Skill up-gradation training to DPs (one member of the affected family) who opted for income restoration. • Preference in employment under the project during construction and implementation. | | <p>PIU will verify the extent of impacts through a 100% survey of AHs to determine assistance.</p> <p>In case of Agricultural laborer (long timer) Only those who are in fulltime/ permanent employment of the land owner, will be eligible for this assistance. Seasonal agricultural laborers will not be entitled for this assistance.</p> |

²⁷ The RFCLARRA, 2013 specifies that each affected family shall be given one time Resettlement Allowance of Rs. 50,000 only.

²⁸ '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 | • | | |
| Loss of Trees and Crops | | | | | | |
| 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"> • Advance notice to harvest crops, fruits, and timbers. • Compensation for standing crops in case of such loss, based on an annual crop cycle at market value • Compensation for trees based on timber value at market price, and compensation for fruit trees at annual net product market value 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. | <ul style="list-style-type: none"> • Harvesting prior to acquisition will be accommodated to the extent possible • Work schedules will avoid harvest season. • Seasonal crops will be given 6-month notice. If notice cannot be given, compensation for standing crops will be compensated at market value. • Market value of trees/crops has to be determined. | 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. |
| Impact on Vulnerable Households | | | | | | |
| 6 | Impacts on vulnerable DPs | All impacts | Vulnerable DPs | <ul style="list-style-type: none"> • Affected households belonging to vulnerable groups namely – [Scheduled Caste (SC), Scheduled Tribe (ST), BPL households, female-headed households, disabled, elderly] will receive additional one-time assistance of Rs. 50,000. • Receive preference in income restoration training program under the project. | Vulnerable households will be identified during the census and implementation of project. | <p>PIU will verify the extent of impacts through a 100% surveys of AHs determine assistance, verify and identify vulnerable households.</p> <p>The PIU with support from the CSC and NGO/Firm/ Agency will conduct a training need assessment in consultations with the</p> |

| | Type of Loss | Application | Definition of Entitled Person | Compensation Policy | Implementation Issues | Responsible Agency |
|-----------------------|--------------------------------------|--|--|--|---|--|
| | | | | <ul style="list-style-type: none"> Preference in employment under the project during construction and implementation. | | <p>affected persons so as to develop appropriate income restoration schemes.</p> <p>Suitable trainers or local resources will be identified by PIU and NGO in consultation with local training institutes.</p> |
| Temporary Loss | | | | | | |
| 7 | Temporary loss of land ²⁹ | Land temporarily required for sub-project construction | Legal titleholders Family with traditional land right | <ul style="list-style-type: none"> Any land required by the Project on a temporary basis will be compensated in consultation with the landholders. Rent at market value for the period of occupation Compensation for assets at replacement cost Restoration of land to previous or better quality.³⁰ Location of construction camps will be fixed by the contractors in consultation with the Government and local community. | <ul style="list-style-type: none"> Assessment of impacts if any on structures, assets, crops and trees due to temporary occupation. Site restoration. | 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 livelihood | | Legal titleholders, non-titled DPs | <ul style="list-style-type: none"> 60 days advance notice regarding construction activities, including duration and type of disruption. | <ul style="list-style-type: none"> Identification of alternative temporary sites to continue economic activity. | Valuation Committee will determine income lost. Contractors will perform actions to minimize |

²⁹ Temporary possession of land for project purpose can be taken only for three years from the date of commencement of such possession/occupation.

