

Resettlement Plan

July 2019

IND: Rajasthan State Highway Investment Program- Tranche 2

Package 2: Bidasar – Dungargarh – Kalu section of SH-93

CURRENCY EQUIVALENTS

(as of 10 June 2019)

Currency unit	–	Indian rupees (INR/Rs.)
INR 1.00	=	\$ 0.0144
\$1.00	=	INR 69.4071

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
PWD	–	Public Works Department
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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EXECUTIVE SUMMARY

1. The 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 1009 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 PWD has prepared this resettlement plan for Bidasar – Dungargarh – Kalu section of SH-93 proposed under Tranche-II for improvements under RSHIP. This resettlement plan addresses social issues arising out of acquisition of land and other assets, eviction of squatters and removal of encroachments resulting in social and / or economic displacement to households / individuals / community, either direct or indirect and is in compliance with ADB's Safeguard Policy Statement, 2009 and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.
3. The project road starts with junction of SH-20, near Bidasar and ends at Junction with SH-6A near Kalu from km 0.000 to km 82.200. The project road located under Churu & Bikaner districts of Rajasthan. Bidasar to Chak Ghantiyal Badi i.e. from km 0.000 to 10.200 is under Churu district and Badela to Kalu from km 10.200 to 82.200 is under Bikaner district. The project road links Bidasar, Dharmaas, Ridi, Bana, Sri Dungargarh, Kaluvaas, Gusainsar, Delwa, Ladera, Adsar, Kalu etc. Its development is essential to ease traffic load in this highway and also to improve driving between Bidasar – Dungargarh – Kalu section from the existing single/ intermediate/ two lane to intermediate/ two lane road. The improvement works include geometric improvements; junction improvements; provision of drain; and footpath.
4. The project involves acquisition of private land measuring 1.64 ha belonging to 41 agricultural landowners and 5 structures belonging to encroachers. Out of 5 structures, impact on two is non-significant. The project will also impact 12 common property resources. Altogether the subproject will cause impact to 46 households.
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 Bidasar-Dungargarh-Kalu section of SH-93 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 1.64 ha, which is wet land. The private land proposed for acquisition is mostly strips of land, with the width varying from 5–10 m, 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 private land acquisition involves acquisition of 1.64 ha belonging to 41 landowners. The improvements proposed will affect 5 private structures and 12 common property resources. No tenant or employee will be affected by the project. The 5 structures impacted under the project include one residential and four commercial structures owned by the encroachers. In case of landowners, the loss of livelihood is not envisaged, as the impact is less than 10 % on their productive assets. Thus, only 3 encroacher households having impact more than 10% on their commercial structures are found losing their livelihood under the project. The vulnerable households under this subproject are 5 women headed households, 1 household headed by disabled person and 6 schedule caste households.

8. During the census and socioeconomic survey, 3 FGDs were conducted in villages along the subproject road Bidasar – Dungargarh – Kalu proposed in Package-2, in settlements and sections where impacts were recorded. A total of 52 persons (8 females and 44 males) participated in the consultation meetings. 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 ADB SPS. 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. 50.120 million.

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

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

15. The PPP Division, PWD, Government of will be the Project Management Unit (PMU) and will be overall in charge of coordination between the 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 non-significance of resettlement impacts under the facility, the monitoring mechanism for this project will have only internal monitoring by PIU.

