Semiannual Report January – June 2015

IND: SASEC Road Connectivity Investment Program — Tranche 1

Asian Highway No. 48: Changrabandha to Pasakha

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. 48 from Changrabandha to Pasakha (about 91 km).

> 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-48)



January 2015- June 2015



LEA Associates South Asia Pvt. Ltd. New Delhi

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1. SOCIAL MONITING REPORT

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.- 48 project corridor, the road starts from Bhutan Border at Phuentsholing and ends at Bangaladesh border at Changrabandha comprises of route, Phuentsholing – Jaigaon – Hasimara – up to Dhupguri – then from Mainaguri – Changrabandha – Burimari (about 91 km) with a proposed Pasakha access road, including one LCS along the Pasakha access road is situated in the State of West Bengal in the North Eastern Part of India.

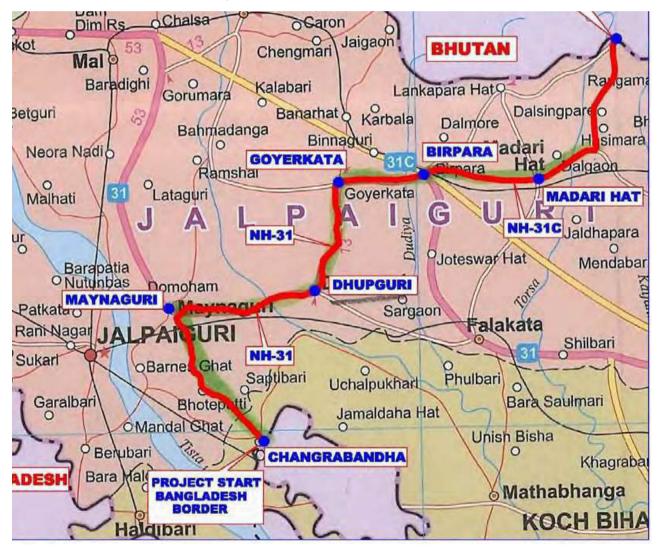


Figure 1: Project Corridor



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. Manavadhikar Samajik Manch & Study Point Samiti (JV) has been engaged by the MoRTH for the implementation of the RP 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 visit on 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 and bypasses. Though adequate Right of Way is available, squatters and encroachers are found in large numbers at the time of DPR preparations. In order to address the issues of the involuntary resettlement, the Resettlement Plan was prepared by the TA consultants.

The RP document of AH-48 has estimated that the subproject will involve acquisition of private land measuring 6.91.10 ha, will impact 1443 private structures involving 1978 households including 249 tenants and 286 land owners who would lose a strip of their land under the subproject, proposed for acquisition for curve improvement, RoBs, bus bays, toll plaza and bypasses. Further, 140 community structures will also be impacted. The involuntary resettlement impacts is summarised in the following table.

Impact	AH-48
Permanent Land Acquisition (ha)	6.91.10 ha
Government Land Required	19.15.00 ha
Tea Garden Land Required	23.66.40 ha
Land status to be established	1.16.50 ha
Temporary Land Acquisition (ha)	Nil

Table 1: Summary of Involuntary Resettlement Impacts



Impact	AH-48
Total Displaced Households (DHs)	1978
Physically Displaced Households (Loss of Residence)	199
Economically Displaced Households (Loss of Shop)	792
Physically and Economically Displaced Households (Loss of Residence cum Shop)	134
Non-Significant Impact	318
Land Owners Losing strip of land	286
Tenants	249
Displaced Persons (DPs)	9910
Titled DPs	2154
Non-titled DPs	7756
Affected employees	298
Women Headed Household (WHH)	64
Scheduled Tribe (ST) headed household	43
BPL household	508
Disabled Headed Households (DHH)	567
Vulnerable households (WHH, ST, BPL & DHH- Mutually exclusive)	1443
Affected Structures	2
Affected Private Trees	2
Affected Common Property Resources	140

Source: Resettlement and Indigenous Peoples Plan, Census and Social Survey, April-June 2013

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 have changed due to the additional land requires for utilities and road side amenities at some locations. Some of the changes considered at the time of tendering were not addressed in the assessment of impacts by the RP. Hence the revision of RP is needed after verification of the APs.