³⁰ 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 |
|--|--|---------------------------|-------------------------------|---|--|--|
| | | | | <ul style="list-style-type: none"> • 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.³¹ • Assistance to mobile vendors/hawkers to temporarily shift for continued economic activity.³² | | income/access loss. |
| Impact on Common Property Resources | | | | | | |
| 9. | Loss and temporary impacts on common resources | Common property resources | Communities | <ul style="list-style-type: none"> • Replacement or restoration of the affected community facilities – including public water stand posts, public utility posts, temples, shrines, etc. | The affected CPRs will be restored or compensated in consultation with the concerned community or responsible institution. | PIU and Contractor will restore and/or compensate the affected CPR in line with ADB's SPS, 2009. The same shall be monitored by the PMU as well as the External Monitoring Agency. |
| Any Other unanticipated impacts | | | | | | |
| 11 | Any other loss not identified | - | - | <ul style="list-style-type: none"> • Unanticipated involuntary impacts will be documented during the implementation phase and mitigated. | - | PIU will finalize the entitlements in line with ADB's SPS, 2009. |

³¹ 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.

³² For example assistance to shift to the other side of the road where there is no construction.

C. Cut-off date

145. 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 30 September, 2014. People moving into the subproject area after this date will not be entitled for support.

146. 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

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

148. 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.

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

150. 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.

151. 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.

152. 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.

153. 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.

154. 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.

VIII. RELOCATION OF HOUSING AND SETTLEMENTS

A. Provision for Relocation

155. The EA will provide compensation at replacement cost for affected land and structure in accordance with the eligibility and entitlements elucidated in Chapter-VIII of this report. Further, compensation for partially damaged structures and shifting assistance has also been provided for the affected households in the entitlement matrix. Compensation to the non-title holders for the loss of assets other than land, such as dwellings and shops has been provided for in the entitlement matrix. The non-titleholders such as squatters will be assisted by the PIU and RP implementation NGO/Agency in identifying alternate places for relocation of their dwellings and shops so that involuntary resettlement does not result in any further squatting on the road. The PIU will also ensure that there is no further encroachment on the subproject road section in future. Also, the project will impact on 1073 private structures including 606 residential structures, 305 commercial structures and 162 residential cum commercial structures (See table 40).

Table 40: Number and Types of Structures Affected

| Type of Structure | Number of Affected Households | Total No. of affected structures | Ownership status of the affected structures | | |
|----------------------------|-------------------------------|----------------------------------|---|-----------------------|----------------------|
| | | | Titleholders | Encroacher | Squatter |
| Residential | 524 | 606 | 367 | 228 | 10 |
| Commercial | 291 | 305 | 37 | 213 | 55 |
| Residential cum Commercial | 158 | 162 | 77 | 84 | 2 |
| Total | 973 households | 1073 structures | 481 structures | 525 structures | 67 structures |

156. **Extent of Impact on Residential Structures:** Of the total 606 affected residential structures, 460 structures would bear impact on their primary structure followed by a total of 117 structures incurring impact on secondary structures including boundary wall, frontage, backyard etc. 460 residential structures incurring impact on their primary structure would become non-livable necessitating full reconstruction of these structures. All these structures would be fully acquired for the project.

157. **Viability of remaining Residential Plots:** In case of 431 out of the 460 primary structures impacted, the remaining residential plot (on which the structure is located) shall remain viable for reconstruction of new structure. In case of 29 structures, the remaining land plot will not be viable necessitating relocation of structure to a new location.

158. **Relocation Option for Affected Residential structures.** During the census survey, detailed interactions were undertaken with the households who would incur full impact on their primary structures thereby making the structure non-livable. During these interactions, 431 of the 460 primary structures impacted opted for self-managed reconstruction of their structures in existing plots and requested for timely and adequate compensation from the Project.

159. Out of the 29 structures, wherein the impact will be significant (with not sufficient land at the existing plot) necessitating their relocation to another location, 27 of the affected households have opted for self-managed relocation and declined project assisted relocation option whereas the remaining two households declined a response.