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 up-gradation 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
EPC Mode				
1	Jodhpur- Sojat Road	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
	Total EPC	474.033	11 Districts	
Annuity Mode				
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	
10	Nasirabad-Mangliyawas-Padukalan	62.960	Ajmer, Nagaur	ADB-II/Annuity/02
11	Beawar-Pisangan-Tehla-Kot-Alniyawas	56.700	Ajmer, Nagaur	
	Total Annuity	280.43	4 Districts	
	Grand Total	754.463	14 Districts	

2. The PPP Division of the PWD has prepared this resettlement plan for Bidasar-Dungargarh-Kalu section of SH-93 proposed under Tranche-II for improvements under RSHIP. This resettlement plan 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 households¹ / individuals / community, either direct or indirect and is in compliance with ADB's Safeguard Policy Statement, 2009 and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

B. Profile of the Subproject Area

The subproject road passes through 2 districts of Rajasthan viz. Bikaner and Churu and along its route covers villages like Bidasar, Dharmas, Ridi, Bana, Sri Dungargarh, Kaluvaas, Gusainsar, Delwa, Ladera, Adsar and Kalu. The location map of this road subproject is provided in Appendix-1.

3. Bikaner district is bounded by Ganganagar District to the north, Hanumangarh District to the northeast, Churu District to the east, Nagaur District to the southeast, Jodhpur District to the south, Jaisalmer District to the southwest, and Punjab Province of Pakistan to the northwest. The district covers 30248 sq.km and is situated between 29°3' north latitude and 74°22' east longitude. The district has a population of 2,367,745 accounting for 3.45% of the State's population. The rural population of the district accounts for 66.14% of the District population. The percentage of male population (52.5%) is marginally higher than the percentage of female population (47.5%) and the sex ratio is 905, lower than the State average of 928. The literacy rate in the district is 65.13%, slightly lower than the State literacy rate (66%) and the male literacy rate (76%) is much higher than the female literacy rate (53.2%). There are 49.0% workers, of which main workers account for 73.7% and marginal workers 26.3%. Main workers comprise of 50% cultivators and 7.2 agricultural workers, totalling 57.2% dependent on agriculture. Other workers comprising service, industry, etc. account for 42.8% of the main workers.

4. Churu district is the part of Thar desert located in the western part of Rajasthan State shares its boundaries with the Hanumangarh District to the north, Haryana state to the east, Jhunjhunun and Sikar districts to the southeast, Nagaur District to the south, and Bikaner District to the west. The district covers 13784.38 sq.km and is situated between 27° 24' to 29° 00' North latitudes and 73° 40' to 75° 41' East longitudes. The district has a population of 20,39,547 accounting for about 3 % of the State's population. The rural population of the district accounts for 71.7% of the District population. The percentage of male population (51.5%) is marginally higher than the percentage of female population (48.5%) and the sex ratio is 948, higher than the State average of 928. The literacy rate in the district is 66.75%, slightly higher than the State literacy rate (66%) and the male literacy rate (78.8%) is much higher than the female literacy rate (54.04%). There are 44.27% workers, of which main workers account for 30.81% and marginal workers 13.46%. Main workers comprise of 63.4% cultivators and 9.75 agricultural workers, totalling 73.15% dependent on agriculture. Other workers comprising service, industry, etc. account for 26.7% of the main workers.

C. Subproject Road Description

5. The project road starts with junction of SH-20, near Bidasar and ends at Junction with SH-6A near Kalu from km 0.000 to km 82.200. Bidasar to Chak Ghantiyal Badi i.e. from km 0.000 to 10.200 is under Churu district and Badela to Kalu from km 10.200 to 82.200 is under Bikaner district. Total length of the project Road is approx. 82.200 km. The subproject road passes through important locations such as Bidasar, Dharmas, Ridi, Bana, Sri Dungargarh, Kaluvaas, Gusainsar, Delwa, Ladera, Adsar and Kalu.

¹ Household or family means affected family in accordance with the Sec 3(c) of RCTLARR Act, 2013.

6. The alignment passes through plain terrain. The land use along the project road is mainly agriculture. The existing road is single/intermediate/Two lane comprising of flexible pavement with moderate conditions. The earthen shoulders of about 0.00-1.5 m are observed along the project highway. The existing alignment comprises of many sharp horizontal curves and deficient vertical curves. The existing ROW is varying from 7-25 m. The existing junctions are not up to IRC standards.

