

Social Monitoring Report

Semiannual Report
January – June 2015

IND: SASEC Road Connectivity Investment Program — Tranche 1

Asian Highway No. 02: Panitanki to Banglabandha

Prepared by Ministry of Road Transport and Highways, Government of India for the Asian Development Bank.

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*Consultancy Service for Implementation Support for SASEC Road Connectivity Investment Program:
SASEC Road Connectivity Investment Program-Tranche-1
Asian Highway No. 02: Panitanki to Banglabandha (about 37km)*

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

GOVERNMENT OF INDIA

PUBLIC WORKS DEPARTMENT, GOVERNMENT OF WEST BENGAL

Funded by: Asian Development Bank and MoRT&H

SOCIAL MONITORING REPORT (AH-02)



January 2015- June-2015



LEA Associates South Asia Pvt. Ltd.
New Delhi

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1. SOCIAL MONITING REPORT (AH-02)

1.1. Background

The Government of India has applied for financial assistance from the Asian Development Bank (ADB) towards the cost of SASEC Road Connectivity Investment Program (SRCIP). The SRCIP is a multi-tranche financing facility (MFF) that aims to improve about 500 km of priority road sections in the North Bengal and Northeast of India, through an investment program set out in phases (Tranches). The first tranche of the SRCIP covers two packages in North Bengal viz.: Asian Highway No. 02 from Panitanki to Banglabandha (about 37km) and Asian Highway No. 48 from Changrabandha to Pasakha (about 91 km).

In Asian Highway No. 02 project corridor, the first 1.2 Km of the road from Kakarbitta in Nepal border is a State Highway and then the project road joins NH31C at Panitanki and takes north-east direction to reach Naxalbari and proceeds in mostly eastern direction to reach the junction with NH 31 at Bagdogra. This section from Panitanki to Bagdogra is NH31C and has a 2 lane carriageway. The project road continues on NH 31/31C up to Shivmandir More and then project road turns in a southeast direction along the PWD road taking the Shivmandir More – Medical More – Naukhaghat – Teenbatti More – Fulbari Junction to reach the Bangladesh border.

The existing surfacing is a black topped 2 lane road up to Fulbari Junction. The last section of Fulbari Junction to Bangladesh border, about 2 km is concrete road. Periodic maintenance including adding paved shoulder in NH31C (Km 16 to Km 32.75 of NH31C in Panitanki – Bagdogra section) have been taken up just before award of this contract by MoRT&H/PWD and is almost completed.

