

# Resettlement Plan

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April 2016

## IND: Rajasthan State Highway Investment Program

### Package-3

1. Nagaur - Tarnau - Deewana -Mukundgarh Road (SH-19 et al.)
2. Sanju - Tarnau Road (SH-60)
3. Peelibanga - Lakhuwali Road (MDR-103)
4. Roopangarh - Naraina Road (SH-100)
5. Churu - Bhaleri Road (SH-69)
6. Sardarsher - Lunkaransar Road (SH-6A)

## CURRENCY EQUIVALENTS

(as of 19 March 2016)

Currency unit	–	Indian rupees (INR/Rs)
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\$1.00	=	INR 66.401

## ABBREVIATIONS

ADB	–	Asian Development Bank
DC	–	District Collector
DH	–	Displaced Household
DP	–	Displaced Person
EA	–	Executing Agency
GOI	–	Government of India
GRC	–	Grievance Redressal Committee
IA	–	Implementing Agency
IAY	–	Indira Awaas Yojana
LA	–	Land Acquisition
RFCTLARR	–	The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
RLAB	–	Draft Rajasthan Land Acquisition Bill
NGO	–	Nongovernment organization
PD	–	Project Director
PIU	–	Project implementation Unit
PRoW	–	Proposed Right-of-Way
R&R	–	Rehabilitation and Resettlement
RF	–	Resettlement Framework
RO	–	Resettlement Officer
RoW	–	Right-of-Way
RP	–	Resettlement Plan
SC	–	Scheduled Caste
SO	–	Safeguards Officer
SH	–	State Highway
SPS	–	Safeguard Policy Statement
SoR	–	PWD Schedule of Rate
ST	–	Scheduled Tribe

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## EXECUTIVE SUMMARY

1. Government of Rajasthan has proposed to upgrade its road network under Rajasthan State Highway Investment Program (RSHIP) and as part of this endeavour, Public Works Department (PWD) of Rajasthan has been mandated to undertake improvement and upgradation of various State Highways and Major District Roads at different locations in Rajasthan. As part of this mandate, the PPP Division of Rajasthan Public Works Department has identified the roads requiring improvement that would improve the connectivity to national highways, major towns and industrial belts. The proposed investment program under Tranche-1 will support up gradation and improvement of the identified 16 road-projects totalling of about 1009km spread across the State of Rajasthan.
2. The Public Private Partnership (PPP) Cell of the Public works Department has prepared this Resettlement Plan (RP) for Package-3 comprising of 6-road subprojects viz. (i) *Nagaur - Tarnau - Deewana -Mukundgarh* section of SH-19, SH-60, SH-20, Sh083, SH-8, SH-82 and SH-82A; (ii) *Sanju - Tarnau* section of SH-60; (iii) *Peelibanga - Lakhuwali* section of MDR-103; (iv) *Roopangarh - Naraina* section of SH-100; (v) *Churu - Bhaleri* section of SH-69; and (vi) *Sardarsher - Lunkaransar* section of SH-6A, being one of the four packages being proposed under Tranche-1 for improvements under RSHIP. This RP addresses social issues arising out of acquisition of land and other assets, eviction of squatters and removal of encroachments resulting in social and / or economic displacement to households / individuals / community, either direct or indirect and is in compliance with ADB's Safeguard Policy Statement, 2009 and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.
3. The subprojects proposed under Package-3 involves improvements to the (i) *Nagaur - Tarnau - Deewana -Mukundgarh* section of SH-19, SH-60, SH-20, Sh083, SH-8, SH-82 and SH-82A; (ii) *Sanju - Tarnau* section of SH-60; (iii) *Peelibanga - Lakhuwali* section of MDR-103; (iv) *Roopangarh - Naraina* section of SH-100; (v) *Churu - Bhaleri* section of SH-69; and (vi) *Sardarsher - Lunkaransar* section of SH-6A involving widening of a total of 407.065 km of State Highways from the existing single/intermediate/two-lane to intermediate/two lane road. The improvement works include geometric improvements; junction improvements; provision of drain; and footpath.
4. The road subprojects proposed under Package-3 will involve acquisition of private land measuring 102.78ha belonging to 967 titleholders, transfer of 37.57ha of government land and will impact 214 private structures. The impact to 214 private structures will cause physical displacement to 32 households, economic displacement to 30 households, physical and economic displacement to 6 households and non-significant impact to 146 household. Further, 415 titleholders losing 10 percent and more land would also face economic displacement. In addition to this 51 common property resources will also be affected. In all the project will cause impact to 1181 households comprising of 8078 persons.
5. The objective of this Resettlement Plan (RP) is to assist the affected people to improve or at least restore their living standards to the pre-project level. This RP is based on the final detailed measurement survey and captures the involuntary resettlement impacts arising out of the proposed improvements to the road subprojects proposed under Package-3 of RSHIP. The document describes the magnitude of impact, mitigation measures proposed, method of valuation of land, structure and other assets, eligibility criteria for availing benefits, baseline socio-economic characteristics, entitlements based on type of loss and tenure, the institutional

arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring.

6. The private land required for the improvements proposed is 102.78ha of land comprising of 57.95ha of wet land and 44.83ha of dry land. The private land proposed for acquisition is mostly strips of land, with the width varying from 5-10m, and abutting the existing road. Further, government land measuring 37.57ha will also be required to be transferred for the proposed improvements. The land acquisition plans have been prepared and the precise number of titleholders and extent of land lost will be updated once the land plan schedule is completed.

7. Sixty one percent of the private structures getting affected are permanent in nature, followed by 24 percent structures that are temporary in nature and 15 percent of the structures are semi-permanent in nature. Fifteen percent of the structures getting affected are being used for residential purpose, followed by 14 percent of the structures getting affected are used for commercial purpose, comprising largely of small business establishments, 3 percent structures are used for both residence and commercial purpose and 68 percent structures are either Kiosks or compound wall. The subproject will require removal of 108 private trees belonging to the DHs who own structures and further the land being acquired will involve private trees, the estimate of it will be known during detailed scrutiny of land acquisition plans. The project will affect 51 common property resources.

8. During the census and socio economic survey, FGDs were conducted in villages along the subproject road in settlements and sections where impacts were recorded. All relevant aspects of subproject design, details of land required and impact to private property were discussed with the affected communities. A total of 423 persons (85 females and 338 males) participated in the 14 consultation meetings held along the 6-road subprojects.

9. Information will be disseminated to DPs at various stages. Information including magnitude of loss, detailed asset valuations, entitlements and special provisions, grievance procedures, timing of payments, displacement schedule, civil works schedule will be disclosed by the PIU with assistance from the NGO hired for assisting in RP implementation. This will be done through public consultation and made available to DPs as brochures, leaflets, or booklets, in Hindi. The RP will be disclosed by the PMU upon receiving approval from GoR and uploaded in the PWD website along with the gist of the RP translated in local language. The translated gist of the RP would provide details of the project, magnitude of impact to land and assets, eligibility and entitlement, institutional arrangement and grievance redressal process. Hardcopies of the gist of the RP in local language will be made available at the office of the PMU, PIUs and distributed to the DPs.

10. The policy framework and entitlements for the RSHIP are based on national laws: The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, State laws and regulations and ADB's Safeguard Policy Statement (SPS), 2009.

11. For title holders, the date of SIA notification [Sec 4(2)] of intended acquisition as per the provisions of RFCTLARR Act will be treated as the cut-off date, and for non-titleholders the start date of project census survey for the subproject will be the cut-off date.

12. An Entitlement Matrix has been developed, that summarizes the types of losses and the corresponding nature and scope of entitlements; and is in compliance with National/State Laws and ADB SPS. The matrix presents the entitlements corresponding to the tenure of the DPs and



the same has been approved and endorsed by Government of Rajasthan. The total resettlement cost for the subproject is INR 1400 million.

13. Grievance Redressal Committee (GRC) will be established at two-levels, one at the District level and another at PMU level, to receive, evaluate and facilitate the resolution of displaced persons concerns, complaints and grievances.

14. The jurisdictional Additional Collector will be the administrator for Land Acquisition, Resettlement and Rehabilitation (LARR). The jurisdictional Additional Collector being the competent authority for land acquisition, he will also look into Resettlement and Rehabilitation and s/he will be supported by the Project Director, PIU in implementation of resettlement plan.

15. The PPP Division, PWD, Government of will be the Project Management Unit (PMU) and will be overall in charge of coordination between the eight Project Implementation Units (PIU) and in prioritising subprojects for subsequent tranches based on social safeguards compliance. The PIU will be responsible for screening subprojects, categorization based on IR impacts, conducting the social assessment, preparation and implementation of Resettlement Plans (RPs).

16. In view the significance of resettlement impacts under the facility, the monitoring mechanism for this project will have both monitoring by PIU and monitoring by an external agency / expert.



## I. PROJECT DESCRIPTION

### A. Background

1. Government of Rajasthan has proposed to upgrade its road network under Rajasthan State Highway Investment Program (RSHIP) and as part of this endeavour, Public Works Department (PWD) of Rajasthan has been mandated to undertake improvement and upgradation of various State Highways and Major District Roads at different locations in Rajasthan. As part of this mandate, the PPP Division of Rajasthan Public Works Department has identified the roads requiring improvement that would improve the connectivity to national highways, major towns and industrial belts. The proposed investment program will support up gradation and improvement of the identified roads and Tranche-1 will finance 16 road projects totalling of about 1009km spread across the State of Rajasthan. The road subprojects proposed under Tranche-1 and their packaging details is given below.

**Table 1: List of Subprojects under Tranche-1**

Package	State Highway / MDR Number	Name of the Road Subproject	Project Length (km)
Package e-1	SH-74	Kanwas - Aklera	80.020
	SH-74 A	Deoli - Kanwas	14.850
	SH-19 C	Alot (MP) - Gangdhar - Suwasara (MP)	24.550
	SH-22	Kherli - Pahari	61.160
<b>Subtotal Package-1</b>			<b>180.580</b>
Package -2	SH-16	Barmer - Sindhari - Jalore	148.090
	SH-16	Sanderao - Bali - Mundara	29.420
<b>Subtotal Package-2</b>			<b>177.510</b>
Package-3	MDR-103	Peelibanga - Lakhuwali	34.548
	SH-6A	Sardarsher - Lunkaransar	75.800
	SH-69	Churu - Bhaleri	34.800
	SH-60	Sanju - Tarnau	16.710
	SH-100	Roopangarh - Naraina	34.792
	SH-19, SH-60, SH-20, SH-83, SH-8, SH-82 and SH-82-A	Nagaur - Tarnau - Deewana - Mukundgarh	210.415
<b>Subtotal Package-3</b>			<b>407.065</b>
Package-4	SH-13B	Singhana - Buhana - Haryana Border	34.190
	SH-13	Ajeetgarh - Chala	33.135
	SH-20 & 20 A	Sikar-Ganeri-Jaswantgarh	83.260
	SH-20	Bidasar-Nokha	93.000
<b>Subtotal Package-4</b>			<b>243.585</b>
<b>Grand Total</b>			<b>1008.740</b>

2. The Public Private Partnership (PPP) Cell of the Public works Department has prepared this Resettlement Plan (RP) for Package-3 comprising of 6-road subprojects viz. (i) *Nagaur - Tarnau - Deewana -Mukundgarh* section of SH-19, SH-60, SH-20, Sh083, SH-8, SH-82 and SH-82A; (ii) *Sanju - Tarnau* section of SH-60; (iii) *Peelibanga - Lakhuwali* section of MDR-103; (iv) *Roopangarh - Naraina* section of SH-100; (v) *Churu - Bhaleri* section of SH-69; and (vi) *Sardarsher - Lunkaransar* section of SH-6A, being one of the four packages being proposed under Tranche-1 for improvements under RSHIP. This RP addresses social issues arising out of acquisition of land and other assets, eviction of squatters and removal of encroachments

resulting in social and / or economic displacement to households / individuals / community, either direct or indirect and is in compliance with ADB's Safeguard Policy Statement, 2009 and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

## **B. The Package**

3. The Package-3 comprises of 6-road subprojects totalling a length of 407.065km and the proposed improvements in each road subproject is detailed below. The key plan of the subproject road is presented below and the google earth image is given in Appendix-I.

4. *Nagaur - Tarnau - Deewana -Mukundgarh* section of SH-19, SH-60, SH-20, SH-83, SH-8, SH-82 and SH-82A involves reconstruction/widening of the existing two-lane/intermediate lane State Highway to a two-lane corridor with shoulders. The improvements include provision of shoulders, drainage facility road furniture and accessories. The subproject road starts at *Nagaur* town from at chainage 0.000 of SH-19 and ends at *Mukundgarh* (Y-junction) at km 205.233 of SH-8 (45.260 of SH-8). Four bypasses have been proposed bypassing *Deedwana, Meethari, Bochi and Laxmangarh* settlements totalling 14.945km of bypass.

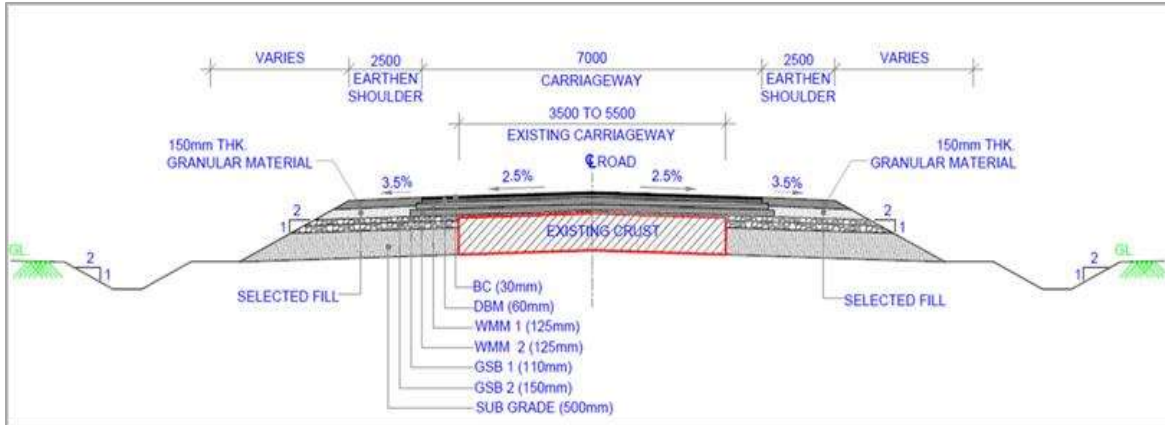
5. *Sanju - Tarnau* section of SH-60 involves reconstruction/widening of the existing two-lane sections of various State Highways to a two-lane corridor with shoulders. The improvements include provision of shoulders, drainage facility road furniture and accessories. The subproject road starts from Sanju at km 90.300 from the junction of newly declared NH-458 and SH-60 and ends at Tarnau at km 106.000 at the T-Junction at km 38.350 of SH-19.

6. *Peelibanga - Lakhuwali* section of MDR-103 involves reconstruction/widening of the existing two-lane/intermediate lane State Highway to a two-lane corridor with shoulders. The improvements include provision of shoulders, drainage facility road furniture and accessories. The subproject road starts at *Peelibanga* at km 0.000 (start from *Suratgarh-Hanumangarh* Road) and ends at *Lakhuwali* connecting SH-7.

7. *Roopangarh - Naraina* section of SH-100 reconstruction/widening of the existing two-lane/intermediate lane/single lane State Highway to a two-lane/intermediate lane/ single lane corridor with shoulders. The improvements include provision of shoulders, drainage facility road furniture and accessories. The subproject road starts at km 13.000 in *Naraina* and ends at km 49.000 in *Roopangarh* Town on SH-7 (T-Junction).

8. *Churu - Bhaleri* section of SH-69 involves reconstruction/widening of the existing four-lane/two-lane/intermediate lane/single lane State Highway to a two-lane/intermediate lane corridor with shoulders. The improvements include provision of shoulders, drainage facility road furniture and accessories. The subproject road starts at *Churu* at NH-65 junction (km 0.000) and ends at *Bhaleri* at SH-69 (km 35.000).

9. *Sardarsher - Lunkaransar* section of SH-6A involves reconstruction/widening of the existing two-lane/single lane State Highway to a two-lane/intermediate lane corridor with shoulders. The improvements include provision of shoulders, drainage facility road furniture and accessories. The subproject road starts at *Sawai Bari* at SH-06 junction (km 0.000) and ends at the NH-15 junction (km 76.500).



**Figure 1: Typical Cross Section**

### C. Profile of the Subproject Area

10. The subproject roads proposed under Package-3 is spread across 8 districts of Rajasthan State. The subproject *Nagaur - Tarnau - Deewana -Mukundgarh* section of SH-19, SH-60, SH-20, Sh083, SH-8, SH-82 and SH-82A passes through 4-Districts viz *Naguar*, *Sikar*, *Churu* and *Jhunjhunu* Districts; the subproject *Sanju - Tarnau* section of SH-60 lies entirely in *Churu* District; the subproject *Peelibanga - Lakhuwali* section of MDR-103 lies entirely in *Hanumangarh* District; the subproject *Roopangarh - Naraina* section of SH-100 passes through *Jaipur* and *Ajmer* Districts; the subproject *Churu - Bhaleri* section of SH-69 lies entirely in *Churu* District; and the subproject *Sardarsher - Lunkaransar* section of SH-6A passes through *Churu* and *Bikaner* Districts.

11. *Naguar* district is bounded by *Bikaner* District to the northwest, *Churu* District to the north, *Sikar* District to the northeast, *Jaipur* District to the east, *Ajmer* District to the southeast, *Pali* District to the south and *Jodhpur* District to the southwest and west. The district lies in the *Marwar* region of Rajasthan, in the North western thorn scrub forests belt surrounding the *Thar* Desert. The district is situated between 26°25' and 27°40' north latitude and 73°10' and 75°15' east longitude. *Naguar* District has a population of 33,07,743 accounting for 4.8 percent of the State's population. Urban population accounts for 19.3 percent of the district's population and rural population is 80.7 percent. The percentage of male population (51.3%) is slightly higher than the percentage of female population (48.77%) and the sex ratio is 950, higher than the State average of 928. The literacy rate in the district is 53.2 percent, lower than the State literacy rate (55.8%) and the male literacy rate (65.0%) is much higher than the female literacy rate (40.7%). There are 43.1 percent workers, of which main workers account for 69.1 percent and marginal workers 30.9 percent. Main workers comprise of 51.3 percent cultivators and 12.5 agricultural workers, totaling 63.8 percent dependent on agriculture. Other workers comprising service, industry, etc account for 33.9 percent of the main workers.

12. *Sikar* district is bounded on the north by *Jhunjhunu* district, in the north-west by *Churu* district, in the south-west by *Nagaur* district and in the south-east by *Jaipur* district. It also touches *Mahendragarh* district of *Haryana* on its north-east corner. The district is situated between 27°21' and 28°12' north latitude and 74°44' and 75°25' east longitude. *Sikar* District has a population of 26,77,333 accounting for 3.9 percent of the State's population. Urban population accounts for 23.7 percent of the district's population and rural population is 76.3 percent. The percentage of male population (51.4%) is slightly higher than the percentage of

female population (48.6%) and the sex ratio is 947, higher than the State average of 928. The literacy rate in the district is 61.7 percent, higher than the State literacy rate (55.8%) and the male literacy rate (72.4%) is much higher than the female literacy rate (50.4%). There are 37.6 percent workers, of which main workers account for 69.4 percent and marginal workers 30.6 percent. Main workers comprise of 44.8 percent cultivators and 6.1 agricultural workers, totaling 50.9 percent dependent on agriculture. Other workers comprising service, industry, etc account for 46.8 percent of the main workers.

13. *Churu* district is bounded by *Hanumangarh* District to the north, the *Haryana* state to the east, the *Jhunjhunun* and *Sikar* districts to the southeast, the *Nagaur* District to the south, and the *Bikaner* District to the west. The district is situated between 28°18' north latitude and 74°58' east longitude. *Churu* District has a population of 20,39,547 accounting for 2.98 percent of the State's population. Urban population accounts for 28.3 percent of the district's population and rural population is 71.7 percent. The percentage of male population (51.6%) is slightly higher than the percentage of female population (48.4%) and the sex ratio is 940, higher than the State average of 928. The literacy rate in the district is 56.3 percent, higher than the State literacy rate (55.8%) and the male literacy rate (66.3%) is much higher than the female literacy rate (45.8%). There are 44.3 percent workers, of which main workers account for 69.6 percent and marginal workers 30.4 percent. Main workers comprise of 60.8 percent cultivators and 6.6 agricultural workers, totaling 67.4 percent dependent on agriculture. Other workers comprising service, industry, etc account for 30.6 percent of the main workers.

14. *Jhunjhunu* district is bounded by on the northeast and east by Haryana state, on the southeast, south, and southwest by Sikar District, and on the northwest and north by Churu District. The district is situated between 27°38' and 28°31' north latitude and 75°02' and 76°06' east longitude. *Jhunjhunu* District has a population of 21,37,045 accounting for 3.12 percent of the State's population. Urban population accounts for 22.9 percent of the district's population and rural population is 77.1 percent. The percentage of male population (51.3%) is slightly higher than the percentage of female population (48.7%) and the sex ratio is 950, higher than the State average of 928. The literacy rate in the district is 64.1 percent, higher than the State literacy rate (55.8%) and the male literacy rate (74.4%) is higher than the female literacy rate (53.3%). There are 41.9 percent workers, of which main workers account for 66.3 percent and marginal workers 33.7 percent. Main workers comprise of 49.8 percent cultivators and 5.8 agricultural workers, totaling 55.6 percent dependent on agriculture. Other workers comprising service, industry, etc account for 42.6 percent of the main workers.

15. *Hanumangarh* district is bounded by on the north by *Punjab* state, on the east by *Haryana* state, on the south by *Churu* District of Rajasthan, and on the west by *Ganganagar* District of Rajasthan. The district is situated between 29°5' and 30°6' north latitude and 74°3' and 75°3' east longitude. *Hanumangarh* District has a population of 17,74,692 accounting for 2.6 percent of the State's population. Urban population accounts for 19.7 percent of the district's population and rural population is 80.3 percent. The percentage of male population (52.5%) is slightly higher than the percentage of female population (47.5%) and the sex ratio is 906, lower than the State average of 928. The literacy rate in the district is 58.3 percent, higher than the State literacy rate (55.8%) and the male literacy rate (67.0%) is much higher than the female literacy rate (48.6%). There are 47.1 percent workers, of which main workers account for 76.9 percent and marginal workers 23.1 percent. Main workers comprise of 47.1 percent cultivators and 18.2 agricultural workers, totaling 65.3 percent dependent on agriculture. Other workers comprising service, industry, etc account for 33.2 percent of the main workers.