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 too will benefit by being able to quickly transport their produce without delay and can expect buyers coming to their doorstep to procure food grains. Better connectivity to the SH/NH will lead to industrial growth along the subproject road that will result in employment generation. However, the subproject will require private land and removal of encroachments and squatting for improving the road, resulting in negative impacts to some people living along the corridor.

8. The project involves acquisition of private land measuring 1.64 ha belonging to 41 agricultural landowners and requires transfer of 0.094 ha of government land. There is no physical displacement. Impacts on 2 structures including one residential are non-significant. There is also impact on 12 common property resources in this subproject. Altogether the subproject will cause impact to 46 households. The involuntary resettlement impacts have been summarized in Table 2.

Table 2: Summary of Involuntary Resettlement Impacts

Impact	Extent/Numbers	
	Bidasar - Sri Dungargarh - Kalu	
Private Land Acquisition (ha) - Wet	1.64 ha	
Private Land Acquisition (ha) - Dry	0.0 ha	
Government Land Required	0.094 ha	
Temporary Land Acquisition (ha)	Nil	
Affected Households	46	
Physically Displaced Households (Loss of Residence)	0	
Economically Displaced Households (Loss of Shop)	3	
Economically Displaced Titleholders losing land ²	0	
Physically and Economically Displaced Households (Loss of Residence cum Shop)	0	
Non-Significant Impact ³	2	
Titleholders Losing strip of land	41	
Tenants	0	
Total Affected Persons	281	
Titled affected persons	208	
Non-titled affected persons (encroachers) ⁴	73	

² Landowners losing 10% or more of their land.

³ Where the impact to structure is less than 10% of the total area or impact is only to the boundary wall, then such impacts are categorized as non-significant impacts as the DP is neither physically nor economically displaced.

⁴ Encroached households are those who own the adjoining land and the impact is to the structure in the right-of-way.

Affected employees	0
Affected Structures	5
Affected Private Trees	65
Affected Common Property Resources	12

9. The subproject will cause impact to 5 women headed households, 1 physically challenged household and 6 scheduled caste households. There are no scheduled tribe and landless households. Multiple-vulnerability was not shown in order to avoid duplication.

Table 3: Impact to Vulnerable Category (mutually exclusive)

Vulnerable Category ⁵	Extent/Numbers
	SH- 93
Women Headed Household (WHH)	5
Physically Challenged (PHH)	1
Scheduled Tribe (ST) headed household	0
Scheduled Caste (SC) headed household	6
BPL household ⁶	0
Total	12

Source: Census and Social Survey, February 2019.

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 held along the project area confirm that there are no indigenous people in the settlements along the subproject roads and further the subprojects does not impact any indigenous peoples communities. Hence, 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 Bidasar - Sri Dungargarh - Kalu 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.

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

⁶ 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 of the Bidasar - Sri Dungargarh - Kalu road from junction of SH-20, near Bidasar to Junction with SH-6A near Kalu. Total length of the project Road is about 82.200 km. 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 uniformly 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 1.64 ha, which is agriculture land of wet nature. 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	1.64 ha
Private Dry	0.00 ha
Government	0.094 ha

Source: Census and Social Survey, February 2019.

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	41	1.64
Residential	0	0
Commercial	0	0
Barren Land	0	0
Others (if any)	0	0
Total	41	1.64

Source: Census and Social Survey, February 2019.

16. The land being acquired has been categorized based on the extent of land lost. It was found that all 41 affected households under the subproject losing less than 10% of their total productive land and thus not being significantly affected. The extent of land lost by number of affected households is given in the following table and the list of titleholders is provided in Appendix -2.

Table 6: Intensity of Land Impact

Scale of Impact	Number of Affected Household
Up to 10%	41
More than 10%	0
Total	41

Source: Census and Social Survey, February 2019.

C. Impact to Structures

17. The improvements of the proposed road will cause impact on 5 private structures where no tenants or employees reported to be affected. 2 boundary walls of temporary nature belong to titleholders built encroaching the right-of-way will also be affected.

