

# Resettlement Plan

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July 2019

## IND: Rajasthan State Highway Investment Program- Tranche 2

Package 2 (Annuity): Nasirabad-Mangliawas-Padukalan

## CURRENCY EQUIVALENTS

(as of 10 June 2019)

Currency unit	–	Indian rupees (INR/Rs.)
₹1.00	=	\$ 0.0144
\$1.00	=	₹69.40.71

## ABBREVIATIONS

ADB	–	Asian Development Bank
DC	–	District Collector
GOI	–	Government of India
GRC	–	Grievance Redressal Committee
IAY	–	Indira Awaas Yojana
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
SDRS	–	Social Development and Resettlement Specialist
RoW	–	Right-of-Way
SO	–	Safeguards Officer
SH	–	State Highway
SPS	–	Safeguard Policy Statement
SoR	–	PWD Schedule of Rate

## NOTES

- (i) The fiscal year (FY) of the Government of India and its agencies ends on 31 March. "FY" before a calendar year denotes the year in which the fiscal year ends, e.g., FY2019 ends on 31 March 2019.
- (ii) In this report, "\$" refers to US dollars.

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## CONTENTS

EXECUTIVE SUMMARY .....	i
I. PROJECT DESCRIPTION .....	1
A. Background .....	1
B. Profile of the Subproject Area .....	2
C. Subproject Road Description .....	2
D. Subproject Impacts .....	3
E. Minimizing Involuntary Resettlement .....	5
F. Impact to Indigenous Peoples .....	5
G. Scope and Objective of Resettlement Plan .....	5
II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT .....	6
A. Introduction .....	6
B. Scope of Land Acquisition .....	6
C. Impact to Structures .....	7
D. Loss of Private Structures .....	7
E. Magnitude of Impact on Structures .....	8
F. Loss of Livelihood .....	8
G. Loss of Trees .....	8
H. Loss of Common Property Resources .....	9
III. SOCIOECONOMIC INFORMATION PROFILE .....	10
A. Involuntary Resettlement Impacts .....	10
B. Methodology Adopted .....	10
C. Demographic Profile of Project Affected Households .....	10
D. Socioeconomic Profile .....	12
E. Key Socioeconomic Indicators .....	13
F. Resettlement Preferences .....	14
IV. CONSULTATION, PARTICIPATION AND DISCLOSURE .....	15
A. Consultation in the Project .....	15
B. Methods of Consultation .....	15
C. Outcome of the Consultations .....	16
D. Plan for further Consultation in the Project .....	17
E. Disclosure .....	17
V. POLICY AND LEGAL FRAMEWORK .....	19
A. Background .....	19
B. National Legislations, Policies and ADB Policy .....	19
C. Legal and Policy Frameworks of Rajasthan State .....	20
D. ADB's Safeguard Policy Statement (SPS), 2009 .....	21
E. Comparison of Government and ADB Policies .....	21
F. Involuntary Resettlement Safeguard Principles for the Project .....	22
G. Valuation of land and assets .....	23
VI. ENTITLEMENTS, ASSISTANCE AND BENEFITS .....	25
A. Introduction .....	25
B. Eligibility Criteria .....	25
C. Entitlement Matrix .....	25
VII. RELOCATION OF HOUSING AND SETTLEMENTS .....	34
A. Provision for Relocation .....	34
VIII. INCOME RESTORATION AND REHABILITATION .....	35
A. Loss of Livelihood in this Subproject .....	35
B. Entitlements for Loss of Livelihood .....	35
C. Income Restoration Measures .....	35

IX.	RESETTLEMENT BUDGET AND FINANCING PLAN.....	37
A.	Introduction.....	37
B.	Compensation .....	37
C.	Assistances .....	37
D.	Compensation for Community Assets and Government Structures.....	38
E.	RP Implementation Cost.....	38
F.	Source of Funding and Fund Flow .....	38
G.	Resettlement Budget Estimates.....	38
H.	Disbursement of Compensation and Assistances .....	38
X.	GRIEVANCE REDRESSAL MECHANISM.....	40
A.	Grievance Redressal Committee .....	40
B.	Functions of GRC .....	40
XI.	INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION.....	42
A.	Administrator of LARR .....	42
B.	Project Management Unit .....	42
C.	Project Implementation Unit.....	43
D.	NGO/Agency for RP Implementation Support.....	43
E.	Project Implementation Consultant .....	44
F.	External Monitor .....	44
G.	Rehabilitation and Resettlement Award .....	44
H.	Management Information System (MIS).....	45
I.	Capacity Building of PIU .....	45
XII.	IMPLEMENTATION SCHEDULE .....	47
A.	Introduction.....	47
B.	Schedule for Project Implementation .....	47
C.	RP Implementation Schedule .....	47
XIII.	MONITORING AND REPORTING .....	50
A.	Introduction.....	50
B.	Internal Monitoring .....	50
C.	External Monitoring.....	50

## APPENDICES

Appendix 1:	Summary of Affected Households .....	52
Appendix 2:	Participants in Consultation .....	61
Appendix 3:	Comparison between ADBIR Policy Requirements and RFCTLARR Act 2013 with Gap filling measures .....	63
Appendix 4:	Terms of Reference (TOR) for the NGO/agency to assist PIUs in Resettlement Plan Implementation .....	68
Appendix 5:	Terms of Reference for engaging an External Monitoring Agency/Expert.....	74

## LIST OF TABLES

Table 1:	List of Subprojects Roads under Tranche- II.....	1
Table 2:	Summary of Involuntary Resettlement Impacts .....	4
Table 3:	Impact to Vulnerable Category (mutually exclusive) .....	5
Table 4:	Category of Land being acquired.....	6
Table 5:	Classification of Loss of Private Land and Impacts.....	6
Table 6:	Intensity of Land Impact .....	7
Table 7:	Ownership of Private Structures .....	7
Table 8:	Type of Construction of the Affected Structures .....	7
Table 9:	Use of the Affected Structures.....	8

Table 10: Use by Extent of loss to the Affected Structures .....	8
Table 11: Loss of Livelihood.....	8
Table 12: Loss of Community Structures.....	9
Table 13: Head of Affected Household by Sex.....	10
Table 14: Household by Religion .....	11
Table 15: Household by Social Category .....	11
Table 16: Size of the Household .....	11
Table 17: Age Group of PAPs .....	12
Table 18: Educational level of PAPs .....	12
Table 19: Occupation of DPs .....	12
Table 20: Monthly Household Income of DHs .....	13
Table 21: Impact to vulnerable household.....	13
Table 22: Key Socioeconomic Indicators.....	14
Table 23: Consultation Methods.....	15
Table 24: Summary of Consultation Outcome .....	16
Table 25: Entitlement Matrix.....	26
Table 26: Budget Estimate .....	39

## **LIST OF FIGURES**

Figure 1: Grievance Redressal Process .....	41
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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 Public Private Partnership (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 16 road projects totalling of about 1,009 kilometers (km) spread across the State of Rajasthan is under implementation. Tranche-II will finance 11 road projects totalling of about 754.463 km spread across 14 Districts in the State of Rajasthan.
2. The PPP Division of the Public Works Department has prepared this resettlement plan for Nasirabad to Mangaliyawas to Padukalan section of SH- 04 proposed under Tranche-2 for improvements under RSHIP. This resettlement plan addresses social issues arising out of acquisition of land and other assets 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 subproject road starts from the T-junction in Mangliyawas, located at existing km 24.000 in Ajmer district and ends at a distance of about km 63.000, at existing km 87.000, at the T-junction with NH-89 in the village of Padukalan located in district Nagaur. The starting point of the corridor is located in Mangliyawas town near NH-8 (km 24.000 of NH-8) and the ending point of the project corridor is located on NH-89 (km 87.000 of NH-89), thus providing better connectivity to villages and towns along MDR-39 to National Highway in the region. Nasirabad- Mangliyawas- Padukalan section of SH-04 involves reconstruction/widening of 87.00 km of the existing two-lane State Highway. The improvements include provision of shoulders, drainage facility road furniture and accessories.
4. The project will involve acquisition of private land measuring 4.265 ha belonging to 144 landowners and transfer of 0.932 ha of government land and will impact 144 families, comprising of 143 families losing agricultural land and 1 family facing non-significant impact to their residence. In addition, 3 common property resources will also be affected.
5. The objective of this resettlement plan is to assist the affected people to improve or at least restore their living standards to the pre-project level. This resettlement plan captures the involuntary resettlement impacts arising out of the proposed improvements to the subproject road section of Nasirabad- Mangaliyawas to Padukalan section of SH-04, proposed under Tranche-2 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 rehabilitation and resettlement assistances, baseline socioeconomic 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 is 4.265 ha. The private land proposed for acquisition is mostly strips of land, with the width varying from 5-10m, and abetting the existing road. As required by law, the land acquisition plans have been prepared for

implementation, including identifying the titleholders who may be properly registered, through a joint verification survey.

7. The improvements proposed under this subproject will cause impact 143 private land owners and 1 private structure facing partial impact. Further, the subproject will cause impact to 3 common property resources. The private land acquisition involves acquisition of 4.265 ha belonging to 143 landowners and 1 residential owner. No physical displacement is envisaged in this subproject.

8. During the census and socioeconomic survey, 5 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.

9. Information will be disseminated to affected persons 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 resettlement plan implementation. This will be done through public consultation and made available to affected persons as brochures, leaflets, or booklets, etc. in Hindi. The Hindi version of executive summary of the resettlement plan along with entitlement matrix and structure and process of GRC will also be disclosed.

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(1)] 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 ADBSPS. The matrix presents the entitlements corresponding to the tenure of the affected persons and the same has been approved and endorsed by Government of Rajasthan. The total resettlement cost for the subproject is Rs. 115.06 million.

13. Grievance Redressal Committee (GRC) will be established at two-levels, one at the Project Implementation Unit (PIU) level and second at PMU level. The GRC will receive, evaluate and facilitate the resolution of affected person 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 four Project Implementation Units (PIU) and for social safeguards compliance. The PIU will be responsible for screening subprojects, categorization based on involuntary resettlement impacts, conducting the social assessment,



preparation and implementation of resettlement plans. The PIU will supported by a resettlement plan implementation support NGO.

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 Public Private Partnership (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 16 road projects totalling of about 1,009 kilometers (km) spread across the State of Rajasthan is under implementation. Tranche-II will finance 11 road projects totalling of about 754.463 km spread across 14 Districts in the State of Rajasthan. The road subprojects proposed under Tranche-II and their packaging details is given below.

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

SNo	Name of Road	Length (Km)	District	Package
<b>EPC Mode</b>				
1	Jodhpur- Sojat	75.700	Jodhpur, Pali	ADB-II/EPC/01
2	Bhinmal - Pantheri Posana - Jeevana	51.580	Jalore	
3	Bidasar - Sri Dungargarh – Kalu	82.200	Churu, Bikaner	ADB-II/EPC/02
4	Sadulshahar - Sangaria – Chaiyan	95.300	Hanumangarh, Sriganganagar	
5	Losal-Salasar-Ratangarh	78.603	Nagaur, Sikar, Churu	ADB-II/EPC/03
6	Siwana - Samdari – Balesar	90.65	Jodhpur, Barmer	ADB-II/EPC/04
	<b>Total EPC</b>	<b>474.033</b>	11 Districts	
<b>Annuity Mode</b>				
7	Beawar-Masuda-Goyla	67.01	Ajmer	ADB-II/Annuity/01
8	Arain- Sarwar	44.260	Ajmer, Tonk	
9	NH-12 – Laxmipura – Dora – Dabi – Ranaji Ka Guda (Mining)	49.500	Bundi	ADB-II/Annuity/02
10	Nasirabad-Mangliyawas-Padukalan	62.960	Ajmer, Nagaur	
11	Beawar-Pisangan-Tehla-Kot-Alniyawas	56.700	Ajmer, Nagaur	
	<b>Total Annuity</b>	<b>280.43</b>	4 Districts	
	<b>Grand Total</b>	<b>754.463</b>	14 Districts	

2. The PPP Division of the Public Works Department has prepared this resettlement plan for Nasirabad to Mangaliyawas to Padukalan section of SH- 04 proposed under Tranche-2 for improvements under RSHIP. This resettlement plan addresses social issues arising out of acquisition of land and other assets resulting in social and / or economic displacement to households<sup>1</sup> / 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.

<sup>1</sup> Household or family means affected family in accordance with the Sec 3(c) of R<sup>F</sup>CTLARR Act, 2013.