1.5. **RP Implementation**

The following activities 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

· · · · · · · · · · · · · · · · · · ·			
District	Total Area (ha)	Tea Garden and Govt land (ha)	Private Land (ha)
Coochbehar District	80.24	0.0095	0.116
Jalpaiguri & Alipurduar District	50.518	42.727	7.831
Total	50.578	42/822	7/976

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



The appointment of the competent authority to acquire the land has been made through Gazette Notification under section 3(a) of National highways Land Acquisition Act, refer S.N. No (E) dated 30th September 2014.

The statement of land to be acquired has been notified under section 3(A) of National Highways Land Acquisition Act through the Gazette publication S.O.No.1020 (E), dated 16th April 2015, S.O.No.1029 (E), dated 17th April 2015 and S.O. No.1287 (E), dated 14th May 2015,

The officials of PIU and Revenue authorities are in the process of preparing the 3(D) to notify the actual land owner and extent of land to be acquired for the project.

1.5.2. DP Identification and Verification

The NGO appointed for the implementation of the RP has undertaken the identification and verification of the affected structures. This process has been completed for the first 20km stretch (from Changrabandha at 0+000 Km to Indira More at 20+410 Km), Identification for the remaining stretch ie. 36+100 km to 93+600 km is nearly completed and verification is in progress. From 93+610 km to 106+115 km the process of verification would start in this month.

After completion of the verifications the NGO has submitted the consolidated list of Affected Persons for the approval of the PIU. The issues were summarized to the Project Director. A joint site visit was carried out by the Project Director and the NGOs representatives on a case to case basis. The individual properties were measured and recorded by the representative of the NGOs. The extent of the impacts were measured and demarcated by the NGOs.



Census Survey at Thakurpat



Census Survey at Birpara





Census Survey at Gamini Bridge



Census Survey at Birpara



Measuring the distance from Centre Line at Dhupguri

Measuring the distance from Centre Line at Gairkata

1.5.3. Status of Micro Plan for Titleholder (TH)

The micro plan for the titleholders will commence after finalization of the statement of titleholders, which is under process. The NGOs will commence the activities after issuance of the 3D notification by the competent authorities.

1.5.4. Verification of Common Property Resources (CPRs)

Verification of impacted CPRs is under process. Out of 140 CPR structures, brief consultations with local community have been already held for 98 CPRs. Out of the total 140 CPRs to be relocated the most important is the CPR at Junction of Dhupguri at chainage 42+250 km. The local authority and the residents have been consulted for formation of a trust or a board which would take all the desired decision regarding relocation of the same. The consultation process has been initiated with the community for relocation and compensation of the affect community assets.

1.5.5. HIV /AIDS awareness Camps

The HIV aids awareness camps are to be organized by the NGOs at the time of commencement of labour camps by the contractors. The awareness camps will be organized to the construction labours and community living along the road side.



1.5.6. Livelihood Restoration training

Thee livelihood restoration training will be planned and executed after finalization of the APs. In the mean time the NGO will prepare the micro plans in consultation with the line department of the state and union-government.

1.6. Public Consultation

The public consultation are being carried out by the PIU officials and NGO representatives at community level and group level.



Public Consultation at Dalsinghpara

Meeting with the Market Committee at Gairkata

1.7. 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 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 labourer 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 wage or other benefit 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.

1.8. 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.



Disclosure of Entititlemeents to the individual APs



পশ্চিমবঙ্গ সরকার প্রকম্প অধিকর্তার দপ্তর, এশিয়ান হাইওয়ে 48 (AH-48), পূর্ত (সড়ক) দপ্তর আনন্দনগর, ময়নাগুড়ি

এশিয়ান হাইওয়ে 48 (AH-48) এর চ্যাঙ্গরাবান্ধা - ইন্দিরা মোড় - ধুপগুড়ি - গয়েরকাটা - বীরপাড়া -মাদারিহাট - হাসিমারা - জফ্র্যাও অংশের পুনর্বাসন বাস্তবায়ন

আপনাদের সকলকে জানানো যাছে যে, SASEC Road Connectivity Investment Programme (SRCIP) এর অধীনে, ADB-এর আর্থিক ঋণ সহায়তায় ও ভারত সরকারের সড়ক পরিবহন ও হাইওয়ে মন্ত্রালয় এবং পশ্চিমবল্ব সরকারের পূর্ত (সড়ক) দপ্তরের পরিচালনায়, ভারত-বাংলাদেশ-ভুটান এর মধ্যে আন্তর্জাতিক বাণিজ্য সড়ক সংযোগের মানোময়ন, উন্নতি সাধন ও কার্যকারিতা বৃদ্ধির জন্য এশিয়ান হাইওয়ে 48 এর চ্যাঙ্গরাবান্ধা - ইন্দিরা মোড় - ধুপগুড়ি গরেরকাটা - বীরপাড়া - মাদারিহাট - হাসিমারা - জয়গাঁও অংশের আন্তর্জাতিক মানের প্রসার ও শক্তিশালীকরণ প্রকল্প হাতে নেওয়া হয়েছে।