16. *Jaipur* district is bounded by Sikar District on the north, *Haryana* state on the extreme northeast, *Alwar* and *Dausa* districts on the east, *Sawai Madhopur* District on the southeast, *Tonk* District on the south, *Ajmer* District on the west, and *Nagaur* District on the northwest. The district is situated between 26°92' north latitude and 75°82' east longitude. *Jaipur* District has a population of 66,26,178 accounting for 9.7 percent of the State's population. Urban population accounts for 52.4 percent of the district's population and rural population is 47.6 percent. The percentage of male population (52.3%) is slightly higher than the percentage of female population (47.7%) and the sex ratio is 910, lower than the State average of 928. The literacy rate in the district is 64.9 percent, higher than the State literacy rate (55.8%) and the male literacy rate (73.7%) is higher than the female literacy rate (55.3%). There are 37.2 percent workers, of which main workers account for 83.6 percent and marginal workers 16.4 percent. Main workers comprise of 29.3 percent cultivators and 3.3 agricultural workers, totaling 32.6 percent dependent on agriculture. Other workers comprising service, industry, etc account for 63.9 percent of the main workers.

17. *Ajmer* district is bounded by *Nagaur* District to the north, *Jaipur* and *Tonk* districts to the east, *Bhilwara* District to the south, and *Pali* District to the west. The district is situated between 26°27' north latitude and 74°44' east longitude. *Ajmer* District has a population of 25,83,052 accounting for 3.8 percent of the State's population. Urban population accounts for 40.1 percent of the district's population and rural population is 59.9 percent. The percentage of male population (51.3%) is slightly higher than the percentage of female population (48.7%) and the sex ratio is 951, higher than the State average of 928. The literacy rate in the district is 59.1 percent, higher than the State literacy rate (55.8%) and the male literacy rate (70.0%) is much higher than the female literacy rate (47.7%). There are 40.8 percent workers, of which main workers account for 78.5 percent and marginal workers 21.5 percent. Main workers comprise of 29.8 percent cultivators and 9.4 agricultural workers, totaling 39.2 percent dependent on agriculture. Other workers comprising service, industry, etc account for 57.4 percent of the main workers.

18. *Bikaner* district is bounded by *Ganganagar* District to the north, *Hanumangarh* District to the northeast, *Churu* District to the east, *Nagaur* District to the southeast, *Jodhpur* District to the south, *Jaisalmer* District to the southwest, and *Punjab* Province of *Pakistan* to the northwest. The district is situated between 27°11' and 29°03' north latitude and 71°54' and 74°12' east longitudes. *Bikaner* District has a population of 23,63,937 accounting for 3.4 percent of the State's population. Urban population accounts for 33.9 percent of the district's population and rural population is 66.1 percent. The percentage of male population (52.5%) is slightly higher than the percentage of female population (47.5%) and the sex ratio is 905, lower than the State average of 928. The literacy rate in the district is 54.1 percent, lower than the State literacy rate (55.8%) and the male literacy rate (63.1%) is higher than the female literacy rate (44.2%). There are 41.7 percent workers, of which main workers account for 76.3 percent and marginal workers 23.7 percent. Main workers comprise of 49.8 percent cultivators and 7.2 agricultural workers, totaling 57.0 percent dependent on agriculture. Other workers comprising service, industry, etc account for 40.4 percent of the main workers.



**Figure 2: Key Plan of the Subproject Roads (Package-3)**

#### **D. Sub project Impacts**

19. The towns and villages along the road subprojects would have improved connectivity with State Highways (SH), National Highways (NH), major trading, educational and administrative centres. Further, the improved road will reduce the travel time to the residents of this area to work place, schools, hospitals and markets. Agriculturist too will benefit by being able to quickly transport their produce without delay and can expect buyers coming to their doorstep to procure food grains. Better connectivity to the SH/NH will lead to industrial growth along the subproject road that will result in employment generation. However, the subproject will require private land and removal of encroachments and squatting for improving the road, resulting in negative impacts to some people living along the corridor.

20. The road subprojects proposed under Package-3 will involve acquisition of private land measuring 102.78ha belonging to 967 titleholders, transfer of 37.57ha of government land and will impact 214 private structures. The impact to 214 private structures will cause physical displacement to 32 households, economic displacement to 30 households, physical and economic displacement to 6 households and non-significant impact to 146 household. There are 415 titleholders losing 10 percent and more land who would also face economic displacement. In addition to this 51 common property resources will also be affected. In all the project will cause impact to 1181 households comprising of 8078 persons. The involuntary resettlement impacts is summarised in Table 2.



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

Impact	Extent/Numbers						
	SH-19 et al.	SH-60	MDR-103	SH-100	SH-69	SH-6A	Package-3
Private Land Acquisition (ha) - Wet	57.95ha	Nil	Nil	Nil	Nil	Nil	<b>57.95 ha</b>
Private Land Acquisition (ha) - Dry	5.62 ha	1.10 ha	0.22 ha	37.89 ha	Nil	Nil	<b>44.83 ha</b>
Government Land Required	8.33 ha	3.14 ha	1.56 ha	24.54 ha	Nil	Nil	<b>37.57 ha</b>
Temporary Land Acquisition (ha)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Displaced Households (DHs)	655	100	13	381	1	31	<b>1181</b>
Physically Displaced Households (Loss of Residence)	3	17	3	7	0	2	<b>32</b>
Economically Displaced Households (Loss of Shop)	5	2	1	3	0	19	<b>30</b>
Economically Displaced Titleholders losing land	282	5	2	126	0	0	<b>415</b>
Physically and Economically Displaced Households (Loss of Residence cum Shop)	0	6	0	0	0	0	<b>6</b>
Non Significant Impact <sup>1</sup>	58	52	5	20	1	10	<b>146</b>
Titleholders Losing strip of land	307	18	2	225	0	0	<b>552</b>
Tenants	0	0	0	0	0	0	<b>0</b>
Total Displaced Persons (DPs)	4480	684	89	2606	7	212	<b>8078</b>
Titled DPs	4063	438	89	2606	0	150	<b>7346</b>
Non-titled DPs	417	246	-	-	7	62	<b>732</b>
Affected employees	0	0	0	0	0	0	<b>0</b>
Affected Structures	66	77	9	30	1	31	<b>214</b>
Affected Private Trees	9	67	10	22	0	0	<b>108</b>
Affected Common Property Resources	13	4	1	13	8	12	<b>51</b>

Source: Census and Social Survey, October 2015

21. The road subprojects will cause impact to 15 women headed household, 3 scheduled tribe household, 16 scheduled caste households and 10 BPL household.

**Table 3: Impact to Vulnerable Category (mutually exclusive)**

Vulnerable Category	Extent/Numbers						
	SH-19 et al.	SH-60	MDR-103	SH-100	SH-69	SH-6A	Package-3
Women Headed Household (WHH) <sup>2</sup>	3	8	-	2	-	2	<b>15</b>
Scheduled Tribe (ST) headed household <sup>2</sup>	1	1	-	1	-	-	<b>3</b>
Scheduled Caste (SC) headed household <sup>2</sup>	7	1	1	4	-	3	<b>16</b>
BPL household <sup>2</sup>	-	5	-	4	-	1	<b>10</b>
Disabled Headed Households (DHH) <sup>2</sup>	-	-	-	-	-	-	
Total	11	15	1	11	-	6	<b>44</b>

Source: Census and Social Survey, October 2015

<sup>1</sup> Where the impact to structure is less than 10 percent of the total area, then such impacts are categorised as non-significant impacts as the DP is neither physically nor economically displaced.

<sup>2</sup> Vulnerability identified amongst the affected households is presented which are mutually exclusive in the order presented in the table.

**E. Minimizing Involuntary Resettlement**

22. Measures were taken to minimise adverse involuntary resettlement impacts by adopting concentric widening in built-up sections and reducing the proposed right-of-way to 9-12m in built-up sections. The available right-of-way (RoW) was utilised to the maximum, thereby reducing the additional land requirement for the proposed widening. In rural sections the improvements have been restricted to 16m.

**F. Impact to Indigenous Peoples**

23. The census and socio economic survey and consultations had along the project area confirm that there are no indigenous people in the settlements along the subproject roads and further the subprojects do not impact any indigenous people. Though there are scheduled tribe households who will be affected by this subproject, they are part of the mainstream population.

**G. Scope and Objective of Resettlement Plan**

24. The objective of this Resettlement Plan (RP) is to assist the affected people to improve or at least restore their living standards to the pre-project level. This RP captures the involuntary resettlement impacts arising out of the proposed improvements to the road subprojects proposed under Package-3 of RSHIP. The document describes the magnitude of impact, mitigation measures proposed, method of valuation of land, structure and other assets, eligibility criteria for availing benefits, baseline socio-economic characteristics, entitlements based on type of loss and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring.

## II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

### A. Introduction

25. The subprojects proposed under Package-3 involves improvements to the (i) *Nagaur - Tarnau - Deewana -Mukundgarh* section of SH-19, SH-60, SH-20, Sh083, SH-8, SH-82 and SH-82A; (ii) *Sanju - Tarnau* section of SH-60; (iii) *Peelibanga - Lakhuwali* section of MDR-103; (iv) *Roopangarh - Naraina* section of SH-100; (v) *Churu - Bhaleri* section of SH-69; and (vi) *Sardarsher - Lunkaransar* section of SH-6A involving widening of a total of 407.065 km of State Highways from the existing single/intermediate/two-lane to intermediate/two lane road. The improvement works include geometric improvements; junction improvements; provision of drain; and footpath.

### B. Scope of Land Acquisition

26. The available right-of-way has been fully considered for the proposed improvement and the existing right-of-way (RoW) for the road section were determined using village maps and verified at site. Since the available RoW is not sufficient to meet the design cross section for the proposed 2-lanning, the road construction would entail acquisition of private land resulting in adverse impacts to households. The private land required for the improvements proposed is 102.78ha of land comprising of 57.95ha of wet land and 44.83ha of dry land. The private land proposed for acquisition is mostly strips of land, with the width varying from 5-10m, and abetting the existing road. Further, government land measuring 37.57ha will also be required to be transferred for the proposed improvements. The land acquisition plans have been prepared and the precise number of titleholders and extent of land lost will be updated once the land plan schedule is completed.

**Table 4: Category of Land being Acquired**

S.I. No.	Type of Ownership	Hectare
1	Private Wet	57.95
2	Private Dry	44.83
3	Government	37.57
<b>Total</b>	<b>Total</b>	<b>140.35</b>

Source: LAP prepared by DPR Consultants, January 2016

27. The land proposed for acquisition is of different category and the extent of land by type of land is presented in the following table.

**Table 5: Classification of Loss of Private Land and Impacts**

SNo	Use of Land	Number of Affected Household	Hectare
1	Agricultural	878	91.42
2	Residential	1	0.02
3	Commercial	-	-
4	Barren Land	73	10.19
5	Others (if any)	15	1.15
<b>Total</b>	<b>Total</b>	<b>967</b>	<b>102.78</b>

Source: LAP prepared by DPR Consultants, January 2016

28. The land being acquired has been categorised based on the extent of land lost and the scale of impact is presented in the following table along with the number of affected households in each category.

**Table 6: Intensity of Land Impact**

SNo	Scale of Impact	Number of Affected Household
1	Up to 10%	552
2	Above 10% and Below 25%	213
3	Above 25% and Below 50%	124
4	Above 50% and Below 75%	37
5	Above 75%	41
<b>Total</b>	<b>Total</b>	<b>967</b>

Source: LAP prepared by DPR Consultants, January 2016

### C. Impact to Structures

29. The improvements proposed will cause impact to 214 private structures and 51 common property resources. The private land acquisition involves acquisition of 102.78ha belonging to about 967 titleholders. Fifteen percent of the affected structures are being used as residence, followed by 14 percent used for commercial purpose, 3 percent being used for both residence and commercial purpose and the remaining (68%) are either Kiosks or compound wall.

### D. Loss of Private Structures

30. Fifty seven percent of the structures getting affected are owner occupied followed by 32 percent squatter occupied structures and 21 percent structures belong to encroachers. The ownership details of the private structures getting affected is presented in the following table.

**Table 7: Ownership of Private Structures**

Tenure	Package-3	Percentage
Owner	121	56.5
Encroacher	46	21.5
Squatter	47	32.0
<b>Total</b>	<b>214</b>	<b>100.0</b>

Source: Census and Social Survey, October 2015

31. Sixty one percent of the private structures getting affected are permanent in nature, followed by 24 percent structures that are temporary in nature and 15 percent of the structures are semi-permanent in nature. The type of construction of the affected structures is presented in the following table.

**Table 8: Type of Construction of the Affected Structures**

Type of Structure	Package-3	Percentage
Permanent	131	61.2
Semi permanent	32	15.0
Temporary	51	23.8
<b>Total</b>	<b>214</b>	<b>100.0</b>

Source: Census and Social Survey, October 2015

32. Fifteen percent of the structures getting affected are being used for residential purpose, followed by 14 percent of the structures getting affected are used for commercial purpose,

comprising largely of small business establishments, 3 percent structures are used for both residence and commercial purpose and 68 percent structures are either Kiosks or compound wall. The use of the affected structure is presented in the following table.

**Table 9: Use of the Affected Structures**

Use of Structure	Package-3	Percentage
Residential	32	15.0
Commercial	30	14.0
Residence cum Commercial	6	2.8
Others & Kiosks	146	68.2
<b>Total</b>	<b>214</b>	<b>100.0</b>

*Source: Census and Social Survey, October 2015*

### E. Magnitude of Impact on Structures

33. The subproject will cause impact to 214 structures and the structures have been assessed for the significance of impact, with loss of less than 10 percent being considered as non-significant and loss of 10 percent and above as significant. Out of these 214 structures, 68 (32%) structures will face significant impact requiring relocation and the remaining 146 (68%) structures will not face much impact and will be able to continue to reside and/or do their business in the same place. The significant impacted DHs comprise of 32 DHs who will face physical displacement, 30 DHs who will face economic displacement and 6 DHs will face both physical and economic displacement. The extent of loss to structure and its use is presented in the following table.

**Table 10: Use by Extent of loss to the Affected Structures**

Impact	Residence	Commercial	Residence cum Commercial	Others	Total
Less than 10%	-	-	-	146	<b>146</b>
≥ 10% and < 20%	7	6	1	-	<b>14</b>
≥ 20% and < 50%	8	8	2	-	<b>18</b>
≥ 50% and ≤ 99%	10	10	3	-	<b>23</b>
100%	7	6	-	-	<b>13</b>
<b>Total</b>	<b>32</b>	<b>30</b>	<b>6</b>	<b>146</b>	<b>214</b>

*Source: Census and Social Survey, October 2015*

### F. Loss of Livelihood

34. The subproject causes significant impact to 30 commercial establishments (14%) and 6 residence cum commercial establishments (3%) [see Table 10] resulting in loss of livelihood to about 17 percent of the displaced household. The 415 titleholders losing 10 percent and more land would also face economic displacement. The category of impacts causing loss of livelihood is presented in the following table.

**Table 11: Loss of Livelihood**

Category of Loss	Number of Displaced Households	Number of Displaced Persons
Owners of Business	36	246
Commercial Tenants	-	-
Employees	-	-
Titleholders	415	2838
<b>Total</b>	<b>451</b>	<b>3084</b>

*Source: Census and Social Survey, October 2015*

## G. Loss of Trees

35. The subproject will require removal of 108 private trees belonging to the DHs. All other trees getting affected in this project belong to the government and the re-establishment of government trees will be done in accordance with the Forest Act. Further, the LPS is under preparation and will be taken up for scrutiny by the revenue authorities and at that time if there are trees in the land being acquired, they will be compensated in accordance with the provisions contained in the EM.

## H. Loss of Common Property Resources

36. The project will affect 51 common property resources and of this 14 (27%) are places of worship. The PIU with the support of RP implementation support NGO will consult the trustees of the places of worship and in consultation with the local panchayat will facilitate in the relocation of these places of worship. The common property resource that is getting affected in the subprojects is presented in the following table. Wherever required, the PIU will ensure that utilities are relocated, in accordance to ADB SPS, prior to commencement of civil works in that stretch of the road corridor in accordance with the civil works schedule, which will be executed in 2-milestone, sections having no physical displacement in the 1<sup>st</sup> milestone and sections having physical displacement, land acquisition and bypasses in the 2<sup>nd</sup> milestone.

**Table 12: Loss of Community Structures**

Type of Community Asset	Number of Structures	Percentage
Place of worship	14	27.4
Part of School	3	5.9
Hand pump / Bore well	18	35.3
CW, Government buildings, etc	16	31.4
<b>Total</b>	<b>51</b>	<b>100.0</b>

Source: Census and Social Survey, October 2015

### **III. SOCIOECONOMIC INFORMATION PROFILE**

#### **A. Involuntary Resettlement Impacts**

37. This RP is based on the census and socio economic survey carried out between July and August 2015 and updated in October 2015 based on final and detailed design of the road subprojects. The census survey identified 214 households losing their structure and the salient findings are presented in the following sections.

#### **B. Methodology Adopted**

38. The census survey enumerated all private assets/properties and common property resources within the proposed right-of-way (PRoW) of 16m in rural sections and 9m-12m in urban sections. For every displaced household, a pretested structured questionnaire was administered during the census survey. The survey recorded details of: (i) identity of the Displaced Household (DH); (ii) tenure; and (iii) type, use and extent of loss to the DH.

39. In addition to recording the above information, detailed socio economic characteristics, including demographic profile of members of the household, standard of living, inventory of physical assets, vulnerability characteristics, indebtedness level, health and sanitation, and ascertaining perceptions about project, resettlement options and compensation, was collected from all impacted household. All structures were photographed and numbered for reference and record. Details of common property resources within the PRoW were also recorded.

40. The displaced households were categorised based on the severity of impact as significant (loss of 10 percent and above of the productive asset or structure) and non-significant (loss of less than 10 percent of the productive asset or structure). The summary of Displaced Households and the summary of Affected Common Property Resources is presented in Appendix-II.

41. The census survey identified 214 households who would be affected and 51 common property resource that would be affected and required to be relocated or compensated. Of the 214 households, 68 households face significant impact and for 146 households, the impact is not significant.

42. Further, as per the land-plan-schedule (LPS) under preparation, there are 967 land parcels which would involve at least that many number of titleholders who would be losing a strip of their land due to widening or bypass or curve improvement. After finalization of the LPS, the list of titleholders, based on the land acquisition notification and subsequent enquiry that would be carried out as part of land acquisition proceedings, along with the compensation and R&R assistance, in accordance with the provisions of the Resettlement Framework, would be disclosed as an addendum to this RP.

43. The socio-economic survey was carried out amongst 214 households and the details of the same are analyzed and presented in the following sections.

#### **C. Demographic Profile of Project Displaced Households**

##### **1. Household by Sex**

44. Seven percent of the households are headed by women and the remaining households are headed by men. Males account for 53.7 percent and female account for 46.3 percent amongst Displaced Persons (DPs).

**Table 13: DHs by Sex**

	<b>Number</b>	<b>Percentage</b>
Male	199	93.0
Female	15	7.0
<b>Total</b>	<b>214</b>	<b>100.0</b>

*Source: Census and Social Survey, October 2015*

## 2. Household by Religion

45. Hindus account for 92 percent of the household getting affected, followed by 8 percent Muslims.

**Table 14: Household by Religion**

<b>Religion</b>	<b>Number</b>	<b>Percentage</b>
Hindu	196	91.6
Muslim	18	8.4
Christian	-	-
<b>Total</b>	<b>214</b>	<b>100.0</b>

*Source: Census and Social Survey, October 2015*

## 3. Household by Social Group

46. Sixty four percent of the displaced household belong to the other backward caste, followed by 27 percent general category, 8 percent scheduled caste and 1 percent belongs to scheduled tribe.

**Table 15: Household by Social Category**

<b>Social Category</b>	<b>Number</b>	<b>Percentage</b>
General	57	26.6
Other Backward caste	137	64.0
Scheduled caste	17	8.0
Scheduled Tribes	3	1.4
	<b>214</b>	<b>100.0</b>

*Source: Census and Social Survey, October 2015*

## 4. Household by Size of Family

47. Amongst the 214 DHs, the family details were provided only by 156 DHs and the same is presented below. Family of size above 6 members account for 49 percent, followed by 24 percent with a family of size 5 to 6 members and 14 percent each with a family of size 3 to 4 members and family of size up to 2 members. The average size of the displaced household is 6.84 members or say 7 members.



**Table 16: Size of the household**

Size of the Family	Number	Percentage
Up to 2	21	13.5
3 to 4	21	13.5
5 to 6	37	23.7
Above 6	77	49.3
<b>Total</b>	<b>156</b>	<b>100.0</b>
<b>Average size of the family is 6.84</b>		

Source: Census and Social Survey, October 2015

## 5. Age group of DPs

48. The percentage of women aged above 65 years is marginally higher compared to men in the same age group. However, in the 21 and below age group the men account for 37 percent and women account for 33 percent. In all, 35 percent of the displaced persons are in the age group of 21 and below, followed by 29 percent in the age group of 22 and 35, 21 percent in the age group of 36 and 50, 11 percent in the age group of 50 and 65 and 4 percent in the above 65 age group.

**Table 17: Age Group of DPs**

Age Group	Male		Female		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
Up to 21	212	37.0	166	33.5	378	35.4
> 21 and ≤ 35	165	28.8	140	28.3	305	28.6
> 35 and ≤ 50	113	19.7	106	21.4	219	20.5
> 50 and ≤ 65	61	10.6	59	11.9	120	11.2
Above 65	22	3.8	24	4.8	46	4.3
<b>Total</b>	<b>573</b>	<b>100.0</b>	<b>495</b>	<b>100.0</b>	<b>1068</b>	<b>100.0</b>

Source: Census and Social Survey, October 2015

## D. Socio-economic Profile

### 1. Educational level of DPs

49. Forty eight percent amongst females and 46 percent amongst males are uneducated. Female educational attainment is comparatively better up to graduation and declines only marginally at post graduation level.

**Table 18: Educational level of DPs**

Educational level	Male		Female		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
Up to Middle	78	13.6	65	13.1	143	13.4
Below Metric	93	16.2	71	14.3	164	15.4
Metric	101	17.6	89	18.0	190	17.8
Graduate	22	3.8	23	4.6	45	4.2
Post Graduate	13	2.3	9	1.8	21	2.0
Uneducated	266	46.4	238	48.1	504	47.2
<b>Total</b>	<b>573</b>	<b>100.0</b>	<b>495</b>	<b>100.0</b>	<b>1068</b>	<b>100.0</b>

Source: Census and Social Survey, October 2015

## 2. Occupation of DPs

50. Eighty three percent amongst females and 50 percent amongst males are not in workforce, comprising largely of children, students, elderly, housewives and females who do not go for work. Sixteen percent of the men are into cultivation, followed by 14 percent each who are involved in business/trade and work as labourers, 3 percent are into service and an equal number are unemployed. Women are mostly into labour and some are also into cultivation and managing shops.