## **B. Profile of the Subproject Area**

3. The subproject road lies in Ajmer and Nagaur districts. The subproject section Nasirabad to Mangaliyawas of SH-04 up to Sethan falls entirely in the district of Ajmer and the subproject Mangaliyawas to Padukalan section of SH-04 falls in Nagaur District of Rajasthan. The subproject road passes through Mangliyawas, Jethana, Sarasadi, Kalesara, Pisangan, Fatehpura, Sethan, Akhepura, Govindgarh, Alniyawas of Peesangan Block of Ajmer district and Riya Badi, Sensda, Padu Khurd and Padu kalan of Riyan Badi Block of District Nagaur.

4. *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, totalling 39.2 percent dependent on agriculture. Other workers comprising service, industry, etc account for 57.4 percent of the main workers.

5. *Nagaur* 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. *Nagaur* 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 percent agricultural workers, totalling 63.8 percent dependent on agriculture. Other workers comprising service, industry, etc account for 33.9 percent of the main workers.

## **C. Subproject Road Description**

6. The subproject road starts from the T-junction in Mangliyawas, located at existing km 24.000 in Ajmer district and ends at a distance of about km 63.000, at existing km 87.000, at the T-junction with NH-89 in the village of Padukalan located in district Nagaur. The starting point of the corridor is located in Mangliyawas town near NH-8 (km 24.000 of NH-8) and the ending point of the project corridor is located on NH-89 (km 87.000 of NH-89), thus providing better connectivity to villages and towns along MDR-39 to National Highway in the region. Nasirabad- Mangliyawas- Padukalan section of SH-04 involves reconstruction/widening of 87.00 km of the existing two-lane State Highway. The improvements include provision of shoulders, drainage facility road furniture and accessories.

#### **D. Subproject Impacts**

7. The towns and villages along the subproject road 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 and Mehandi producers (major producing centre) 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 and Mehandi. 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 for improving the road, resulting in negative impacts to some people living along the corridor.

8. The project will involve acquisition of private land measuring 4.265 ha belonging to 144 landowners and transfer of 0.932 ha of government land and will impact 144 families, comprising of 143 families losing agricultural land and 1 family facing non-significant impact to their residence. The partial impact to 1 private structure will not involve physical displacement to the affected family. The 120 affected land owners will be losing less than 10 percent land and the remaining 23 affected families will face significant impact. In addition, 3 common property resources will also be affected. The involuntary resettlement impacts have been summarized in Table 2.

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

Impact	Extent/Numbers	
	Nasirabad-Mangliyawas-Padukalan of SH-04	
Private Land Acquisition (ha) - Wet	4.265 ha	
Private Land Acquisition (ha) – Dry	Nil	
Government Land Required	0.932 ha	
Temporary Land Acquisition (ha)	Nil	
Project Affected Households (PAHs)	144	
Physically Affected Households (Loss of Residence)	-	
Economically Affected Households (Loss of Shop)	-	
Economically Affected Titleholders losing land <sup>2</sup>	23	
Physically and Economically Affected Households (Loss of Residence cum Shop)	-	
Non-Significant Impact <sup>3</sup>	1	
Titleholders Losing strip of land <sup>4</sup> (Non-significant impact)	120	
Tenants	-	
Total Project Affected Persons (PAPs)	489	
Titled PAPs	489	
Non-titled PAPs	-	
Affected employees	-	
Affected Structures	1	
Affected Private Trees	99	
Affected Common Property Resources	3	

9. There are 34 vulnerable affected households (24%) in this subproject, comprising 27 women headed household, 6 Scheduled Caste household and 1 Disabled Headed Households.

<sup>2</sup> Landowners losing 10% or more of their land.

<sup>3</sup> Where the impact to land and structure is less than 10 percent of the total area and impacts to only the compound wall, then such impacts are categorised as non-significant impacts as the DP is neither physically nor economically displaced.

<sup>4</sup> The affected families losing less than 10% of the agricultural land have been considered as facing non-significant impact as the loss of land will not result in physical or economic displacement.

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

Vulnerable Category <sup>5</sup>	Extent/Numbers
	SH- 04
Women Headed Household (WHH)	27
Scheduled Tribe (ST) headed household	-
Scheduled Caste (SC) headed household	6 <sup>6</sup>
BPL <sup>7</sup> household	-
Disabled Headed Households (DHH)	1
<b>Total</b>	<b>34</b>

Source: Census and Social Survey, October 2018.

### **E. Minimizing Involuntary Resettlement**

10. 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 9m. The available right-of-way (RoW) was utilised to the maximum, thereby reducing the additional land requirement for the proposed widening. The existing RoW (16-24 mt) has been confirmed with the Revenue Department and physically verified on ground,

### **F. Impact to Indigenous Peoples**

11. The census and socioeconomic survey and consultations had along the project area confirm that there are no indigenous people in the settlements along the subproject road and further the subprojects does not impact any indigenous people. Further, there are no scheduled tribe households affected in this subproject.

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

12. The objective of this resettlement plan is to assist the affected people to improve or at least restore their living standards to the pre-project level. This resettlement plan captures the involuntary resettlement impacts arising out of the proposed improvements to the subproject road section of Nasirabad- Mangaliyawas to Padukalan section of SH-04, proposed under Tranche-2 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 rehabilitation and resettlement assistances, baseline socioeconomic characteristics, entitlements based on type of loss and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring.

<sup>5</sup> Vulnerability identified amongst the affected households is presented which are mutually exclusive in the order presented in the table.

<sup>6</sup> There are 9 scheduled caste affected household and of which 3 affected households are also BPL.

<sup>7</sup> Below Poverty Line families are those identified by the State as below poverty line and issued with separate public distribution card.

## II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

### A. Introduction

13. The subproject involves improvement to 87.00 km of the State Highways Nasirabad-Mangaliyawas to Padukalan section of SH-04, from the existing single/two lane to two lane road. The existing single/ intermediate/ two lane road is proposed for widening to an intermediate/ two lane road. The improvement works include geometric improvements, junction improvements, provision of drain and footpath.

### B. Scope of Land Acquisition

14. 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 intermediate/2-lanning, the road construction would entail acquisition of private land resulting in adverse impacts to households. The private land required for the improvements is 4.265 ha. The private land proposed for acquisition is mostly strips of land, with the width varying from 5-10m, and abetting the existing road. The land acquisition plans have been prepared and the precise number of titleholders and extent of land lost will be updated once the joint verification of the land plan schedule is completed.

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

Type of Ownership	Extent in Hectare
Private Wet	4.218 ha
Private Dry	0.047 ha
Government	0.932 ha
<b>Total</b>	<b>5.197 ha</b>

Source: LAP prepared by DPR Consultants, January 2016.

15. The land proposed for acquisition categorised by its use is presented in the following table.

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

Use of Land	Number of Affected Household	Hectare
Agricultural	143	4.218
Residential	1	0.047
Commercial	-	-
Residence cum Commercial	-	-
Compound wall and vacant land	-	-
<b>Total</b>	<b>144</b>	<b>4.265</b>

Source: Census and Social Survey, October 2018.

16. The land being acquired has been categorized based on the extent of land lost and those losing more than 10 percent of their land comprise of 23 affected households, being the significantly affected households in this subproject. The remaining 120 affected households lose less than 10 percent of their land. The extent of land lost by number of affected households is given in the following table.



**Table 6: Intensity of Land Impact**

Scale of Impact	Number of Affected Household
Up to 10%	120
10% and Below 25%	10
25% and Below 50%	1
50% and Below 75%	12
Above 75%	-
<b>Total</b>	<b>143</b>

Source: Census and Social Survey, October 2018.

### C. Impact to Structures

17. The improvements proposed under this subproject will cause impact 143 private land owners and 1 private structure facing partial impact. The private land acquisition involves acquisition of 4.265 ha belonging to 143 landowners and 1 residential owner. No physical displacement is envisaged in this subproject.

### D. Loss of Private Structures

18. One affected household will face non-significant impact to the residential building and will be losing the ramp, platform, staircase and a part of the living room. The ownership detail of the private structure getting affected is presented in the following table.

**Table 7: Ownership of Private Structures**

Tenure	Number of Structures	Percentage
Owner	1	100.0
Encroacher	-	-
Squatter	-	-
<b>Total</b>	<b>1</b>	<b>100</b>

Source: Census and Social Survey, October 2018.

19. Only one private structure is getting affected under this subproject. 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	Number of Structures	Percentage
Permanent	1	100.0
Semi permanent	-	-
Temporary	-	-
Wall (Boundary Wall)	-	-
<b>Total</b>	<b>1</b>	<b>100</b>

Source: Census and Social Survey, October 2018.

20. Only one private structure is getting affected due to the proposed subproject. The use of the affected structures is presented in the following table.

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

Use of Structure	Number of Structure	Percentage
Residential	1	100.0
Commercial	-	-
Residence cum Commercial	-	-
Compound wall	-	-
<b>Total</b>	<b>1</b>	<b>100.0</b>

Source: Census and Social Survey, October 2018.

#### E. Magnitude of Impact on Structures

21. The subproject will cause impact to 1 structure and the loss will be less than 10 percent (non-significant impact). 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	Compound wall	Total
Less than 10%	1	-	-	-	1
≥ 10% and < 20%	-	-	-	-	-
≥ 20% and < 50%	-	-	-	-	-
≥ 50% and ≤ 99%	-	-	-	-	-
100%	-	-	-	-	-
<b>Total</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>

Source: Census and Social Survey, October 2018.

#### F. Loss of Livelihood

22. The subproject will cause significant impact on loss of livelihood to 23 titleholders losing 10 percent and more of their land and would face economic displacement. There is no impact to any shop or employees in this subproject. The loss of livelihood impact is presented in the following table.

**Table 11: Loss of Livelihood**

Category of Loss	Number of Affected Households
Owners of Business	-
Commercial Tenants	-
Employees	-
Agricultural Landowners (losing > 10% of the land)	23
<b>Total</b>	<b>144</b>

Source: Census and Social Survey, October 2018.

#### G. Loss of Trees

23. The project will not involve impact 99 private tree belonging to the affected households. The remaining 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 that has been prepared will be taken up for scrutiny by the revenue authorities and at that time if there are a greater number of 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

24. The subproject will cause impact to 3 common property resources, comprising of 2 places of worship and 1 water tank. The PIU with the support of RP implementation support NGO will consult the trustees of the place 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 subproject 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.

**Table 12: Loss of Community Structures**

Type of Community Asset	Number of Structures
Place of worship (Temple)	2
Hand pump / Bore well / Water tank, etc.	1
Government Buildings, Community etc.	-
<b>Total</b>	<b>3</b>

Source: Census and Social Survey, October 2018.

**III. SOCIOECONOMIC INFORMATION PROFILE**

**A. Involuntary Resettlement Impacts**

25. This resettlement plan is based on the census and socioeconomic survey carried out between 15 December and 25 April 2015 and updated in October 2018 based on final and detailed design of the road subprojects. The census survey identified 144 households losing their land and / or structure and the salient findings are presented in the following sections.

**B. Methodology Adopted**

26. The census survey enumerated all private assets/properties and common property resources within the proposed right-of-way (PRoW) of 16m in rural sections, 9m-12m in urban sections and 45m in bypass sections. For every affected household, a pretested structured questionnaire was administered during the census survey. The survey recorded details of: (i) identity of the affected household; (ii) tenure; and (iii) type, use and extent of loss to the DH.

27. In addition to recording the above information, detailed socioeconomic 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 affected households. All structures were photographed and numbered for reference and record. The common property resources within the PRoW that were getting affected were enumerated.

28. The affected 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 affected households is presented in Appendix-1.

29. The census survey identified 144 households that would be affected by the subproject. The socioeconomic survey was carried out amongst 144 households and the details of the same are analysed and presented in the following sections.

**C. Demographic Profile of Project Affected Households**

30. Household by Sex: Nineteen percent of the affected households is headed by women and the remaining households are headed by men. Males account for 49.48 percent and female account for 50.51 percent amongst Affected Persons (APs).

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

<b>Sex</b>	<b>Number</b>	<b>Percentage</b>
Male	117	81.3
Female	27	18.7
<b>Total</b>	<b>144</b>	<b>100</b>

Source: Census and Social Survey, October 2018.