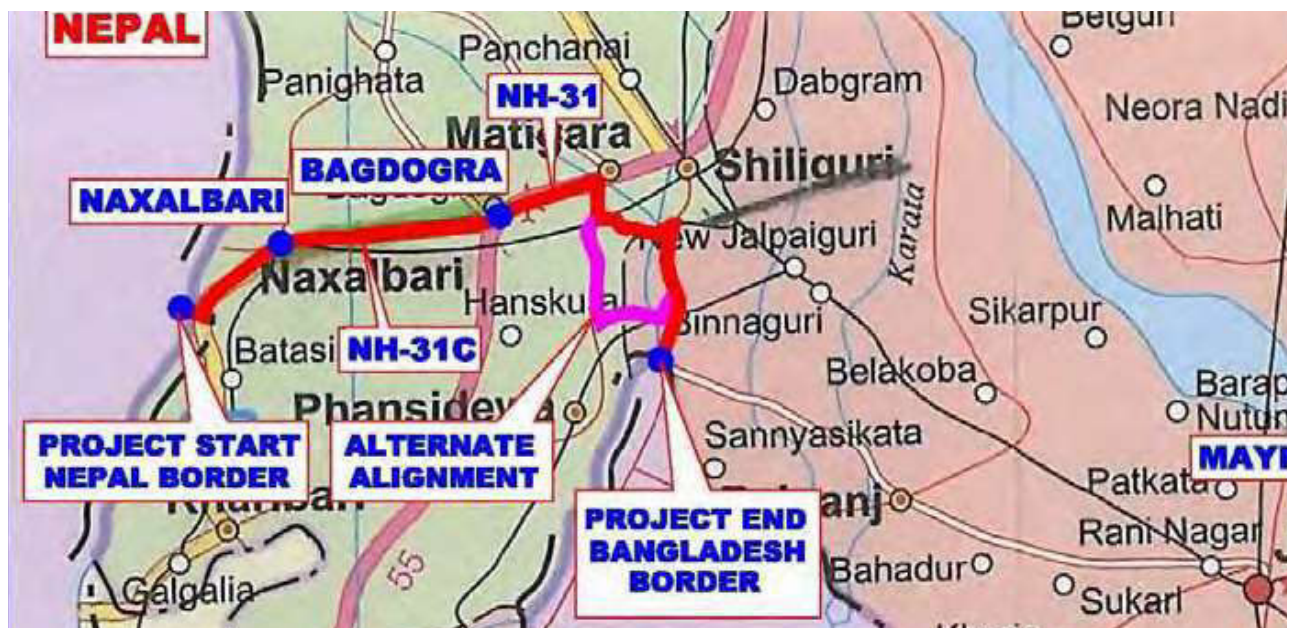


Figure 1: Project Corridor

1.2. Mode of Project

The project contracts have been structured as Engineering, Procurement and Construction (EPC), largely based on the model EPC contracts of MoRT&H, and duly amended for use by ADB. Under these contracts, MoRT&H would be designated as “Executing Agency” (“EA”) and further PWD (West Bengal) is designated as “Project Implementation Unit” (“PIU”). MoRT&H would separately appoint agencies as “Authority’s Engineer”, “Implementation Support Consultant” and “Wildlife External Monitoring”. The objective of Implementation Support Consultant (ISC), awarded to LEA Associates South Asia Pvt. Ltd. India is to assist the MoRT&H/PWD/ADB to implement the project works by supporting areas that are not covered under the scope of the “Authority’s Engineer”, but relate to areas that are required for fulfilling MoRT&H’s role under the ADB loan. The ISC has been mobilized along with the project supervision consultants i.e. “Authority’s Engineer”.

The implementation of the RP is carried out by the respective PIUs through the NGO. The NGO appointed for implementation of RP is Manavadhikar Samajik Manch – SPS (JV). The NGO has mobilized their team from the month of April, 2015 and the RP implementation activities are in progress.

1.3. Monitoring Methodology

This semi-annual monitoring report for the period January 2015 – June 2015 is based on review of the quarterly progress report submitted by the NGO, notes on progress of land acquisition received from the PIUs, reconnaissance site visits carried out during the month of June 2015 to AH-2 and AH-48 packages, interactions with the officials of PIUs, field staffs of NGOs and community members.

1.4. Involuntary Resettlement

The project involves land acquisition due to the proposed geometric improvements of the existing alignment. Though adequate Right of Way is available, squatters and encroachers are found in large numbers at the time of DPR preparation. In order to address the issues of the involuntary resettlement, the Resettlement Plan was prepared by the TA consultants.

1.4.1. Scope of land Acquisition and Resettlement

The subproject will involve acquisition of private land measuring 2.13.80 ha, will impact 1979 private structures involving 2232 households (including 253 tenants) and 214 community structures. Further, there are 104 landowners who will lose a strip of their land under the subproject proposed for acquisition for curve improvement, RoBs, bus bays and toll plaza.

Out of 1979 structures, compound wall, basement, etc. account for 221 structures and of the remaining 1758 structures, 1662 structures (95%) will face significant impact with more than 10 percent loss to structure. In all, 13 percent will face physical displacement, 52 percent will face economic displacement, 10 percent will face both physical and economic displacement, the impact to 14 percent will be non-significant (includes impact less than 10% and structures like compound wall, basement, etc.) and another 11 percent are tenants. The involuntary resettlement impacts are summarised in the following table.