Table 41: Relocation Preference of Severely Affected Residential Structures

| Relocation Preference | Affected Residential Structure | Percentage |
|---|--------------------------------|-------------|
| Self-managed within the same plot | 431 | 93.69 |
| Self-managed relocation at other location | 27 | 5.86 |
| No Response | 2 | 0.43 |
| Grand Total | 460 structure | 100% |

160. **Extent of Impact on Commercial Structures:** A total of 305 commercial structures will be affected as a result of the subproject. The severity of the impact is high on commercial structures. Among the 305 commercial structures impacted, 87.54% (267 structures) would incur impact on their primary structure impacting them significantly and making them non-functional. 14.23% (38 structures) of the commercial structures will bear impact only on their secondary structures such as boundary walls. All 267 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 267 structures would be fully acquired for the project.

161. **Viability of remaining Commercial Plots:** In case of all 267 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.

162. **Relocation Option for Affected Commercial structures:** 191 of the affected commercial structures incurring full impact on primary structures and necessitating relocation, opted for self-managed relocation whereas, 31 of the structures incurring impact requested for project assistance in relocation. These structures would be provided assistance by the subproject in identifying alternate sites to relocate their businesses. 45 affected structures declined a response.

Table 42: Relocation Preference of Severely Affected Commercial structure

| Relocation Preference | Affected Structures | Percentage |
|----------------------------------|-----------------------|-------------|
| Self managed relocation | 191 | 71.53 |
| Project Assistance in Relocation | 31 | 11.61 |
| No Response | 45 | 16.85 |
| Grand Total | 267 structures | 100% |

163. **Extent of Impact on Residential cum Commercial Structures:** 162 Residential cum commercial (RC) structures, mainly comprising of structures that are used as living quarter as well as for commercial activities (mostly small shops and businesses), will also be affected as a result of the Project.

164. 151 of the affected residential cum commercial enterprises shall incur impact on the primary structure while the remaining would only incur impact on the secondary structure. As a result of impact on the primary structure, all 143 RC structures would become non-livable necessitating their relocation. All these 143 structures would be fully acquired for the project.

165. **Viability of remaining Residential cum Commercial Plot:** In case of 143 out of the 151 primary affected structures, the remaining 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.

166. **Relocation Option for Affected Residential cum Commercial structures:** During census survey, the preferences of the affected primary residential cum commercial structures with regard to relocation were also discussed. 94.70% (143 structures) of the total affected structures opted for self-managed relocation while 2.64% (4 structures) of the affected structure requested for project-assistance in relocation.

Table 43: Relocation preference of Severely Affected Residential cum Commercial structure

| Relocation Preference | Affected structure | Percentage |
|-----------------------------------|----------------------|-------------|
| Self- managed to another location | 143 | 94.70 |
| Project assistance in relocation | 4 | 2.64 |
| No Response | 4 | 2.64 |
| Grand Total | 151 structure | 100% |

B. Relocation Strategy

167. 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.

168. 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

169. 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.

170. 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.

IX. INCOME RESTORATION AND REHABILITATION

A. Loss of Livelihood in this Subproject

171. The subproject would impact the livelihood of a number of households. A total of 603 households would incur significant impact on their livelihood, considering overlap of households comprising of multiple losses. This includes 45 households losing more than 10% agriculture land, 267 HHs losing business, 151 HHs losing Residential-cum commercial asset, 50 tenants and 90 employees working in affected commercial and residential cum commercial structure.

B. Entitlements for Loss of Livelihood

172. 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:

C. Loss of Livelihood of Agriculture Landowner, Business Owner, Commercial Squatters, Commercial Tenants, Employees in the affected businesses

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

173. 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.

D. Income Restoration Measures

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

175. 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 standard³³, 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.

³³ 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.

X. RESETTLEMENT BUDGET AND FINANCING PLAN

A. Introduction

176. 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 RFCLARRA, 2013 and cost of RP implementation. The total resettlement cost for the subproject is INR 758,713,515. 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

177. **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 agriculture land was taken as Rs. 600,000/ha for agriculture land, Rs. 800,000/ha for residential land and Rs. 1,000,000/ha for Commercial land, which has been multiplied by factor up to two and a 100% solatium on this amount has been added to arrive at the final compensation.