31. Household by Religion: All affected households are Hindus.

**Table 14: Household by Religion**

Religion	Number	Percentage
Hindu	144	100.0
Muslim	-	-
Jain	-	-
<b>Total</b>	<b>144</b>	<b>100</b>

Source: Census and Social Survey, October 2018.

32. Household by Social Group: Eighty Seven percent of the households belong to the other backward caste, followed by 6 percent each belonging to general category and scheduled caste.

**Table 15: Household by Social Category**

Social Category	Number	Percentage
General	9	6.25
Other backward caste	126	87.50
Scheduled caste	9	6.25
Scheduled tribes	-	-
<b>Total</b>	<b>144</b>	<b>100</b>

Source: Census and Social Survey, October 2018.

33. Household by Size of Family: Forty two percent of the affected families reported a family of size up to 2 members, followed by up to 3 to 4 member families accounting for 31 percent, family of size 5 to 6 members accounting for 22 percent and 6 percent accounting for more than six members. The average size of a affected family is 3.39 or say 3.

**Table 16: Size of the Household**

Size of the Family	Number	Percentage
Up to 2	60	41.7
3 to 4	44	30.5
5 to 6	31	21.5
Above 6	09	6.3
<b>Total</b>	<b>144</b>	<b>100</b>
<b>Average size of the family is 3.39</b>		

Source: Census and Social Survey, October 2018.

34. Age group of affected persons: The percentage of women aged above 65 years and that of men is almost the same. In all, 31 percent of the affected persons are in the age group of up to 21, followed by 27 percent in the age group of 21 and 35, 19 percent each in the age group of 35 and 50 and 5 percent in the above 65 age group.

**Table 17: Age Group of PAPs**

Age Group	Male		Female		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
Up to 21	75	31.0	74	30.0	149	30.5
> 21 and ≤ 35	42	17.3	49	19.8	91	18.6
> 35 and ≤ 50	45	18.6	47	19.0	92	18.8
> 50 and ≤ 65	68	28.1	65	26.3	133	27.2
Above 65	12	5.0	12	4.9	24	4.9
<b>Total</b>	<b>242</b>	<b>100</b>	<b>247</b>	<b>100</b>	<b>489</b>	<b>100</b>

Source: Census and Social Survey, October 2018.

#### D. Socioeconomic Profile

35. Educational level of affected persons: Thirty seven percent have studied up to primary, followed by 11 percent who had studies up to middle, 8 percent below metric, 5 percent up to metric school and two percent are graduates. There are 37 percent uneducated. The educational level of affected persons is given in the following table.

**Table 18: Educational level of PAPs**

Educational	Male		Female		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
Primary	66	27.3	117	47.4	183	37.4
Up to middle	36	14.9	17	6.9	53	10.8
Below metric	29	12.0	10	4.0	39	8.0
Metric	18	7.4	4	1.6	22	4.5
Graduate	12	4.9	-	-	12	2.5
Un educated	81	33.5	99	40.1	180	36.8
<b>Total</b>	<b>242</b>	<b>100</b>	<b>247</b>	<b>100</b>	<b>489</b>	<b>100</b>

Source: Census and Social Survey, October 2018.

36. Occupation of affected persons: Twenty six percent are not in workforce, comprising largely of children, students, elderly, housewives and females who do not go for work. Fifty six percent are into cultivation, followed by 15 percent who work as labourers, 2 percent are in service and the rest are into business (0.4%) or are unemployed (1%). The occupation of the affected persons is given in the following table.

**Table 19: Occupation of DPs**

Occupation	Male		Female		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
Service	9	3.7	2	0.8	11	2.3
Business	2	0.8	-	-	2	0.4
Agriculture	118	48.8	157	67.6	275	56.2
Labour	29	12.0	42	17.0	71	14.5
Unemployed	3	1.2	2	0.8	5	1.0
Not in workforce	81	33.5	44	17.8	125	25.6
<b>Total</b>	<b>242</b>	<b>100.0</b>	<b>247</b>	<b>100.0</b>	<b>489</b>	<b>100.0</b>

Source: Census and Social Survey, October 2018.

37. Income of affected household: All the families reported that they earn between Rs.10,000 to Rs. 20,000 per month

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

Monthly Family Income Range in INR (Rs)	Number	Percentage
Up to 5,000	-	-
5,001 to 10,000	-	-
10,001 to 20,000	144	100.0
20,001 to 30,000	-	-
30,001 to 50,000	-	-
>50,000	-	-
Not disclosed	-	-
<b>Total</b>	<b>144</b>	<b>100</b>

Source: Census and Social Survey, October 2018.

38. Impact to vulnerable household: For the project, vulnerable groups include those headed by a person whose family income is below the poverty line, landless, elderly, women, and Indigenous Peoples, and those without legal title to land. The vulnerable account 23.6 percent of the affected household and amongst the vulnerable, 79 percent are women headed households, followed by 17 percent scheduled caste and 3 percent being households headed by a disable person. The vulnerable status of the affected households is presented in the following table.

**Table 21: Impact to vulnerable household**

Vulnerable Type	Number	Percentage
Women Headed Household (WHH)	27	79.4
Scheduled Tribe (ST) headed household	-	-
Scheduled Caste (SC) headed household	6 <sup>8</sup>	17.7
BPL household	-	-
Disabled Headed Household	1	2.9
<b>Total</b>	<b>34</b>	<b>100</b>

Source: Census and Social Survey, October 2018.

## E. Key Socioeconomic Indicators

39. The key socioeconomic indicators established based on the census and socioeconomic survey carried out amongst the affected household between February and March 2015 and updated in October 2018 are presented below. These indicators would form the baseline indicators, in addition to other indicators identified by RPWD, and would be compared with the midterm and post implementation evaluation carried out by the independent external evaluation agency.

<sup>8</sup> There are 9 scheduled caste affected household and of which 3 affected households are also BPL.

**Table 22: Key Socioeconomic Indicators**

<b>SNo</b>	<b>Indicator</b>	<b>Unit</b>	<b>Value/Figure</b>
<b>a)</b>	<b>Income (N = 148)</b>		
1	Monthly family income	Average	Rs. 10,000
2	Number of earners	Number	2.5
<b>b)</b>	<b>Impact (N =148)</b>		
3	Residence	%	1
4	Business / Shop	%	-
<b>c)</b>	<b>Social Characteristics (N=148)</b>		
5	Family size	Average	3.39
6	Women headed household	%	18.7

Source: Census and Social Survey, October 2018.

#### **F. Resettlement Preferences**

40. The subproject does not involve any physical displacement or economic displacement (losing shop/business). Only loss of agricultural land involving significant impact to 23-affected households losing 10 percent and above of their land holding and non-significant impact to a residence are envisaged in this subproject. Hence, the question of resettlement and rehabilitation option of either self-managed cash assistance or project supported housing/livelihood assistance, does not arise.



## IV. CONSULTATION, PARTICIPATION AND DISCLOSURE

### A. Consultation in the Project

41. 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 affected persons and other stakeholders, during the census and socioeconomic survey that was carried out as part of the feasibility report for the subproject. The opinions of the affected persons, stakeholders and their perceptions were obtained during these consultations. The consultations with the affected persons and other stakeholders will continue throughout the resettlement plan implementation period.

### B. Methods of Consultation

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

43. During the census and socioeconomic survey, meaningful<sup>9</sup> consultations were held with affected 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 23: Consultation Methods**

Stakeholders	Consultation Method
Affected Persons	Census and Socioeconomic Survey
Affected Persons	Focus Group Discussions
Local Communities	Focus Group Discussions
Local Elected Members	Individual interview, discussion
Concerned Officials from Government	Individual meeting/interview, discussion
Affected persons and General Public	Consultation Meetings

44. In addition to the web disclosure of the resettlement plan seeking views and suggestions of the general public, detailed consultations regarding the extent of involuntary resettlement impact and the mitigation measures proposed in the resettlement plan will be disclosed to the affected persons and general public through public meetings held along the subproject road during resettlement plan implementation.

45. During the census and socioeconomic survey, FGDs were conducted in villages along the subproject road in settlements and sections where impacts were recorded. All relevant

<sup>9</sup> Meaningful consultations is a process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.

aspects of subproject design, details of land required and impact to private property were discussed with the affected communities.

46. The number of participants and the photographs are provided as Appendix-2 to this report and the attendance sheets are available in the projects file with respective PIUs.

### C. Outcome of the Consultations

47. Consultations were carried all along the project road, to create awareness about the project among the people. Consultation locations were selected in such a way that it covers habitations to ensure maximum possible public participation.

48. The people were generally enthusiastic about the project and consider that it will bring social and economic development in the region. There is scarcity of employment opportunities and health facilities etc. within the villages and this is affecting the overall social and economic development. People consider that the development of road will improve connectivity for the local people apart from the facilitating smooth flow of traffic. Agriculture is the main economic activity in the project area. The farmers consider that the improved road will improve their accessibility with the nearby market places by reducing the travel time. They anticipate better income as the cost of travel would reduce. People wanted the payment of compensation and other rehabilitation assistances to be completed before the start of construction work. People were particularly concerned about the road safety issues and expressed the need of proper signage, speed breakers and pedestrian crossings to minimize the risk of accidents.

49. The community perceives that the project will help in improving road safety, promote more business, better service facilities, and better conveyance and promote local employment opportunities. They consider that it would lead to increase in land rates and facilitate smooth flow of traffic. Apprehensions raised by the community include more accidents, houses coming closer to the proposed alignment, more noise pollution, agricultural land loss and the resultant impact on the livelihood. 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 pointed out were largely related to loss of land and assets. The salient discussion points are summarized in the following table.

**Table 24: Summary of Consultation Outcome**

Location	Issues / Concerns	Response
Panchyat Bhawan, Jethana	<ul style="list-style-type: none"> <li>Fair compensation should be paid</li> </ul>	<ul style="list-style-type: none"> <li>Compensation will be paid as per RFCTLARR Act, 2013 and GoR rules for RFCTLARR Act</li> </ul>
UPS, Peesangan	<ul style="list-style-type: none"> <li>Apprehensive about the land acquisition and compensation processes.</li> </ul>	<ul style="list-style-type: none"> <li>Compensation will be paid as per RFCTLARR Act, 2013 and GoR rules for RFCTLARR Act</li> </ul>
Busstand/chowk Sethan	<ul style="list-style-type: none"> <li>Want fair compensation</li> </ul>	<ul style="list-style-type: none"> <li>Compensation will be paid as per RFCTLARR Act, 2013 and GoR rules for RFCTLARR Act</li> </ul>
Public Chowk, Sesra	<ul style="list-style-type: none"> <li>Road should not deviate from its current alignment</li> <li>Want fair compensation</li> </ul>	<ul style="list-style-type: none"> <li>As far as possible the existing alignment has been used and only in certain locations, curves are being improved for safety of the users</li> <li>Compensation will be paid as per RFCTLARR Act, 2013 and GoR rules for RFCTLARR Act</li> </ul>

Location	Issues / Concerns	Response
Public Chowk Akhepura	<ul style="list-style-type: none"> <li>• There should not be any damage to the houses/ structures</li> <li>• Want fair compensation</li> </ul>	<ul style="list-style-type: none"> <li>• Impacts will be minimised as far as possible and land and building will be acquired only if it is essential.</li> <li>• Compensation will be paid as per RFCTLARR Act, 2013 and GoR rules for RFCTLARR Act</li> </ul>

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

50. The extent and level of involvement of stakeholders at various stages of the project from design stage and through resettlement plan 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.

51. Further, successful implementation of the resettlement plan is directly related to the degree of involvement of those affected by the road-projects. Consultations with affected persons has been proposed during 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 affected persons 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 resettlement framework 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 resettlement plan, 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 and schedule caste to ensure that the vulnerable groups understand the process and their needs are specifically taken into consideration in the implementation.

#### **E. Disclosure**

52. The resettlement plan will be disclosed by the PMU and uploaded in the PWD website along with the gist of the resettlement plan translated in local language. The translated gist of the resettlement plan 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 resettlement plan in local language will be made available at the office of the PMU, PIUs and distributed to the affected persons.

53. Information will be disseminated to affected persons 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 resettlement plan implementation. This will be done through public consultation and made available to affected

persons as brochures, leaflets, or booklets, etc. in Hindi. The Hindi version of executive summary of the resettlement plan along with entitlement matrix and structure and process of GRC will also be disclosed.

54. 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) and Offices of the Panchayat / Municipality, as soon as the plans are available and certainly before initiating land acquisition process for the project. Electronic version of the resettlement plan 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 affected persons will be disclosed. Resettlement plans will be maintained in the website throughout the life of the project.