Table 1: Summary of Involuntary Resettlement Impacts

Impact	Improvements to AH-02
Permanent Land Acquisition (ha)	2.13.80 ha
Government Land Required	1.80.00 ha
Tea Garden Land Required	5.21.80 ha
Temporary Land Acquisition (ha)	Nil
Total Displaced Households (DHs)	2336
Physically Displaced Households (Loss of Residence)	290
Economically Displaced Households (Loss of Shop)	1152
Physically and Economically Displaced Households (Loss of Residence cum Shop)	220
Non Significant Impact	317
Land Owners Losing strip of land	104
Tenants	253
Displaced Persons (DPs)	11610
Titled DPs	870
Non-titled DPs	10740
Affected employees	745
Women Headed Household (WHH)	72
Scheduled Tribe (ST) headed household	92
BPL household	445
Disabled Headed Households (DHH)	-
Vulnerable households (WHH, ST, BPL & DHH- Mutually exclusive)	551
Affected Structures	1979
Affected Private Trees	Nil
Affected Common Property Resources	214

Source: Census and Social Survey, April-June 2013, RP document

The actual number of non-titleholders and titleholders needs to be confirmed after completion of the verification process by the NGO. The estimated number of APs has changed due to the additional land requirements for utilities and road side amenities at some locations. The MoRTH made few changes at the time of tendering were not addressed by the RP in the assessment of impacts. Hence the revision of RP is needed after verification of the APs.

1.5. RP Implementation

The following activities are being carried out by the PIU for the acquisition of land and disbursement of compensation to the titleholder and non- titleholders.

1.5.1. Land Acquisition

Table 2: District wise total area of land to be acquired

District	Total Area (Ha)	Tea Graden Land (Ha)	Govt. Land (Ha)	Pvt. Land (Ha)
Drajeeling District	9.077	5.342	1.798	1.937
Jalpaiguri District	0.6253	Nil	0.002	0.6233
Total	9.7023	5.342	1.80	2.5603

Source: PIU-2

The PIU has undertaken the land acquisition process through revenue department. The status of the land acquisition process is given in **Table 3**.

Table 3: Status of Land Acquisition Process

Land Acquisition Act section	Gazette Notification	Date
3 (a)	S.O. No. 2557(E)	30.09.2014
3 (A)	S.O. No. 688(E)&689(E)	09.03.2015
3 (D)	S.O. No. 1628(E) & 1630(E)	17.06.2015
u/s 3 (G)	Press notification for the award	19.07.2015

1.5.2. Consultations

The NGO has mobilized their team members and arranged for the Initial level consultations with the communities living along the road side to familiarize with affected persons and community. The consultation process helped in creating awareness amongst Affected Persons and local community about the project. The consultations were commenced from March 2015 and are being carried out as a continuous process. The NGOs have conducted about 20 consultations with the communities along the Project Road. The consultations were attended by the officials of the PIUs.



Formal Meeting with DPs and Team Leader



Interaction with DPs and Project Director

1.5.3. Verification of DPs

The process of verification of the affected persons was initiated by the NGOs after mobilization of their field staffs. The survey for verification of the affected persons was completed for Naxalbari, Phansidewa and Matigara blocks of Naxalbari District and they are in the process of preparing the

micro plans. The ID cards are issued for the verified DPs prior to the disbursement of compensation. The verification process were carried out jointly by the PIU officials and NGO representatives.



Interaction Meeting with Officials at Site



Alignment Check at site with PWD Staffs



Verification of NTH Commercial DPs



Measurement of Structure



Measurement from Centre Line



Checking with RP and Verification

1.5.4. Disbursements of Compensation

The micro plans were prepared for the disbursement of compensation based on the block level divisions. The PIU has deposited the compensation amount of 9.0 Crore with the District Magistrate of Naxalbari for the compensation of 600 persons. .