D. Loss of Private Structures

18. The 5 structures getting affected belong to encroachers, who own the adjoining land. The ownership details of the private structures getting affected are presented in the following table and the list of displaced households if provided in **Appendix-3**.

Table 7: Ownership of Private Structures

Tenure	Number of Structures	Percentage
Owner	0	0.0
Encroacher	5	100.0
Squatter	0	0.0
Total	5	100.0

Source: Census and Social Survey, February 2019.

19. 80% (4 structures) of the private structures getting affected are temporary in nature, followed by one structure that is semi-permanent. 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	0	0.0
Semi-permanent	1	20.0
Temporary	4	80.0
Total	5	100.0

Source: Census and Social Survey, February 2019.

20. Out of five, only one structure getting affected is being used for residential purpose, followed by 20% shops and 20% other commercial structures owned by encroachers. The use of the affected structure is presented in the following table.

Table 9: Use of the Affected Structures

Use of Structure	Number of Structure	Percentage
Residential	1	20.0
Commercial	2	40.0
Residence cum Commercial	0	0.0
Others	2	40.0
Total	5	100.0

Source: Census and Social Survey, February 2019.

E. Magnitude of Impact on Structures

21. The subproject will cause impact to 5 structures of temporary and semi-permanent type of construction. Out of 5 impacted structures, 1 residential and 1 commercial structure will face loss of less than 10% of the area and the impact is non-significant. The significantly impacted structures have been considered for replacement cost for the full structure, as the viability of the structure will be known only at the time of implementation during the assessment done by the PWD engineer for valuation purpose. Further, the owner has the option of seeking acquisition of the whole structure in line with Sec 94(1) of RFCTLARR Act. The extent of loss to structure and its use is presented in the following table.

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

Impact	Residence	Commercial	Residence cum Commercial	Others	Total
Less than 10%	1	1	0	0	2
≥ 10% and < 20%	0	0	0	0	0
≥ 20% and < 50%	0	1	0	0	1
≥ 50% and ≤ 99%	0	0	0	2	2
100%	0	0	0	0	0
Total	1	2	0	2	5

Source: Census and Social Survey, February 2019.

F. Loss of Livelihood

22. The subproject will cause significant impact on loss of livelihood to 3 households who would be losing over 10% of their commercial structure. The agriculture landowners are losing less than 10% of their productive land and hence, the impact is non-significant. There is no impact to employees or tenants 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	Number of Affected Persons
Owners of Business	3	21
Commercial Tenants	0	0
Employees	0	0
Agricultural Landowners (losing ≥ 10% of the land)	0	0
Total	3	21

Source: Census and Social Survey, February 2019.

G. Loss of Trees

23. The project will require removal of 65 private trees 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. In terms of community property resources (CPR), 12 structures were reported to be affected. Out of 12 structures, 2 are religious structures (temples), 5 are community structures (sitting place, dharmshala, water tank etc.) and 5 are government structure (office, tube well, toilet etc). The types of affected CPRs are presented in the Table 12, and the list of CPR affected in the subproject is presented in Appendix: 4. CPRs will be compensated either by cash compensation at replacement cost to the community (registered trust, society or village committee as appropriate) or reconstruction of the community structure in consultation with the affected community.

Table 12: Type of affected CPR

Sl. No.	Type of Structure	No. of Structure	%
1	Community Structure	5	35.71
2	Religious Structure	2	14.29
3	Government Structure	5	35.71
Total		12	100.00

Source: Census and Social Survey, February 2019.

III. SOCIOECONOMIC INFORMATION PROFILE

A. Involuntary Resettlement Impacts

25. This resettlement plan is based on the census and socioeconomic survey carried out in February 2019 based on final and detailed design of the road subprojects. The census survey identified 46 households losing their land and / or structures 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–2m in urban sections and 45 m 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. There were no common property resources within the PRoW were also enumerated.