## V. POLICY AND LEGAL FRAMEWORK

### A. Background

55. Recognizing 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 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

56. 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

57. 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.

58. 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.

59. 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. Linear projects are exempted from this condition.

60. 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.

61. 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 amenities to be provided in a resettlement site is detailed in the Third Schedule.

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

62. 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**

63. 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**

64. 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**

65. 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 recognizes 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**

66. 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**

67. ADB's 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.

68. 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.

69. 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**

70. 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-3. 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, recognizes 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.

71. 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(1)] 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 recognize, 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 ADBSPS 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.

72. 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**

73. 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 socioeconomic 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>10</sup> to ensure that those people who 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**

74. Compensation for Land: 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>11</sup> of 1.25-1.75 times on the land value being higher of the guideline value or average of higher 50% of sale 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

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<sup>10</sup> ADBSPS 2009 (Safeguards Requirements 2) does not apply to negotiated settlements. The policy encourages acquisition of land and other assets through a negotiated settlement wherever possible, based on meaningful consultation with affected persons, including those without title to assets. A negotiated settlement will offer adequate and fair price for land and/or other assets. Also, an independent external party will be engaged to document the negotiation and settlement processes. In cases where the failure of negotiations would result in expropriation through eminent domain or the buyer could acquire the property regardless of its owner's decision to sell it or not, will trigger ADB's involuntary resettlement policy. The Safeguard Requirements 2 will apply in such cases, including preparing a resettlement plan.

<sup>11</sup> As per Rajasthan Land Acquisition Bill, 2014.

such land/property will have the right to seek acquisition of his entire contiguous holding/property.

75. Compensation for Structures: 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 PWDSSR 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.

76. Compensation for Trees: 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 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.

77. 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

78. 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

79. 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.

80. Cut-off Date: For title holders, the date of SIA notification [Sec 4(1)] 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 (September 2018) 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.

81. 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

82. 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 socioeconomic 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 in accordance with local customs.

83. 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>12</sup> and endorsed by Government of Rajasthan and further updated and revised in February 2018.

**Table 25: 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 <sup>13</sup> 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% on market value from date of SIA notification to award.</p> <p>The multiplier factor adopted by GoR for land in rural areas, based on the distance from urban area to the project area, will be applied.</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>

<sup>12</sup> GO No. F7 (143) SHA/PPP/2015/D-1262 of Public Works Department, Government of Rajasthan dated 17.11.2015.

<sup>13</sup> The calculation of full replacement cost will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any. Where market conditions are absent or in a formative stage, the borrower/client will consult with the displaced persons and host populations to obtain adequate information about recent land transactions, land value by types, land titles, land use, cropping patterns and crop production, availability of land in the project area and region, and other related information. The borrower/client will also collect baseline data on housing, house types, and construction materials. Qualified and experienced experts will undertake the valuation of acquired assets.

SNo	Impact Category	Entitlements		Implementation Guidelines
				In case of partly affected house, manufactory or other building, as per Section 94 (1), the whole structure shall be acquired, if the owner so desires.
<b>PART II. REHABILITATION AND RESETTLEMENT – Both Land Owners and Families Whose Livelihoods are Primarily Dependent on Land Acquired</b>				
3	Loss of Land	3.1	<p>Where jobs are created through the project, 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>or</p> <p>One-time payment of Rs.5,00,000/-for each affected household</p> <p>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	

SNo	Impact Category	Entitlements		Implementation Guidelines
			Allowance of Rs.50,000/-for affected household who have to relocate	
		3.6	Additional one-time assistance of Rs.50,000/- for scheduled caste and scheduled tribe families who are displaced from scheduled areas and who require to relocate due to the project	
4	Loss of Residence	4.1	<p>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.1,48,000/ in line with Gol IAY<sup>14</sup> standards in rural areas and Rs.1,50,000 in case of urban areas.</p> <p>The benefits listed above shall also be extended to any affected family which is without homestead land and which has been residing in the area continuously for a period of not less than three years preceding the date of notification of the affected area and which has been involuntarily displaces from such area.</p>	Stamp duty and registration charges will be borne by the project in case of new house or sites.
		4.2	Where jobs are created through the project, 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	

<sup>14</sup> With effect from April 01, 2016, the IAY scheme has been restructured as Pradhan Mantri Awaas Yojana - Gramin (PMAY-G) by Government of India.

SNo	Impact Category	Entitlements		Implementation Guidelines
			<p>force.</p> <p>or</p> <p>One-time payment of Rs.5,00,000/- for each affected household</p> <p>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	
		4.8	Additional one-time 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	Where jobs are created through the project, 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	

SNo	Impact Category	Entitlements		Implementation Guidelines
			<p>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>or</p> <p>One-time payment of Rs.5,00,000/- for each affected household</p> <p>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 one-time 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	
<p align="center"><b>PART III. IMPACT TO SQUATTERS AND ENCROACHERS – Those in the existing Right of Way where no Land Acquisition is done</b></p>				



SNo	Impact Category	Entitlements		Implementation Guidelines
6	Impact to Squatters	6.1	<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>
		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/-	<p>Only those directly affected squatters who do business there will be eligible for all assistance.</p> <p>Structure owners in ROW / Government 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>
		6.2	<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/-	<p>The PIU and the implementation support NGO/agency will consult such DPs and assess the requirement of subsistence allowance and rehabilitation grant</p>
		6.2.5	Shifting assistance of Rs.10,000/-	
		6.3	<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			

SNo	Impact Category	Entitlements		Implementation Guidelines
			same place is not possible, then one-time rehabilitation grant of Rs.18 000/-	
		6.4 6.4.1	<b>Cultivation</b> 2-month notice to harvest standing crops or market value of compensation for standing crops	
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 HOUSEHOLDS</b>				
8	Vulnerable Households	8.1	One-time assistance of Rs. 25,000/- to DHs who have to relocate	One adult member of the affected household, whose livelihood is affected, will be entitled for skill development.
		8.2	Training for skill development. This assistance includes cost of training and financial assistance for travel, conveyance and food.	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 programs suitable to the DPs skill and the region.
		8.3	Provision of access to basic utilities and public services	Suitable trainers or local resources will be identified by PIU and NGO in consultation with local training institutes.
<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 PIU will ensure compliance
10	Use of Private Land	10.1	The contractor should obtain prior written consent	

SNo	Impact Category	Entitlements		Implementation Guidelines
			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	
<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. UNFORESEEN IMPACTS</b>				
Unforeseen impacts encountered during implementation will be addressed in accordance with the principles of RFCTLLAR 2013 / Safeguards Policy Guidelines of Multilateral Institutions.				

84. 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**

85. The PIU will provide compensation at replacement cost for affected land and structure in accordance with the RFCTLARR Act, 2013 to the title holders. Census survey indicates that there is no displacement under the subproject road. Therefore, relocation will not take place on the project road..

## VIII. INCOME RESTORATION AND REHABILITATION

### A. Loss of Livelihood in this Subproject

86. The subproject causes no significant impact to 23 agricultural landowners who would be losing 10 percent and more of their productive land. This subproject does not cause any impact to shops / commercial establishments.

### B. Entitlements for Loss of Livelihood

87. The affected persons losing livelihood will be assisted to improve or at least restore their income levels to pre-project level. The subproject entitlements for loss of livelihood include the following entitlements in accordance with the entitlement matrix of RSHIP.

#### i) Loss of livelihood to title owner losing agricultural land

- a. cash compensation at replacement cost for affected land as per RFCTLARR Act provisions and structures, at scheduled rates without depreciation along with 100 percent solatium on market value of land and structure;
- b. onetime 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. subsistence allowance of Rs.36,000/- for affected households who require to relocate due to the project;
- e. shifting assistance of Rs.50,000/- to the landowner, who is required to relocate, and
- f. one-time resettlement allowance of Rs.50,000/- for affected household who have to relocate.

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

### C. Income Restoration Measures

89. The entitlement proposed under this programme (RSHIP) has adequate provisions for restoration of livelihood of the affected persons. Wherever feasible and if the affected person so desires, income restoration schemes will be identified and implemented by the PIU with the assistance of the implementing NGO. Towards this the affected person will be guided and assisted by the PIU with the support of the NGO, in effectively using the compensation and rehabilitation and resettlement assistances towards establishing an income generating activity or utilizing the finances for buying land or taking land on lease. The compensation for land and assets and the rehabilitation and resettlement 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 affected persons during the construction phase by facilitating their engagement by the civil works contractor. It may be noted that during the census and socioeconomic survey all the affected persons had indicated their preference to work in the construction. The PD, PIU should ensure that local people and in particular the willing affected

persons 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 affected persons for income restoration and skill up-gradation as necessary.

## IX. RESETTLEMENT BUDGET AND FINANCING PLAN

### A. Introduction

90. The resettlement cost estimate for the project road Nasirabad-Mangaliyawas to Padukalan section of SH-04 proposed under Package-2 include compensation for private land determined in accordance with RFCTLARR Act and by adopting the multiplying factor adopted in accordance with The Rajasthan Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2016.

91. The compensation for structures is 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 entitlement matrix of the resettlement framework of RSHIP and cost of RP implementation. The total resettlement cost for the subproject is Rs.115.06 million. The major heads of budget items are listed below.

### B. Compensation

92. 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 State 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.

93. Structure: The compensation for structures have been arrived at based on PWD Schedule of Rates (SoR), 2018 for building works, material and labour. For budgetary purpose, the replacement cost for structure without depreciation has been taken as Rs.16,200 for permanent structure, Rs.11,028 for semi permanent structure and Rs. 4,104 for temporary structure, and the cost includes 100% solatium. 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.

94. **Compensation for Trees**: 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 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.

### C. Assistances

95. All other unit rates as per the minimum provisions contained in RFCTLARR Act and as per the approved entitlement matrix. For budgeting purpose, the onetime grant of Rs.5,00,000 has been provided for all titleholders from whom land is being acquired as one-time grant is easier for PWD to manage than the annuity policy.

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

96. 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**

97. The cost of hiring NGO for assisting PIU in resettlement plan implementation has been provided with a budget of Rs.50,00,000, for intermittent inputs and the resettlement plan implementation is expected to be completed in 18 months including disbursement of compensation for land acquired under RFCTLARR Act. 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 resettlement plan implementation, has also been budgeted. A budget allocation of about \$150,000 for external monitoring of Tranche 2 is included as total project cost

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

98. Government will provide adequate budget for all land acquisition compensation, rehabilitation and resettlement assistances and resettlement plan 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 executing agency 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 resettlement plan. 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**

99. The budget for this sub-project is based on data and informed collected during census and socioeconomic surveys conducted in October 2018. The unit rates for structure have been worked out from the SoR. The total budget for Nasirabad- Mangaliyawas to Padukalan SH- 04 is estimated at Rs.115.06 million.

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

100. In order to ensure that: (i) the affected person 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 affected persons 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.



101. The NGO and PIU, while collecting bank particulars from the affected persons, 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 affected person as part of the micro plan will be submitted to the jurisdictional Additional Collector for disbursement.

**Table 26: Budget Estimate**

Item	Input Unit	Rate	Quantity	Amount
<b>Compensation</b>				
Land Cost (Multiplying Factor 1.75 and Solatium 100% -titleholders)	Sq.m	608	42,650	25,931,200
Permanent Structures (with Solatium 100% -titleholders)	Sq.m	16,200	20.0	324,000
<b>R&amp;R Assistance</b>				
One-time grant for land owners	One-time	500,000	144	72,000,000
Training for Vulnerable household	One-time	5,000	34	170,000
<b>Community Assets</b>				
Places of worship	Unit	300,000	2	600,000
Water tank, tap, etc.	Unit	125,000	1	125,000
<b>Administrative Cost<sup>15</sup></b>				
NGO Recruitment	LS	5,000,000		5,000,000
Administrative Expenses (PIU)	LS	200,000		200,000
Disclosure Expenses	LS	50,000		50,000
Training for PIU and PMU Staff	LS	200,000		200,000
<b>Sub total</b>				<b>104,600,200</b>
10 % Contingency				10,460,020
<b>Total</b>				<b>115,060,220</b>
<b>Total in INR Million</b>				<b>115.06</b>

<sup>15</sup> A budget allocation of about \$150,000 for external monitoring of Tranche 2 is included as total project cost.