178. **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

179. 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

180. 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

- Onetime 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

181. 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

182. 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. 35,00,000/- and the RP implementation is expected to be completed in 15months including disbursement of compensation for land acquired.

183. 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.10,00,000/- has been made available for hiring of a consultant for the same.

184. A lump sum budgetary provision of Rs. 2,00,000/- 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

185. 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 and Estimates

186. The budget for this sub-project is based on data and informed collected during census surveys conducted between November - December, 2013 and 30th September, 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 INR 758,713,515 or USD 12.23 million. A detailed budget estimate is given in Table 46. This budget is based on estimates and the final costs related to land acquisition shall be worked out at by the competent authority.

Table 44: Detailed Budget Estimate

| S.No. | Component | Unit | Unit rate (in Rs) | Quantity | Amount (in Rs) |
|----------|--|----------|--|------------------------|--------------------|
| 1 | Private Land & Structures | | | | |
| 1.1. | Agriculture Land | Hectare | 600,000 + 1.3 multiplier and 100% solatium | 43.71 ha | 68,187,600 |
| 1.2. | Residential Land (including Residential cum Commercial land) | Hectare | 800,000 + 1.3 multiplier and 100% solatium | 2.90 ha | 6,032,000 |
| 1.3 | Commercial Land | Hectare | 1,000,000 + 1.3 multiplier and 100% solatium | 0.337 ha | 876,200 |
| 1.2. | Temporary (Kutch) Structures | Sq.ft | 250 | 135,622.04 | 33,905,500 |
| 1.3. | Semi-permanent structures | Sq.ft | 402 | 67,408.88 | 27,083,200 |
| 1.4. | Permanent structures | | | | |
| | Permanent Structures – I Floor | Sq.ft | 1000 | 28,170.94 | 28,170,000 |
| | Permanent Structure – II Floors | Sq.ft. | 1200 | 4689.52 | 5,626,800 |
| 1.5. | Irrigation Units | Unit | 115,385 | 13 wells | 1,500,000 |
| 1.6. | Other structures (Toilets, boundary wall, gates etc) | Sq.ft. | - | 28 units | 700,000 |
| 1.7. | Compensation for Trees | | | | |
| 1.7.1. | Fruit Trees | Unit | - | 55 trees | 275,000 |
| 1.7.2. | Non-Fruit Trees | Unit | - | 74 trees | 370,000 |
| | Sub-total Cost of Private Land & Structures (1) | | | | 172,726,300 |
| 2 | R&R Assistance | | | | |
| 2.3. | Resettlement allowance for each affected household | One-time | 50,000/HH | 1852 HHs ³⁴ | 92,600,000 |
| 2.4. | Onetime payment of Rs. 500,000 per affected family | One-time | 500,000/HH | 603 HHs ³⁵ | 301,500,000 |
| 2.5. | Subsistence allowance of Rs. 3000 for one year from date of | One-time | Rs. 3000/month X | 603 HHs ³⁶ | 21,708,000 |

³⁴ The Resettlement allowance is being paid to all affected households except affected employees who are being separately assisted for loss of livelihood.

³⁵ Includes 45 households losing more than 10% agriculture land, 267 HHs losing business, 151 HHs losing Residential-cum commercial asset, 50 tenants and 90 employees working in affected commercial and residential cum commercial structure.

³⁶ Includes 45 households losing more than 10% agriculture land, 267 HHs losing business, 151 HHs losing Residential-cum commercial asset, 50 tenants and 70 employees working in affected commercial and residential cum commercial structure.