Census Survey - Sample Private Asset



*Encroacher - km 44.000 of SH-93 (RHS)
Mr. Nirmal Modi S/o Mahaveer Prasad*



*Tube-well House
km 2.500 of SH-93 (RHS)*

28. The affected households were categorised based on the severity of impact as significant (loss of 10% and above of the productive asset or structure) and non-significant (loss of less than 10% of the productive asset or structure). The summary of affected households is presented in appendix 2 &3.

29. The census survey identified 46 households that would be affected by the subproject. The socioeconomic survey was carried out amongst 46 households and the details of the same are analysed and presented in the following sections.

C. Demographic Profile of Project Displaced Households

30. **Household by Sex:** Males account for 51.96% and female account for 48.04% amongst Displaced Persons (DPs). The sex ration among the DPs is found to be 925 females per one 1000 males.

Table 13: Number of Displaced Persons by Sex

	Number	Percentage
Male	146	51.96
Female	135	48.04
Total	281	100.00

Source: Census and Social Survey, February 2019.

31. **Household by Religion:** Hindus account for 91.3% of the household getting affected, followed by 6.5% Jain and 1 household belongs to Muslims.

Table 14: Household by Religion

Religion	Number	Percentage
Hindu	42	91.30
Muslim	1	2.17
Jain	3	6.52
Total	46	100.00

Source: Census and Social Survey, February 2019.

32. **Household by Social Group:** Around 74% of the displaced households belong to the other backward class (OBC) category, followed by 15% schedule caste and 11% general category. Not a single schedule tribe family was found to be affected in the subproject.

Table 15: Household by Social Category

Social Category	Number	Percentage
General	5	10.87
Other backward caste	34	73.91
Scheduled caste	7	15.22
Scheduled tribes	0	0.00
Total	46	100.00

Source: Census and Social Survey, February 2019.

33. **Household by Size of Family:** 37% of the affected families reported a family size of more than 6 members followed by 5 to 6 member families accounting for 30.4%, family of size 3 to 4 members accounting for 23% and up to 2 members accounting for 8.7%.

Table 16: Size of the Household

Size of the Family	Number	Percentage
Up to 2	4	8.70
3 to 4	11	23.91
5 to 6	14	30.43
Above 6	17	36.96
Total	46	100.00
Average size of the family is 6.		

Source: Census and Social Survey, February 2019.

34. **Age group of affected persons:** The number of women aged above 65 years is same as compared to men in the same age group. However, in the 21 and below age group the men account for 47.9% and women account for 45.1%. In all, 46.6% of the affected persons are in the age group of 21 and below, followed by 23.8% in the age group of 22 and 35, 13.9% in the age group of 36 and 50, 10.7% in the age group of 50 and 65 and 4.9% 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	70	47.95	61	45.19	131	46.62
> 21 and ≤ 35	33	22.60	34	25.19	67	23.84
> 35 and ≤ 50	21	14.38	18	13.33	39	13.88
> 50 and ≤ 65	15	10.27	15	11.11	30	10.68
Above 65	7	4.79	7	5.19	14	4.98
Total	146	100	135	100	281	100.0

Source: Census and Social Survey, February 2019.

D. Socioeconomic Profile

35. **Educational level of affected persons:** 27% DPs are uneducated. The other includes 13.5% up to primary, 19.5% up to middle, 8.76% below metric, 19.1% high school, 8.3% graduates and 3.6% are post graduate. 37.19% of the women are uneducated compared to 18% men.

Table 18: Educational level of PAPs

Educational	Male		Female		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
Uneducated	23	17.69	45	37.19	68	27.09
Literate	15	11.54	19	15.70	34	13.55
Upto Middle	29	22.31	20	16.53	49	19.52
Below Metric	16	12.31	6	4.96	22	8.76
Metric	25	19.23	23	19.01	48	19.12
Graduate	15	11.54	6	4.96	21	8.37
Above	7	5.38	2	1.65	9	3.59
Total	130	100.00	121	100.00	251	100.00

Note: Children below 6 years are excluded.