## X. GRIEVANCE REDRESSAL MECHANISM

### A. Grievance Redressal Committee

102. Grievance Redressal Committee (GRC) will be established at two-levels, one at the Project Implementation Unit (PIU) level and second at PMU level. The GRC will receive, evaluate and facilitate the resolution of affected person concerns, complaints and grievances. 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. 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 DPs concerns without allowing it to escalate resulting in delays in project implementation.

103. 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.

104. The subproject resettlement plans provide for entitlements for the various types of losses corresponding to the tenure and an institutional mechanism to disburse compensation and rehabilitation and resettlement 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 the subproject resettlement plan in a transparent and timely manner. The decision of the GRCs will be final unless vacated by the LARR Authority.

105. The GRC will continue to function, for the benefit of the affected persons, 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 resettlement plan 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, resettlement and rehabilitation entitlements, relocation and payment of assistances.

106. **First Level GRC:** First level GRC will be a single contact point with the jurisdictional PD, PIU responsible for receiving, hearing and resolving the grievances. The Executive Engineer or Assistant Engineer of the concerned PIU will act as the member secretary

107. **Second Level GRC:** Second level GRC will be a three-member committee, chaired by Additional CE, PMU, Superintending Engineer (ADB), PMU acting as its member secretary and a local person of repute and standing in the society, selected by the Secretary PWD.

### B. Functions of GRC

108. Field Level Complaint Handling System: The PD, PIU will hear grievances at least once in a month in the respective office of the jurisdictional PD, PIU. Petitions received from DPs of any concerns or complaints or grievances will be taken up by the PD, PIU. The PD will maintain

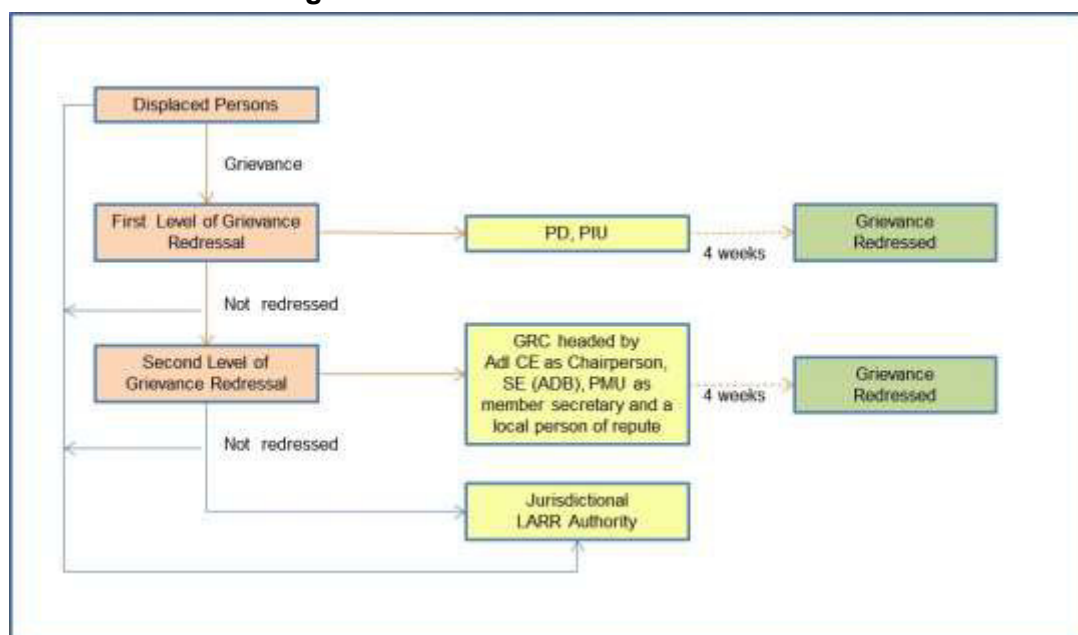
a register of all petitions received with details of date of receipt of the petition, date of hearing, if any, along with nature of complaint/concern, action taken and date of communication sent to petitioner. Communication, in writing will be sent to the aggrieved person about the date, time and venue of the hearing 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 to ensure that the petitioner is informed about the date of hearing.

109. Headquarter Level (PMU) Complaint Handling System: Decision of the PD, PIU will be final unless an appeal is preferred to the 2<sup>nd</sup> level GRC at PMU. The complaint/concern will be redressed in four-week time and written communication will be sent to the complainant about the decision taken.

110. In addition to the subproject level grievance redressal mechanism, affected persons can submit their grievances through the State government grievance redressal mechanism namely *Rajasthan Sampark*<sup>16</sup> and further, all stakeholders will have access to ADB's Accountability Mechanism<sup>17</sup>.

111. Documentation of Grievances: The resettlement plan implementation support NGO will assist affected persons in registering their grievances and being heard. The complaint / grievance will be redressed in four-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 jurisdictional LARR Authority. The complainant can access the appropriate LARR Authority at any time and not necessarily go through the GRC.

**Figure 1: Grievance Redressal Process**



<sup>16</sup> <http://sampark.rajasthan.gov.in/index.aspx>.

<sup>17</sup> <https://www.adb.org/contact?target=Hmzj1lzfKqMSRDKA0C6/kg==&name=Complaint%20Receiving%20Officer&referrer=node/81970>

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

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

112. 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**

113. The PPP Division, PWD, Government of will be the Project Management Unit (PMU) and will be overall in charge of coordination between the Project Implementation Units (PIU) and for social safeguards compliance.

114. Social development and resettlement specialist (SDRS) at PPP Division, PWD at PMU level will be responsible for assisting PWD, Government of Rajasthan (RPWD), their project implementing units and the resettlement plan implementation support agencies in social safeguards compliance and ensure that road subprojects under RSHIP are in compliance with the resettlement framework and also be proactive in identifying likely safeguard issues that could be relevant in the context of its portfolio of projects.

115. The SDRS at the PMU will have the following responsibilities:

- (i) will assess the capacity of the PIU in identifying and managing social safeguard issues and facilitate capacity building of PIU officers and resettlement plan implementation support NGO;
- (ii) will review and update resettlement framework as and when there are changes in the applicable law;
- (iii) will review whether the PIUs have taken efforts to avoid or minimize involuntary resettlement impacts during the subproject design stage and during implementation stage;
- (iv) will 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) will facilitate coordination between various government departments in land acquisition and implementation of the resettlement plan;
- (vi) will carry out periodic review of the progress on resettlement plan implementation and ensure that the progress reports are submitted in a timely manner;
- (vii) will verify whether the PIUs are handing over the land free from encumbrance as stipulated in the contract document;
- (viii) will consolidate the progress reports received from the respective PIUs and submit the semi-annual monitoring reports to ADB for disclosure on the ADB website, and any other information as required by ADB in a timely manner; and
- (ix) will 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**

116. The PIU will be responsible for screening subprojects, categorization based on involuntary resettlement impacts, conducting the social assessment, preparation and implementation of resettlement plans.

117. 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 Resettlement plan implementation. The following will be the responsibility of the PD, PIU:

- (i) review involuntary resettlement 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 resettlement plan 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 a resettlement plan implementation support NGO to assist the field units in resettlement plan implementation;
- (v) review and approve micro plans, containing the list of affected persons 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 affected persons;
- (viii) undertake internal monitoring of the progress made in resettlement plan implementation and take necessary corrective actions, if required; and
- (ix) review and consolidate the land acquisition and resettlement plan implementation progress reports submitted by the jurisdictional Additional Collector, resettlement plan implementation support NGO, and submit monthly progress report to PMU.

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

118. 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 resettlement plans 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.

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

120. 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 socioeconomic 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 affected persons in coordinating with the PIU and informing the displaced persons of the compensation disbursement process and timeline; (iv) assist affected persons 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 affected persons 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 affected persons, inform the PIU about the shifting dates agreed with affected persons in writing and the arrangements they desire with respect to their entitlements; (vii) organize training programs for income restoration; (viii) conduct meaningful consultations throughout the resettlement plan implementation and ensure disclosure of the gist of resettlement plans in an accessible manner to the displaced persons; (ix) assist affected persons in grievance redressal process; (x) assist PIU in keeping detailed records of progress and monitoring and reporting system of resettlement plan implementation; and (xi) act as the information resource centre 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 an NGO/agency for resettlement plan implementation support is given in Appendix-4.

#### **E. Project Implementation Consultant**

121. The project implementation consultant (PIC) will assist PMU to monitor the implementation of safeguards in accordance with ADB's Safeguard Policy Statement (2009). PIC will have a social safeguard specialist who will be responsible to ensure that implementation of Resettlement Plans (RPs) is in accordance with ADB's Safeguard Policy Statement (SPS) (2009) and other related policies such as the Public Communications Policy (2011). Specifically, the specialist will ensure that PMU hands over sites to the concessionaire/Contractor only after affected persons have received compensation. The specialist will prepare the due-diligence reports on resettlement implementation as needed for processing of subsequent tranches under the MFF. The specialist will provide monthly and quarterly reports to Rajasthan PWD on resettlement implementation and provide updates on the schedule and financial aspects of resettlement to the team. He or she will monitor and provide guidance to the work of the NGOs for resettlement implementation that have been engaged by PWD, monitor resettlement implementation at the project sites, and provide training, if required, to the PIU and other local PWD staff.

#### **F. External Monitor**

122. The ADB Safeguard Policy Statement requires an external expert or monitor to be retained when a project involves significant impacts. The external expert will not be involved in day-to-day project implementation or supervision. The external expert will verify Rajasthan PWD's monitoring information and provide advice on safeguard compliance issues. If any critical involuntary resettlement issues are identified, the external monitor will prepare a corrective action plan. The external expert will prepare and submit semi-annual reports to Rajasthan PWD and ADB. The detailed terms of reference of the external expert is in Appendix-5.

#### **G. Rehabilitation and Resettlement Award**

123. In accordance with the provisions of the RFCTLARR Act [Sec31 (1)], the competent authority will pass a rehabilitation and resettlement award. All the affected titleholders who are eligible for rehabilitation and resettlement 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 rehabilitation and resettlement assistance and a separate rehabilitation and resettlement award enquiry will be conducted for the non-titleholders.

124. Micro plan: 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 affected persons, vulnerability status and the entitlements as per the provisions of the entitlement matrix in the resettlement framework. The draft micro plan will be disclosed in the jurisdictional village panchayat where the affected persons are living/having business, and 1-week after the disclosure, the rehabilitation and resettlement award enquiry will be held by the jurisdictional Additional Collector.

125. Based on the rehabilitation and resettlement 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.

126. Rehabilitation and Resettlement Award: The Additional Collector will hold rehabilitation and resettlement award enquiry in the project area and will send prior intimation to all concerned affected persons through the jurisdictional *Patwaris* and the NGO.

127. During the rehabilitation and resettlement award enquiry, each affected person will be informed about the type of loss and tenure as recorded during census and socioeconomic survey and verified subsequently, and the entitlements due to the affected persons as per the provisions contained in the entitlement matrix of the resettlement framework. All the affected persons will be given an opportunity to be heard and concerns if any, will be addressed. The rehabilitation and resettlement proceedings will be recorded and copy of the rehabilitation and resettlement award will be issued to the affected persons then and there.

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

128. 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 affected persons baseline socioeconomic 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 thorough 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.

## **I. Capacity Building of PIU**

129. The staff of PIU, NGO and the staff of PMU, who are involved in land acquisition and rehabilitation and resettlement 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

130. Implementation of resettlement plan 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 affected persons, 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 resettlement plan implementation period but will happen intermittently.

### B. Schedule for Project Implementation

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

132. Project Preparatory Phase: The activities to be performed in this phase include: (i) designating or appointing an officer/staff as social development and resettlement specialists (SDRS) in PMU to be in charge of safeguards; (ii) submission of resettlement plan 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.

133. Resettlement Plan 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) rehabilitation and resettlement 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 affected persons to resettlement site; and (x) issuing site clearance certificate to enable commencement of civil works.

134. Monitoring and Reporting Phase: Internal monitoring will commence as soon as resettlement plan implementation begins and continue till end of resettlement plan implementation. External monitoring will also commence from the beginning of resettlement plan implementation.

### C. RP Implementation Schedule

135. 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.