ADB-এর Resettlement Safeguard Policy Statement এবং National Rehabilitation and Resettlement Policy, 2007 অনুযায়ী, মানবাধিকার সামাজিক মঞ্চ ও স্টাডি পয়েন্ট সমিতির যৌথ উদ্যোগের সহযোগিতায় পশ্চিমবঙ্গ সরকারের পুর্ত (সড়ক) দপ্তর পুনর্বাসন পরিকম্পনার বাস্তবায়নের প্রচেষ্টা শুরু করেছে।

এই সড়কের পাশে যে সকল মানুষ ব্যবসা বা বসবাস করছেন, তাদের সমীক্ষা ইতিপূর্বে করা হয়েছে। পূর্বতন সমীক্ষার ভিত্তিতে, বর্তমানে, এই প্রকল্পের জন্য প্রভাবিত মানুষদের, সনাক্তকরণ ও যাচাই করার প্রক্রিয়া শুরু হয়েছে।

এই কারণে, উক্ত সড়কের পাশাপাশি ব্যবসা ও বসবাসকারী মানুষদের জানানো যাছে যে, সমীক্ষকদের সাথে সহযোগিতা করুন, তাদের প্রশ্নপত্রের সঠিক উত্তর দিন, প্রশ্নপত্রে স্বাক্ষর করন এবং নিম্নলিখিত প্রমাণপত্রগুলির নীল কালির কলমে খ-প্রত্যায়িত (Self Attested) Photocopy প্রস্তুত করে সমীক্ষকদের ফ্যাফ্য ভাবে জমা করন। প্রকল্পের জন্য প্রভাবিত পরিবারকাকে বিশেষভাবে অনুরোধ করা হচ্ছে যে Photo Identity Card এর জন্য, তাদের পরিবারের কর্তা/ কত্রীকে, সমীক্ষা চলাকালীন, সমীক্ষকদের কাছে ফ্যাফ্য ভাবে ফটো তুলতে হবে।

প্রয়োজনীয় প্রমাণপত্রগুলির নীল কালির কলমে স্ব-প্রত্যায়িত (Self Attested) Photocopy:

- ১) ভোটার আইডেন্টটিটি কার্ড (কাগন্ধের একই পিঠে ভোটার কার্ডের দুই পিঠের Photocopy) বা আধার কার্ড (কাগন্ধের একই পিঠে আধার কার্ডের দুই পিঠের Photocopy) অথবা পাশপোর্টের Photocopy
- রেশন কার্ড (কাগজের একই পিঠে রেশন কার্ডের দুই পিঠের Photocopy)
- ৩) তফশিলী জাতি (SC) বা তফশিলী উপজাতি (ST) শংসাপত্রের Photocopy
- ৪) বাড়ি সংক্রান্ত পড়চা বা খাজনার রসিদের Photocopy
- ৫) বাড়ি বা দোকান সংক্রান্ত, ট্রেড লাইসেন্স/ ট্যাক্স রিস্পিট/ ইলেকট্রিসিটি বিল/ টেলিফোন বিলের Photocopy
- ৬) ব্যাঙ্কের পাশবইয়ের প্রথম পাতার বা চেক বইয়ের cancelled পাতার Photocopy

আদেশানুসারে,

প্রকম্প অধিকর্তা এশিয়ান হাইওয়ে 48 পূর্ত (সডক) দপ্তর, পশ্চিমবঙ্গ সরকার



Government of West Bengal Office of the Project Director, Asian Highway 48, PWD Anandanagar, Maynaguri

Chengrabandha – Indira More – Dhupguri – Gairkata – Birpara – Madarihat – Hasimara – Jaygaon section of the Asian Highway 48 (AH-48)

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

In view of widening and upgrading of the existing road for Chengrabandha-Indira More- Dhupguri-Gairkata-Birpara-Madarihat-Hasimara-Jaygaon section of the Asian Highway 48 (AH-48) 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 48 PW (R) D, Government of West Bengal