As per the reports of the NGO the compensation has been disbursed so far for about 500 out of 600 DPs, to whom the ID cards are issued by the NGO. The detail of the disbursement made up to the month of June 2015 is presented below.



Compensation received by Old Age DPs

Table 4: Status of Disbursement of Compensation

Sl. No.	Date of Disbursement	Id Number	Amount (in Rs.)
1	20-6-15	1 – 100	1,07,44,764
2	22-6-15	101 – 200	1,34,07,416
3	23-6-15	201 – 300	1,52,49,948
4	26-6-15	301 – 400	1,50,23,529
5	29-6-15	401 – 500	1,42,84,155
Total			6,87,09,812

Source: NGOs Quarterly Progress Report

The PIU has already deposited Rs. 12.21 Cr with DM, Darjeeling for disbursement of payments to 1000 nos. of PAPs under Naxalbari (Part-II), Phansideo & Matigara Block. The disbursement of the compensation will be made for the rest of 1100 Affected APs by July – August 2015.

1.5.5. Verification of Common Property Resources (CPRs)

The major task of the NGO is verification of the affected Common Property Resources (CPRs) and establishing the actual beneficiaries attached to them. Verification of impacted CPRs is under process by the NGOs and PIUs. The consultations will be held for each CPR with the beneficiary groups for relocation of those structures, as needed by them. It is likely that multiple numbers of consultations will be required for CPRs associated with religious importance. The local authority and the residents have been advised by the NGO for the formation of a trust or a board which would take all the desired decision regarding relocation of the CPRs.



Shrine owned by villagers located within Right of Way



Bus shelter owned by Panchayat

1.6. Gender Sensitization

The project design has taken care of the gender inclusiveness in every stage. The PIU and NGO have ensured that the women headed households affected by the project had been given proper compensation and assistance. The implementation of the Gender action plan components is being worked out by the PIU and NGO. The components of the GAP are given below.

- Women beneficiary among the displaced families who are selected for income restoration / alternate livelihood training options will be notified prior to start of activity.
- Women participants for the awareness campaign programme for road safety, risk of HIV/AIDS and human trafficking along project road will be selected with due judgment and caution. Women action groups will be formed who can identify and interact with girls / women at risk of HV/AIDS and trafficking especially among those working as labourers at construction sites.
- A few women may be selected as member of village monitoring team to oversee planned activities under RP and GAP. It is recommended that women are encouraged to form a peer group in specific locations prone to risk of HIV/AIDS and human trafficking
- Encourage local affected / displaced persons including women to get direct employment as unskilled labour in construction work, where feasible. For that the people's representatives at local GPs should be consulted to gain confidence of the women. If necessary, contractor's contract agreement may include a clause to explore availability of women labour from villages by the project road side.
- Ensure women entitled for compensation / resettlement assistance get their due compensation. For that help / assist them to prepare documents in advance and accompany them, if necessary, to the payment disbursement locations.
- To ensure women employed under the contractor for project work are getting equal wages or other benefits as stipulated in the contract document and also they are protected from any kind of harassment including sexual offense.
- To address risk of HIV/AIDS along project impact zone a plan for awareness creation and sustainable raise in awareness level is required. Besides, to educate the potentially high risk women for HIV/AIDS and trafficking, particularly of the poor and migrant families, a target specific plan is envisaged. Women of some areas of the project roads close to international border with possibility of human trafficking are at a risk of social vulnerability. Special measures will need to be planned to create awareness level among the women to protect against widespread net of women and child traffickers.

- NGOs that are linked with the activities related to prevention against HIV/AIDS and human trafficking will be linked to address these issues. Women of these villages will be identified by the NGO implementing GAP activities and arrangement will be made to bring them within the knowledge sharing forum and take part in the programmes that help to prevent such situation whereby the women become more socially vulnerable.