- (i) Updating of resettlement plan based on design changes, if any;
- (ii) Approval of updated resettlement plan and disclosure;
- (iii) Appointment of NGOs and external monitoring consultants;
- (iv) Constitution and notification of GRCs;
- (v) SIA notification;
- (vi) Verification of affected persons and notification of affected persons list;
- (vii) MIS in operational for tracking land acquisition and rehabilitation and resettlement Implementation progress;

- (viii) Structure valuation;
- (ix) Disclosure of micro plan (list of eligible affected persons and their entitlements);
- (x) Issue of Identity cards;
- (xi) Rehabilitation and resettlement award including assistance for non-title holders;
- (xii) Relocation of CPRs;
- (xiii) Payment of rehabilitation and resettlement assistance;
- (xiv) Land acquisition award;
- (xv) Certification of payment of rehabilitation and resettlement assistance for first milestone;
- (xvi) Certification of payment of land acquisition and rehabilitation and resettlement assistance for second milestone impact evaluation;
- (xvii) Coordination with civil works.

136. 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 affected persons 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 All compensation and assistance will be paid to DPs at least 1 month prior to displacement or dispossession of assets. Further, wherever provision of housing is involved, sections involving affected persons requiring housing in a particular road-stretch will be taken up in the second milestone of the civil works schedule.

137. 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 rehabilitation and resettlement assistance with encumbrance free certification will be available prior to award of contract.

138. 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 involuntary resettlement impacts 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. Wherever the contractor uses private land for storage of material or movement of vehicles and machinery or diversion of traffic during civil works, in addition to complying with the requirements of entitlement matrix of prior written consent and rental for the period of usage, the contractor will restore the land to its original condition and the same will be ensured by the PIU.



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

#### **A. Introduction**

139. The objective of monitoring is to provide the Project Implementation Unit (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 affected persons to express their needs and reactions to the programme.

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

140. The PIU will carry out concurrent monitoring of resettlement plan 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: (i) the communication and reactions of affected persons; use of grievance procedures; (ii) information dissemination to affected persons on benefits; and (iii) 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 affected persons, 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 SDRS, PMU and comments if any, will be communicated to PIU for immediate action.

141. PMU will prepare and submit semi-annual monitoring reports to ADB for disclosure on the ADB website. In view of 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**

142. 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 mid-term corrective action; (v) consultation with affected persons, 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 tasks of external monitoring is the feedback of the affected persons who receive compensation and assistance and also alerts on the risks, non-compliances and early warnings in the implementing.

143. The indicative monitoring indicators for physical monitoring will be: land acquired (ha) - private; land transferred (ha) - government; issue of ID cards; number of affected persons received full rehabilitation and resettlement assistance (titleholders); number of affected persons received full rehabilitation and resettlement assistance (non-titleholders); number of families provided alternative resettlement house; number of vulnerable people received additional support; number of women affected persons who have received compensation and rehabilitation and resettlement assistances; number of CPRs relocated; and number of grievances 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 rehabilitation and resettlement assistances; and amount spent on common property resources.

144. The indicators should be revisited prior to resettlement plan 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-5

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

### Appendix 1: Summary of Affected Households

ID Number	Village Name	Tenure	Use	Name of the Owner / Occupier	Father's/Husband Name	Percentage Loss	Type of Structure
L0050014	Jethana	Private	Cultivation	Mr. Amarchand	Mr. Surajmal	14.60	Not applicable
L0680194	Sethan	Private	Cultivation	Mr. Anada Singh	Mr. Lala Rawat	7.82	Not applicable
L0730199	Sethan	Private	Cultivation				
R1330211	Akhyapura	Private	Cultivation				
R1400222	Akhyapura	Private	Cultivation				
R1450227	Akhyapura	Private	Cultivation				
R1480230	Akhyapura	Private	Cultivation				
L0530166	Sethan	Private	Cultivation	Mr. Babu Lal	Mr. Mangi Lal	1.20	Not applicable
L0140023	Pisangan	Private	Cultivation	Mr. Bhanwar Lal	Mr. Heera Lal	2.49	Not applicable
R0140033	Pisangan	Private	Cultivation				
R0240043	Pisangan	Private	Cultivation				
L0240053	Pisangan	Private	Cultivation				
R0720118	Pisangan	Private	Cultivation	Mr. Bhanwar Lal	Mr. Rama Kumawat	0.97	Not applicable
R0730119	Pisangan	Private	Cultivation	Mr. Bhanwar Lal	Mr. Mangi Lal	13.91	Not applicable
L0840232	Sensada	Private	Cultivation				
L0380109	Pisangan	Private	Cultivation	Mr. Bikam Chand	Mr. Late Kishan Lal	0.47	Not applicable
R0420075	Pisangan	Private	Cultivation	Mr. Biraham Dev Kumawat	Mr. Late Ladu ram	5.22	Not applicable
R0530086	Pisangan	Private	Cultivation	Mr. Biram Kumawat	Mr. Hajari Kumawat	0.41	Not applicable
L0340103	Pisangan	Private	Cultivation				
L0360105	Pisangan	Private	House	Mr. Chitar Kumawat	Mr. Hajari Kumawat	8.0	Permanent
L0370106	Pisangan	Private	Cultivation	Mr. Chitar Kumawat	Mr. Hajari Kumawat		Not applicable
L0190028	Pisangan	Private	Cultivation	Mr. Chqagan Lal	Mr. Kharvi Lal	2.49	Not applicable
R0190038	Pisangan	Private	Cultivation				
R0290048	Pisangan	Private	Cultivation				
L0290058	Pisangan	Private	Cultivation				
L0450116	Pisangan	Private	Cultivation	Mr. Dangal Chand	Mr. Late Mohan Lal	0.39	Not applicable
R0080010	Jethana	Private	Cultivation	Mr. Dariyaprasad	Mr. late Ganga Bishan	7.76	Not applicable
L0560169	Sethan	Private	Cultivation	Mr. Devendra Singh	Mr. Bharo Singh	1.62	Not applicable
L0610174	Sethan	Private	Cultivation				
R1140175	Sethan	Private	Cultivation				
L0640180	Sethan	Private	Cultivation				
R1320210	Akhyapura	Private	Cultivation	Mr. Dhalla Singh	Mr. Lal Singh	7.82	Not applicable
R1410223	Akhyapura	Private	Cultivation				

ID Number	Village Name	Tenure	Use	Name of the Owner / Occupier	Father's/Husband Name	Percentage Loss	Type of Structure
R1440226	Akhyapura	Private	Cultivation				
R1470229	Akhyapura	Private	Cultivation				
L0710197	Sethan	Private	Cultivation				
L0740200	Sethan	Private	Cultivation				
L0430114	Pisangan	Private	Cultivation	Mr. Dharmi Chand	Mr. Jetha Ram	2.78	Not applicable
R1780262	Sethan	Private	Cultivation	Mr. Dilip Singh	Mr. Sayar Singh	8.07	Not applicable
L0030012	Jethana	Private	Cultivation	Mr. Ganpat	Mr. Chandra Ram	14.60	Not applicable
R1580242	Sensada	Private	Cultivation	Mr. Ghewar Ram	Mr. Paboo Ram	0.35	Not applicable
R1720256	Sensada	Private	Cultivation				
L0390110	Pisangan	Private	Cultivation	Mr. Gokul Chand	Mr. Late Kishan Lal	0.53	Not applicable
R0320061	Pisangan	Private	Cultivation	Mr. Gopal	Mr. Bhanwroo	1.45	Not applicable
L0070016	Jethana	Private	Cultivation	Mr. Govind	Mr. Late Chandra Ram	14.60	Not applicable
R0300059	Pisangan	Private	Cultivation	Mr. Hansraj Kumawat	Mr. Late Sohan Lal	13.70	Not applicable
L0490124	Pisangan	Private	Cultivation	Mr. Hardev Kumawat	Mr. Khuma Ram	1.83	Not applicable
R0020004	Jethana	Private	Cultivation	Mr. Iadan Kumhar	Mr. Navratanmal Kumhar	0.25	Not applicable
R0700107	Pisangan	Private	Cultivation	Mr. Jagdish Prasad	Mr. Ramniwas	0.45	Not applicable
R0710108	Pisangan	Private	Cultivation				
L0400111	Pisangan	Private	Cultivation	Mr. Jagdish Prasad	Mr. Jetha Ram	2.78	Not applicable
R1270204	Sethan	Private	Cultivation	Mr. Jeevan Singh	Mr. Chattar Singh	0.85	Not applicable
R1280205	Sethan	Private	Cultivation				
R1290206	Sethan	Private	Cultivation				
R0640097	Pisangan	Private	Cultivation	Mr. Jetha Ram	Mr. Late Nemichand	0.24	Not applicable
L0420113	Pisangan	Private	Cultivation	Mr. Kailash Chand	Mr. Jetha Ram	2.78	Not applicable
L0310072	Pisangan	Private	Cultivation	Mr. Kalu Ram	Mr. Late Jetha Ram	1.30	Not applicable
L0330074	Pisangan	Private	Cultivation				
R1550239	Sensada	Private	Cultivation	Mr. Kalu Ram	Mr. Shankar Ram	0.35	Not applicable
R1690253	Sensada	Private	Cultivation				
R0800132	Sethan	Private	Cultivation	Mr. Kalu Singh	Mr. Sohan Singh	4.38	Not applicable
R1700254	Sensada	Private	Cultivation	Mr. Kana Ram	Mr. Paboo Ram	0.35	Not applicable
R1560240	Sensada	Private	Cultivation				
L0810219	Akhyapura	Private	Cultivation	Mr. Kishan Singh	Mr. Dhao	0.69	Not applicable
L0820220	Akhyapura	Private	Cultivation				

ID Number	Village Name	Tenure	Use	Name of the Owner / Occupier	Father's/Husband Name	Percentage Loss	Type of Structure
R1180182	Sethan	Private	Cultivation	Mr. Kishore Kumar	Mr. Lal Chand Sadnani	0.18	Not applicable
L0580171	Sethan	Private	Cultivation	Mr. Lal Singh	Mr. Bharo Singh	1.62	Not applicable
L0590172	Sethan	Private	Cultivation				
R1150176	Sethan	Private	Cultivation				
L0620178	Sethan	Private	Cultivation				
L0570170	Sethan	Private	Cultivation	Mr. Lokendra Singh	Mr. Bharo Singh	1.62	Not applicable
L0600173	Sethan	Private	Cultivation				
R1160177	Sethan	Private	Cultivation				
L0630179	Sethan	Private	Cultivation				
L0460117	Pisangan	Private	Cultivation	Mr. Madan lal	Mr. Budhraj	1.74	Not applicable
R1080160	Sethan	Private	Cultivation	Mr. Mahadev	Mr. Nemi Chand	9.23	Not applicable
R1130165	Sethan	Private	Cultivation				
R0460079	Pisangan	Private	Cultivation	Mr. Mahendra	Mr. Bhanwar Lal	5.22	Not applicable
R0570090	Pisangan	Private	Cultivation				
R1310209	Akhyapura	Private	Cultivation	Mr. Mala Singh	Mr. Lal Singh	7.82	Not applicable
R1420224	Akhyapura	Private	Cultivation				
R1430225	Akhyapura	Private	Cultivation				
R1460228	Akhyapura	Private	Cultivation				
L0700196	Sethan	Private	Cultivation				
L0750201	Sethan	Private	Cultivation				
R1540238	Sensada	Private	Cultivation	Mr. Mangi Lal	Mr. Shankar Ram	0.35	Not applicable
R1680252	Sensada	Private	Cultivation				
R0940146	Sethan	Private	Cultivation	Mr. Mohan Lal	Mr. It. Mota Singh	54.99	Not applicable
R1060158	Sethan	Private	Cultivation				
R0330062	Pisangan	Private	Cultivation	Mr. Mool Chand	Mr. Ramlal	1.45	Not applicable
R1590243	Sensada	Private	Cultivation	Mr. Moti Ram	Mr. Arjun Ram	0.35	Not applicable
R1730257	Sensada	Private	Cultivation				
R1340212	Akhyapura	Private	Cultivation	Mr. Moti Singh	Mr. Lt. Ghisa Singh	1.44	Not applicable
R1350213	Akhyapura	Private	Cultivation				
R1360214	Akhyapura	Private	Cultivation				
R1370215	Akhyapura	Private	Cultivation				
R1380216	Akhyapura	Private	Cultivation				
L0780207	Sethan	Private	Cultivation	Mr. Mukesh Singh	Mr. Mangal Singh	1.58	Not applicable
L0150024	Pisangan	Private	Cultivation	Mr. Naina Ram	Mr. Late Khaki Kumar	2.49	Not applicable
R0150034	Pisangan	Private	Cultivation				