| S.No. | Component | Unit | Unit rate (in Rs) | Quantity | Amount (in Rs) |
|--|--|----------|---------------------------|-----------------------|------------------------|
| | award | | 12 month | | |
| 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 | 878 HHs ³⁷ | 43,900,000 |
| 2.9 | Additional Assistance for vulnerable households including SC, ST | One-time | 50,000/HH | 1607 Vulnerable HHs | 80,350,000 |
| Sub-total Cost of R&R Assistance (2) | | | | | 540,058,000 |
| 3 | Community Assets | | | | |
| 3.1. | Restoration of CPRs | Lump sum | - | 18 CPRs | 1,800,000 |
| Sub-total Cost of Restoration of Community Assets (3) | | | | | 1,800,000 |
| 4 | Support for RP Implementation | | | | |
| 4.1. | Training of staff | Lump sum | | | 100,000 |
| 4.2 | Budget for NGO/ R&R Implementation Agency | Lump sum | For a period of 36 months | | 6,500,000 |
| 4.3. | External Monitoring Consultant | Lump sum | - | - | 1,000,000 |
| 4.4. | Cost for Grievance Redressal | Lump sum | - | - | 200,000 |
| 4.5. | Ongoing Consultation and disclosure | Lump Sum | | | 200,000 |
| Sub-Total Cost of Support for RP Implementation (4) | | | | | 8,000,000 |
| 5 | Total Cost 1 + 2 + 3 + 4 | | | | 722,584,300 |
| 6 | Contingency (5% of the Total Cost) | | | | 36,129,215 |
| 7 | Grand Total | | | | INR 758,713,515 |

³⁷ Includes 878 severely affected residential, commercial, residential cum commercial structures.

XI. GRIEVANCE REDRESSAL MECHANISM

A. Introduction

187. 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

188. 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.

189. 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

190. 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 and also at the field level I Giridih, Jamua and Sarwan 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.

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

2. Level 2: State Level

192. 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

193. 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.

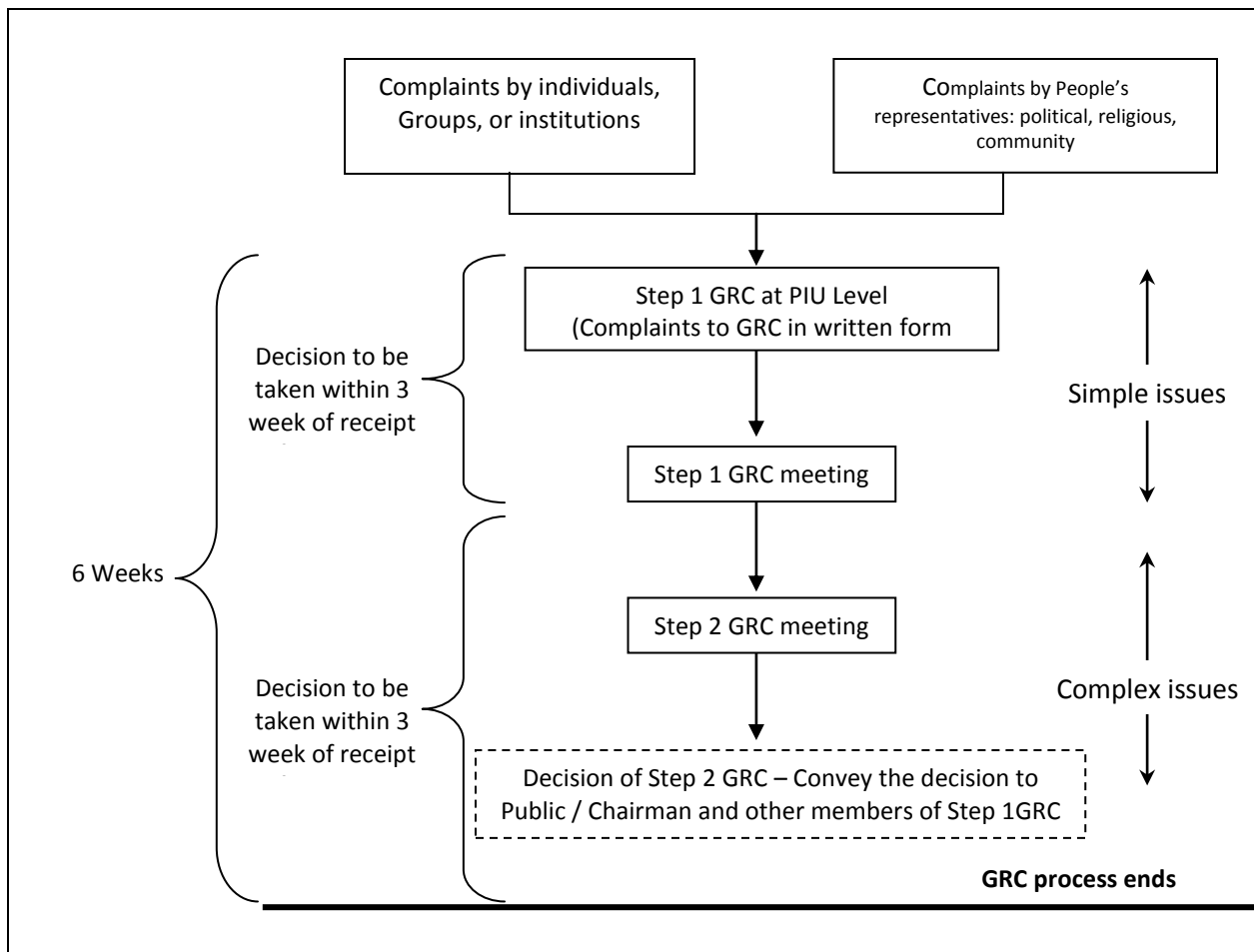
194. The GRC will meet every month (if grievances are brought to the Committee), determine the merit of each grievance, and resolve grievances within a month of receiving the complaint—failing which the grievance will be referred to appropriate court of Law for redressal. Records will be kept of all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