**Table 19: Occupation of DPs**

Occupation	Male		Female		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
Service	18	3.1	15	3.0	33	3.1
Business / Trade	78	13.6	21	4.2	99	9.3
Agriculture	92	16.1	18	3.6	110	10.3
Labourer	79	13.8	23	4.6	102	9.6
Unemployed	19	3.3	8	1.6	27	2.5
Not in workforce	287	50.1	410	82.8	697	65.3
<b>Total</b>	<b>573</b>	<b>100.0</b>	<b>495</b>	<b>100.0</b>	<b>1068</b>	<b>100.0</b>

Source: Census and Social Survey, October 2015

## 3. Income of Household

51. Thirty six percent of the households are earning above Rs.8000 per month, followed by 11 percent who earn between Rs.5001 and 8000, 8 percent earn between Rs.1001 and Rs.4000, 7 percent earn between Rs.4001 and Rs.5000 and 6 percent earn less than Rs.1000. The average monthly family income was reported as Rs.11,500.

**Table 20: Monthly Household Income of DHs**

Monthly Family Income Range	Number	Percentage
Up to 1000	12	5.6
1001 to 4000	18	8.4
4001 to 5000	16	7.5
5001 to 8000	23	10.7
>8000	78	36.5
Not disclosed	67	31.3
<b>Total</b>	<b>214</b>	<b>100.0</b>
<b>The average monthly family income is Rs. 11,526</b>		

Source: Census and Social Survey, October 2015

## 4. Impact to Vulnerable HH

52. The vulnerability amongst the significantly impacted DHs account for 27.9 percent (19 DHs out of 68 DHs). The vulnerable constitute 21 percent of women headed households, 37 percent belong to scheduled caste and 42 percent qualify as BPL<sup>3</sup> households. The vulnerable

<sup>3</sup> As per Planning Commission of India, the state specific poverty line for rural Rajasthan is Rs.1035.97 per capita per month for the year 2011-12 and the same updated for October 2015 based on CPIAL is Rs.1480. This is based on 'Dr. C . Rangarajan committees' proposed methodology. However, since many households had not disclosed their income and details of number of family members, it was not possible to determine BPL based on the above definition. Instead, the BPL families have been determined based on the ration card that they possess.

status of DHs in the package, which is mutually exclusive in the order of priority as presented in the following table is given below.

**Table 21: Vulnerable (mutually exclusive)**

Vulnerability Type	Number of HH impacted	Percentage
Women Headed Household	4	21.1
Scheduled tribes	-	-
Scheduled Caste	7	36.8
Below poverty line	8	42.1
Disabled Headed Household	-	-
<b>Total Vulnerable</b>	<b>19</b>	<b>100.0</b>

Source: Census and Social Survey, October 2015

## E. Key Socio-economic Indicators

53. The key socio-economic indicators established based on the census and socio-economic survey carried out amongst the DHs between July and August 2015 and updated in October 2015 are presented below. These indicators would form the baseline indicators that would be compared with the evaluation carried out by the independent external evaluation agency.

**Table 22: Key Socio-economic Indicators**

S.No	Indicator	Unit	Value/Figure
<b>a)</b>	<b>Income (N = 140)</b>		
1	Monthly family income	Average	Rs.11,526
2	Number of earners	Average	2.2
	<b>Impact (N =140)</b>		
3	Business establishment	%	28.7
<b>b)</b>	<b>Housing/Shop Characteristics (N=140)</b>		
4	Permanent	%	61.2
5	Semi-permanent	%	15.0
6	Temporary houses	%	23.8
<b>c)</b>	<b>Family Characteristics (N=140)</b>		
7	Family size	Average	6.84
8	Women headed household	%	7.0

Source: Census and Social Survey, October 2015

## F. Resettlement Preferences

54. The DHs were asked to indicate their choice in resettlement and rehabilitation option of self-managed - cash assistance or project supported housing/livelihood assistance. Sixty three percent preferred project assisted relocation, 35 percent preferred self relocation and the others (2%) were undecided.

**Table 23: Resettlement and Relocation Preference**

Vulnerability Type	Number of HH impacted	Percentage
Self Relocation	75	35.0
Project assisted relocation	135	63.1
Undecided	4	1.9
<b>Total</b>	<b>214</b>	<b>100.0</b>

Source: Census and Social Survey, October 2015

**IV. CONSULTATION, PARTICIPATION AND DISCLOSURE**

**A. Consultation in the Project**

55. In order to engage with the community and enhance public understanding about the subproject and address the concerns and issues pertaining to compensation, rehabilitation and resettlement, individual interviews, focus group discussions (FGD) and meetings were undertaken amongst the various sections of DPs and other stakeholders, during the census and socio economic survey that was carried out as part of the detailed project report (DPR) for the subproject. The opinions of the DPs, stakeholders and their perceptions were obtained during these consultations. The consultations with the DPs and other stakeholders will continue throughout the RP implementation period.

**B. Methods of Consultation**

56. Consultations and discussions were held during census and socio economic survey period with both primary and secondary stakeholders. The primary stakeholders include project displaced persons (DPs), project beneficiaries and implementing agency (PWD). The secondary stakeholder includes Revenue Officers and elected representatives of the local body.

57. During the census and socio economic survey consultations were held with displaced households, commercial establishment owners along the project corridor, officials of the district administration and elected members of the local panchayat. In order to hear and address the concerns of women, women were encouraged to participate and opportunity to express their concern was provided during the consultations. The consultation methods followed and proposed are detailed in the following table.

**Table 24: Consultation Methods**

<b>Stakeholders</b>	<b>Consultation Method</b>
Displaced Persons	Census and Socio-economic Survey
Displaced Persons	Focus Group Discussions
Local Communities	Focus Group Discussions
Local Elected Members	Individual interview, discussion
Concerned Officials from Government	Individual meeting/interview, discussion
DPs and General Public	Consultation Meetings

58. In addition to the web disclosure of the RP seeking views and suggestions of the general public, detailed consultations regarding the extent of involuntary resettlement impact and the mitigation measures proposed in the RP will be disclosed to the DPs and general public through public meetings held along the subproject road. The RP disclosure meetings will be held to explain the contents and provisions of the RP and obtain the feedback, suggestions and objections, if any, on the RP and accordingly make suitable amendments/corrections before finalising the RP.

59. During the census and socio economic survey, FGDs were conducted in villages along the subproject road in settlements and sections where impacts were recorded. All relevant aspects of subproject design, details of land required and impact to private property were discussed with the affected communities. A total of 423 persons (85 females and 338 males) participated in the 14 consultation meetings held along the 6-road subprojects. The issues and concerns raised during the consultations are summarised and provided in the following table.

The number of participants and the photographs are provided as Appendix-III to this report and the attendance sheets are available in the projects file with respective PIUs

### C. Outcome of the Consultations

60. People were aware about the subproject and the 2-laning of the road but were not aware about specific details of the PROW, shift in centreline and the method of valuation for and building, payment of compensation and other rehabilitation and resettlement measures. During the census and socio economic surveys, the women were found not being actively engaged in the decision making process within family and also in the community. Women felt that the proposed improvements will provide (i) better access to higher levels of education, health services (especially in emergencies), and social interactions, (ii) better and more frequent public and private transport options, and (iii) increase in leisure time. The negative impacts could not be easily articulated by the communities apart from loss of assets. The salient points are summarised in the following table.

**Table 25: Summary of Consultation Outcome**

Village / Town	Concern	Design change / Mitigation measures proposed / Explanation Given
<b>Nagaur - Tarnau - Deewana -Mukundgarh Road</b>		
Nagaur	Expansion of road should be to a limited possible extent to minimize land acquisition	The widening will be carried out mostly within existing ROW. The affected persons will be compensated for the loss as per R&R policy adopted in line with LA Act 2013
	If the soil is borrowed from our fields ,will the field be rehabilitated	Yes the borrow areas will be rehabilitated
	These stretches do not have surface water bodies hence trees should be conserved	All efforts are put in to retain maximum trees ,only those which are within 12 m of PROW shall be felled
Rol	Acquisition of properties should be made after doing justice to the loss.	R&R policy adopted will be in line with LA Act 2013 and assistance provided for non-titleholders
	Please construct Road side drains	Road side drains are integral part of Road design
	At some locations water is stagnant on road	The Road will be given proper cross slope and longitudinal drains
Pharrod	Expressed concern for safety of children and cattle	Cautionary signage will be provided for speed control
	Once our shops are dismantled we will have no source of earning	Compensation for lost assets, rehabilitation allowance and subsistence allowance is provided in the entitlement matrix
Tarnau	Minimize the Land acquisition	Minimum Land will be acquired after paying adequate compensation
	At few locations we have made shallow tanks for animals to drink , widening will destroy them	All community facilities will be restored/re-established
	Our standing crops will be affected by your widening and will lose our livelihood	The Agricultural land owner is given time to for harvesting the crops and also will get compensated for land
<b>Sanju - Tarnau Road</b>		
Dootina	Demolition of Road side structure will create noise pollution and dust pollution	Contractor will take adequate measures to prevent dust and noise pollution

Village / Town	Concern	Design change / Mitigation measures proposed / Explanation Given
	Safety of cattle and children	The vehicles plying on road will have speed restriction
	Traffic Management During Construction	Proper Diversion and safety plans will create minimum inconvenience to the public
	Felling of roadside trees will deprive them of shade and fodder	Tree felling will be minimized and double number of trees shall be planted
Tarnau	Safety of cattle and children during construction	Contractor will make proper safeguard measures and will be ensured by PWD
	Noise of Construction will cause disturbance at night	Road work will be done in day time only
	Dust pollution will affect the asthmatic persons	Water will be sprinkled twice a day for dust suppression
	Please construct Road side drains	Roadside drains are integral part of Road design
<b>Peelibanga - Lakhuwali Road</b>		
Panditwali	Dust pollution will affect the asthmatic persons	Water will be sprinkled twice a day for dust suppression
	Please construct Road side drains	Roadside drains are integral part of Road design
	Safety of cattle and children during construction	Contractor will have proper safeguard measures
	Noise of Construction will cause disturbance at night	Road work will be done only in day time
Lakuwali	Safety of cattle and children during construction	Contractor will have proper safeguard measures
	Noise of Construction will cause disturbance to school education	Contractor will have proper safeguard measures
	Dust pollution will affect the goods of eateries and other shops	Water will be sprinkled twice a day for dust suppression
	Pedestrian Safety	Footpaths and gravel shoulders are being provided
<b>Roopangarh - Naraina Road</b>		
Marwa	Road condition is not good and causes stress on driving	Geometric Improvement will improve the riding quality and reduce discomfort
	Schools adjacent to road gets disturbed during construction	This will be a temporary disturbance and noise levels will be monitored and maintained within permissible levels
	Road side trees should not be disturbed	Maximum efforts will be taken to retain the trees
SirohiKhurd	There is no rest areas for miles	Road side amenities have not been included
	Safety of cattle and children during construction	Contractor will take proper safeguard measures
	Noise and air pollution during construction should be minimum	Road work will be done in day time and water will be sprinkled to suppress the dust
	Dust pollution should be minimum near health centres	Proper mitigation measures will be undertaken while constructing in sensitive location
	More amenities should be encouraged	Project has no provisions for road side amenities

Village / Town	Concern	Design change / Mitigation measures proposed / Explanation Given
<b>Churu - Bhaleri Road</b>		
Somasi and Bhalri	Adequate compensation and rehabilitation assistance to affected households	Mitigated by approved compensation package of GoR
	Some people also suggested limited widening of road to save the structures	Suggestion has already been incorporated in design
	Employment and petty contracts during construction	Mitigated by keeping provision for local person in the construction related job
	Provision of side drains	Incorporated in design
	Provision of adequate culverts	Incorporated in design
	Road safety measures	Incorporated in design
	Extensive plantation	Incorporated in design
	Restriction on honking near built-up areas and sensitive receptors	Signboard provision has been considered
	Measures to minimize air and noise pollution	Necessary mitigation has been suggested in IEE Report
	Water harvesting structures	Shall be part of private developer/contractor's scope of work
	Bus Shelters	Provision made in design
	Parking areas in markets and truck lay-byes near industries	Not provided in design
<b>Sardarsher - Lunkaransar Road</b>		
Lunkaransar and Kalu  (most concerns were identical of Somasi and Bhalri)	Adequate compensation and rehabilitation assistance to affected households	Mitigated by approved compensation package of GoR
	Some people also suggested limited widening of road to save the structures	Suggestion has already been incorporated in design
	Employment and petty contracts during construction	Mitigated by keeping provision for local person in the construction related job
	Provision of side drains	Incorporated in design
	Provision of adequate culverts	Incorporated in design
	Road safety measures	Incorporated in design
	Extensive plantation	Incorporated in design
	Restriction on honking near built-up areas and sensitive receptors	Signboard provision has been considered
	Measures to minimize air and noise pollution	Necessary mitigation has been suggested in IEE Report
	Water harvesting structures	Shall be part of private developer/contractor's scope of work
	Bus Shelters	Provision made in design
	Parking areas in markets and truck lay-byes near industries	Not provided in design
Bypass with RoB in Lunkaransar town	Traffic is very low so doesn't warranted by bypass and RoB	

#### D. Plan for further Consultation in the Project

61. The extent and level of involvement of stakeholders at various stages of the project from design stage and through RP implementation will open up the line of communication between the various stakeholders and the project implementing authorities, thereby aiding the process of

resolving conflicts at early stages of the project rather than letting it escalate into conflicts resulting in implementation delays and cost overrun. Participation of the local community in decision-making will help in mitigating adverse impacts.

62. Further, successful implementation of the RP is directly related to the degree of involvement of those affected by the road-projects. Consultations with DPs has been proposed during RP implementation and the PIU (PD, PIU, PWD) and the implementing support NGO will be responsible for conducting these consultations. The proposed consultation plan will include the following.

- i) In case of any change in project design, the DPs 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 RF of RSHIP.
- ii) The PIU, with the assistance of the NGO, will carry out information dissemination sessions in the project area.
- iii) During the implementation of RP, NGO will organize public meetings, and will appraise the communities about the schedule/progress in the implementation of civil works, including awareness regarding road construction and HIV AIDS prevention.
- iv) Consultation and focus group discussions will be conducted with the vulnerable groups like women headed households, ST and SC to ensure that the vulnerable groups understand the process and their needs are specifically taken into consideration in the implementation.

63. A Public Consultation and Disclosure Plan will be finalised by PIU for the subproject as per the tentative schedule given in the following table.

**Table 26: Public Consultation and Disclosure Plan**

<b>Activity</b>	<b>Task</b>	<b>Period</b>	<b>Agencies</b>	<b>Remarks</b>
Screening of subproject and stakeholder identification	Identifying built-up sections and assessment of likely impact	October 2015	DPR Consultants	Completed
Census and Socio-economic survey	Identifying DPs and collected socioeconomic information on DP's. Carrying out consultations to capture issues and concerns of people and incorporate in the design.	October 2015	DPR Consultants	Completed
Public Notification for SIA/LA	Publish list of affected lands/sites in a local newspaper	March 2016	PIU / Additional Collector	As per RFCTLARR Act, 2013
Web disclosure of the RF and RP	RF and RP posted on PWD website	March 2016	PIU	
RF and RP disclosure meetings	Carryout consultations with DPs on significance of impact, entitlement, implementation arrangement and GRC	March 2016	PIU	After RF and RP approval by GoR
Project information dissemination	Project commencement details and scheduling of civil works	March 2016	PIU / NGO	
Consultation with DPs	Throughout during RP implementation and formal	Throughout RP implementation	PIU / NGO	



Activity	Task	Period	Agencies	Remarks
	consultation meetings to be held at least once in every quarter			
Dissemination of monitoring reports	Internal and external monitoring reports will be uploaded in the website of PWD along with corrective actions taken, if any.	Throughout RP implementation	PIU	
Dissemination of GRC actions	Summary of complaints received and action taken will be uploaded in the website of PWD	Throughout RP implementation	PIU	

## E. Disclosure

64. The RP will be disclosed by the PMU upon receiving approval from GoR and uploaded in the PWD website along with the gist of the RP translated in local language. The translated gist of the RP would provide details of the project, magnitude of impact to land and assets, eligibility and entitlement, institutional arrangement and grievance redressal process. Hardcopies of the gist of the RP in local language will be made available at the office of the PMU, PIUs and distributed to the DPs.

65. Information will be disseminated to DPs at various stages. Information including magnitude of loss, detailed asset valuations, entitlements and special provisions, grievance procedures, timing of payments, displacement schedule, civil works schedule will be disclosed by the PIU with assistance from the NGO hired for assisting in RP implementation. This will be done through public consultation and made available to DPs as brochures, leaflets, or booklets, in Hindi. The Hindi version of executive summary of RP along with Entitlement Matrix and structure and process of GRC will also be disclosed.

66. Gist of each RP will be translated and made available to the DPs. Hard copies of the resettlement plan will also be made available at: (i) the offices of the PIU/PWD; (ii) office of the District Magistrates; (iii) Offices of the Panchayat / Municipality, as soon as the plans are available and certainly before initiating land acquisition process for the project.

67. Electronic version of the RP will be placed on the official website of the PWD. In addition, all safeguard documents including the quarterly progress reports and concurrent monitoring reports, impact evaluation reports, list of eligible DPs will be disclosed. RPs will be maintained in the website throughout the life of the project.

## V. POLICY AND LEGAL FRAMEWORK

### A. Background

68. Recognising the social issues that can arise in transport projects being proposed under Rajasthan State Highway Investment Program (RSHIP), the Public Private Partnership (PPP) Division of the Public Works Department (PWD) of Rajasthan has prepared a Resettlement Framework (RF) and indigenous peoples planning framework in line with National and State Laws and Policies, and ADB Safeguards Policy Statement. The resettlement framework describes the principles and approach in avoiding, minimizing and mitigating adverse social impacts that may arise in implementing subprojects proposed under RSHIP.

### B. National Legislations, Policies and ADB Policy

69. The policy framework and entitlements for the RSHIP are based on national laws: The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, State laws and regulations and ADB's Safeguard Policy Statement (SPS), 2009.

#### 1. Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCTLARR), 2013

70. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013, provides for a transparent process and just and fair compensation to the affected families whose land is acquired or proposed to be acquired or are affected by such acquisition and provides for rehabilitation and resettlement of the affected families. The basic principle of the RFCTLARR Act is to ensure that the cumulative outcome of compulsory land acquisition should be such that, the affected persons become partners in development, leading to an improvement in the standard of living after acquisition. This act came into effect on January 01, 2014 and the Land Acquisition Act, 1894 stands repealed. The salient provisions of RFCTLARR Act is discussed below.

71. The RFCTLARR Act applies to acquisition of land for a public purpose, as defined in the act. The act provides for consultation with and involvement of local self government in undertaking a Social Impact Assessment (SIA). The SIA is reviewed by an Expert Group to assess if the potential benefits of the project outweigh the social cost and adverse social impacts. The expert group can recommend either for or against proceeding with the project. The appropriate government is not bound by the decision of the expert group and can decide otherwise.

72. The act prohibits acquisition of multi crop land for any project, however on exceptional cases allows acquisition of multi crop land, wherein the State specific threshold of acquiring such land is not exceeded and equivalent waste land is developed for agricultural purpose.

73. The competent authority while determining the market value of the land has to consider the higher value of the land arrived at by 3-methods of valuation viz: (i) market value as per Indian Stamp Act, 1899 for the registration of sale deed or agreements to sell, in the area where land is situated; or (ii) average sale price for similar type of land, situated in the nearest village or nearest vicinity area, ascertained from the highest 50% of sale deeds of the preceding 3 years; or (iii) consented amount paid for PPPs or private companies. In case of rural areas, the market value of land so determined is multiplied by a factor, to be decided by the appropriate

government. A solatium of 100% is payable on the market value of land multiplied by the factor and all immovable properties or assets, trees and plants.

74. A Resettlement and Rehabilitation award detailing the entitlements to be provided as per the Second Schedule of Act is passed by the competent authority. Possession of land can be taken only after payment of compensation and rehabilitation and resettlement entitlements as detailed in Second Schedule and Third Schedule. The details of amenities to be provided in a resettlement site is detailed in the Third Schedule.

## **2. Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Removal of Difficulties) Order, 2015**

75. In order to expedite land acquisition for infrastructure projects, the government promulgated an ordinance in December 2014, amending certain provisions in the RFCTLARR Act, 2013. Since the ordinance was to lapse, the second ordinance was promulgated in May 2015, wherein infrastructure projects were exempted from (i) the provisions of SIA; and (ii) the bar on acquisition of multi crop land . Further, through the ordinance, the determination of compensation as per the First Schedule, rehabilitation and resettlement provisions contained in the Second Schedule and infrastructure amenities to be provided in resettlement sites as per the Third Schedule, became applicable to the exempted acts in the Fourth Schedule with effect from January 01, 2015. Since this second ordinance also was to lapse and the replacement bill relating to the RFCTLARR (Amendment) Ordinance has been referred to the Joint Committee of the Houses (Parliament) for examination, this order dated August 28, 2015 has been passed wherein the provisions of the RFCTLARR Act, relating to the determination of compensation in accordance with the First Schedule, rehabilitation and resettlement in accordance with the Second Schedule and infrastructure amenities in accordance with the Third Schedule shall apply to all cases of land acquisition under the enactments specified in the Fourth Schedule to the said Act with effect from September 01, 2015. Further, the exemption of SIA and acquisition of multi crop land for infrastructure projects has been done away with, thereby SIA provisions become applicable to the Investment Program.

## **C. Legal and Policy Frameworks of Rajasthan State**

76. The legislations and policy concerning the land acquisition and resettlement for road project includes (i) Rajasthan Land Revenue Code, 1959, (ii) Rajasthan Highway Act, 2003, (iii) Rajasthan Resettlement Policy-2007. The gist of these act and policies are discussed in the following section.

### **1. Rajasthan Land Revenue Code, 1959**

77. An Act to consolidate and amend the laws relating to land revenue, the powers of Revenue Officers, rights and liabilities of holders of land from the State Government, agricultural tenures and other matters relating to land and the liabilities incidental thereto in Rajasthan. This Act basically deals with the land rights of landholders and power of revenue departments but does not reflect and specific on acquisition and payment of compensation.

### **2. Rajasthan Highway Act, 2003**

78. The Rajasthan Highway Act, 2003 is meant to provide for the restriction of ribbon development along highways for prevention and removal of encroachment thereon, for the construction, maintenance and development of highways, for the levy of betterment charges,

and for certain other matters, and to provide for the public such conditions as will ensure safety and maximum efficiency of all road transport of highways in the Rajasthan State.

### **3. Rajasthan Resettlement Policy-2007**

79. Government of Rajasthan has formulated a resettlement policy known as “Ideal Resettlement Policy of the State-2007” in the year 2007 for resettlement and rehabilitation of project affected persons by various infrastructure development projects. Attempted to deal with complete land acquisition and resettlement issues, this policy includes some enhanced provisions than the above two legislations. However, the policy does not have provision for compensation at replacement cost and recognises the non-titleholders occupying land before three years of notification of the affected area.