ID Number	Village Name	Tenure	Use	Name of the Owner / Occupier	Father's/Husband Name	Percentage Loss	Type of Structure
R0250044	Pisangan	Private	Cultivation				
L0250054	Pisangan	Private	Cultivation				
R0780130	Sethan	Private	Cultivation	Mr. Nand Singh	Mr. Sahyar Singh	4.30	Not applicable
R0830135	Sethan	Private	Cultivation				
R0870139	Sethan	Private	Cultivation	Mr. Nathu Lal	Mr. Sohan Lal	54.99	Not applicable
R0970149	Sethan	Private	Cultivation				
R1530237	Sensada	Private	Cultivation	Mr. Nathu Ram	Mr. Lt. Paboo Ram	0.35	Not applicable
R1670251	Sensada	Private	Cultivation				
R0060008	Jethana	Private	Cultivation	Mr. Om Prakash	Mr. Shyam Lal	7.76	Not applicable
R0380067	Pisangan	Private	Cultivation	Mr. Om Prakash	Mr. Ramlal	1.45	Not applicable
R0430076	Pisangan	Private	Cultivation	Mr. Panchoo Ram	Mr. Late Ladu ram	5.22	Not applicable
R0540087	Pisangan	Private	Cultivation				
R0070009	Jethana	Private	Cultivation	Mr. Panna Lal	Mr. late Ganga Bishan	7.76	Not applicable
L0350104	Pisangan	Private	Cultivation	Mr. Pokhar Kumawat	Mr. Hajari Kumawat	0.46	Not applicable
R0770129	Sethan	Private	Cultivation	Mr. Prahalad Singh	Mr. Sahyar Singh	4.38	Not applicable
R0790131	Sethan	Private	Cultivation				
R1300208	Akhyapura	Private	Cultivation	Mr. Prem Singh	Mr Lt. Arjun Singh	0.79	Not applicable
L0670193	Sethan	Private	Cultivation	Mr. Prema Ram	Mr. Jetha Ram	4.95	Not applicable
L0720198	Sethan	Private	Cultivation				
R1230189	Sethan	Private	Cultivation	Mr. Prema Singh	Mr. Lt. Arjun Singh	7.03	Not applicable
L0160025	Pisangan	Private	Cultivation	Mr. Pukhraj	Mr. Late Heera lal	2.49	Not applicable
R0160035	Pisangan	Private	Cultivation				
R0260045	Pisangan	Private	Cultivation				
L0260055	Pisangan	Private	Cultivation				
L0410112	Pisangan	Private	Cultivation	Mr. Pushkar	Mr. Jetha Ram	2.78	Not applicable
L0100019	Pisangan	Private	Cultivation	Mr. Raju	Mr. Late Heera lal	2.49	Not applicable
R0100029	Pisangan	Private	Cultivation				
R0200039	Pisangan	Private	Cultivation				
L0200049	Pisangan	Private	Cultivation				
L0090018	Jethana	Private	Cultivation	Mr. Ram Chandra	Mr.Chagna	7.66	Not applicable
L0550168	Sethan	Private	Cultivation	Mr. Ram Lal	Mr. Harji Ram	1.20	Not applicable
R0090011	Jethana	Private	Cultivation	Mr. Ramesh Chand Achrya	Mr. late Ganga Bishan	7.76	Not applicable
R0670100	Pisangan	Private	Cultivation	Mr. Rameshchand	Mr. Late Bhavana Kumawat	2.15	Not applicable

ID Number	Village Name	Tenure	Use	Name of the Owner / Occupier	Father's/Husband Name	Percentage Loss	Type of Structure
R1490233	Sensada	Private	Cultivation	Mr. Ramji Ram	Mr. Hardeen Ram	0.35	Not applicable
R1630247	Sensada	Private	Cultivation				
R0450078	Pisangan	Private	Cultivation	Mr. Ramlal	Mr. Bhanwar Lal	5.22	Not applicable
R0560089	Pisangan	Private	Cultivation				
L0500125	Pisangan	Private	Cultivation	Mr. Ram Gopal Kumawat	Mr. Bhanwar Lal Kumawat	1.83	Not applicable
L0120021	Pisangan	Private	Cultivation	Mr. Ratan Lal	Mr. Late Khaki Kumar	2.49	Not applicable
R0120031	Pisangan	Private	Cultivation				
R0220041	Pisangan	Private	Cultivation				
L0220051	Pisangan	Private	Cultivation				
L0510126	Pisangan	Private	Cultivation	Mr. Ratan Lal Kumawat	Mr. Khuma Ram	1.83	Not applicable
R0810133	Sethan	Private	Cultivation	Mr. Rodu Singh	Mr. Chandra Singh	4.30	Not applicable
R0820134	Sethan	Private	Cultivation				
L0790217	Akhyapura	Private	Cultivation	Mr. Roopa Singh	Mr. Lt. Kana Singh Rawat	3.80	Not applicable
R0680101	Pisangan	Private	Cultivation	Mr. Sampat Raj	Mr. Late Bhavana Kumawat	2.15	Not applicable
L0010002	Jethana	Private	Cultivation	Mr. Shakti Singh (HM)	Mr. Hanuman Singh	0.21	Not applicable
L0020003	Jethana	Private	Cultivation				
L0540167	Sethan	Private	Cultivation	Mr. Shree Kishan	Mr. Mangi Lal	1.20	Not applicable
R0740120	Pisangan	Private	Cultivation	Mr. Sohan Lal Kumawat	Mr. Chandana Kumawat	1.00	Not applicable
R0750121	Pisangan	Private	Cultivation				
R1570241	Sensada	Private	Cultivation	Mr. Sohani Devi	Late shri. Bhanwra Ram	0.35	Not applicable
R1710255	Sensada	Private	Cultivation				
L0480123	Pisangan	Private	Cultivation	Mr. Sukhdev Kumawat	Mr. Late Bhanwar Lal Kumawat	1.83	Not applicable
R1500234	Sensada	Private	Cultivation	Mr. Sura Ram	Mr. Gokul Ram	0.35	Not applicable
R1640248	Sensada	Private	Cultivation				
R0890141	Sethan	Private	Cultivation	Mr. Suraj Mal	Mr. It. Mota Singh	54.99	Not applicable
R1050157	Sethan	Private	Cultivation				
R0760128	Sethan	Private	Cultivation	Mr. Suraj Prakash Choudhary	Mr. Kishan Choudhary	16.20	Not applicable
R0040006	Jethana	Private	Cultivation	Mr. Suresh Chand	Mr. late Ganga Bishan	7.76	Not applicable
L0470122	Pisangan	Private	Cultivation	Mr. Tarachand Kumawat	Mr. Hardev Kumawat	1.83	Not applicable

ID Number	Village Name	Tenure	Use	Name of the Owner / Occupier	Father's/Husband Name	Percentage Loss	Type of Structure
R1090161	Sethan	Private	Cultivation	Mr. Tikam Chand	Mr. Nemi Chand	9.23	Not applicable
R1110163	Sethan	Private	Cultivation				
R1600244	Sensada	Private	Cultivation	Mr. Toda Ram	Mr. Shankar Ram	0.357	Not applicable
R1750259	Sensada	Private	Cultivation				
L0690195	Sethan	Private	Cultivation	Mr. Uda Ram	Mr. Ladu Ram Kumawat	0.90	Not applicable
L0760202	Sethan	Private	Cultivation				
L0770203	Sethan	Private	Cultivation				
R1170181	Sethan	Private	Cultivation				
R0010001	Jethana	Private	Cultivation	Mr. Jagdish Regar	Mr. Pratap Regar	0.93	Not applicable
R0850137	Sethan	Private	Cultivation	Mrs. Baghwati Devi	Mr. Baghchand	54.99	Not applicable
R0990151	Sethan	Private	Cultivation				
R0650098	Pisangan	Private	Cultivation	Mrs. Bhanwari Devi	Late shri. Bhavana Kumawat	2.15	Not applicable
R1240190	Sethan	Private	Cultivation	Mrs. Bhanwari Devi	Late shri. Ugma Rawat	4.52	Not applicable
R0340063	Pisangan	Private	Cultivation	Mrs. Bidami Devi	Late shri. Bhanwar Lal	1.45	Not applicable
R0440077	Pisangan	Private	Cultivation	Mrs. Birji Devi	Late shri. Ladu ram	5.22	Not applicable
R0550088	Pisangan	Private	Cultivation				
R1210187	Sethan	Private	Cultivation	Mrs. Bisarbhi Devi	Mr. Ramchandra	7.03	Not applicable
R0390068	Pisangan	Private	Cultivation	Mrs. Chanda Devi	Mr. Ramlal	1.45	Not applicable
R0480081	Pisangan	Private	Cultivation	Mrs. Chanda Devi	Late shri. Tarachand	5.22	Not applicable
R0590092	Pisangan	Private	Cultivation				
R1250191	Sethan	Private	Cultivation	Mrs. Chokhi Devi	Late shri. Kuka Rawat	4.52	Not applicable
R0310060	Pisangan	Private	Cultivation	Mrs. Choti Devi	Late shri. Sohan Lal	13.70	Not applicable
L0520127	Sethan	Private	Cultivation	Mrs. Choti Devi	Late shri. Bhanwar Lal	36.57	Not applicable
R0860138	Sethan	Private	Cultivation	Mrs. Chuka Devi	Mr. Mahendra Singh	54.99	Not applicable
R0980150	Sethan	Private	Cultivation				
L0300071	Pisangan	Private	Cultivation	Mrs. Fooli Devi	Late shri. Nathu Lal	1.30	Not applicable
L0320073	Pisangan	Private	Cultivation				
R1520236	Sensada	Private	Cultivation	Mrs. Geeta Devi	Late shri. Jamana Ram	0.35	Not applicable
R1660250	Sensada	Private	Cultivation				
L0130022	Pisangan	Private	Cultivation	Mrs. Godi Devi	Mr. Jeevan Ram	2.49	Not applicable
R0130032	Pisangan	Private	Cultivation				

ID Number	Village Name	Tenure	Use	Name of the Owner / Occupier	Father's/Husband Name	Percentage Loss	Type of Structure
R0230042	Pisangan	Private	Cultivation				
L0230052	Pisangan	Private	Cultivation				
L0440115	Pisangan	Private	Cultivation	Mrs. Janki Devi	Late shri. Jetha Ram	2.78	Not applicable
R1770261	Sensada	Private	Cultivation	Mrs. Janki Devi	Mr. Bhiya Ram	0.26	Not applicable
R1220188	Sethan	Private	Cultivation	Mrs. Jetti Devi	Late shri. Arjun Singh	1.71	Not applicable
R1390221	Akhyapura	Private	Cultivation				
R1260192	Sethan	Private	Cultivation	Mrs. Jhumi Devi	Late shri. Jetha Ram	4.52	Not applicable
L0060015	Jethana	Private	Cultivation	Mrs. Kamala	Late shri. Chandra Ram	14.60	Not applicable
R0410070	Pisangan	Private	Cultivation	Mrs. Kanta	Mr. Narayan	1.45	Not applicable
L0040013	Jethana	Private	Cultivation	Mrs. Kanta Devi	Mr. Dhanraj	14.60	Not applicable
R0900142	Sethan	Private	Cultivation	Mrs. Keli Devi	Late shri. Sohan Lal	54.99	Not applicable
R1040156	Sethan	Private	Cultivation				
R0950147	Sethan	Private	Cultivation	Mrs. Laxmi Devi	Late shri. Mota Singh	54.99	Not applicable
R1070159	Sethan	Private	Cultivation				
R0400069	Pisangan	Private	Cultivation	Mrs. Leela Devi	Mr. Mahendra	1.45	Not applicable
R0920144	Sethan	Private	Cultivation	Mrs. Leela Devi	Mr. Om Prakash	54.99	Not applicable
R1020154	Sethan	Private	Cultivation				
R0910143	Sethan	Private	Cultivation	Mrs. Maina Devi	Mr. Baghchand	54.99	Not applicable
R1030155	Sethan	Private	Cultivation				
L0800218	Akhyapura	Private	Cultivation	Mrs. Maini Devi	Late shri. Kana Singh Rawat	3.80	Not applicable
L0170026	Pisangan	Private	Cultivation	Mrs. Manju Devi	Mr. Pratap Mal	2.49	Not applicable
R0170036	Pisangan	Private	Cultivation				
R0270046	Pisangan	Private	Cultivation				
L0270056	Pisangan	Private	Cultivation				
R0660099	Pisangan	Private	Cultivation	Mrs. Manju Devi	Mr. Ugma Ram	2.151	Not applicable
R0510084	Pisangan	Private	Cultivation	Mrs. Manju Kumawat	Mr. Shivkaran	5.22	Not applicable
R0620095	Pisangan	Private	Cultivation				
R0030005	Jethana	Private	Cultivation	Mrs. Manjula Acharya	Mr. Om Prakash Acharya	0.133	Not applicable
R1610245	Sensada	Private	Cultivation	Mrs. Mohini Devi	Mr. Kisna Ram	0.35	Not applicable
R1740258	Sensada	Private	Cultivation				
R0350064	Pisangan	Private	Cultivation	Mrs. Nainee Devi	Late shei. Ramlal	1.45	Not applicable