At construction sites and on road where women will be engaged in unskilled labour measures will be taken to prevent violence and abuse against women. To achieve this peer education, awareness and motivation generating programmes, will be carried out. There should also be a system of grievance redress mechanism, which will be established under RP/GAP activities and which will also look after gender issues related to project activities and under supervision of project personnel.

1.7. Special Attentions to Vulnerable

Women Headed Households, Handicapped, DPs above 60 years, widows and unmarried women and BPL families are being paid special attention to help them access their R & R benefits. Requisite documents for vulnerable DPs like BPL, Handicapped, etc are being collected which would be required for the preparation of micro plan.

1.8. Disclosure of Information

The provisions of the entitlements were summarized for the disclosure. The instruction for getting the compensation and procedures were prepared in “Bengali”, which is most spoken vernacular language in the project area. The Affected persons were given the summary of entitlements under the Resettlement Plan. The copies of the disclosed document are given below for reference. The individuals were explained about their entitlements and compensation to be received by them.



Information Disclosure at Uppar Bagdogra

1.9. Establishment of Office and Deployment of Resources for implementation of RP by NGO

The NGO has mobilized their team and office at Siliguri. The project activities are commenced in all aspects of the implementation of RP under the guidance of the Team leader of NGO. The team of the NGO consists of the following staffs.

Table 5: The RP Implementation Team of NGO

S. No	Designation of Expert	Name of Expert	Contact no.
1.	Team Leader	Hasanul Islam	9903783687
2.	Social Specialists cum Community Facilitator I	Shibashish Sahoo	9439400910
3.	Social Specialists cum Community Facilitator II	Ms. Sweety Gupta	8115747528
4.	Gender Expert	Dr. Girija Bhusan Nanda	9810386315
5	Land Acquisition Facilitator	Dr. Suresh Prasad Padhi	9438423985
6	Field Facilitator	Saptarshi Rath	9800210406
7	Field Facilitator	Rajesh Ganguly	9647582051
8	Field Facilitator	Debasis Pramanik	9735422361
9	Field Facilitator	Ganga Pun	7797690374
10	Field Facilitator	Maya Thapa	9002368691
11	Field Facilitator	Indrila Thapa	9647668689

1.10. ADB Mission:

The Asian Development Bank have a Mission Team visited Asian Highway 2 and Asian Highway 48 from 08.06.2015 to 10.06.2015. The visit on Asian Highway 48 was schedule on 09.06.2015. The team consists of Ms.Karma Yangzom, Ms.Sharon Zhao, Social Safeguard specialist and Mr. Rufo Junior Environmental Safeguard Staff Consultant and Mr. V.K. Chandrashekar, Social safeguard. The mission was attended by the ISC, NGO, Project Directors of AH-2 &48 and R&R officials of PIU. The mission reviewed implementation of R&R and analyzed the issues to be addressed by the agencies involved in implementation.

Government of West Bengal
Office of the Project Director, Asian Highway 02, PWD
Vivekanand Bhawan (N.B.D.D Building), Hill Cart Road, Siliguri

Panitanki – Bagdogra – Shivmandir more – Naukaghat – Fulbari –
Banglabandha section of the Asian Highway-02(AH-02)

The SASEC Road Connectivity Investment Programme (SRCIP) is planned to improve road connectivity and efficiency of the inter national trade corridors particularly in the India -Bangladesh-Myanmar region.

In view of widening and upgrading of the existing road for Panitanki - Bagdogra - Shivmandir more Naukaghat - Fulbari - Banglabandha section of the Asian Highway 02 (AH 02) by MoRT&H GOI and PW (R) D, GoWB a survey of the persons living by the side of the road is already conducted.

In compliance with ADBs Safeguard Policy Statement and National Rehabilitation and Resettlement Policy, 2007 the implementation of the Resettlement Plan is being prepared by PW (R) D, GoWB with the help of Manavadhikar Samajik Manch and SPS.

Presently the process of identification and verification of the Affected Persons are in progress. In this regard the persons are intimated to keep one set of the following documents ready for verification and handing over to the scrutinizer. It is also requested to present the Head of the Family for photo identity card.