### **4. The Rajasthan Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2016**

80. The Rules framed and notified by GoR for the RFCTLARRR Act, 2013 details the process of SIA, public hearing and SIA report and social impact management plan. The consent requirement in the format specified is to be obtained during the SIA. The rules also explain the process of preparing and publishing the rehabilitation and resettlement scheme.

### **D. ADB’s Safeguard Policy Statement (SPS), 2009**

81. ADBs Safeguard Policy Statement (SPS) 2009 describes the policy objective, its scope and triggers and principles of (i) environmental safeguards; (ii) involuntary resettlement safeguards; and (iii) indigenous people’s safeguards. The objectives of involuntary resettlement safeguards are: (i) avoid involuntary resettlement where possible; (ii) if avoidance is not possible, minimize involuntary resettlement by exploring project and design alternatives; (iii) enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and (iv) improve the standards of living of the displaced poor and other vulnerable groups.

82. The involuntary resettlement safeguards policy 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 them whether such losses and involuntary restrictions are full or partial, permanent or temporary.

83. The three important elements of involuntary resettlement safeguards 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**

84. A comparison between Government Statutes and ADB’s involuntary resettlement safeguards policy that provides gap-filling measures reflected in the entitlement matrix is presented as Appendix-IV. The Right to Fair Compensation and Transparency in Land

Acquisition, Rehabilitation and Resettlement Act, 2013', which has integrated provisions of NRRP with that of LA Act 1894, recognises titleholders and non-titleholders affected by land acquisition. Wherein, the squatters, encroachers and those present in RoW and other government lands are excluded from the purview of the Act.

85. The key difference between the Government and ADB's involuntary resettlement safeguards policy is with regard to the cut-off date for determining the eligibility for compensation and R&R assistance to all those who are affected by the project irrespective of the ownership title to the land. As per the provisions of RFCTLARR Act, the cut-off-date for title holders is the date of SIA notification [Sec 4(2)] and for non-titleholders affected by the acquisition of such land, they should have been living/working three years or more prior to the acquisition of the land. To bring the RF in line with ADB's requirements, the RF mandates that in the case of land acquisition, the date of issue of notification will be treated as the cut-off date for title holders, and for non-titleholders such as squatters and encroachers, whom the act does not recognise, the cut-off date will be the start date of the subproject census survey. In case of all affected non-title holders, suitable compensation (ex-gratia payments) for loss of assets and R&R assistance is proposed in the entitlement matrix. The RCTLARR Act provides for compensation for land and structure at market rate, a 100 per cent solatium and 12 percent interest on market rate to all titleholders. Further, in addition to compensation the title holders are entitled for resettlement allowance, substance allowance and shifting allowance. This meets ADB SPS requirement. Furthermore, the titleholders who lose their house and who do not have any other house site will be entitled for a built house or cash in lieu of house provided they have been residing in the affected area for the preceding three years.

86. A significant development in Government statute is the notification of 'The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013', which has repealed the Land Acquisition Act of 1894 (as amended in 1984). This Act would both complement the revision of the NRRP (2007) and decrease significantly the gaps between the LA Act 1894 and ADB's SPS. In particular, the Act would require social impact assessments for projects involving land acquisition. The Act also expands compensation coverage of the principal act by requiring that the value of structure, trees, plants, or standing crops damaged must also be included and the solatium being 100 percent of all amounts inclusive. The Act furthermore meets ADB requirement of all compensation to be paid prior to project taking possession of any land and provision of R&R support including subsistence grant and transportation cost.

## **F. Involuntary Resettlement Safeguard Principles for the Project**

87. Based on the above analysis of government provisions and ADB policy, the following resettlement principles are adopted for this Project:

- (i) Screen the project early, to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a census and socio-economic survey of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- (ii) Adopt measures to avoid and minimize involuntary resettlement impacts by taking the following measures: (i) explore siting the subproject components in government land or locations which are less impacting; (ii) ensure use of appropriate technology to reduce land requirement; and (iii) modify the designs of subproject components to minimise land requirement and ensure involuntary resettlement is avoided or minimized.

- (iii) Where displacement is unavoidable, improve, or at least restore, the livelihoods of all displaced persons through: (i) land-based resettlement strategies, where possible, when affected livelihoods are land based, and when loss of land is significant, 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; and (iii) prompt compensation at full replacement cost for assets that cannot be restored.
- (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) 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 at replacement value.
- (vi) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to national minimum standards or standard before displacement whichever is higher.
- (vii) Carry out meaningful consultations with displaced 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.
- (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.
- (ix) Disclose a resettlement plan, including documentation of the consultation process in a timely manner, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced persons and other stakeholders.
- (x) Pay compensation and provide all resettlement entitlements before physical or economic displacement and before physical and economic displacement.. Implement the resettlement plan under close supervision throughout project implementation.
- (xi) Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of displaced persons.
- (xii) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement<sup>4</sup> to ensure that those people who

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<sup>4</sup> ADB SPS 2009 (Safeguards Requirements 2) does not apply to negotiated settlements. The policy is encourages acquisition of land and other assets through a negotiated settlement wherever possible, based on meaningful consultation with affected persons, including those without title to assets. A negotiated settlement will offer adequate and fair price for land and/or other assets. Also, an independent external party will be engaged to document the negotiation and settlement processes. In

enter into negotiated settlements will maintain the same or better income and livelihood status.

- (xiii) 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.

## **G. Valuation of land and assets**

### **1. Compensation for Land**

88. Land will be acquired in accordance with provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and while determining the compensation for land, the competent authority will be guided by the provisions of Sec 26, Sec 27, Sec 28, Sec 29 and Sec 30 of RFCTLARR Act, 2013. The compensation includes, the multiplying factor<sup>5</sup> of 1.25-1.75 times on the land value being higher of the guideline value or average of higher 50% of sale dead rates for last 3 years or any rates consented for PPP or private projects. In addition 100% solatium for involuntary acquisition of land will be added. If the residual land, remaining after acquisition, is unviable, the owner of such land/property will have the right to seek acquisition of his entire contiguous holding/property.

### **2. Compensation for Structures**

89. The replacement value of houses, buildings and other immovable properties will be determined on the basis of latest PWD Schedule of Rates (SoR) as on date without depreciation and 100% solatium will be added to the structure compensation. While considering the PWD SSR rate, PIU will ensure that it uses the latest SSR for the residential and commercial structures in the urban and rural areas of the region. Wherever the SSR for current financial year is not available, the PIU will update the SSR to current prices based on approved previous year escalations. 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/Village council in accordance with the modalities determined by such bodies to ensure correct use of the amount of compensation. The compensation for reconstruction/relocation of places of worship will also include the associated cost of carrying out rituals/ceremonies during reconstruction/relocation. Further, all compensation and assistance will be paid to DPs at least 1 month prior to displacement or dispossession of assets.

### **3. Compensation for Trees**

90. Compensation for trees will be based on their market value. 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 or Agriculture or Horticulture as the case may be. In line with the provision of RFCTLARR Act

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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.

<sup>5</sup> As per Rajasthan Land Acquisition Bill, 2014

2013, 100% solatium will be added to the assessed value of the trees. Prior to taking possession of the land or properties, the compensation will be fully paid and DPs will have the opportunity to harvest crops/trees within 1-month from the date of payment of compensation.

91. 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 15 days of their demolition; otherwise, the same will be disposed by the project authority without giving any further notice. Trees standing on the land owned by the government will be disposed of through prevailing practice by the concerned Revenue Department/ Forest Department.



## **VI. ENTITLEMENTS, ASSISTANCE AND BENEFITS**

### **A. Introduction**

92. The subproject will have two types of displaced persons i.e.: (i) persons with formal legal rights to land lost in its entirety or in part; and (ii) persons who have neither formal legal rights nor recognized or recognizable claims to such land. The involuntary resettlement requirements apply to all these two types of displaced persons.

### **B. Eligibility Criteria**

93. In accordance with the principles of the RF, the displaced persons falling in any of the following three categories will be eligible for compensation and resettlement assistance:

- (i) those who have formal legal rights to land lost in its entirety or in part;
- (ii) those who lost the land they occupy in its entirety or in part and have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national/state laws; and
- (iii) those who lost the land they occupy in its entirety or in part and have neither formal legal rights nor recognized or recognizable claims to such land.

94. Cut-off Date: For title holders, the date of SIA notification [Sec 4(2)] of intended acquisition as per the provisions of RFCTLARR Act will be treated as the cut-off date, and for non-titleholders the start date of project census survey (July 2015) for the subproject will be the cut-off date. There will be adequate notification of cut-off date and measures will be taken to prevent encroachments/squatting after the cut-off date is established.

95. Non title holders who settle in the affected areas after the cut-off date will not be eligible for compensation. They however will be given sufficient advance notice (60 days) to vacate the premises and dismantle affected structures prior to project implementation. The project will recognize both licensed and non-licensed vendors, and titled and non-titled households

### **C. Entitlement Matrix**

96. In accordance with the R&R measures suggested for the project, all displaced households and persons will be entitled to a combination of compensation packages and resettlement assistance depending on the nature of ownership rights on lost assets and scope of the impacts including socio-economic vulnerability of the displaced persons and measures to support livelihood restoration if livelihood impacts are envisaged. Unforeseen impacts will be mitigated in accordance with the principles of the RF for this loan. The displaced persons will be entitled to the following six types of compensation and assistance packages:

- (i) Compensation for the loss of land, crops/ trees at their replacement cost;
- (ii) Compensation for structures (residential/ commercial) and other immovable assets at their replacement cost;
- (iii) Assistance in lieu of the loss of business/ wage income and income restoration assistance;
- (iv) Alternate housing or cash in lieu of house to physically displaces households not having any house site;
- (v) Assistance for shifting and provision for the relocation site (if required), and
- (vi) Rebuilding and/ or restoration of community resources/facilities.

97. An Entitlement Matrix has been developed, that summarizes the types of losses and the corresponding nature and scope of entitlements; and is in compliance with National/State Laws and ADB SPS. The following entitlement matrix presents the entitlements corresponding to the tenure of the DPs and the same has been approved<sup>6</sup> and endorsed by Government of Rajasthan.

**Table 27: Entitlement Matrix**

SNo	Impact Category	Entitlements		Implementation Guidelines
<b>PART I. TITLE HOLDERS - Compensation for Loss of Private Property</b>				
1	Loss of Land (agricultural, homestead, commercial or otherwise)	1.1	Compensation for land at Replacement Cost or Land for land, where feasible.	<p>Land will be acquired by the competent authority in accordance with the provisions of RFCTLARR Act, 2013.</p> <p>Replacement cost for land will be, higher of (i) market value as per Indian Stamp Act, 1899 for the registration of sale deed or agreements to sell, in the area where land is situated; or (ii) average sale price for similar type of land, situated in the nearest village or nearest vicinity area, ascertained from the highest 50% of sale deeds of the preceding 3 years; or (iii) consented amount paid for PPPs or private companies.</p> <p>Plus 100% solatium and 12% interest from date of notification to award.</p> <p>The multiplier factor adopted by GoR for land in rural area, based on the distance from urban area to the affected area, will be applied.</p> <p>In case of severance of land, house, manufactory or other building, as per Section 94 (1), the whole land and/or structure shall be acquired, if the owner so desires.</p>
2	Loss of Structure (house, shop, building or immovable property or assets attached to the land)	2.1	Compensation at replacement cost	<p>The market value of structures and other immovable properties will be determined by PWD on the basis of relevant PWD Schedule of Rates (SR) as on date without depreciation.</p> <p>Plus 100% solatium</p> <p>For partly affected structures, the</p>

<sup>6</sup> GO No. F7 (143) SHA/PPP/2015/D-1262 of Public Works Department, Government of Rajasthan dated 17.11.2015

SNo	Impact Category	Entitlements		Implementation Guidelines
				DP will have the option of claiming compensation for the entire structure, if the remaining portion is unviable.
<b>PART II. REHABILITATION AND RESETTLEMENT -</b>				Both Titleholders and Families Whose Livelihood is Primarily Dependant on Land Acquired
3	Loss of Land	3.1	<p>Employment to at least one member per affected family in the project or arrange for a job in such other project as may be required after providing suitable training and skill development in the required field and at a rate not lower than the minimum wages provided for in any other law for the time being in force.</p> <p style="text-align: center;">or</p> <p>One time payment of Rs.5,00,000/- for each affected household</p> <p style="text-align: center;">or</p> <p>Annuity policy that shall pay Rs.2000/- per month for 20 years with appropriate indexation to CPIAL</p>	
		3.2	Monthly subsistence allowance of Rs.3,000/- per month for a period of one-year to affected households who require to relocate due to the project	
		3.3	Transportation assistance of Rs.50,000/- for affected households who require to relocate due to the project	
		3.4	One time assistance of Rs.25,000 to all those who lose a cattle shed	
		3.5	One time Resettlement Allowance of Rs.50,000/- for affected household who have to relocate	
		3.6	Additional onetime assistance of Rs.50,000/- to scheduled caste and scheduled tribe families who are displaced from scheduled areas and who require to relocate due to the project	

SNo	Impact Category	Entitlements		Implementation Guidelines
4	Loss of Residence	4.1	An alternative house for those who have to relocate, as per IAY specifications in rural areas and a constructed house/flat of minimum 50 sq.m. in urban areas or cash in lieu of house if opted (the cash in lieu of house will be Rs.70,000/- in line with GoI IAY standards in rural areas and Rs.1,50,000 in case of urban areas).	Stamp duty and registration charges will be borne by the project in case of new houses or sites.
		4.2	<p>Employment to at least one member per affected family in the project or arrange for a job in such other project as may be required after providing suitable training and skill development in the required field and at a rate not lower than the minimum wages provided for in any other law for the time being in force.</p> <p style="text-align: center;">or</p> <p>One time payment of Rs.5,00,000/- for each affected household</p> <p style="text-align: center;">or</p> <p>Annuity policy that shall pay Rs.2000/- per month for 20 years with appropriate indexation to CPIAL</p>	
		4.3	Monthly subsistence allowance of Rs.3,000/- per month for a period of one-year to affected households who require to relocate due to the project	
		4.4	Transportation assistance of Rs.50,000/- for affected households who require to relocate due to the project	
		4.5	One time assistance of Rs.25,000 to all those who lose a cattle shed	
		4.6	One time assistance of Rs.25,000 for each affected family of an artisan or self-employed and who has to relocate.	
		4.7	One time Resettlement Allowance of Rs.50,000/- for affected household who have to relocate	

SNo	Impact Category	Entitlements		Implementation Guidelines
		4.8	Additional onetime assistance of Rs.50,000/- to scheduled caste and scheduled tribe families who are displaced from scheduled areas and who require to relocate due to the project	
		4.9	Right to salvage affected materials	
5	Loss of shop / trade / commercial structure	5.1	<p>Employment to at least one member per affected family in the project or arrange for a job in such other project as may be required after providing suitable training and skill development in the required field and at a rate not lower than the minimum wages provided for in any other law for the time being in force.</p> <p style="text-align: center;">or</p> <p>One time payment of Rs.5,00,000/- for each affected household</p> <p style="text-align: center;">or</p> <p>Annuity policy that shall pay Rs.2000/- per month for 20 years with appropriate indexation to CPIAL</p>	
		5.2	Monthly subsistence allowance of Rs.3,000/- per month for a period of one-year to affected households who require to relocate due to the project	
		5.3	Transportation assistance of Rs.50,000/- for affected households who require to relocate due to the project	
		5.4	One time assistance of Rs.25,000 for each affected family of an artisan or self-employed or small trader and who has to relocate.	
		5.5	One time Resettlement Allowance of Rs.50,000/- for affected household who have to relocate	
		5.6	Additional onetime assistance of Rs.50,000/- to scheduled caste and scheduled tribe families who are displaced from scheduled areas and who require to relocate due to the project	
		5.7	Right to salvage affected materials	

SNo	Impact Category	Entitlements		Implementation Guidelines
<b>PART III. IMPACT TO SQUATTERS / ENCROACHERS -</b>				<b>Those in the existing right-of-way where no land acquisition is done</b>
6	Impact to Squatters	<b>6.1</b>	<b>Loss of House</b>	<p>Only those directly affected squatters who live there will be eligible for all assistance.</p> <p>Structure owners in RoW/Government lands who do not live there and have rented out the structure will be provided compensation for structure and no other assistance will be provided to them. The occupier (squatter-tenant) will be eligible for other assistances.</p> <p>Only those directly affected squatters who do business there will be eligible for all assistance.</p> <p>Structure owners in RoW/Government lands who do not do the business and have rented out the structure will be provided compensation for structure and no other assistance will be provided to them. The occupier (squatter-tenant) will be eligible for other assistances.</p> <p>The PIU and the implementation support NGO/agency will consult such DPs and assess the requirement of subsistence allowance and rehabilitation grant</p>
6.1.1	Compensation at scheduled rates without depreciation for structure with 1-month notice to demolish the affected structure	6.1.2	Right to salvage the affected materials	
6.1.3	House construction grant of Rs.70,000 for all those who have to relocate and who do not have a house.  Additional house site grant of Rs.50,000 to those who do not have a house site.	6.1.4	One time subsistence allowance of Rs.18,000/-	
6.1.5	Shifting assistance of Rs.10,000/-	<b>6.2</b>	<b>Loss of shop</b>	
6.2.1	Compensation at scheduled rates without depreciation for structure with 1-month notice to demolish affected structure	6.2.2	Right to salvage the affected materials	
6.2.3	One time rehabilitation grant of Rs.20,000 for reconstruction of affected shop	6.2.4	One time subsistence allowance of Rs.18,000/-	
6.2.5	Shifting assistance of Rs.10,000/-	<b>6.3</b>	<b>Kiosks / Street Vendors</b>	
6.3.1	1-month advance notice to relocate to nearby place for continuance of economic activity.	6.3.2	For temporary loss of livelihood during construction period, a monthly subsistence allowance of Rs.3,000/- will be paid for the duration of disruption to livelihood, but not exceeding 3-months	
6.3.3	If relocation to nearby place and continuance of economic activity in the same place is not possible, then one time rehabilitation grant of Rs.18,000/-	<b>6.4</b>	<b>Cultivation</b>	
6.4.1	2-month notice to harvest standing crops or market value of compensation for standing crops			

SNo	Impact Category	Entitlements		Implementation Guidelines
7	Impact to Encroachers	7.1 7.1.1	<b>Cultivation</b> 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 PIU, PWD in consultation with the Agriculture or Horticulture Department.
		7.2 7.2.1	<b>Structure</b> 1-month notice to demolish the encroached structure	
		7.2.2	Compensation at scheduled rates without depreciation for the affected portion of the structure	The value of commercial structures and other immovable properties will be determined by PWD on the basis of relevant Schedule of Rates (SR) as on date without depreciation.
<b>PART IV. IMPACT TO VULNERABLE HOUSEHOLD</b>				
8	Vulnerable Households	8.1	Training for skill development. This assistance includes cost of training and financial assistance for travel/conveyance and food.	<p>One adult member of the affected household, whose livelihood is affected, will be entitled for skill development.</p> <p>The PIU with support from the NGO will identify the number of eligible vulnerable displaced persons during joint verification and updating of the RP and will conduct training need assessment in consultations with the DPs so as to develop appropriate training programmes suitable to the DPs skill and the region.</p> <p>Suitable trainers or local resources will be identified by PIU and NGO in consultation with local training institutes.</p>
		8.2	One time assistance of Rs.25,000 to DHs who have to relocate	
<b>PART V. IMPACT DURING CIVIL WORKS</b>				
9	Impact to structure / assets / tree / crops	9.1	The contractor is liable to pay damages to assets/trees/crops in private/public land, caused due to civil works	The land will be restored to its original condition by the contractor. The PIU will ensure compliance
10	Use of Private Land	10.1	The contractor should obtain prior written consent from the landowner and pay mutually agreed rental for use of private land for storage of material or movement of vehicles and machinery or diversion of traffic during civil works	The land will be restored to its original condition by the contractor. The PIU will ensure compliance.

SNo	Impact Category	Entitlements		Implementation Guidelines
<b>PART VI. COMMON PROPERTY RESOURCES</b>				
11	Impact to common property resources such as places of worship, community buildings, schools, etc	11.1	Relocation or restoration, if feasible, or cash compensation at replacement cost.	
12	Utilities such as water supply, electricity, etc.	12.1	Will be relocated and services restored prior to commencement of civil works.	The PIU will ensure that utilities are relocated prior to commencement of civil works in that stretch of the road corridor in accordance with the civil works schedule.
<b>PART VII. UNFORSEEN IMPACTS</b>				
Unforeseen impacts encountered during implementation will be addressed in accordance with the principles of RFCTLARR 2013 / Asian Development Bank's Safeguard Policy Statement, 2009				

98. Compensation for land and structure, in accordance with the eligibility and entitlement, will be paid prior to physical and economic displacement. One-time rehabilitation assistances and shifting assistances paid as cash will also be disbursed prior to physical and economic displacement. However, any long term rehabilitation measures like training for skill development and annuity for life, if any, will continue for a longer period and such rehabilitation measures will not be a bar to commence civil works.



## **VII. RELOCATION OF HOUSING AND SETTLEMENTS**

### **A. Provision for Relocation**

99. The PIU will provide compensation at replacement cost for affected land and structure in accordance with the RFCTLARR Act, 2013 to the title holders. Further, compensation for partially damaged structures, along with cost of restoration has been included and shifting assistance has also been provided for the displaced 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 census survey i.e. October, 2015.

### **B. Relocation Strategy**

100. The physical displacement of encroachers will be a challenge in developing a suitable resettlement site as not only choices and options will have to be obtained from the DPs, but also it requires to be ascertained on the extent of viability of the land in their possession. This will be a factor in deciding on developing suitable resettlement sites for small groups of physically displaced households as those who have adequate land remaining will prefer to build a house in the same location. As part of the implementation activity, the PIU with the help of the implementation support NGO should consult each and every DPs to obtain their choice based on the options available to them. Further, during the implementation their preference to move into the nearest resettlement site should also be ascertained.

101. The census survey impacts indicate that the subprojects proposed under Package-3 will require a resettlement site for about 38 DHs (see Table 2). Given the number of DHs facing physical displacement and the fact that they are spread in 5 out of the 6 road subprojects, the identification and development of resettlement site should look into the feasibility of resettlement site being developed and explore the possibility of providing individual houses in the same settlement where the DHs live.

### **C. Development of Resettlement Sites**

102. While selecting the resettlement site the suitability for housing purpose, titleholdership and use will be verified. Only those sites which are suitable for housing and amenable for issue of titles will be selected. If Government lands are not available, then private land acquisition will be initiated. The suitability of sites for housing will be confirmed from the District Administration and title will be issued to the DPs prior to the commencement of construction of houses. In case of resettlement sites, the minimum facilities described in Third Schedule of the RFCTLARR Act, 2013 will be provided. Consultations with the displaced families will be held to ascertain their acceptance. The resettlement sites will be developed if more than 20 displaced families are displaced in a continuous stretch of 10 Kms. If fewer number of DPs are there in a 10km stretch or if there are some isolated DPs who require to be provided with alternate housing, then in such cases individual sites will be offered. Displaced families will be given the option of getting a house or cash in lieu of house and based on options exercised by the affected people, resettlement sites or house sites will be developed.