А	Impacts to squatters		
1a	Loss of House: Compensation at scheduled rates without depreciation for structure with 2-month notice to demolish the affected structure		
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	Only business-owner squatter will be eligible for assistance and no those who build shops on RoW/Govt land and rent it fo commercial/residential purpose.	
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		
В	Impacts to encroachers		
1	Cultivation: 2-month notice to harvest standing crops or market value of compensation for standing crops, if notice is not given.	Market value for the loss of standing crops will be decided by the consultation with the Agriculture and Horticulture. The value of commercial structures and other immovable properti	
2a	Structure: 2-month notice to demolish the encroached structure;	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	
2b	Compensation at scheduled rates without depreciation for the affected portion of the structure to vulnerable households	same will be updated using approved tender rate escalations.	
Los	ss of employment to agricultural and non-ag	ricultural workers/employees	
	Subsistence allowance based on monthly minimum wages for 1 month;	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.	
Imp	pact to Vulnerable Displaced Persons		
	Training for skill development and assistance26 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.	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.	
Los	ss of Community assets		
		mpacted or cash compensation in consultation with the community prior of utilities and such will follow the ADB SPS in terms of notice and	

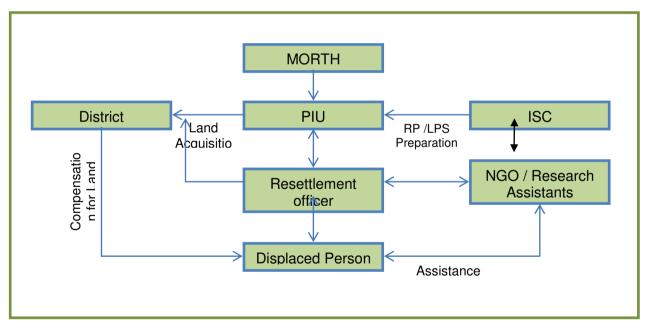


1.9. Institutional Arrangement

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.





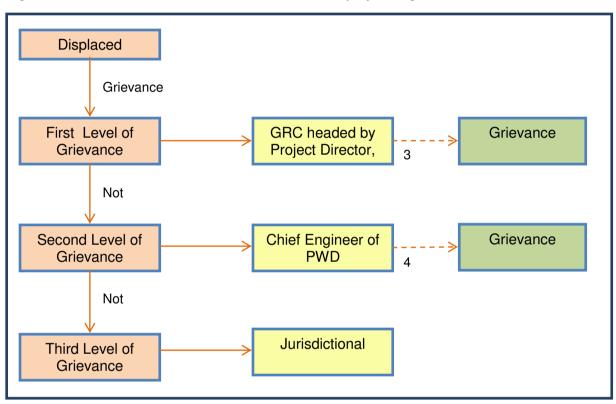
1.10. Grievance Redressal Mechanism

A project-specific grievance redress mechanism (GRM) has been established to receive, evaluate and facilitate the resolution of displaced persons 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 redresal Mechanism established for the project is given below

Figure 3: Grievance Redressal Mechanism

The PIU receives and records the grievances from the project affected persons and community. The PIU has established one more level of grievance redressal committee at the block level involving the community members and PIU officials. It has helped in addressing the issues at the gross root level. Hence the number of written complaints is less hindered till date. It will increase once the compensation are disbursed by the revenue authorities.

There is no grievance in the Project Affected Area till now other than that of the Dalsinghpara. There was a complaint has been lodged at the Hasimara Police Station regarding the anticipation of the displacement of the Mosque at Dalsinghpara. One member of the Mosque committee had lodged this complain. This complain has also been forwarded to Indian Resident Mission of ADB. The PIU and NGO are resolving the issues through negotiation.

1.11. 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 grievance redressal mechanisms.

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

1.12. 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 analysed the issues to be addressed by the agencies involved in implementation.

The mission team interacted with the community and heard the grievances. The representation made to ADB was enquired by the mission team and issue was already addressed by the PIU through consultation with the Mosque authorities at Dalsinghpara.

1.13. Way Forward

The disbursement of Compensation is yet to be commenced by the PIU. The PIU has submitted the request for the funds from Ministry of Road Transport and Highways for the disbursement of compensation. The disbursement of compensation is expected in the month of September 2015.

The acquisition from the Tea Estate is referred to the intervention of the Government as they are owned by Government of West Bengal and leased out to the privates for multiple years. The issue will be resolved amicably to make the bypass alignment of about 3 kms through Tea Gardens.