The documents are:

1. Voter Identity Card or Adhar Card (Photocopy of the Card both side)
2. Ration Card (Photocopy of the Ration Card both side)
3. Caste or Tribe Certificate (Photocopy of the certificate)
4. Any documents relating to the title of the parcel of Land
5. Bank Accounts details (photocopy of the First page of Bank Pass Book or cancelled cheque)

BY Order,

Project Director
Asian Highway 02
PW (R) D, Government of West Bengal

Impacts to squatters / Encroachers (non-titleholders)			
A	Impacts to squatters		
1a	Loss of House: Compensation at scheduled rates without depreciation for structure with 2-month notice to demolish the affected structure	<ul style="list-style-type: none"> Only business-owner squatter will be eligible for assistance and not those who build shops on RoW/Govt land and rent it for commercial/residential purpose. 	
1b	Right to salvage the affected materials;		
1c	Shifting assistance of Rs.10,000/-		
2a	Loss of shop: Subsistence allowance based on 25 days minimum agricultural wages per month for a period of 6 months to the business owner-squatter, and compensation at scheduled rates without depreciation for structure with 2-month notice to demolish affected structure		
2b	Right to salvage the affected materials;		
2c	Shifting assistance of Rs.10,000/-		
3	Cultivation: 2-month notice to harvest standing crops or market value of compensation for standing crops		
B	Impacts to encroachers		<ul style="list-style-type: none"> Market value for the loss of standing crops will be decided by the IA in consultation with the Agriculture and Horticulture. The value of commercial structures and other immovable properties will be determined by PWD, buildings wing, on the basis of relevant Basic Schedule of Rates (BSR) as on date without depreciation. If the BSR is not updated in the financial year of RP implementation, the same will be updated using approved tender rate escalations.
1	Cultivation: 2-month notice to harvest standing crops or market value of compensation for standing crops, if notice is not given.		
2a	Structure: 2-month notice to demolish the encroached structure;		
2b	Compensation at scheduled rates without depreciation for the affected portion of the structure to vulnerable households		
Loss of employment to agricultural and non-agricultural workers/employees			
1	Subsistence allowance based on monthly minimum wages for 1 month;	<ul style="list-style-type: none"> Only agricultural labourers who are in fulltime / permanent employment of the land owner, will be eligible for this assistance. Seasonal agricultural labourers will not be entitled for this assistance. 	
Impact to Vulnerable Displaced Persons			
1	Training for skill development and assistance ²⁶ based on 25 days minimum agricultural wages per month for a period of 6 months per Displaced Household. This assistance includes cost of training and financial assistance for income generation.	<ul style="list-style-type: none"> The PIU with support from the DSC and NGO will identify the number of eligible vulnerable displaced persons based on the 100% census of the displaced persons and will conduct a training need assessment in consultations with the displaced persons so as to develop appropriate income restoration schemes. Suitable trainers or local resources will be identified by PIU and NGO in consultation with local training institutes. The financial amount provided for training and income generating asset together will be equivalent to 300 days minimum wages. 	
Loss of Community assets			
1	Relocation of community / cultural properties impacted or cash compensation in consultation with the community prior to demolition of impacted asset. Realignment of utilities and such will follow the ADB SPS in terms of notice and compensation.		

1.11. Institutional Arrangement

The roles and responsibilities of the institution involved in RP planning and implementation is summarised in the following table.

Review and obtaining of approval of resettlement plan from ADB	EA / PIU
Submission of land acquisition proposals to District Magistrate	PIU
Compensation award and payment of compensation	District Magistrate
Payment of replacement cost and assistances	PIU / NGO
Taking possession of acquired land	PIU
Handing over the land free of encumbrance to contractors for construction	PIU
Notify the date of commencement of construction to DPs	PIU / NGO
Assistance in relocation, particularly for vulnerable groups	PIU / NGO
Internal Monitoring of RP Implementation	PIU / ISC
External Monitoring	External Monitoring Firm / Expert

The institutional arrangement of RP planning and implementation is presented in **Figure 2**.