103. The NGO involved in the RP implementation, during the verification stage, will consult all DPs eligible for alternate housing, and seek their preference on whether they would like to move into a resettlement site, developed in accordance with the provisions of the Third Schedule of

the RFCTLARR Act, or would prefer to relocate themselves to their place of choice. Upon obtaining the choice from the eligible DPs and if adequate number of DPs have opted for moving into a resettlement site, the NGO in consultation with PIU will submit the requirement for resettlement site to the PD, PIU for onward transmission to the jurisdictional Additional Collector. The preference of the DPs is required to be obtained during joint verification as during the census and socio-economic survey the DPs had preferred both project assisted relocation and self relocation when they were asked about if they would like to move into a project assisted resettlement site or would prefer cash assistance for self-managed relocation.

104. The jurisdictional Additional Collector will take efforts to identify suitable government land free from encumbrance for resettlement site and if no land is identified within 1-month, the PIU will request the jurisdictional Additional Collector to initiate steps to acquire suitable land for the same and make necessary funds available with the Additional Collector.

105. The land obtained/acquired for resettlement site will be provided with all amenities and facilities as stipulated in the Third Schedule of the RFCTLARR Act. Plots will be allotted to the DPs through public draw of lots and *patta* will be issued to the DPs.

106. The DPs will be provided with built house in accordance with the provisions of the RFCTLARR Act and the RF of EM of RSHIP. The stamp duty and registration charges for the house site and built house will be borne by PWD. In case of resettlement sites that are situated close to existing villages or urban areas, appropriate measures will be taken to integrate the host population and enhance the various common facilities for smooth integration of host population with resettlers.

107. The subprojects proposed under Package-3 will impact 38 DPs losing their place of residence and place of residence cum business. The resettlement sites will be developed depending upon those who opt to take the house instead of the cash in lieu of house. Wherever houses or house sites are provided to the DPs, the same will be registered in the name of the wife or women of the household and title will be issued in the joint name. In case of non-title holders, cash grants for purchase of house site and construction of house is provided in the entitlements. The NGOs will assist the displaced families to find alternative houses by way purchasing alternative lands collectively, purchasing ready to move in houses or taking houses on rent or other mechanism.

## VIII. INCOME RESTORATION AND REHABILITATION

### A. Loss of Livelihood in this Subproject

108. The subprojects proposed under Package-3 will cause loss of livelihood to 30 DHs losing their place of business and 6 DHs losing their place of residence cum business, in all totalling 36 DHs losing livelihood (see Table 2 and 11). Further, 415 titleholders losing their agricultural land will also be facing loss of livelihood.

### B. Entitlements for Loss of Livelihood

109. The displaced 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 in accordance with the EM of RSHIP.

- i) Loss of livelihood to title owner losing business:
  - a) cash compensation at replacement cost for affected land as per RFCTLARR Act provisions and structure at scheduled rates without depreciation along with 100 percent solatium on market value of land and structure;
  - b) one time payment of Rs.5,00,000/- for each affected household **or** annuity policy that shall pay Rs.2000/- per month for 20 years with appropriate indexation to CPIAL;
  - c) right to salvage affected materials,
  - d) one time assistance of Rs.25,000 for each affected family of an artisan or self employed or small trader and who has to relocate;
  - e) subsistence allowance of Rs.36,000/- for affected households who require to relocate due to the project;
  - f) shifting assistance of Rs.50,000/- to the business owner, who is required to relocate, and
  - g) one time Resettlement Allowance of Rs.50,000/- for affected household who have to relocate.
- ii) Commercial squatters:
  - a) compensation at scheduled rates without depreciation for structure with 1-month notice to demolish affected structure;
  - b) right to salvage the affected materials,
  - c) one time rehabilitation grant of Rs.20,000 for reconstruction of affected shop;
  - d) one time subsistence allowance of Rs.18,000/-; and
  - e) shifting assistance of Rs.10,000/-

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

### C. Income Restoration Measures

111. The entitlement proposed under this programme (RSHIP) has adequate provisions for restoration of livelihood of the affected persons. Wherever feasible and if the DP so desires, income restoration schemes will be identified and implemented by the PIU with the assistance

of the implementing NGO. Towards this the DP will be guided and assisted by the PIU with the support of the NGO, in effectively using the compensation and R&R assistances towards establishing an income generating activity and re-establishing the shop/kiosk/vending or utilising the finances for buying land or taking land on lease. The compensation for land and assets and the R&R assistances arrived at in accordance with the provisions of the RFCTLARR Act are adequate to restore the income levels. Further, the subsistence allowance and annuity policy are aimed at providing long term support to the affected households will ensure that the income levels are restored. Further, efforts will be made to provide employment to the DPs during the construction phase by facilitating their engagement by the civil works contractor. It may be noted that during the census and socio-economic survey all the DHs had indicated their preference to work in the construction. The PD, PIU should ensure that local people and in particular the willing DPs are engaged by the contractor in suitable civil work as stipulated in the contract. 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.

## **IX. RESETTLEMENT BUDGET AND FINANCING PLAN**

### **A. Introduction**

112. The resettlement cost estimate for the subprojects proposed under Package-3 include compensation for private land determined in accordance with RFCTLARR Act and by adopting the multiplying factor adopted in accordance with the Draft Rajasthan Land Acquisition Bill (RLAB), 2014. The compensation for structure at replacement cost without depreciation, resettlement and rehabilitation assistances to titleholders in accordance with the RFCTLARR Act and to non-titleholders in accordance with the provisions of the EM, RF of RSHIP and cost of RP implementation. The total resettlement cost for the subproject is INR 1400 million. The major heads of budget items are listed below.

### **B. Compensation**

113. 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. For budgetary purpose, the replacement cost for land has been taken as Rs.4,39,250 per biga or approximately Rs.173.67 per sq.m, being the highest rate for rural land from the DLC records. The multiplying factor as per Draft RLAB rules is 1.25-1.75 based on the distance from the nearest urban centre and for budgeting purpose, the highest of the multiplying factor of 1.75 has been taken and along with the 100% solatium. Thus the land cost has been taken as Rs.607.85 or say Rs.608 including the multiplying factor and the solatium.

114. Structure: The compensation for structures have been arrived at based on PWD Schedule of Rates (SoR), 2014 for building works, material and labour. For budgetary purpose, the replacement cost for structure without depreciation has been taken as Rs.8,411 per sq.m. for permanent structure, Rs.5,514 per sq.m. for semi-permanent structure and Rs. 2,052 per sq.m. of temporary structure. Replacement cost for compound wall of stone masonry has been taken as Rs.1,354 per running meter and a budgetary provision of Rs.30,000/- per well has been made for private wells of maximum 3' wide and 20' depth. However, at the time of joint verification, the competent authority will value each and every structure to arrive at the replacement cost as per the latest SoR. The solatium of 100% on structure rate is adopted for titleholders.

### **C. Assistances**

115. All other unit rates as per the minimum provisions contained in RFCTLARR Act and as per the approved EM. For budgeting purpose, the onetime grant of Rs.5,00,000 has been provided for significantly impacted titleholders assuming that this grant will be preferred in lieu of the annuity policy.

### **D. Compensation for Community Assets and Government Structures**

116. The unit cost for the place of worship has been budgeted at a lumpsum Rs.3,00,000 to cover the cost of reconstruction which would be assessed and paid during implementation by PIU.

## **E. RP Implementation Cost**

117. The cost of hiring NGO for assisting PIU in RP implementation has been provided with a budget of Rs.1,40,00,000, for intermittent inputs and the RP implementation is expected to be completed in 36 months including disbursement of compensation for land acquired under RFCTLARR Act. A budgetary cost for external monitoring and evaluation has also been envisaged, as this facility is a Category-A for IR and also the Package-3 subprojects together will come under Category-A, a budgetary provision of Rs.60,00,000 has been made available for hiring of a consultant for the same. The budgetary provision for meeting administrative expenses including the allocation towards grievance redressal mechanism related expenses is included as part of the project cost. Further, a lump sum provision of Rs.50,000 to meet disclosure expenses and a lump sum provision of Rs.2,00,000/- for staff training, in particular the PIU staff involved in RP implementation, has also been budgeted.

## **F. Source of Funding and Fund Flow**

118. Government will provide adequate budget for all land acquisition compensation, R&R assistances and RP implementation costs from the counterpart funding. The funds as estimated in the budget for a financial year and additional fund required based on revised estimates, shall be available at the disposal of the PD, PIU at the beginning of the financial year. The PD, PWD, being the EA for this subproject, will provide necessary funds for compensation for land and structure and the cost of resettlement assistances in a timely manner to the jurisdictional Additional Collector. The PIU will ensure timely availability of funds for smooth implementation of the RP. The NGO under the PIU will facilitate disbursements, but the responsibility of ensuring full and timely payment to displaced persons will be that of PIU.

## **G. Resettlement Budget Estimates**

119. The budget for this sub-project is based on data and informed collected during census and socio-economic surveys conducted between July and August 2015 and updated in October 2015. The unit rates for structure has been worked out from the SoR. The total budget for Package-3 under RP is estimated at Rs.1400 million. A detailed budget estimate for the package is given along with subproject wise cost break-up in the following table.

## **H. Disbursement of Compensation and Assistances**

120. In order to ensure that: (i) the DP need not make frequent visits to his/her bank for depositing the physical paper instruments; (ii) s/he need not apprehend loss of instrument and fraudulent encashment; and (iii) the delay in realization of proceeds after receipt of paper instrument is obviated, all disbursement of compensation for land and structure and R&R assistances shall be done only through Electronic Clearing Service (ECS) mechanism and charges for ECS, if any, will be borne by PIU. If the DPs destination branch does not have the facility to receive ECS (Credit), then the disbursement shall be done through respective lead banks' IFSC (Indian Financial System Code). Payment through account payee cheques will be made wherever required and no cash payment will be made.

121. The NGO and PIU, while collecting bank particulars from the DPs, will also check with the respective bank branches if the branch has ECS (Credit) mechanism, and if not, details of lead bank offering the facility will be collected to facilitate ECS transfer. Wherever new accounts are to be opened, preference will be given to bank's having ECS (Credit) facility. The bank

account particulars of the DP as part of the micro plan will be submitted to the jurisdictional Additional Collector for disbursement.

Table 28: Budget Estimate

Item	Input Unit	Rate	Quantity c1 (MDR-103)	Amount c1 (MDR-103)	Quantity c2 (SH-6A)	Amount c2 (SH-6A)	Quantity c3 (SH-69)	Amount c3 (SH-69)	Quantity c4 (SH-60)	Amount c4 (SH-60)	Quantity c5 (SH-100)	Amount c5 (SH-100)	Quantity c6 (SH-8/19)	Amount c6 (SH-8/19)	Package-3 Qunatity	Package-3 Amount
<b>Compensation</b>																
Land Cost (Multilying Factor 1.75 and Solatium 100%)	Sq.m	608	2,192	1,332,736	-	-	-	-	10,974	6,672,192	378,853	230,342,624	635,663	386,483,104	1,027,682	624,830,656
Temporary Structures with Solatium 100% (titleholders)	Sq.m	4,104	3.24	13,297	2.70	11,081	-	-	360.00	1,477,440	324.8	1,332,979	0	-	691	2,834,797
Semi-permanent Structures with Solatium 100% (titleholders)	Sq.m	11,028	0	-	1106.19	12,199,063	-	-	-	-	-	-	0	-	1,106	12,199,063
Permanent Structures with Solatium 100% (titleholders)	Sq.m	16,200	301.17	4,878,954	-	-	-	-	4,992.55	80,879,310	706.60	11,446,969	862.00	13,964,400	6,862	111,169,633
Temporary Structures (non titleholders)	Sq.m	2,052	-	-	12.87	26,409	-	-	-	-	0	-	-	-	13	26,409
Semi-permanent Structures (non titleholders)	Sq.m	5,514	-	-	113.40	625,288	4.25	23,435	-	-	0	-	-	-	118	648,722
Permanent Structures (non titleholders)	Sq.m	8,100	-	-	-	-	-	-	269.00	2,178,900	0	-	691.10	5,597,910	960	7,776,810
Compound Wall	Running meter	1,510	-	-	197.00	297,470	-	-	306.50	462,815	112.55	169,951	721.30	1,089,163	1,337	2,019,399
<b>R&amp;R Assistance</b>																
One time grant for land owners	One Time	500,000	4	2,000,000	-	-	-	-	23.00	11,500,000	351	175,500,000	589	294,500,000	967	483,500,000
One time resettlement allowance for Major Owner Res / Com	One Time	50,000	4	200,000	13	650,000	-	-	18	900,000	10	500,000	5	250,000	50	2,500,000
Subsistence allowance for Major Res / Com Owners	One Time	36,000	4	144,000	13	468,000	-	-	18	648,000	10	360,000	5	180,000	50	1,800,000
Shifting allowance major owners	One time	50,000	4	200,000	13	650,000	-	-	18	900,000	10	500,000	5	250,000	50	2,500,000
Alternate house for Major Impacted Owner Residences (R)	One Time	70,000	2	140,000	2	140,000	-	-	14	980,000	6	420,000	2	140,000	26	1,820,000
Alternate house for Major Impacted Owner Residences (U)	One Time	150,000	1	150,000	-	-	-	-	3	450,000	1	150,000	-	-	5	750,000
One time assistance for loss of trade / self employment (Major owner/tenant)	One Time	25,000	1	25,000	11	275,000	-	-	6	150,000	3	75,000	3	75,000	24	600,000
Housing and house site grant to major impacted Res non-titleholders	One Time	120,000	-	-	-	-	-	-	6	720,000	-	-	1	120,000	7	840,000
Subsistence allowance for Major Res / Com non-titleholders	One Time	18,000	-	-	8	144,000	-	-	7	126,000	-	-	3	54,000	18	324,000
Shifting allowance major Res / Com non-titleholders	One Time	10,000	-	-	8	80,000	-	-	7	70,000	-	-	3	30,000	18	180,000
Rehabilitation grant for reconstruction of major impacted commercial non-titleholder	One Time	20,000	-	-	8	160,000	-	-	2	40,000	-	-	2	40,000	12	240,000
Rehabilitation grant for Kiosks	One Time	18,000	-	-	-	-	-	-	2	36,000	-	-	1	18,000	3	54,000
Vulnerable Household assistance	One Time	25,000	1	25,000	3	75,000	-	-	7	175,000	6	150,000	2	50,000	19	475,000
Training for Vulnerable household	One Time	5,000	1	5,000	3	15,000	-	-	7	35,000	6	30,000	2	10,000	19	95,000
<b>Community Assets</b>																
Places of worship	Unit	300,000	1	300,000	2	600,000	1	300,000	-	-	4	1,200,000	6	1,800,000	14	4,200,000
Part of School	Unit	250,000	-	-	-	-	1	250,000	2	500,000	-	-	-	-	3	750,000
Water tank, tap, etc	Unit	125,000	-	-	4	500,000	2	250,000	1	125,000	6	750,000	5	625,000	18	2,250,000
Compound wall, sitting place, etc	Unit	30,000	-	-	6	180,000	4	120,000	-	-	3	90,000	2	60,000	15	450,000
Govt / Trust buildings	Unit	200,000	-	-	-	-	-	-	1	200,000	-	-	-	-	1	200,000
<b>Administrative Cost</b>																
NGO Recruitment	LS	14,000,000														
External Monitor	LS	6,000,000														
Administrative Expenses (PIU)	LS	-														
Disclosure Expenses	LS	50,000														
Training for PIU and PMU Staff	LS	200,000														
<b>Total based on data</b>				9,413,987		17,096,311		943,435		109,225,657		423,017,522		705,336,577		1,265,033,489
Admin cost per road (total LS div 16)	20,250,000	1,265,625	-	1,265,625	-	1,265,625	-	1,265,625	-	1,265,625	-	1,265,625	-	1,265,625	-	7,593,750
Subtotal				10,679,612		18,361,936		2,209,060		110,491,282		424,283,147		706,602,202		1,272,627,239
10% Contingency				1,067,961		1,836,194		220,906		11,049,128		42,428,315		70,660,220		127,262,724
<b>TOTAL Subtotal + 10% Contingency</b>				11,747,573		20,198,130		2,429,965		121,540,410		466,711,462		777,262,422		1,399,889,963
<b>Total INR in Crores</b>				1.17		2.02		0.24		12.15		46.67		77.73		139.99



## **X. GRIEVANCE REDRESSAL MECHANISM**

### **A. Grievance Redressal Committee**

122. Grievance Redressal Committee (GRC) will be established at two-levels, one at the District level and another at PMU level, to receive, evaluate and facilitate the resolution of displaced persons concerns, complaints and grievances. The GRC will provide an opportunity to the DPs to have their grievances redressed prior to approaching the State level LARR Authority, constituted by Government of Rajasthan in accordance with Section 51(1) of the RFCTLARR Act, 2013. The GRC 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.

123. The GRC will aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns linked to the project. The GRC is not intended to bypass the government's inbuilt redressal process, nor the provisions of the statute, but rather it is intended to address displaced persons concerns and complaints promptly, making it readily accessible to all segments of the displaced persons and is scaled to the risks and impacts of the project.

124. This RP provides for entitlements for the various types of losses corresponding to the tenure and an institutional mechanism to disburse compensation and R&R assistances. A consultations and disclosure plan is also provided for meaningful consultations and timely disclosure. The GRC is expected to resolve the grievances of the affected persons arising in the implementation of this RP in a transparent and timely manner. The decision of the GRCs will be final unless vacated by the LARR Authority.

125. The GRC will continue to function, for the benefit of the DPs, during the entire life of the project including the defects liability period. The response time prescribed for the GRCs would be four weeks. Since the entire resettlement component of the project has to be completed before the construction starts, to resolve the pending grievances, the GRC, at PIU and PMU level, will meet at least once every month in the first year of RP implementation and once in two months thereafter. Other than disputes relating to ownership rights and apportionment issues on which the LARR Authority has jurisdiction, GRC will review grievances involving eligibility, valuation, all resettlement and rehabilitation benefits, relocation and payment of assistances. Grievances received by the PD, PIU will be resolved at his level, if possible, else it will be placed before the GRC.

126. First Level of GRC: The District level GRCs will function out of each District where the subprojects are being implemented. The GRC will be chaired by District Collector, as its Chairman, and the members will comprise of the PD, PIU, PWD as member secretary and a local person of repute and standing in the society. The District Collector will nominate the local person and the PIU, PWD will be the secretariat of the GRC.

127. Second Level GRC: The Project Director, PMU will be the appellate authority who will be supported by the Superintending Engineer, PMU, and PWD.

### **B. Functions of First Level GRC**

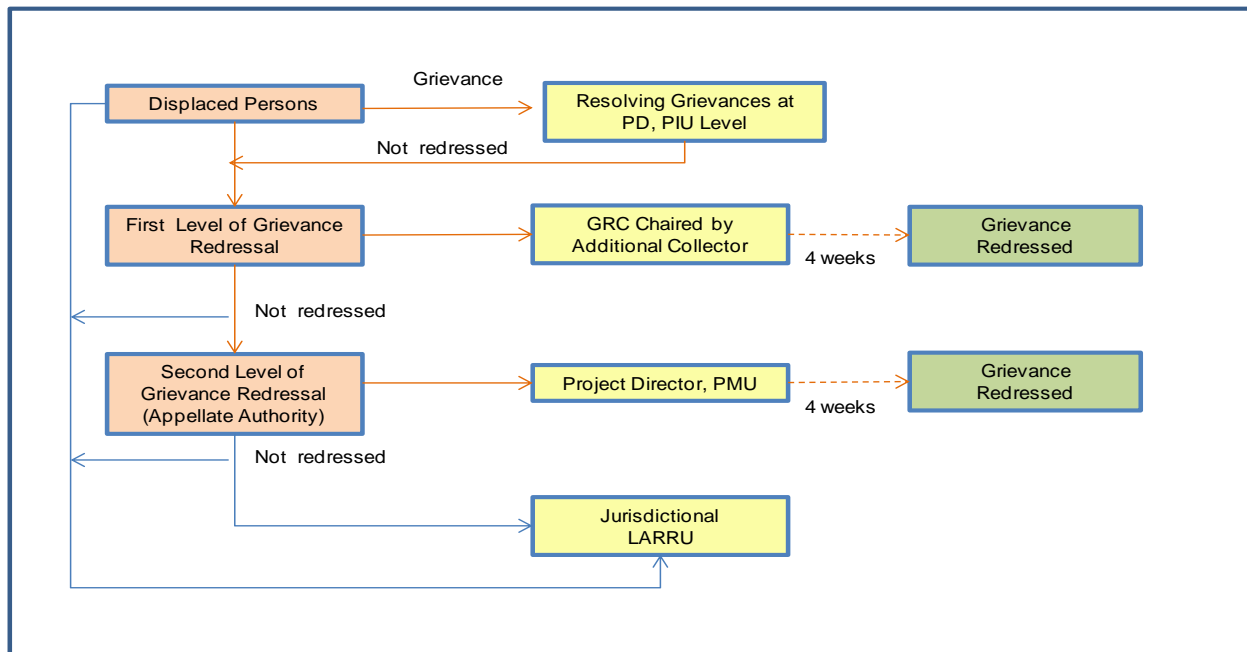
128. The GRC should meet at least once in a month in the respective office of the jurisdictional District Collector. Petitions received from DPs of any concerns or complaints or

grievances should be taken up in the GRC. The member secretary should maintain a register of all petitions received with details of date of receipt of the petition, date of hearing, if any, date when it was considered by the committee, along with nature of complaint/concern, action taken and date of communication sent to petitioner. Communication, in writing should be sent to the aggrieved person about the date, time and venue of the GRC sitting and make it known that s/he is entitled for personal hearing and that representation through proxy will be not be entertained. Communication will also be sent through implementation support NGO so as to ensure that the petitioner is informed about the date of GRC sitting.

129. Copies of petitions received 1-week prior to the committee's sitting, should be sent to Chairman and the member along with an explanatory note from appropriate authority and/or RP implementation support NGO, as the case may be, to enable the Chairman and member to scrutinize the petitions in detail. Petitions received in the week of the committee's sitting, shall be taken up during the sitting and resolved.

130. Decision of the committee will be final unless an appeal is preferred with the Project Director, PMU. If the committee is unable to arrive at a decision through consensus, the matter will be referred to the appellate authority with a note on opinion of the committee members. The complaint/concern will be redressed in four week time and written communication should be sent to the complainant about the decision taken.

131. The RP implementation support NGO will assist displaced persons in registering their grievances and being heard. The complaint / grievance will be redressed in 4 week time and written communication will be sent to the complainant. A complaint register will be maintained at PIU/PMU level with details of complaint lodged, date of personal hearing, action taken and date of communication sent to complainant. If the complainant is still not satisfied s/he can approach the appellate authority and/or the jurisdictional LARR Authority. The complainant can access the appropriate LARR Authority at any time and not necessarily go through the GRC.