ID Number	Village Name	Tenure	Use	Name of the Owner / Occupier	Father's/Husband Name	Percentage Loss	Type of Structure
R0930145	Sethan	Private	Cultivation	Mrs. Nainee Devi	Mr. Jeevan Singh	54.99	Not applicable
R1010153	Sethan	Private	Cultivation				
R6900102	Pisangan	Private	Cultivation	Mrs. Nathi Devi	Late shri. Jabana Ram	0.24	Not applicable
L0080017	Jethana	Private	Cultivation	Mrs. Nourati Devi	Mr. Meghraj	14.60	Not applicable
L0650183	Sethan	Private	Cultivation	Mrs. Pari Devi	Late shri. Rampal	0.96	Not applicable
L0660184	Sethan	Private	Cultivation				
R1510235	Sensada	Private	Cultivation	Mrs. Paroo Devi	Mr. Sita Ram	0.35	Not applicable
R1760260	Sensada	Private	Cultivation				
R0360065	Pisangan	Private	Cultivation	Mrs. Parwati Devi	Mr. Bikha ram	1.45	Not applicable
R0500083	Pisangan	Private	Cultivation	Mrs. Premi Devi	Mr. Ugma Ram	5.22	Not applicable
R0610094	Pisangan	Private	Cultivation				
R1100162	Sethan	Private	Cultivation	Mrs. Radha Devi	Late shri. Nemi Chand	9.23	Not applicable
R1120164	Sethan	Private	Cultivation				
R1620246	Sensada	Private	Cultivation	Mrs. Rampawari	Late shri. Paboo Ram	0.35	Not applicable
R1650249	Sensada	Private	Cultivation				
L0110020	Pisangan	Private	Cultivation	Mrs. Rampayari	Late shri. Heera lal	2.49	Not applicable
R0110030	Pisangan	Private	Cultivation				
R0210040	Pisangan	Private	Cultivation				
L0210050	Pisangan	Private	Cultivation				
R0880140	Sethan	Private	Cultivation	Mrs. Seema Rawat	Mr. Mangal Singh	54.99	Not applicable
R0960148	Sethan	Private	Cultivation				
R1190185	Sethan	Private	Cultivation	Mrs. Shanti Devi	Late shri. Mangla Ram	0.14	Not applicable
R1200186	Sethan	Private	Cultivation				
L0830231	Akhyapura	Private	Cultivation	Mrs. Shanti Devi	Late shr. Ranjeet Singh	3.97	Not applicable
R0840136	Sethan	Private	Cultivation	Mrs. Shekha Rawat	Mr. Khanahia Lal	54.99	Not applicable
R1000152	Sethan	Private	Cultivation				
R0370066	Pisangan	Private	Cultivation	Mrs. Sita Devi	Mr. Dabbo Ram	1.45	Not applicable
R0490082	Pisangan	Private	Cultivation	Mrs. Sita Devi	Mr. Shiv Lal	5.22	Not applicable
R0600093	Pisangan	Private	Cultivation				
R0050007	Jethana	Private	Cultivation	Mrs. Sohani Devi	Late shr. Ganga Bishan	7.76	Not applicable
R0520085	Pisangan	Private	Cultivation	Mrs. Sohani Devi	Late shri. Bhanwar Lal	5.22	Not applicable
R0630096	Pisangan	Private	Cultivation				
R0470080	Pisangan	Private	Cultivation	Mrs. Yashoda	Mr. Jagdish	5.22	Not applicable

ID Number	Village Name	Tenure	Use	Name of the Owner / Occupier	Father's/Husband Name	Percentage Loss	Type of Structure
R0580091	Pisangan	Private	Cultivation	Kumawat	Kumawat		
L0180027	Pisangan	Private	Cultivation	Ms. Kanta	Late shri. Heera lal	2.49	Not applicable
R0180037	Pisangan	Private	Cultivation				
R0280047	Pisangan	Private	Cultivation				
L0280057	Pisangan	Private	Cultivation				

#### Summary of Common Property Resources

S.No	Village Name	Chainage	Side	Name of the Owner / Occupier	Type of CPR	Tenure
1	Pisangan	46 +550	Right	Govt.	Hand pump	Govt.
2	Pisangan	47 +200	Left	Community	Temple	Community
3	Akhyapura	53 +750	Right	Community	Temple	Community

## Appendix 2: Participants in Consultation

SNo	Place	Date	Number of participants	Photo
<b>Nasirabad-Mangliyawas-Padukalan SH 04 and MDR 39</b>				
1	Pisangan	27.06.2018 & 28.06.2018	96 (including 36 women)	
2	Akhepura	01.07.2018 & 02.07.2018	51 (including 21 women)	
3	Jethana	17.06.2018 & 20.06.2018	47 (including 12 women)	

4	Sesra	10.07.2018 & 11.07.2018	39 (including 11 women)	
5	Sethan	01.07.2018 & 02.07.2018	67 (including 22 women)	



**Appendix 3: Comparison between ADBIR 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, minimize 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	

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
			boatmen and such livelihood is affected due to acquisition of land [Ref: Section 3 sub-section c (vi)]	
<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 recognized 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 recognized 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	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

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
			Report. [Ref: Section 5]	mechanism, prior to referring/approaching the LARR authority
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	✓	The act provides for special provisions and assistance for scheduled caste and	Special provision for vulnerable have

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
	groups, including women, to at least national minimum standards	(partly)	scheduled tribe in scheduled area. [Ref: Section 41] Further the act recognizes widows, divorcees and women deserted by families as separate families [Ref: Section sub-section (m)] The act does not recognize other vulnerable category and also SC/ST from non-scheduled	been provided in Entitlement matrix.
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 draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders	✓	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]  Further the commissioner shall cause the approved Rehabilitation and Resettlement Scheme to be made available in the local language to the	

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
			Panchayat, Municipality or Municipal Corporation As the case may be, and the offices of the district collector, the Sub-Divisional Magistrate and Teshil, and shall be published in 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 4: 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 roads and Tranche-II will finance 11 road projects totalling of about 754.463 Km spread across the State of Rajasthan.

2. The Public Private Partnership (PPP) Cell of the Public works Department has prepared the Resettlement Plan (RP) for Nasirabad- Mangaliyawas to Padukalan SH- 04, proposed under Tranche-II 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 Nasirabad-Mangaliyawas to Padukalan SH- 04 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 socioeconomic characteristics, entitlements based on type of loss and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring.

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 15-road subprojects and shall undertake the following tasks:

- (i) Educating the DPs on their rights to entitlements and obligations.
- (ii) To ensure that the DPs are given the full entitlements due to them, according to the entitlements in the RP.
- (iii) To provide support and information to DPs for income restoration.
- (iv) Assist the DPs in relocation to resettlement site and rehabilitation, including counseling, and coordination with local authorities/line departments.
- (v) Assist the DPs in redressing their grievances (through the grievance redress committee set up for the subproject)

- (vi) 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.
- (vii) To conduct awareness program on HIV/AIDs, Health and Hygiene, and Human Trafficking in affected villages.
- (viii) 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
  - (i) Working in co-ordination with the PD, PIU; and assist the PD in carrying out the implementation of the RP;
  - (ii) To assist the DPs in redressing their grievances through the GRCs;
  - (iii) Assist the PIU in disclosure, conducting public meetings, information campaigns during the RP implementation and give full information to the affected community;
  - (iv) Translate the summary of RP in local language for disclosure and disseminate to DPs;
  - (v) 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;
  - (vi) To assist the PIU in ensuring compliance with safety, health and hygiene norms, and the conduct HIV/AIDS and Human Trafficking awareness/prevention campaigns;
  - (vii) 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.
  - (viii) Provide data and information that PIU will require in the management of the data base of the DPs.
  - (ix) Assist PIU in providing training to DPs, wherever required in the implementation of RP.
- b) Responsibilities for Implementation of the RP
  - (i) 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.
  - (ii) Wherever required, update the census and socioeconomic survey data and administer the census and socioeconomic 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.
  - (iii) 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.
  - (iv) 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.

- (v) Prepare monthly action plans with targets in consultation with the PIU.
- (vi) 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.
- (vii) 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.
- (viii) 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.
- (ix) 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.
- (x) 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.
- (xi) Agency/NGO will monitor the civil construction work in each package to ensure there is no bonded/child labour.
- (xii) In all of these, the Agency/NGO shall consider women as a special focus group, and deal with them with care and sympathy.
- (xiii) 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.
- (xiv) 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

- (i) The Agency/NGO shall nominate a suitable person (from the staff of the NGO) to assist the DPs in the GRC.
- (ii) The Agency/NGO shall make the DPs aware of the existence of grievance redressal committees (GRCs)
- (iii) 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.
- (iv) 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.
- (v) 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
  - (i) In addition to counseling and providing information to DPs, the Agency/NGO will carry out periodic consultation with DPs and other stakeholders
  - (ii) Should organise meetings and appraise the communities about the schedule / progress of civil works
  - (iii) 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
  - (i) 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.
  - (ii) The Agency/NGO shall assist the PIU to implement HIV/AIDS awareness measures, including collaboration with the line agencies.
  - (iii) The Agency/NGO will assist the PIU in conducting the R&R award enquiry
  - (iv) 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
  - (i) 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:
  - (i) 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.
  - (ii) Prepare monthly progress reports to be submitted to the PIU, with weekly progress and work charts as against the scheduled timeframe of RP implementation.
  - (iii) Prepare and submit quarterly reports on a regular basis, to be submitted to the PIU.
  - (iv) 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.
  - (v) All other reports/documentation as described in these terms of reference.
  - (vi) Record minutes of all meetings.
  - (vii) Four copies of each report shall be submitted to PIU together with one soft copy of each report in the CD

### E. 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.

### F. 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 3rd 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	At the end of the 2nd month after commencement of services
	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 3rd 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 5th 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 6th month after commencement of services
7	a. Disbursement of the entitlements for remaining DPs in the 2 <sup>nd</sup> milestone	At the end of the 15th month after commencement of services
	b. Facilitating resettlement of DPs to the resettlement site(s)	
8	Draft Final Report summarising the action taken and other resettlement works to be fulfilled by the NGO	One month before the service / 35th 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 / 36th month after commencement of services 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 socioeconomic 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 socioeconomic 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 be 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 5: 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 roads and Tranche-II will finance 11 road projects totalling of about 754.463 Km spread across the State of Rajasthan.

2. The Public Private Partnership (PPP) Cell of the Public works Department has prepared the Resettlement Plan (RP) for Nasirabad- Mangaliyawas to Padukalan SH- 04, proposed under Tranche-II 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 Nasirabad-Mangaliyawas to Padukalan SH- 04 *section* 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 socioeconomic characteristics, entitlements based on type of loss and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring.

4. The PIUs have appointed agencies/NGOs 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 includes:
- (i) To review and verify the progress in resettlement implementation as outlined in the RP;
  - (ii) To monitor the effectiveness and efficiency of PIU, and NGO in RP implementation;
  - (iii) To assess whether resettlement objectives, particularly livelihoods and living standards of the Displaced Persons (DPs) have been restored or enhanced;
  - (iv) To assess resettlement efficiency, effectiveness, impact and sustainability, drawing both on policies and practices and to suggest any corrective measures, if necessary; and
  - (v) To review the project impacts on vulnerable groups, indigenous people and

groups and assess the effectiveness of the mitigating actions taken.

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

6. The major tasks expected from the external monitor are:
- (i) To develop specific monitoring indicators for undertaking monitoring for RP implementation;
  - (ii) 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;
  - (iii) Involve the affected people and community groups in assessing the impact of land acquisition for monitoring and evaluation purposes;
  - (iv) 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
  - (v) 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.