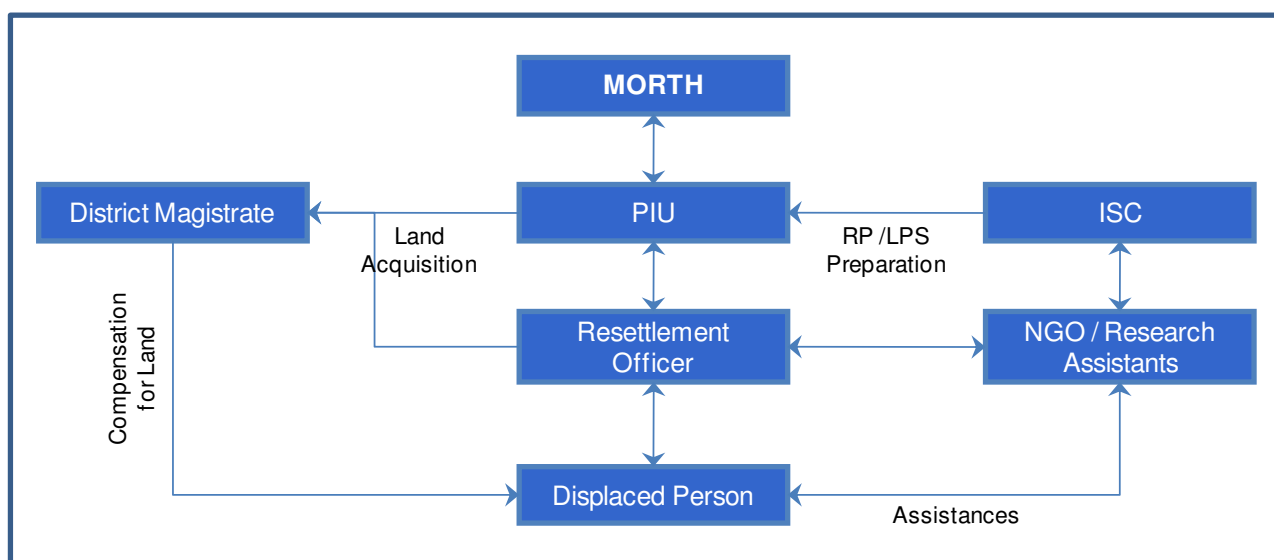


Figure 2: Institutional Arrangement

1.12. Grievance Redressal Mechanism

A project-specific grievance redress mechanism (GRM) has been established to receive, evaluate and facilitate the resolution of displaced person’s concerns, complaints and grievances about the social and environmental performance at the level of the subproject.

The GRC has been constituted at PWD level headed/chaired by Chief Engineer. At the PIU level comprising of the Project Director, Resettlement Officer, a representative from local NGOs or a local person of repute and standing in the society, elected representative from Zilla Parisad/District Council, two representatives of affected persons including vulnerable groups and women in the committee. The GRC will continue to function, for the benefit of the DPs, during the entire life of

the project including the defects liability periods. The decision of the GRCs is binding, unless vacated by the court of law. The complainant can access the appropriate court of law or any alternative redress at any time and not necessarily go through the GRC.