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

196. **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



XII. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION

A. Key Institutions involved

197. 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

198. 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.

199. 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)

200. 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.

201. 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 nationalized 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.

202. 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

203. 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

204. 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

205. 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.

206. 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 47.

XIII. MONITORING AND EVALUATION

A. Introduction

207. 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

208. 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

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

210. 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

211. 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.

212. 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.

213. 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

214. 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.

215. 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.

216. 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 structureIn Rs.
117. Severity of Loss: a. Functional b. Non-Functional
118. Construction Type of Affected Structure a. Kuccha b. Semi-pucca c. Pucca (1 Floor) d. Pucca (2 Floor)
119. Are there any tenants in the affected structure? a. Yes (If Yes, Please fill FORM for TENANTS with Tenant Households)b. No c. NA
120. If yes, number of tenant households in the affected structure:
121. Are there any employees in the affected structure? a. Yes b. No
122. Number of Employees in the affected structure.....
123. Total Monthly salary paid to the Employees:..... (in Rs)
124. In case of significant loss of the Commercial asset, thereby making it non-functional, what kind of relocation option would you prefer?
a. Self-managed b. Project assisted c. No response d. Not Available e. Not Applicable
125. In case of self –managed relocation, where would you relocate?
a. Within the city b. Outside the city c. Can't Say d. Not Available e. Not Applicable
126. In case of project assisted relocation, please suggest an appropriate location in and around the area where you can be relocated?

RESIDENTIAL CUM COMMERCIAL LOSS

AP Code: _____ Chainage: _____

127. Distance of the residential cum commercial structure from the center line of the road (in mtr): _____
128. Khasra No: _____
129. JB/ Khata No: _____
130. Part's of Asset getting affected: a. Plot/land b. boundary Wall c. Garden Area d. Main Structure e. Backyard f. Any Other
131. Usage: a. Shop/s b. Hotel c. Dhaba d. Gumti/kiosk/khokha e. Pvt. Clinic
f. STD Booth
g. Workshop h. Office Complex i. Factory j. Other.....)
132. Total Commercial Land: (in Sqmtrs)

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

TREES

AP Code: _____ Chainage: _____

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

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

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

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

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.