Source: Census and Social Survey, February 2019.

36. **Occupation of affected persons:** The not in workforce account for 69%, comprising largely of children, students, elderly, housewives and females who do not go for work. 18.15% are involved in cultivation, followed by 6% who are salaried, 4% into business, 2% unemployed, and 1% are self-employed.

37. Among women, out of 127 around 82 are housewives and rest are children and old age women. 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
Cultivator	48	32.88	3	2.22	51	18.15
Daily Wage Earner	1	0.68	0	0	1	0.36
Salaried	16	10.96	0	0	16	5.69
Business	9	6.16	2	1.48	11	3.91
Self Employed	3	2.05	0	0	3	1.07
Un Employed	2	1.37	3	2.22	5	1.78
Not Working	67	45.89	127	94.07	194	69.04
Total	146	100.0	135	100.0	281	100.0

Source: Census and Social Survey, February 2019.

38. **Income of affected household:** 50% of DPs have monthly income less than Rs. 5000. 30.43% of the households are earning between Rs.5,001 Rs.10,000 per month. Around 15% DPs are earning between Rs.10,001 and Rs.50,000, while, only 4.35% (2 households) have monthly income more than Rs. 50000. The details are provided below in table 19.

Table 20: Monthly Household Income of DHs

Monthly Family Income Range in INR (Rs)	Number	Percentage
Up to 5,000	23	50.0
5,001 to 10,000	14	30.43
10,001 to 20,000	1	2.17
20,001 to 30,000	3	6.52
30,001 to 50,000	3	6.52
>50,000	2	4.35
Not disclosed	0	0
Total	46	100.0

Source: Census and Social Survey, February 2019.

39. **Impact to vulnerable household:** For the project, vulnerable groups include those headed by a person whose income is below the poverty line, landless, elderly, women, and Indigenous Peoples, and those without legal title to land. The vulnerable account for 26% of the affected household and amongst the vulnerable 42% are women headed households, followed by 50% scheduled caste. There are below poverty line (BPL)⁷ household but as they fall in other categories of vulnerability not shown separately to avoid duplication. Not a single scheduled tribe household was found amongst the affected households. The category of vulnerable affected households is presented in the following table.

⁷ The GoR has issued separate ration cards to BPL families and those amongst the affected households in possession of BPL ration card have been categorised as BPL household.

Table 21: Vulnerable Households in the Subproject

Vulnerable Type	Number	Percentage
Women Headed Household	5	41.67
Scheduled tribes	0	0.00
Scheduled Caste	6	50.0
Below poverty line	0	0.00
Disabled Headed Household	1	8.33
Total	12	100.0

Source: Census and Social Survey, February 2019.

E. Key Socioeconomic Indicators

40. The key socioeconomic indicators established based on the census and socio-economic survey carried out amongst the affected household between February and March 2015 and updated in April 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 evaluation post implementation carried out by the independent external evaluation agency.

Table 22: Key Socioeconomic Indicators

SNo	Indicator	Unit	Value/Figure
a)	Income (N = 46)		
1	Monthly family income	Average	Rs. 12,993
2	Number of earners	Average	1.78
b)	Impact (N =46)		
3	Residence	%	2.17
4	Business / Shop	%	8.69
c)	Social Characteristics (N=46)		
5	Family size	Average	6
6	Women headed household	%	10.8

Source: Census and Social Survey, February 2019.

F. Resettlement Preferences

41. The affected households were asked to indicate their preferred resettlement and rehabilitation option of either self-managed cash assistance or project supported housing/livelihood assistance. Out of total 46, only 2 households were opted for project-supported assistance while, 100% of them preferred cash compensation for loss of their assets.