**Figure 3: Grievance Redressal Process**

132. People who are, or may in the future be, adversely affected by the project may submit complaints to ADB's Accountability Mechanism. The Accountability Mechanism provides an independent forum and process whereby people adversely affected by ADB-assisted projects can voice, and seek a resolution of their problems, as well as report alleged violations of ADB's operational policies and procedures. Before submitting a complaint to the Accountability Mechanism, affected people should make an effort in good faith to solve their problems through the GRC and also by working with the concerned ADB operations department. Only after doing that, and if they are still dissatisfied, should they approach the Accountability Mechanism<sup>7</sup>.

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<http://www.adb.org/contact?target=Hmzj1lzfKqMSRDKA0C6/kg==&name=Complaint%20Receiving%20Officer&referrer=node/81970>

## **XI. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION**

### **A. Administrator of LARR**

133. The jurisdictional Additional Collector will be the administrator for Land Acquisition, Resettlement and Rehabilitation (LARR). The jurisdictional Additional Collector being the competent authority for land acquisition, he will also look into Resettlement and Rehabilitation and s/he will be supported by the Project Director, PIU in implementation of resettlement plan.

### **B. Project Management Unit**

134. The PPP Division, PWD, Government of will be the Project Management Unit (PMU) and will be overall in charge of coordination between the eight Project Implementation Units (PIU) and in prioritising subprojects for subsequent tranches based on social safeguards compliance.

135. The PMU will have a Safeguards Officer (SO) in the rank of Executive Engineer or an social development and resettlement specialist hired on contract basis, who would coordinate with the PD, PIUs and ensure that road subprojects under RSHIP are in compliance with the Resettlement Framework (RF) and also be proactive in identifying likely safeguard issues that could be relevant in the context of its portfolio of projects.

136. The SO at the PMU will have the following responsibilities:

- (i) The SO will assess the capacity of the PIU in identifying and managing social safeguard issues and facilitate capacity building of PIU officers and RP implementation support NGO.
- (ii) Review and update Resettlement Framework (RF) as and when there are changes in the applicable law.
- (iii) Review whether the PIUs have taken efforts to avoid or minimize IR impacts during the subproject design stage and during implementation stage.
- (iv) Verify whether the resettlement plan has been prepared and is in commensurate to the significance of the impact and whether the documents have been submitted along with the detailed project report.
- (v) Facilitate coordination between various government departments in land acquisition and implementation of the RP.
- (vi) Carry out periodic review of the progress on RP implementation and ensure that the progress reports are submitted in a timely manner.
- (vii) Verify whether the PIUs are handing over the land free from encumbrance as stipulated in the contract document.
- (viii) Consolidate the progress reports received from the respective PIUs and submit the quarterly progress report to ADB and any other information as required by ADB in a timely manner.
- (ix) Initiate engagement of an external monitor/agency to undertake semi-annual monitoring of the subprojects either through PMU or PIU and submit the semi-annual monitoring report to ADB along with PMU/PIU's response to the comments/observations made in the report.

### **C. Project Implementation Unit**

137. The PIU will be responsible for screening subprojects, categorization based on IR impacts, conducting the social assessment, preparation and implementation of Resettlement Plans (RPs).

138. The road subprojects will be implemented by the jurisdictional PIU. The PD, PIU will be responsible for subproject compliance to social safeguards and concurrent internal monitoring of RP implementation. The following will be the responsibility of the PD, PIU:

- (i) Review IR impact categorization checklist, subproject appraisal note and undertake field visits wherever required and advise the field units about the social safeguards documentation required for subprojects.
- (ii) Review RP prepared by the DPR consultants and finalize the same.
- (iii) Ascertain the extent of private land to be acquired and extent of government to be transferred and liaison with the jurisdictional Additional Collector and concerned government departments in getting possession of the same.
- (iv) Initiate engagement of an RP implementation support NGO to assist the field units in RP implementation.
- (v) Review and approve micro plans, containing the list of DPs and their entitlements, prepared by field units.
- (vi) Obtain necessary approval for the micro plans and make necessary funds available for disbursement and for development of resettlement sites.
- (vii) Coordinate with Additional Collector and field units in identifying suitable land for resettlement sites and monitor the progress of development of site and relocation of DPs.
- (viii) Undertake internal monitoring of the progress made in RP implementation and take necessary corrective actions, if required.
- (ix) Review and consolidate the LA and RP implementation progress reports submitted by the jurisdictional Additional Collector, RP implementation support NGO, and submit monthly progress report to PMU.

### **D. NGO/Agency for RP Implementation Support**

139. The implementation of the R&R provisions will be carried out by jurisdictional Additional Collector with the support of the PIU. The PIU will engage implementation support NGO, who have had experience in implementing RPs and experienced in working on similar infrastructure development projects. The NGO to be engaged will have proven experience in carrying out resettlement and rehabilitation activities and community development and consultations in projects of similar nature, preferably in Rajasthan or in any State.

140. The NGO will play a key role in the implementation of the RP. Their tasks will include the final verification of DPs, consultations, establishment of support mechanisms and facilitate the delivery of the rehabilitation assistances as per the RP provisions and to ensure that the DPs receive all the entitlements as per the R&R policy of the project.

141. Key activities of the NGO in relation to resettlement planning and implementation include: (i) assist PIU in verification and updating, if required, the detailed census and socio-economic survey of displaced persons carried out during DPR preparation based on detailed design, and verify the identity of below poverty line, female-headed, and other vulnerable households affected by land acquisition and involuntary resettlement and issue ID cards; (ii) prepare micro plan and get vetted by PIU; (iii) facilitate the process of disbursement of

compensation to the DPs – coordinating with the PIU and informing the displaced persons of the compensation disbursement process and timeline; (iv) assist DPs in opening bank accounts explaining the implications, the rules and the obligations in having a bank account, process of disbursement adopted by the Additional Collector 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; (vi) in consultation with the DPs, inform the PIU about the shifting dates agreed with DPs in writing and the arrangements they desire with respect to their entitlements; (vii) organize training programs to the vulnerable for income restoration; (viii) conduct meaningful consultations throughout the RP implementation and ensure disclosure of the gist of resettlement plans in an accessible manner to the displaced persons; (ix) assist DPs in grievance redressal process; (x) assist PIU in keeping detailed records of progress and monitoring and reporting system of RP implementation; and (xi) act as the information resource center for community interaction with the project and maintain liaison between community, contractors, project implementing units and the administrator, during the execution of the works. Terms of reference for the recruitment of a NGO/agency for RP implementation support is given in Appendix-V.

## **E. Rehabilitation and Resettlement Award**

142. In accordance with the provisions of the RFCTLARR Act [Sec31(1)], the competent authority will pass a Rehabilitation and Resettlement (R&R) Award. All the affected titleholders who are eligible for R&R assistance will be notified along with details of eligible assistance as per the provisions of RFCTLARR Act. Initially a draft list will be notified by giving minimum of 15 days time inviting objections, if any, regarding discrepancies on the nature and quantum of assistance. The final list will be notified after taking into account the objections, if any. Similarly, the list of those affected non- title holders will also be notified along with the details of R&R assistance and a separate R&R award enquiry will be conducted for the non-titleholders.

### **1. Micro plan**

143. The implementation support NGO will prepare the draft micro plan, milestone wise for each of the subproject roads detailing the type of loss, tenure of the DP, vulnerability status and the entitlements as per the provisions of the Entitlement Matrix (EM) in the RF. The draft micro plan will be disclosed in the jurisdictional village panchayat where the DPs are living/having business, and 1-week after the disclosure, the R&R award enquiry will be held by the jurisdictional Additional Collector.

144. Based on the R&R award enquiry outcome, the NGO will submit the final micro plan to PD, PIU for verification and onward transmission to Project Director, PMU. The Project Director, PMU, after scrutiny of the micro plan will accord approval for the same and submit to the jurisdictional Additional Collector with necessary funds for disbursement.

### **2. R&R Award Process**

145. The Additional Collector will hold R&R award enquiry in the project area and will send prior intimation to all concerned DPs through the jurisdictional *Patwaris* and the NGO.

146. During the R&R award enquiry, each DP will be informed about the type of loss and tenure as recorded during census and socio economic survey and verified subsequently, and the entitlements due to the DP as per the provisions contained in the EM of the RF. All the DPs

will be given an opportunity to be heard and concerns if any, will be addressed. The R&R proceedings will be recorded and copy of the R&R award will be issued to the DP then and there.

#### **F. Management Information System (MIS)**

147. A well-designed MIS will be created and will be maintained at PIU and PIU level. The MIS will be supported with approved software and will be used for maintaining the DPs baseline socio-economic characteristics, developing pre-defined reports, algorithms and calculations based on the available data and updating tables/fields for finding compensation and assistances, tracking the land acquisition and resettlement progress. The individual entitlements, compensation calculations, structure valuation, etc. will be updated using MIS software. In addition, land acquisition notices, identity cards will also be generated through MIS. All quires will be generated and the baseline data will also be maintained and updated as needed. The data and information required for periodical progress reports will be generated using MIS database. The required computer terminals and software will be established at PIU level in order to feed the data to be maintained in the web with backup at PMU.

#### **G. Capacity Building of PIU**

148. The staff of PIU, NGO and the staff of PMU, who are involved in LA and R&R will require to be familiar with land acquisition procedures and ADB Social Safeguards policy requirements. In order to build the capacity of the PIU and the PMU, an orientation and training in resettlement management at the beginning of the project will be undertaken. 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.

## XII. IMPLEMENTATION SCHEDULE

### A. Introduction

149. Implementation of RP mainly consists of compensation to be paid for private land, compensation for structures, assistance for loss of homestead resulting in physical displacement, loss of livelihood resulting in economic displacement, obtaining options and choices from the DPs, development of resettlement sites, relocation to resettlement sites and additional assistance to vulnerable household. Public consultation, monitoring and grievance redressal will be an ongoing process throughout the RP implementation period but will happen intermittently.

### B. Schedule for Project Implementation

150. The proposed RP implementation activities are divided into three broad phases viz. project preparation phase, RP implementation phase, and monitoring and reporting phase, and the activities envisaged in each phase is discussed below.

151. Project Preparation Phase: The activities to be performed in this phase include: (i) designating or appointing an officer/staff as safeguards officer (SO) in PMU to be in charge of safeguards; (ii) submission of RP to ADB for approval; (iii) appointment of NGO in PIU; and (iv) establishment of GRC. The information dissemination and stakeholder consultations will commence in this stage and continue till the end of the project.

152. RP Implementation Phase: In this phase, key activities will be carried out including: (i) joint verification; (ii) valuation of structures; (iii) preparation of micro plan; (iv) R&R award enquiry; (v) approval of final micro plan; (vi) identification and development of resettlement site; (vii) payment of compensation for land and structure; (viii) payment of other rehabilitation assistances; (ix) relocation of DPs to resettlement site; and (x) issuing site clearance certificate to enable commencement of civil works.

153. Monitoring and Reporting Phase: 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.

### C. RP Implementation Schedule

154. An implementation schedule for land acquisition, payment of compensation and resettlement and rehabilitation activities in the project including various sub tasks and time line matching with civil work schedule is provided in the work plan. The following are the key implementation activities that are presented in the work plan.

- a) Updating of RP based on design changes, if any
- b) Approval of RP and Disclosure
- c) Appointment of NGOs and External Monitoring consultants
- d) Constitution and notification of GRCs
- e) SIA Notification
- f) Verification of DPs and Notification of DP list
- g) Obtaining options for resettlement and choice of resettlement site location
- h) MIS in operational for tracking LA and R&R Implementation progress
- i) Structure Valuation
- j) Disclosure of Microplan (list of eligible PAPs and their entitlements)



- k) Issue of Identity cards
- l) R&R Award including assistance for non-title holders
- m) Relocation of CPRs
- n) Payment of R&R assistance
- o) Allotment of house sites or development of Resettlement sites
- p) Shifting of DPs of alternative resettlement sites
- q) LA Award
- r) Certification of payment of R&R assistance for first milestone
- s) Certification of payment of LA and R&R assistance for second milestone
- t) Impact Evaluation

155. Coordination with Civil Works: The land acquisition and resettlement implementation will be co-coordinated with the timing of procurement and commencement of civil works. The required co-ordination has contractual implications, and will be linked to procurement and bidding schedules, award of contracts, and release of encumbrance free land to the contractors. The project will provide adequate notification, counselling and assistance to DPs so that they are able to move or give up their assets without undue hardship before commencement of civil works and after receiving the compensation and R&R assistances. Wherever provision of housing is involved, sections involving DPs requiring housing in a particular road-stretch will be taken up in the second milestone of the civil works schedule.

156. The construction of resettlement sites should commence well in advance, as it would take about 12-months to complete the construction and relocation of the physically displaced. The land acquisition for the construction of the proposed carriageway and corresponding payment of compensation and R&R assistance with encumbrance free certification will be available prior to award of contract.

157. The relocation of common property resources will be linked to handing over of encumbrance free land to the contractors. The handing over of land to the contractor will be organised in two sections. Sections having no IR impact and non-significant impacts will be in the first-milestone and will be handing over after signing of the contract and by the financial closure date, and the rest within one year/one and half years of contract signing as spelled out in the respective civil work contracts.



### **XIII. MONITORING AND REPORTING**

#### **A. Introduction**

158. The objective of monitoring is to provide the PIU with an effective tool for assessing rehabilitation progress, identifying potential difficulties and problems areas and provide an early warning system for areas that need correction. Continuous supervision and periodic monitoring are an integral part of successful implementation. Monitoring is a warning system for project managers and a channel for the DPs to express their needs and reactions to the programme.

#### **B. Internal Monitoring**

159. The Project Implementation Unit (PIU) will carry out concurrent monitoring of RP implementation through the PD, PIU and prepare monthly and quarterly progress report in terms of physical and financial progress. In addition, the monitoring process will also look into: the communication and reactions of DPs; use of grievance procedures; information dissemination to DPs on benefits; and implementation time table. The monthly internal monitoring reports based on the outcome of consultations and feedback with displaced people who have received assistance and compensation and review of progress of other implementation activities including complains/concerns/issues raised by the DPs, will be submitted to PMU by the end of 1<sup>st</sup> week of the subsequent calendar month. The progress report will be reviewed by the SO, PMU and comments if any, will be communicated to PIU for immediate action.

160. A copy of the quarterly report will be made available to ADB. In view the significance of resettlement impacts, the monitoring mechanism for this project will have both monitoring by PIU and monitoring by an external agency / expert.

#### **C. External Monitoring**

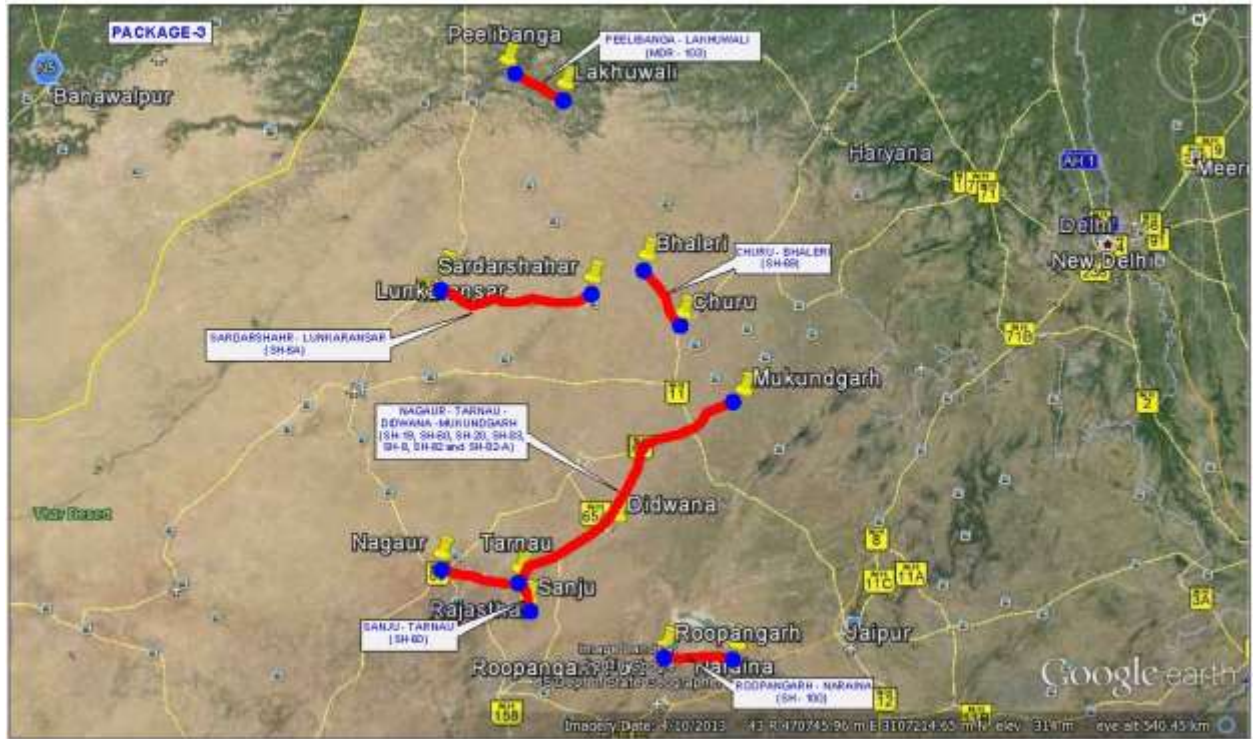
161. The external monitoring will include but not limited to: (i) review and verify the monitoring reports prepared by PIU; (ii) monitor the work carried out by NGO and provide training and guidance on implementation; (iii) review the grievance redressal mechanism and report on its working; (iv) mid-term impact assessment through sample surveys amongst displaced persons for midterm corrective action; (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. Some of the important task of external monitoring is the feedback of the DPs who receives compensation and assistance and also alerts on the risks, non-compliances and early warnings in the implementing.

162. The indicative monitoring indicators for physical monitoring will be: land acquired (ha) - private; land transferred (ha) - government; issue of ID cards; number of DPs received full R&R assistance (titleholders); number of DPs received full R&R assistance (non titleholders); number of families provided alternative resettlement house; number of vulnerable people received additional support; number of women DPs who have receive compensation and R&R assistances; number of CPRs relocated; and number of grievance received and resolved. The indicative monitoring indicators for financial monitoring will be: amount paid as land compensation; amount paid as structure compensation; amount paid as R&R assistances; and amount spent on common property resources.

163. The indicators should be revisited prior to RP implementation and revised in accordance with the final approved RF. Terms of reference for the recruitment of an External Monitoring Agency/Expert is given in Appendix-VI

164. In addition to the above, the following will also be tracked to judge social inclusion and gender mainstreaming in RP implementation. Proportion of women titleholders who received compensation; number of women headed households who received R&R assistances; local female and scheduled caste labour force participation in unskilled jobs under contractors; number of vulnerable people who received R&R assistances; proportion of women as beneficiaries of house sites/houses offered in the resettlement site under R&R assistance; and proportion of women participation in consultation meetings during implementation.

Appendix 1: Google Earth Image of the Subproject Road



## Appendix 2: Summary of DPs and CPR

Q.No	Village Name	Chainage	Side	Name of the Owner / Occupier	Offset	Type of Structure	Use of Structure	Tenure
RO79003	Bhaleri	33400		Sharif	7.5	Semi-Permanent	Others	Squatter
R126001	Nagaur	0+870	Left	Mohan Chand	3	Permanent	Commercial	Owner
R126002	Nagaur	0+882	Left	Nemichand	3	Permanent	Commercial	Squatter
R126003	Nagaur	1+260	Left	Prem Singh	1.2	Permanent	Commercial	Owner
R126004	Nagaur	1+295	Left	Prabhu Ram	3	Permanent	Commercial	Owner
R126005	Nagaur	16+350	Left	N/A	6	Permanent	Others	Squatter
R126006	Pharrood	32+700	Left	N/A	6	Permanent	Kiosk	Squatter
R126007	Pharrood	32+800	Left	Mahesh Kumar	6	Permanent	Residence	Owner
R126008	Pharrood	32+900	Left	Ramesh Chand	6	Permanent	Residence	Owner
R126009	Nagaur	0+485	Right	N/A	6	Permanent	Others	Squatter
R126011	Nagaur	1+000	Right	Kirodimal			Compound wall	Squatter
R124001	Kaaliwanga Kenchi	4+800	Left	Vijay Agrawal	6.4	Permanent	Residence	Owner
R124002	Chohilawali	21+820	Left	Sanjay Godara	6.5	Permanent	Commercial	Owner
R124003	Chohilawali	21+820	Left	Suresh Kumar	7.8	Permanent	Commercial	Owner
R124004	Chohilawali	21+850	Left	Remat Kumar	6.4	Permanent	Residence	Owner
R124005	Chohilawali	21+950	Left	Mukhtyar Singh	7	Permanent	Commercial	Owner
R124006	Lakhuwali	33+400	Left	Aamid	7.4	Temporary	Commercial	Owner
R124007	Kaaliwanga Kenchi	4+220	Right	Rajesh Kumar	7.5	Permanent	Commercial	Owner
R124010	Chohilawali	21+850	Right	Mahendra	3	Permanent	Residence	Owner
R124011	Chohilawali	21+975	Right	Lilu Ram	7.6	Permanent	Residence	Owner
R127003	Sirohi khurd	5+510	Left	Dev karan gurjar	0		Residence	Owner
R127007	Mamana	14+130	Left	Shyokaran	4.45	Permanent	Residence	Owner
R127008	Mamana	14+140	Left	Sardar gurjar	0		Compound wall	Owner
R127009	Mamana	14+160	Left	Radha devi	0		Compound wall	Owner
R127010	Mamana	14+190	Left	Ramjivan	4.5	Permanent	Residence	Owner
R127011	Mamana	14+210	Left	Hanuman daroga	7.1	Permanent	Commercial	Owner
R127012	Mamana	14+230	Left	Rameshwer daroga	7.6	Temporary	Residence	Owner
R127013	Mamana	14+240	Left	Norti devi	6.33	Permanent	Commercial	Owner
R127014	Mamana	14+540	Left	harkaran jat	5.25	Permanent	Commercial	Owner
R127015	Mamana	14+550	Left	KELASH JI	5.25	Permanent	Commercial	Owner
R127016	Mamana	14+570	Left	mahaveer prashad	4.7	Permanent	Commercial	Owner
R127017	Mamana	14+650	Left	shyopal meena	0		Compound wall	Owner
R127023	Roopangarh	33+100	Left		0		Compound wall	Owner