The grievance redressal Mechanism established for the project is given below

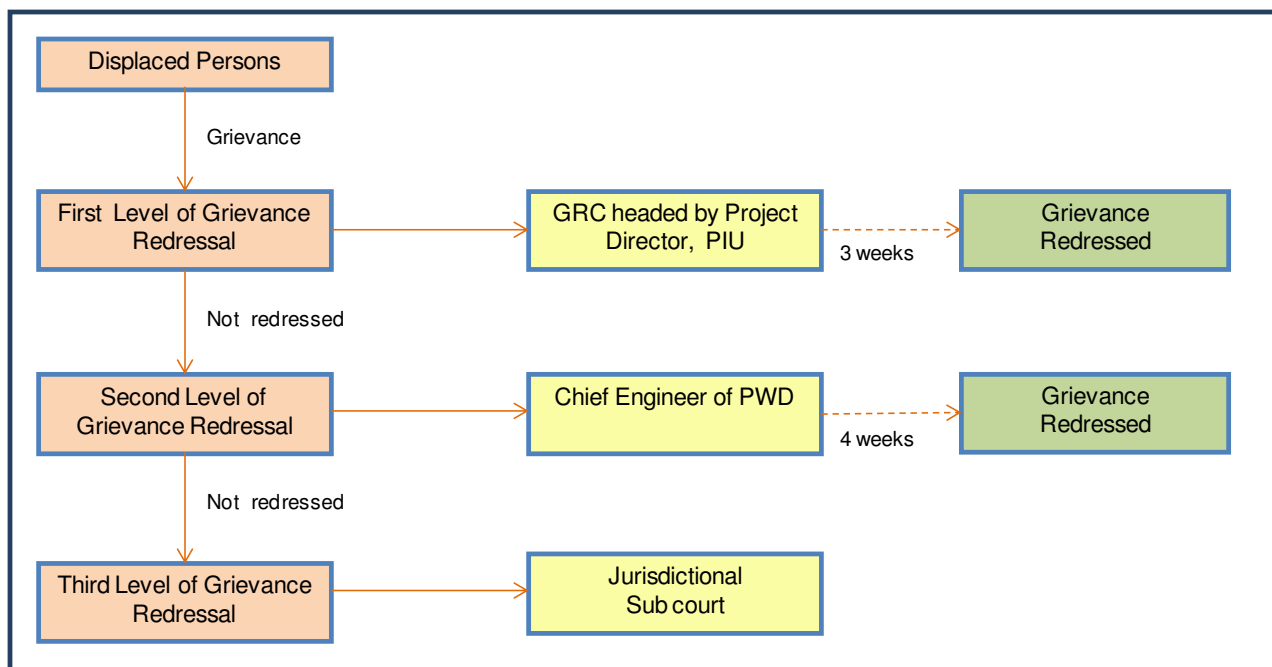


Figure 3: Grievance Redress Mechanism

The PIU receives and records the grievances from the project affected persons and community.

As the compensations have been disbursed for about 500 members, the APs have submitted their grievances to the NGOs and PIUs. The grievances collected so far has been recorded and acknowledged by the PIU. The merits of the cases will be reviewed by the PIU and referred to the grievance redressal committee, if requires. The actual number of grievances are not available, but quite a good number of petitions have been received by the PIU.

1.13. Internal Monitoring of RP implementation

The internal monitoring of the RP implementation is being carried out by the Implementation Support Consultant. ISC carried out site verification to assess the process carried out by the PIUs and NGO. The PIU was insisted to establish a clear arrangement for the disbursement of compensation and establishment of grievance redressal mechanisms.

The R&R expert of ISC interacted with the APs to assess, whether the impacted structures are included without any omissions. Most of the cases it was found to be correct and few omissions were observed and incorporated by the PIU.

Based on the sample verifications at site by ISC, the NGO advised to provide the ID numbers to all the affected properties at the site and the same was carried out by them.

The PIU was requested to create a register book to record all the grievances and complaints received from APs and the communities to have a track of grievances redressal. The ISC carried out a sample verification of the RP implementation and reported the issues to the PIU for the needful actions for the rectifications by the PIU and NGO.

1.14. Way Forward

The disbursement of compensation for the Naxalbari district will be completed by September 2015. The disbursement of Darjeeling district will be under taken after receiving the additional funds from MoRTH.

The number of APs is expected to increase more than 50 % from the estimated numbers of RP. This will have significant financial implications in implementation of RP. As the difference of APS is more there is a need for the revision of RP.