IV. CONSULTATION, PARTICIPATION AND DISCLOSURE

A. Consultation in the Project

42. 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 RP implementation period.

B. Methods of Consultation

43. 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.

44. During the census and socioeconomic survey, meaningful⁸ 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

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

46. 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 aspects

⁸ 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.

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

47. The number of participants and the photographs are provided as Appendix 5 to this report and the attendance sheets are available in the projects file with respective PIUs.

C. Outcome of the Consultations

48. 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 all considerable habitations and also probable impacts from the project are covered adequately to ensure maximum possible public participation.

49. 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.

50. 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 assets. The salient discussion points are summarized in the following table.

Table 24: Summary of Consultation Outcome

Location	Issues / Concerns	Response
Ridi (9 th Feb. 2019)	<ol style="list-style-type: none"> 1 Land Acquisition Process, 2 Compensation for Wells, etc. 3 Construction of Bypass. 4 Safety issues and benefits from the project to the Stakeholders. 5 Acquisition of structures coming within ROW. 6 Majority of participants asked for provision of footpath and road side drains. 7 Employment opportunities in road construction. 	<ol style="list-style-type: none"> 1. As per RFCTLARR, 2013 & GoR act & policy for this project 2. Will be provided based on GoR Policy. 3. Speed breaker, cautionary signs & drain and footpath on drain top for safety and development of village and no water logging in village due to road drain 4. Based on the R&R policy replacement cost will be paid determined based on PWD schedule rates.

	<p>8 Common property resources must be saved or properly relocated with the consent of villagers and gram panchayat</p>	<p>5. Same is considered in design and provided 6. Employment opportunity during civil works is built into the contractor document. 7. Due care have done to save CPRs and minimize the impact. However, if any of the CPR will be affected, will be replaced in consultation with the community.</p>
<p>Delwa (10th Feb. 2019)</p>	<p>1 Majority of the peoples desired that the widening and strengthening of the project road in the market areas should be on both side of the road 2 Relocation of temples adjacent to Road Carriageway 3 People demanding C.C. drain on both side of Road. 4 People are asking whether 4 lane road provision in village portion 5 Employment opportunities in road construction. 6 Majority of participants asked for provision of footpath and road side drains 7 What would be the measures for safety of villagers during construction and after completion of project?</p>	<p>1. Widening will be proposed based on available ROW (of PWD) and concentric as far as possible. 2. Only two temple are getting affected and caution will be taken for CPR 3. Drain is proposed in habitation area. 4. As per traffic demand, No four-lane road is required for village/urban portion. 5. Employment may be provided based on R&R policy 6. Footpath cum drain proposed for safety and development of village and no water logging in village due to road drain 7. Proper signage has been proposed and provisions of speed breaker near school and dense habitation have been proposed</p>
<p>Dungargarh (11th Feb. 2019)</p>	<p>1 People of village Dungargarh are demanding to construct road in village on existing alignment by dismantling the encroachment 2 Safety issues and benefits from the project to the Stakeholders. 3 Acquisition of structures coming within ROW. 4 Majority of participants asked for provision of footpath and road side drains. 5 How much land shall be acquired? 6 Villagers demanded for good</p>	<p>1 As per consultation and available ROW, existing alignment with minor modifications is finalised for Nagana 2 Speed breaker, cautionary signs for safety and development of village 3 Based on the R&R policy, replacement cost for structure will be paid as per PWD schedule rates 4 Footpath cum drain proposed to reduce/mitigate water logging problem in village 5 1.64 ha land acquired in this project.</p>

	quality road. 7 Cash compensation as per market rate	6 Modern and good engineering techniques are using. 7 As per entitlement matrix, compensation will be provided at replacement value of the structures.
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D. Plan for further Consultation in the Project

51. 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.

52. 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

53. 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.

54. 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.

55. 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

56. 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

57. 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

58. 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.

59. 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.

60. 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.

61. 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.