Q.No	Village Name	Chainage	Side	Name of the Owner / Occupier	Offset	Type of Structure	Use of Structure	Tenure
R127031	Mamana	14+110	Right	hariram gurjar	0		Compound wall	Owner
R127032	Mamana	14+120	Right	gopal gurjar	0		Compound wall	Owner
R127033	Mamana	14+160	Right	mangu gurjar	0		Compound wall	Owner
R127034	Mamana	14+175	Right	Galku deevi	0		Compound wall	Owner
R127035	Mamana	14+200	Right	anil kumar tank	2.83	Permanent	Commercial	Owner
R127036	Mamana	14+225	Right	sunil tank	5	Permanent	Commercial	Owner
R127037	Mamana	14+230	Right	Raghunath	0		Compound wall	Owner
R127038	Mamana	14+255	Right	seetaram	0		Compound wall	Owner
R127039	Mamana	14+300	Right	rameshewer	4.7	Temporary	Residence	Owner
R127040	Mamana	14+380	Right	jagdeesh	7.1	Temporary	Residence	Owner
R127041	Mamana	14+410	Right	jagdeesh	7.8	Temporary	Residence	Owner
R127042	Mamana	14+430	Right	shyojiram	5.5	Temporary	Residence	Owner
R127043	Mamana	14+500	Right	rameshweral	7	Permanent	Commercial	Owner
R127044	Mamana	14+505	Right	jagdeesh	7	Permanent	Commercial	Owner
R127045	Mamana	14+510	Right	kanaram kadwa	0		Compound wall	Owner
R127046	Mamana	14+540	Right	nathu jat	6	Temporary	Residence	Owner
R127047	Mamana	14+580	Right	Ganga devi	4.5	Permanent	Residence	Owner
R043001	Sanju	1+130	Right	BANWARI	7.9	Permanent	Residence	Encroacher
R043002	Doteena	3+200	Right	BALARAM	7.4	Permanent	Residence	Owner
R043003	Doteena	3+230	Right	CHANDARAM	7.9	Permanent	Commercial	Owner
R043004	Doteena	3+270	Right	KUNNA RAM	7.9	Permanent	Residence	Owner
R043005	Doteena	3+170	Right	NIMBARAM JANGID	7.9	Permanent	Residence	Owner
R043006	Doteena	3+250	Right	SHUKHDEV	7.9	Permanent	Residence	Squatter
R043007	Doteena	3+330	Right	RAMNIWAS KADWASHRA	7	Permanent	Residence	Owner
R043008	Doteena	3+350	Right	BHANWAR LAL	7	Permanent	Residence cum Commercial	Owner
R043014	Doteena	9+300	Right	N/A	7.9	Permanent	Kiosk	Squatter
R043015	Rohina	9.855	Right	N/A	5.6	Temporary	Residence	Owner
R043016	Rohina	9.870	Right	N/A	5.1	Permanent	Residence cum Commercial	Owner
R043017	Rohina	9.875	Right	N/A	5.3	Permanent	Residence	Owner
R043018	Rohina	9.885	Right	N/A	5.6	Permanent	Residence	Owner
R043019	Rohina	9.890	Right	N/A		Temporary	Compound wall	Squatter
R043020	Rohina	9.900	Right	N/A	5.2	Permanent	Residence cum	Owner

Q.No	Village Name	Chainage	Side	Name of the Owner / Occupier	Offset	Type of Structure	Use of Structure	Tenure
							Commercial	
R043021	Rohina	9.980	Right	N/A	5.9	Permanent	Commercial	Owner
R043022	Rohina	9.984	Right	N/A		Temporary	Compound wall	Squatter
R043023	Rohina	9.995	Right	LAKHAN	5.8	Permanent	Residence cum Commercial	Owner
R043024	Rohina	10.000	Right	N/A		Temporary	Compound wall	Squatter
R043025	Rohina	10.100	Right	N/A	7	Permanent	Residence	Owner
R043026	Rohina	10.110	Right	N/A	5.7	Permanent	Residence	Owner
R043027	Rohina	10.120	Right	N/A	5	Permanent	Residence cum Commercial	Owner
R043028	Rohina	10.130	Right	N/A	5.4	Permanent	Residence	Owner
R043029	Rohina	10.150	Right	N/A	6.8	Permanent	Residence	Owner
R043030	Rohina	10.160	Right	N/A	6.3	Permanent	Residence cum Commercial	Owner
R043031	Rohina	10.175	Right	N/A		Temporary	Compound wall	Squatter
R043032	Rohina	10.190	Right	N/A		Temporary	Compound wall	Squatter
R043034	Rohina	10.236	Right	N/A		Temporary	Compound wall	Squatter
R043036	Rohina	10.360	Right	N/A		Temporary	Compound wall	Squatter
R043037	Rohina	10.376	Right	N/A	7.9	Permanent	Commercial	Owner
R043038	Tarnau	15+800	Right	N/A		Permanent	Compound wall	Squatter
R043039	Tarnau	15.850	Right	N/A	5	Permanent	Residence	Owner
R043040	Tarnau	15+870	Right	N/A		Permanent	Compound wall	Squatter
R043041	Tarnau	15+900	Right	N/A		Permanent	Compound wall	Squatter
R043042	Tarnau	16+025	Right	DINESH	6	Permanent	Residence cum Commercial	Encroacher
R043043	Tarnau	16+050	Right	BHANWAR LAL	5	Permanent	Residence	Encroacher
R043045	Tarnau	16+300	Right	JAIRAM	5	Permanent	Commercial	Encroacher
R043046	Tarnau	16+350	Right	BASHTI RAM	6	Permanent	Residence	Encroacher
R043047	Tarnau	16+430	Right	RAM KARAN	5	Permanent	Residence	Squatter
R043048	Tarnau	16+460	Right	N/A		Permanent	Compound wall	Squatter
R043049	Tarnau	16+470	Right	RAM PRASHAD	6	Permanent	Residence	Owner
R043050	Tarnau	16+450	Right	N/A		Permanent	Compound wall	Squatter
R043051	Tarnau	16+480	Right	KUMBHA RAM	6	Permanent	Residence	Owner
R043052	Tarnau	16+500	Right	SRAVAN	7	Permanent	Residence	Owner
R043053	Sanju	1.000	Left	N/A		Permanent	Compound wall	Squatter
R043054	Doteena	3.020	Left	N/A		Permanent	Compound wall	Squatter



Q.No	Village Name	Chainage	Side	Name of the Owner / Occupier	Offset	Type of Structure	Use of Structure	Tenure
R043055	Doteena	3.180	Left	CHOTA RAM	6.4	Permanent	Residence	Owner
R043057	Doteena	3.400	Left	N/A	4	Permanent	Kiosk	Squatter
R043058	Doteena	3.600	Left	N/A		Permanent	Compound wall	Squatter
R043059	Doteena	3.700	Left	N/A		Permanent	Compound wall	Squatter
R043060	Doteena	3.720	Left	HUKUM SINGH	5	Permanent	Residence	Encroacher
R043061	Doteena	3.750	Left	N/A		Permanent	Compound wall	Squatter
R043062	Doteena	4.800	Left	RAJENDRA	7.9	Permanent	Residence	Encroacher
R043063	Doteena	5.545	Left	JHUMARDAS	7.9	Permanent	Residence	Owner
R043065	Rohina	9.250	Left	N/A		Temporary	Compound wall	Squatter
R043066	Rohina	9.690	Left	N/A	5.3	Permanent	Residence cum Commercial	Owner
R043067	Rohina	9.920	Left	N/A	4.1	Permanent	Residence	Owner
R043068	Rohina	9.950	Left	N/A		Temporary	Compound wall	Squatter
R043069	Rohina	9.954	Left	N/A	4	Permanent	Residence	Owner
R043070	Rohina	10.140	Left	N/A	4.9	Permanent	Residence	Owner
R043071	Rohina	10.200	Left	N/A	6.4	Permanent	Residence cum Commercial	Owner
R043072	Rohina	10.210	Left	N/A	5.2	Permanent	Residence	Owner
R043073	Rohina	10.218	Left	N/A	4.5	Permanent	Residence	Owner
R043074	Rohina	10.230	Left	N/A	4.7	Permanent	Residence cum Commercial	Owner
R043075	Rohina	10.250	Left	N/A		Temporary	Compound wall	Squatter
R043076	Rohina	10.260	Left	N/A	5.2	Permanent	Commercial	Owner
R043077	Rohina	10.275	Left	N/A	7.4	Permanent	Commercial	Owner
R043078	Rohina	10.285	Left	N/A	7.4	Permanent	Residence cum Commercial	Owner
R043079	Rohina	10.300	Left	N/A	6.1	Permanent	Commercial	Owner
R043080	Rohina	10.500	Left	N/A		Temporary	Compound wall	Squatter
R043081	Rohina	10.600	Left	N/A		Temporary	Compound wall	Squatter
R043082	Rohina	10.650	Left	N/A		Temporary	Compound wall	Squatter
R043083	Rohina	10.660	Left	N/A	7.9	Permanent	Residence	Owner
R043086	Tarnau	16.260	Left	RAMNIWAS	6	Permanent	Residence	Encroacher
R043087	Tarnau	16.400	Left	RAMNIWAS JAT	6	Permanent	Residence	Owner
R043088	Tarnau	16.350	Left	MOTA RAM	5	Permanent	Commercial	Owner
R043089	Tarnau	16.500	Left	N/A		Permanent	Compound wall	Squatter
RO75001	Lunkaransar	75500		Rajendra Singh	9 M	Semi-Permanent	Residence	Owner
RO75002	Lunkaransar	75500		Urmeela Devi	9 M	Semi-Permanent	Residence	Owner

Q.No	Village Name	Chainage	Side	Name of the Owner / Occupier	Offset	Type of Structure	Use of Structure	Tenure
RO75003	Lunkaransar	75500		Jay Narayan	9 M	Semi-Permanent	Compound wall	Owner
RO75004	Lunkaransar	75500		Jay Narayan	9 M	Semi-Permanent	Compound wall	Owner
RO75005	Lunkaransar	75500		Urmeela Devi	9 M	Semi-Permanent	Compound wall	Owner
RO75006	Lunkaransar	75500		Urmeela Devi	9 M	Semi-Permanent	Compound wall	Owner
RO75007	Lunkaransar	75500		Urmeela Devi	9 M	Semi-Permanent	Compound wall	Owner
RO75008	Lunkaransar	75500		Urmeela Devi	9 M	Semi-Permanent	Compound wall	Owner
RO75009	Lunkaransar	75500		Urmeela Devi	9 M	Semi-Permanent	Compound wall	Owner
RO75010	Lunkaransar	75500		Rajendra Singh	9 M	Semi-Permanent	Compound wall	Owner
RO75011	Lunkaransar	75700		Jagdish Parik	12 M	Semi-Permanent	Compound wall	Squatter
RO75012	Lunkaransar	75700		Atma Ram	12 M	Semi-Permanent	Compound wall	Squatter
RO75013	Lunkaransar	75700		Jai Prakash Jay	12 M	Semi-Permanent	Compound wall	Squatter
RO75014	Lunkaransar	75700		Rupesh Nai	12 M	Semi-Permanent	Compound wall	Squatter
RO75015	Lunkaransar	75700		Champa Lal	12 M	Semi-Permanent	Compound wall	Squatter
RO75016	Lunkaransar	75500		Arif Khan	13 M	Temporary	Compound wall	Owner
RO75017	Lunkaransar	75500		Rajendra Singh	9 M	Semi-Permanent	Compound wall	Owner
RO75018	Lunkaransar	75500		Jai Narayan	9 M	Semi-Permanent	Compound wall	Owner
RO75019	Lunkaransar	75700		Ram Narayan	12 M	Semi-Permanent	Compound wall	Squatter
RO75020	Lunkaransar	75700		Hadman	12 M	Semi-Permanent	Compound wall	Squatter
RO75021	Kalu	56100		Heera Ram Godara	13 M	Semi-Permanent	Residence	Owner
RO75022	Kalu	56100		Pannaram	16 M	Semi-Permanent	Residence	Owner
RO75023	Kalu	56300		Nathuram	16 M	Semi-Permanent	Residence	Owner
RO75024	Kalu	56300		Dhani Devi	9 M	Semi-Permanent	Compound wall	Owner
RO75025	Garabdesar	42900		Tola Ram Megwal	9.5 M	Temporary	Compound wall	Squatter
RO75026	Adsisar	30500		Bahdur Singh	7 M	Semi-Permanent	Residence	Owner
RO75027	Adsisar	30600		Hadman Sharma	20 M	Semi-Permanent	Residence	Owner
RO75028	Adsisar	30600		Narana Ram	17 M	Semi-Permanent	Residence	Owner
RO75029	Mita Sar	8100		Sanvra Ram	20 M	Semi-Permanent	Residence	Owner
RO75030	Mita Sar	8100		Sita Ram	15 M	Semi-Permanent	Residence	Owner
RO75031	Mita Sar	8100		Mulayam Singh	9.5 M	Semi-Permanent	Compound wall	Squatter
R0131	Aas Ki Dhani	172.59	Left	Preetaram Chaudhari	0	Permanent	Residence	Encroacher
R0131	Aas Ki Dhani	172.6	Left	Zakir khan	0	Semi-Permanent	Residence	Encroacher
R0131	Aas Ki Dhani	172.62	Right	Razia Bano	5.3	Permanent	Residence	Encroacher
R0131	Aas Ki Dhani	172.7	Left	Abdul Rehman	5.6	Permanent	Kiosk	Encroacher
R0131	Aas Ki Dhani	172.71	Left	Abdul Rehman	5.2		Compound wall	Encroacher
R0131	Aas Ki Dhani	172.725	Left	Mohammad Ali	4	Permanent	Cattle Shed	Encroacher
R0131	Aas Ki Dhani	172.82	Left	Md.Unus	0	Permanent	Residence	Encroacher

Q.No	Village Name	Chainage	Side	Name of the Owner / Occupier	Offset	Type of Structure	Use of Structure	Tenure
R0131	Aas Ki Dhani	172.83	Left	Mazid	0	Permanent	Residence	Encroacher
R0131	Aas Ki Dhani	172.685	Left	Zakir Khan	5	Temporary	Compound wall	Encroacher
R0131	Aas Ki Dhani	172.695	Right	Narayan Ram	4.5	Permanent	Kiosk	Encroacher
R0131	Aas Ki Dhani	172.685	Right	Husain Ali	5	Permanent	Residence	Encroacher
R0131	Aas Ki Dhani	172.605	Left	Rameswar Lal Ji	4.5	Semi-Permanent	Compound wall	Encroacher
R0131	Thanu	175.105	Left	Reshmi	0		Kiosk	Encroacher
R0131	Thanu	175.105	Right	Ranveer Singh ji	0	Permanent	Residence	Encroacher
R0131	Thanu	175.155	Right	Sona Ram JI	0	Permanent	Residence	Encroacher
R0131	Thanu	175.165	Right	Pappu Ram	4.6	Permanent	Residence	Encroacher
R0131	Ambapa	180.74	Right	Hariram ji	5.1	Permanent	Compound wall	Encroacher
R0131	Ambapa	180.755	Right	Nandlal ji	5	Permanent	Residence	Encroacher
R0131	Ambapa	180.765	Right	Balu Ram	4.6	Permanent	Residence	Encroacher
R0131	Ambapa	180.765	Left	Dhola Ram ji	3.5	Permanent	Compound wall	Encroacher
R0131	Indrapura	180.37	Right	Pefa Ram	3.8		Residence	License from local Authority
R0131	Indrapura	180.45	Right	Govind Ram Ji	4.6		Compound wall	Encroacher
R0131	Indrapura	180.65	Right	Moti Ram Ji	0		Compound wall	Encroacher
R0131	Indrapura	180.23	Left	Bullu Ram Ji	3.7	Permanent	Residence	Encroacher
R0131	Indrapura	180.26	Right	Jagdeesh Prasad	3.8		Residence cum Commercial	Encroacher
R0131	Indrapura	180.24	Left	Prema Ram	3.5	Permanent	Compound wall	Encroacher
R0131	Indrapura	180.24	Right	Kumbha Ram Ji	4	Permanent	Compound wall	Encroacher
R0131	Indrapura	180.5	Right	Bhagu Ram ji	0		Residence	Encroacher
R0131	Salasar Bp	0.43	Left		0		Compound wall	Encroacher
R0131	Salasar Bp	0.52	Left		0	Permanent	Compound wall	Encroacher
R0131	Salasar Bp	0.54	Right		0		Compound wall	Encroacher
R0131	Salasar Bp	0.95	Left		0		Compound wall	Encroacher
R0131	Sanwali	1.9	Right	Nanu Ram	4.9	Permanent	Residence	Encroacher
R0131	Sanwali	1.9	Left	Shivpal Ji	4.3	Permanent	Residence	Encroacher
R0131	Sanwali	1.85	Right	Shuresh Shivpal ji	4.3	Permanent	Residence	Encroacher
R0131	Sanwali	1.85	Left	Jagdish Ji Jangir	4.5	Permanent	Residence	Encroacher
R0131	Sanwali	1.8	Left	Magaram Ji	1.8	Permanent	Residence	License from local Authority
R0131	Sanwali	1.8	Right	Magaram Ji	4.6	Permanent	Commercial	License from local Authority
R0131	Sanwali	1.75	Right	Hariram Sharma	5.3	Permanent	Residence	Encroacher





Q.No	Village Name	Chainage	Side	Name of the Owner / Occupier	Offset	Type of Structure	Use of Structure	Tenure
R0131	Sanwali	1.75	Left	Sawarmal Ji	5		Residence	Encroacher
R0131	Sanwali	1.59	Right	Govind Ram Ji Katariya	4	Permanent	Residence	Encroacher
R0131	Sanwali	1.95	Left	Chauki Devi	0	Permanent	Residence	Encroacher
R0131	Sanwali	1.95	Right	Hanumana Ram Ji	0	Permanent	Compound wall	Encroacher
R0131	Balaran	13	Left	Mahendra Kumar	5.8	Permanent	Residence	Encroacher
R0131	Balaran	13	Right	Naresh Kumar Sharma	0	Permanent	Residence	Encroacher
R0131	Balaran	13.02	Left		5.7	Permanent	Commercial	Encroacher
R0131	Balaran	13.03	Right		0	Permanent	Others	Encroacher
R0131	Balaran	13.07	Right	Lalita Devi	0	Permanent	Others	Encroacher
R0131	Balaran	13.1	Left	Not Available	5.1	Permanent	Residence	Encroacher
R0131	Balaran	13.1	Right	Kida Ram	0	Permanent	Kiosk	Encroacher
R0131	Balaran	13.07	Left	Pawan Kumar	1	Permanent	Residence	Encroacher
R0131	Balaran	12.635	Left	Salim	0	Permanent	Compound wall	Encroacher
R0131	Balaran	12.735	Left	Salim	0	Temporary	Compound wall	Encroacher
R0131	Mukund Garah	40.8	Right	Rajendra Ji Bhardaki wala	5.5	Permanent	Commercial	License from local Authority






### Summary of Common Property Resources






ID No	Name of the Settlement	Chainage	Side	Type of CPR
RNTR010	Nagaur	0.49	Right	Mosque
RNTR012	Nagaur	13.9	Right	Water tank
R0430001	Jayal	49.320	Left	Temple
R0430002	Jayal	117.940	Left	Junction
R0430003	Resisar Jodha Junction	138.325	Right	Water Tank
R043001	Aas Ki Dhani	172.825	Right	Well
R0430019	Thanu	175.155	Left	Water Tank
R0430022	Thanu	175.070	Left	Anganwadi Kendra (School)
R0430023	Thanu	177.700	Right	Temple
R0430025	Ambapa	180.740	Left	School
R0430062	Mukundgarh	137.900	Left	Temple
R0430064	Mukundgarh	43.950	Right	Temple
R0430065	Mukundgarh	43.950	Left	Temple
R043011	Degana	3.55	Right	School
R043033	Jayal	10.235	Right	Temple
R043064	Degana	9.150	Left	School
R043084	Jayal	16.150	Left	Graveyard

ID No	Name of the Settlement	Chainage	Side	Type of CPR
R124009	Hanumangarh	12.3	Right	Temple
R127001	Narena	0.2	Left	Temple
R127002	Pall ki dhani	0.77	Left	Water Tank
R127005	Nimli	9.15	Left	Flag Post
R127006	Mamana	14.08	Left	Temple (BW only)
R127019	Marwa	25.12	Left	Temple (BW only)
R127020	Marwa	25.125	Left	Temple
R127021	Joonda	28.385	Left	Water Tank
R127022	Joonda	29.32	Left	Temple
R127001	Narena	0.05	Right	Temple
R127006	Nimli	9.105	Right	Chabutra
R127007	Mamana	11.41	Right	Well
R127026	Roopangarh	32.8	Right	Water Tank and Well
R079001		9.9	Left	Water Pyau
R079002		13	Right	Peetar Ji Temple
R079003		15.7	Left	Chabutra
R079004		15.7	Left	Chabutra
R079005		17	Right	Water Pyau
R079006		21	Left	Yatri Pratikshaly
R079007		29	Left	Yatri Pratikshaly
R079008		34.5	Left	School Bhaleri
R0750001		73.4	Left	Balaji Temple
R0750002		74.1	Left	Cattle Water Tank
R0750003		74.1	Left	Water Tank (GLR)
R0750004		74.3	Left	Chabutara
R0750005		74.9	Right	Water Pyau
R0750006		43	Left	Chabutara
R0750007		43	Left	Cattal Water Trough
R0750008		42.9	Left	Mataji Temple
R0750009		42.8	Left	Water Tank (GLR)
R0750010		3.5	Left	Water Pyau
R0750011		3.5	Left	Chamber
R0750012		3.5	Left	School Boundary
R0750013		23.3	Right	Public Stand Post
R0750014		8.1	Right	Public Stand Post

### Appendix 3: Participants in Consultation

SNo	Place	Date	Number of participants	Photo
<b>Nagaur - Tarnau - Deewana -Mukundgarh Road</b>				
1	Nagaur	04.4.2015	27 (including 2 women)	
2	Rol	04.4.2015	25 (including 6 women)	
3	Pharrod	04.4.2015	31 (including 9 women)	
4	Tarnau	04.4.2015	36 (including 12 women)	
<b>Sanju - Tarnau Road</b>				

SNo	Place	Date	Number of participants	Photo
5	Dootina	15.05.2015	24 (including 5 women)	
6	Tarnau	18.05.2015	20 (including 3 women)	
<b>Peelibanga - Lakhuwali Road</b>				
7	Panditawali	12/06/2015	27 (including 2 women)	
8	Lakhuwali	13/06/2015	63 (including 3 women)	
<b>Roopangarh - Naraina Road</b>				
9	Marwa	15.5.2015	54 (including 21 women)	

SNo	Place	Date	Number of participants	Photo
10	SirohiKhurd	16.5.2015	33 (including 14 women)	
<b>Churu - Bhaleri Road</b>				
11	Somasi	05.07.2015	21	
12	Bhaleri	03.07.2015	16	
<b>Sardarsher - Lunkaransar Road</b>				
13	Lunkaransar	27.07. 2015	25 (including 3 women)	
14	Kalu	22.07.2015	21 (including 5 women)	