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.

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.

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.

1. **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.

2. **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.

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

4. 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.

5. **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.

6. **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.

7. **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.

8. **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.

9. **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.

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

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

11. **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.

12. **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.

13. 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.

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

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

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

| | Aspect | ADB Safeguard Requirement | Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 | Measures to Bridge the GAP |
|----|---|---|---|---|
| 1 | Screen the project | Screen the project to identify past, present, and future involuntary resettlement impacts and risks. Conduct survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement | 4 (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 |

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

| | Aspect | ADB Safeguard Requirement | Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 | Measures to Bridge the GAP |
|-----|---|---|--|--|
| | | understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced persons and other stakeholders. | prescribed and uploaded on the website of the appropriate Government. | implementation. |
| 10. | Cost of resettlement | Include the full costs of measures proposed in the resettlement plan and indigenous peoples plan as part of project's costs and benefits. For a project with significant involuntary resettlement impacts and / or indigenous peoples plan, consider implementing the involuntary resettlement component of the project as a stand-alone operation. | 16. (I) Upon the publication of the preliminary notification under sub-section (I) of section II 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 |
|--------------------------|---------------------|---------------|----------------------------------|
| Key Personnel | | | |
| 1 | Team Leader | 1 | 24 (intermittent over 36 months) |
| 2 | Field Coordinator 1 | 1 | 24 (intermittent over 36 months) |
| 3 | Field Coordinator 2 | 1 | 24 (intermittent over 36 months) |
| Non-key Personnel | | | |
| 4 | Field Support Staff | 4 | 24 (intermittent over 36 months) |
| 5 | MIS Officer | 1 | 24 (intermittent over 36 months) |
| Total | | 8 | 192 |

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

2. Key Indicative Tasks per Position

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

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

| No. | Particulars | |
|-----|-------------|---|
| | | <ul style="list-style-type: none"> • Establish rapport with relevant DPs. • Responsible collecting field level information. • Undertake continued information disclosure and consultation. |
| 5 | MIS Officer | <ul style="list-style-type: none"> • Perform all computer/database related needs for the assignment. |

3. Qualification

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

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

| No. | Particulars | |
|-----|-------------|--|
| | | Proficient in operating computer and Microsoft Word, and Excel. Ability to design and manage database. Proficient in English and local language. |

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.

| Sl. No. | Indicative Payment Milestone | Indicative Payment (% of contract Value) |
|---------|--|--|
| 1 | On submission of the inception Report complete in all respects | 10% |
| 2 | On completion of the identification, verification of DPs and initial consultation sessions, and submission of updated data on DPs (Identification and Verification report) and review of the same by the SHAJ. | 20% |
| 3 | On submission and approval of first 30% of the Micro Plans of DPs | 6% |
| 4 | On submission and approval of second 30% of the Micro Plans of DPs | 7% |
| 5 | On submission and approval of final 40% of the Micro Plans of DPs | 7% |
| 6 | On completion of the rehabilitation process and implementation of Livelihood and Income Restoration | 20% |

| Sl. No. | Indicative Payment Milestone | Indicative Payment (% of contract Value) |
|----------------|---|---|
| | Program and HIV/AIDs, health and hygiene, and human trafficking in affected villages. | |
| 7 | On submission of the Final Completion Report | 10% |
| 8 | On approval of the Final Completion Report | 20% |
| | Total | 100% |

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

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

APPENDIX 5: SAMPLE TOR FOR THE EXTERNAL MONITOR

A. Introduction

1. Government of Jharkhand has embarked upon massive up-gradation of its road network through State Highways Authority of Jharkhand (SHAJ). As part of this endeavor, State Highways Authority of Jharkhand (SHAJ) has been mandated to undertake improvement and up-gradation of various State Highways and Major District Roads at different locations in Jharkhand. As part of this mandate, the Second Jharkhand State Road (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 45.20 kms long Giridih- Jamua- Sarwan 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.