### Appendix 4: Comparison between ADB IR Policy Requirements and RFCTLARR Act 2013 with Gap filling measures

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
<b>Policy Objectives</b>				
1	Avoid involuntary resettlement (IR) wherever feasible	✓	Social Impact assessment (SIA) should include: (i) whether the extent of land proposed for acquisition is the absolute bare minimum extent needed for the project; (ii) whether land acquisition at an alternate place has been considered and found not feasible [Ref: Section 4 sub-section 4(d) and 4(e)]	
2	If IR is unavoidable, minimise involuntary resettlement by exploring viable alternate project design	x		The principles of RF addresses this requirement.
3	DPs should be assisted in their efforts to enhance or at least restore the livelihoods of all displaced persons in real terms to pre-project levels	✓	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 [Ref: Preamble of the RFCTLARR ACT]	-
<b>Scope of Application</b>				
4	Involuntary acquisition of land	✓	In the definition of affected family, it includes 'a family whose land or other immovable property has been acquired' [Ref: Section 3 sub-section c (i)]	
5	Involuntary restriction of land use or on access to legally designated parks and protected areas.	✓	In the definition of affected family in includes 'family whose primary source of livelihood for three years prior to the acquisition of the land is dependent on forests or water bodies and includes gatherers of forest produce, hunters, fisher folk and boatmen and such livelihood is affected due to acquisition of land' [Ref: Section 3 sub-section c (vi)]	

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
<b>Eligibility Criteria</b>				
6	Those who have formal legal rights to land lost in its entirety or in part	✓	In the definition of affected family, it includes 'a family whose land or other immovable property has been acquired' [Ref: Section 3 sub-section c (i)]	
7	Those who do not have formal legal rights to land lost but who have a claim to such land that are recognized or recognizable under national laws	✓	In the definition of affected family, it includes 'the Scheduled Tribes and other traditional forest dwellers who have lost any of their forest rights recognised under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 due to acquisition of land'; and also includes 'a member of the family who has been assigned land by the State Government or the Central Government under any of its schemes and such land is under acquisition'. [Ref: Section 3 sub-section c(iii) and (v)]	
8	Those who have neither formal legal rights nor recognised or recognizable claim to land lost	x		The RF, under eligibility criteria, this is addressed.
9	Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.	x		The RF, the cut-off date has been defined.
<b>Policy Principles</b>				
10	Carry out meaningful consultations with affected persons, host communities and concerned non-government originations	✓	Whenever a SIA is required, 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 SIA Report. [Ref: Section 5]	

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
11	Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns.	✓	For the purpose of providing speedy disposal of disputes relating to land acquisition, compensation, rehabilitation and resettlement, establish, by notification, one or more Authorities to be known as "the Land Acquisition, Rehabilitation and Resettlement Authority" [Ref: Section 51 sub-section 1]	The RF provides for a District level GRC to resolve grievances in the First Level and the appellate authority at the Second Level of grievance resolution mechanism, prior to referring/approaching the LARR authority
12	Preference to land-based resettlement strategies for displaced persons whose livelihoods are land-based.	✓	Land for land is recommended in irrigation projects and in projects where SC/ST is involved equivalent land. [Ref: Second Schedule S.No.2]	Land for land option, if feasible, is provided in the EM. If not feasible, then cash compensation at replacement cost has been provided
13	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.	✓	The Rehabilitation and Resettlement Award shall include all of the following:..... (c) particulars of house site and house to be allotted, in case of displaced families; (d) particulars of land allotted to the displaced families; (e) particulars of one time subsistence allowance and transportation allowance in case of displaced families;..... [Ref: Section 31 sub-section 2(c), (d) and (e)]	
14	Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards	✓ (partly)	The act provides for special provisions and assistance for scheduled caste and scheduled tribe in scheduled area. [Ref: Section 41]  Further the act recognizes widows, divorcees and women deserted by	Special provision for vulnerable have been provided in Entitlement matrix.

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
			<p>families as separate families [Ref: Section sub-section (m)]</p> <p>The act does not recognize other vulnerable category and also SC/ST from non-scheduled areas.</p>	
15	Develop procedures in a transparent, consistent, and equitable manner if actuation is through negotiated settlement.	x	Not explicitly stated	Provided for in the RF
16	Prepare a resettlement plan elaborating on displaced persons entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget and time-bound implementation schedule	✓	The Act provides for the preparation of Rehabilitation and Resettlement Scheme including time line for implementation [Ref: Section 16 - sub-section 2]	
17	Disclose a 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	✓	<p>The appropriate Government shall ensure that the Social Impact Assessment study report and the Social Impact Management Plan, are prepared and made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be, and the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil, and shall be published in the affected areas, in such manner as may be prescribed, and uploaded on the website of the appropriate Government. [Ref: Section 6 sub-section 1]</p> <p>Further the commissioner shall cause the approved Rehabilitation and Resettlement Scheme to be made available in the local language to the Panchayat, Municipality or Municipal Corporation. As the case may be, and the offices of the district collector, the Sub-Divisional Magistrate and Tehsil, and shall be published in</p>	

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
			affected areas, in such manner as may be prescribed and uploaded on the website of the appropriate Government [Ref: Section 18]	
18	Pay compensation and provide other resettlement entitle before physical or economic displacement. Implant the resettlement plan under close supervision throughout project implementation	✓	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 monetary part of rehabilitation and resettlement entitlements listed in the Second Schedule commencing from the date of the award made under section 30. [Ref: Section 38 - sub-section 1]	The RF stipulated that all compensation and assistance will be paid to DPs at least 1 month prior to displacement or dispossession of assets
19	Monitoring 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.	✓	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. [Ref: Section 48 - sub-section 1]	The RF provides for internal and external monitoring of LA,R&R

## **Appendix 5: Terms of Reference (TOR) for the NGO/agency to assist PIUs in Resettlement Plan Implementation**

### **A. Project Background**

1. Government of Rajasthan has proposed to upgrade its road network under Rajasthan State Highway Investment Program (RSHIP) and as part of this endeavour, Public Works Department (PWD) of Rajasthan has been mandated to undertake improvement and upgradation of various State Highways and Major District Roads at different locations in Rajasthan. As part of this mandate, the PPP Division of Rajasthan Public Works Department has identified the roads requiring improvement that would improve the connectivity to national highways, major towns and industrial belts. The proposed investment program will support up gradation and improvement of the identified 17 road-projects totalling of about 1050km spread across the State of Rajasthan.

2. The Public Private Partnership (PPP) Cell of the Public works Department has prepared this Resettlement Plan (RP) for Package-3 comprising of 6-road subprojects viz. (i) *Nagaur - Tarnau - Deewana -Mukundgarh* section of SH-19, SH-60, SH-20, Sh083, SH-8, SH-82 and SH-82A; (ii) *Sanju - Tarnau* section of SH-60; (iii) *Peelibanga - Lakhuwali* section of MDR-103; (iv) *Roopangarh - Naraina* section of SH-100; (v) *Churu - Bhaleri* section of SH-69; and (vi) *Sardarsher - Lunkaransar* section of SH-6A, being one of the four packages being proposed under Tranche-1 for improvements under RSHIP. This RP addresses social issues arising out of acquisition of land and other assets, eviction of squatters and removal of encroachments resulting in social and / or economic displacement to households / individuals / community, either direct or indirect and is in compliance with ADB's Safeguard Policy Statement, 2009 and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. A Resettlement Plan (RP) has been prepared to assist the affected people to improve or at least restore their living standards to the pre-project level. This RP captures the involuntary resettlement impacts arising out of the proposed improvements to the 6-road subprojects under this Package-3 of RSHIP. The document describes the magnitude of impact, mitigation measures proposed, method of valuation of land, structure and other assets, eligibility criteria for availing benefits, baseline socio-economic characteristics, entitlements based on type of loss and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring. The length of the 6-road subprojects and the summary of subproject impacts is given in Appendix-I. Similarly, for each package a RP has been prepared that captures the involuntary resettlement impacts arising out of the proposed improvements in that package.

4. The PMU has decided to call in for the services of RP implementation support agency/NGO experienced in carrying out such rehabilitation and resettlement activities at the grass root level to assist the PIUs in RP implementation.

### **B. Objectives of the Assignment**

5. The NGO shall assist the PPP Division, PWD(R), Rajasthan in the implementation of the Resettlement Plan for Tranche-1 road subprojects grouped as four packages and comprising of 17-road subprojects and shall undertake the following tasks:

- Educating the DPs on their rights to entitlements and obligations.

- To ensure that the DPs are given the full entitlements due to them, according to the entitlements in the RP.
- To provide support and information to DPs for income restoration.
- Assist the DPs in relocation to resettlement site and rehabilitation, including counseling, and coordination with local authorities/line departments.
- Assist the DPs in redressing their grievances (through the grievance redress committee set up for the subproject)
- To assist the Project Implementation Unit (PIU) with social responsibilities of the subproject, such as compliance with labour laws, prohibition of child labour, and gender issues.
- To conduct awareness program on HIV/AIDs, Health and Hygiene, and Human Trafficking in affected villages.
- To collect data and submit progress reports on a monthly and quarterly basis for PIU to monitor the progress of RP implementation.

### **C. Scope of Work**

#### **a) Administrative Responsibilities of the NGO**

- Working in co-ordination with the PD, PIU; and assist the PD in carrying out the implementation of the RP;
- To assist the DPs in redressing their grievances through the GRCs;
- Assist the PIU in disclosure, conducting public meetings, information campaigns during the RP implementation and give full information to the affected community;
- Translate the summary of RP in local language for disclosure and disseminate to DPs;
- To assist the PIU in ensuring that the Contractors comply with the applicable labour laws (including prohibition of child labour, bonded labour and gender requirements) as contained in the contract document;
- To assist the PIU in ensuring compliance with safety, health and hygiene norms, and the conduct HIV/AIDS and Human Trafficking awareness/prevention campaigns;
- Submit monthly and quarterly progress report to the PIU including both physical and financial progress. The report should also cover implementation issues, summary of grievances and summary of consultations.
- Provide data and information that PIU will require in the management of the data base of the DPs.
- Assist PIU in providing training to DPs, wherever required in the implementation of RP.

#### **b) Responsibilities for Implementation of the RP**

- Agency/NGO shall verify the information already contained in the RP and the individual losses of the DPs. They should validate the data provided in the RP and report to PIU on changes required, if any, along with documentary evidence.
- Wherever required, update the census and socio-economic survey data and administer the census and socio-economic survey questionnaire, if there are DPs who have been not covered during baseline survey and in particular the titleholders from whom land is being acquired.
- The Agency/NGO shall establish rapport with 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, the entitlement and contact details of the PIU, NGO and GRC.

- The Agency/NGO shall develop rapport between the DPs and the Project Director, PIU. This will be achieved through regular interactions with both the PIU and the DPs. Meetings with the PD, 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/Agency.
- Prepare monthly action plans with targets in consultation with the PIU.
- The Agency/NGO shall prepare micro plan detailing the type of impact and entitlements for each DP and display the list in prominent public places like villages, Panchayat offices, etc prior to R&R award enquiry.
- During the verification of the eligible DPs, the Agency/NGO shall ensure that each of the DPs are contacted and consulted either in groups or individually. The Agency/NGO shall specially ensure consultation with women from the DPs families especially women headed households.
- 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.
- The Agency/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 encroaches about the need for the timely shifting/relocation to resettlement site, the timeframe for disbursement of their entitlement.
- The Agency/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.
- Agency/NGO will monitor the civil construction work in each package to ensure there is no bonded/child labour.
- In all of these, the Agency/NGO shall consider women as a special focus group, and deal with them with care and sympathy.
- The Agency/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 Agency/NGO shall inform the PIU about the shifting dates agreed with the DPs in writing and the arrangements desired by the DPs with respect to their entitlements.
- The Agency/NGO shall assist the 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.

c) Accompanying and Representing the DPs at the Grievance Redressal Committee (GRC) Meetings

- The Agency/NGO shall nominate a suitable person (from the staff of the NGO) to assist the DPs in the GRC.
- The Agency/NGO shall make the DPs aware of the existence of grievance redressal committees (GRCs)



- The Agency/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.
  - The Agency/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 note with respect to the particular grievance of the DP, suggesting multiple solutions, if possible, and deliberate on the same in the GRC meeting with the permission of the Chair of the GRC.
  - 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.
- d) Carry out Public Consultation
- In addition to counseling and providing information to DPs, the Agency/NGO will carry out periodic consultation with DPs and other stakeholders
  - Should organise meetings and appraise the communities about the schedule / progress of civil works
  - All the consultations should be documented and if possible, photographs and attendance sheets should be compiled. The list of participants and a summary of the consultations and outcome should be submitted to PIU.
- e) Assisting the PIU with the Project's Social Responsibilities
- The Agency/NGO shall assist the PIU to ensure that the Contractors are abiding by the various provisions of the applicable laws pertaining to labour standards.
  - The Agency/NGO shall assist the PIU to implement HIV/AIDS awareness measures, including collaboration with the line agencies.
  - The Agency/NGO will assist the PIU in conducting the R&R award enquiry
  - Assist the PIU to incorporate changes in the micro plan, if any based on R&R award and resubmit the same to PIU for verification, endorsement and onward transmission to Additional Collector for disbursement.
- f) Monitoring and Reporting
- The RP includes provision for monitoring by PIU and quarterly, mid-term, and post-project monitoring and evaluation by external agency. The Agency/NGO involved in the implementation of the RP will be required to supply all information, documents to the external monitoring consultants.

#### **D. Documentation and Reporting by NGO**

6. The NGO selected for the assignments shall be responsible to:
- Submit an inception report within three weeks; on signing up of the contract including a work plan for the whole contract period, staffing and personnel deployment plan.
  - Prepare monthly progress reports to be submitted to the PIU, with weekly progress and work charts as against the scheduled timeframe of RP implementation.
  - Prepare and submit quarterly reports on a regular basis, to be submitted to the PIU.

- Submit a 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, summary of support/assistance given to the DPs, lessons learnt, best practices and suggestions, if any, for effective implementation..
- All other reports/documentation as described in these terms of reference.
- Record minutes of all meetings.
- Four copies of each report shall be submitted to PIU together with one soft copy of each report in the CD

#### F. Data, Services and Facilities to be provided by the Client

7. The PIU will provide to the NGO the copies of the RP, DPs' Census records and structure photographs, the strip plan of final design and any other relevant reports/data prepared by the DPR consultants. All facilities required in the performance of the assignment, including office space, office stationery, transportation and accommodation for staff of the Agency/NGO, etc., shall be arranged by the NGO.

#### E. Timeframe for Services

8. It is estimated that the NGO services will be required for about 36 months with intermittent inputs of key-personnel, to undertake the assignment of facilitating the implementation of the RP. The inputs of key personnel should be in accordance with the tasks and the corresponding time required for their completion. The time schedule for completion of key tasks is given below

SNo	Task Description	Time for completion
1	Inception Report	At the end of the 3 <sup>rd</sup> week after commencement of services
2	a. Joint verification, issue of identity card and submission of corrected data, if any, including proposal for replacement and upgradation of community assets b. Additional and /or missing census survey records of DPs (to be collected only after due approval of such cases by RO in writing) including profiles of DP in such survey	At the end of the 2 <sup>nd</sup> month after commencement of services  At the end of the 3 <sup>rd</sup> month after commencement of services
3	Monthly Progress Report /Quarterly Progress Report covering the activities in the scope of works and corresponding deliverables	In 7 days from the end of each month /quarter
4	Facilitating disbursement of the entitlements for 50% of total DPs in the 1 <sup>st</sup> milestone coinciding with the milestone sections fixed by PIU	At the end of the 5 <sup>th</sup> month after commencement of services
5	Disbursement of the entitlements for the remaining DPs in the 1 <sup>st</sup> milestone	At the end of the 6 <sup>th</sup> month after commencement of services
7	a. Disbursement of the entitlements for remaining DPs in the 2 <sup>nd</sup> milestone b. Facilitating resettlement of DPs to the resettlement site(s)	At the end of the 15 <sup>th</sup> month after commencement of services
8	Draft Final Report summarising the action taken and other resettlement works to be fulfilled by the NGO	One month before the service / 35 <sup>th</sup> month after commencement of services
9	Final report summarising the action taken and other resettlement works to be fulfilled by the NGO	At the end of the service / 36 <sup>th</sup> month after commencement of services

SNo	Task Description	Time for completion
		incorporating suggestions of PIU on the draft report.

### G. Team for the Assignment

9. The Agency/NGO shall assign a team of professionals for assisting PIU in RP implementation. The Agency/NGO team should consist of the following 5-core professionals and a minimum of 4 support staff including a skilled data entry operator. The core team should have a combined professional experience in the areas of social mobilization, community development, land acquisition and resettlement, census and socio economic surveys and participatory planning and consultations.

SNo	Key Professional	No. of Persons	Experience
1	Team Leader cum R&R expert (intermittent input)	1	Postgraduate in Social Science with a minimum of 10 years experience in R&R, with land acquisition and R&R implementation experience in 5 projects of which at least 3 should be linear projects (Highway) funded by external agencies. Should be proficient in Hindi and English
3	R&R Expert and Field Coordinator (intermittent input)	4	Graduate in Social Science with knowledge and experience in census and socio-economic surveys, RP implementation PRA Technique and fluent in Hindi and English.  Should have a minimum of 5 years experience in R&R, with land acquisition and R&R implementation experience in 3 projects of which at least 2 should be linear projects (Highway) funded by external agencies.  One field coordinator should be posted for each of the road subproject in this packager

### H. Payment Terms

10. The payment will be made corresponding to the tasks described under 'Timeframe for Services' above. For awareness campaigns on HIV-AIDS, health and hygiene, the PIU will provide funds separately at actuals, based on specific campaign proposals submitted by the NGO. Cost of printing disclosure material will paid by PIU directly or PIU will make available printed disclosure material.

11. The financial quote should include remuneration of key personnel and support staff, and all costs related to carrying out the services, excluding cost of awareness campaigns for HIV-AIDS, health and hygiene, printing of disclosure handouts and printing and laminating identity cards for DPs. Service tax, if applicable, will be paid by PIU and proof of remittance should be submitted to PIU after each payment is made. The NGO should cover their staff with adequate insurance and the cost shall be included in the financial quote under overheads.

## Appendix 6: Terms of Reference for engaging an External Monitoring Agency/Expert

### A. Project Description

1. Government of Rajasthan has proposed to upgrade its road network under Rajasthan State Highway Investment Program (RSHIP) and as part of this endeavour, Public Works Department (PWD) of Rajasthan has been mandated to undertake improvement and upgradation of various State Highways and Major District Roads at different locations in Rajasthan. As part of this mandate, the PPP Division of Rajasthan Public Works Department has identified the roads requiring improvement that would improve the connectivity to national highways, major towns and industrial belts. The proposed investment program will support up gradation and improvement of the identified 17 road-projects totalling of about 1050km spread across the State of Rajasthan.

2. The Public Private Partnership (PPP) Cell of the Public works Department has prepared this Resettlement Plan (RP) for Package-3 comprising of 6-road subprojects viz. (i) *Nagaur - Tarnau - Deewana -Mukundgarh* section of SH-19, SH-60, SH-20, Sh083, SH-8, SH-82 and SH-82A; (ii) *Sanju - Tarnau* section of SH-60; (iii) *Peelibanga - Lakhuwali* section of MDR-103; (iv) *Roopangarh - Naraina* section of SH-100; (v) *Churu - Bhaleri* section of SH-69; and (vi) *Sardarsher - Lunkaransar* section of SH-6A, being one of the four packages being proposed under Tranche-1 for improvements under RSHIP. This RP addresses social issues arising out of acquisition of land and other assets, eviction of squatters and removal of encroachments resulting in social and / or economic displacement to households / individuals / community, either direct or indirect and is in compliance with ADB's Safeguard Policy Statement, 2009 and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. A Resettlement Plan (RP) has been prepared to assist the affected people to improve or at least restore their living standards to the pre-project level. This RP captures the involuntary resettlement impacts arising out of the proposed improvements to the road subprojects under this Package-3 of RSHIP. The document describes the magnitude of impact, mitigation measures proposed, method of valuation of land, structure and other assets, eligibility criteria for availing benefits, baseline socio-economic characteristics, entitlements based on type of loss and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring. The summary of RP with subproject impacts is given in the annexure XX

4. The PIUs have appointed agencies/NGO's to support the respective PIU in RP implementation. The subproject includes a provision for monitoring and evaluation of the implementation of the subproject resettlement plans by an external monitor/agency. Therefore, the PMU requires the services of a reputed individual/consultancy firm for monitoring and evaluation of RP implementation.

### B. Scope of work – Generic

5. The scope of work include:
- To review and verify the progress in resettlement implementation as outlined in the RP;
  - To monitor the effectiveness and efficiency of PIU, and NGO in RP implementation;

- To assess whether resettlement objectives, particularly livelihoods and living standards of the Displaced Persons (DPs) have been restored or enhanced;
- To assess resettlement efficiency, effectiveness, impact and sustainability, drawing both on policies and practices and to suggest any corrective measures, if necessary; and
- To review the project impacts on vulnerable groups, indigenous people and groups and assess the effectiveness of the mitigative actions taken.

### **C. Scope of work- Specific**

6. The major tasks expected from the external monitor are:
- To develop specific monitoring indicators for undertaking monitoring for RP implementation;
  - Review results of internal monitoring and verify claims through random checking by adopting suitable sampling method at the field level to assess whether land acquisition/resettlement objectives have been generally met;
  - Involve the affected people and community groups in assessing the impact of land acquisition for monitoring and evaluation purposes;
  - Evaluate and assess the adequacy of compensation and R&R assistances given to the DPs, the resettlement sites developed and relocation process and the livelihood opportunities and incomes as well as the quality of life of DPs; and
  - To evaluate and assess the adequacy and effectiveness of the consultative process with DPs, particularly those vulnerable, including the adequacy and effectiveness of grievance procedures and legal redress available to the displaced persons, and dissemination of information about these.

### **D. Time Frame and Reporting**

7. The independent monitoring agency/expert will be responsible for overall monitoring of the RP implementation and will submit quarterly review directly to PMU for onward transmission to ADB with PMU's comments.

### **E. Qualifications**

8. The monitoring agency/expert will have significant experience in resettlement policy analysis and RP implementation. Further, work experience and familiarity with all aspects of resettlement operations would be desirable. The Team Leader / Expert should have the following qualification: (i) postgraduate degree in social science; (ii) 15 years experience in R&R; (iii) experience in ADB/WB funded R&R projects; and (iv) R&R monitoring experience in ADB/WB funded projects. Interested agencies/consultants should submit proposal for the work with a brief statement of the approach, methodology, and relevant information concerning previous experience on monitoring of resettlement implementation and preparation of reports.

9. The profile of agency/expert along with full CV of monitors to be engaged must be submitted along with the proposal.

### **F. Budget and Logistics**

10. Copies of the proposal - both technical and financial - should be submitted and the budget should include all cost and any other logistics details necessary for resettlement monitoring.