62. 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

63. 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

64. 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

65. 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

66. 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

67. 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

68. 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.

69. 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.

70. 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

71. 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-6**. 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.

72. 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% interest on market rate to all titleholders. Further, in addition to compensation the title holders are entitled for resettlement allowance, substance allowance and shifting allowance. This meets ADB SPS requirement. Furthermore, the titleholders who lose their house and who do not have any other house site will be entitled for a

built house or cash in lieu of house provided they have been residing in the affected area for the preceding three years.

73. 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% 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

74. 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 settlement⁹ 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

75. **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 factor¹⁰ of 1.25-1.75 times on the land value being higher of the guideline value or average of higher 50% of sale dead rates for last 3 years or any rates consented for PPP or private projects. In addition, 100% solatium for involuntary acquisition of land will be added. If the residual land, remaining after acquisition, is unviable, the owner of such land/property will have the right to seek acquisition of his entire contiguous holding/property.

⁹ ADB SPS 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.

¹⁰ As per Rajasthan Land Acquisition Bill, 2014.

76. **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 PWD SSR rate, PIU will ensure that it uses the latest SSR for the residential and commercial structures in the urban and rural areas of the region. Wherever the SSR for current financial year is not available, the PIU will update the SSR to current prices based on approved previous year escalations. Compensation for properties belonging to the community or common places of worship will be provided to enable construction of the same at new places through the local self-governing bodies like Village Panchayat/Village council in accordance with the modalities determined by such bodies to ensure correct use of the amount of compensation. The compensation for reconstruction/relocation of places of worship will also include the associated cost of carrying out rituals/ceremonies during reconstruction/relocation. Further, all compensation and assistance will be paid to DPs at least 1 month prior to displacement or dispossession of assets.

77. **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.

78. 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

79. 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

80. 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.

81. **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 (April 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.

82. 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

83. 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 displace households not having any house site;
- (v) assistance for shifting and provision for the relocation site (if required), and rebuilding and/ or restoration of community resources/facilities in accordance with local customs.

84. 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 approved¹¹ and endorsed by Government of Rajasthan and further updated and revised in February 2018.

Table 25: Entitlement Matrix

SNo	Impact Category	Entitlements	Implementation Guidelines
PART I. TITLE HOLDERS - Compensation for Loss of Private Property			
1	Loss of Land (agricultural, homestead, commercial or otherwise)	1.1 Compensation for land at Replacement Cost ¹² 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 replacement cost at	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.

¹¹ GO No. F7 (143) SHA/PPP/2015/D-1262 of Public Works Department, Government of Rajasthan dated 17.11.2015.

¹² 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
				Plus 100% solatium 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.
PART II. REHABILITATION AND RESETTLEMENT – Both Land Owners and Families Whose Livelihoods are Primarily Dependent on Land Acquired				
3	Loss of Land	3.1	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 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. or One-time payment of Rs.5,00,000/-for each affected household or Annuity policy that shall pay Rs.2000/-per month for 20 years with appropriate indexation to CPIAL	
		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	

SNo	Impact Category	Entitlements		Implementation Guidelines
		3.5	One-time Resettlement 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 IAY¹³ 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	

¹³ 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>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>	
		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	

SNo	Impact Category	Entitlements		Implementation Guidelines
			<p>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>	
		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	

SNo	Impact Category	Entitlements		Implementation Guidelines
		5.7	Right to salvage affected materials	
PART III. IMPACT TO SQUATTERS AND ENCROACHERS – Those in the existing Right of Way where no Land Acquisition is done				
6	Impact to Squatters	6.1	Loss of House	Only those directly affected squatters who live there will be eligible for all assistance. 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
		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/-	
		6.2	Loss of Shop	Only those directly affected squatters who do business there will be eligible for all assistance. 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
		6.2.1	Compensation at scheduled rates without depreciation for structure with 1-month notice to demolish affected structure	
		6.2.2	Right to salvage the affected materials	
		6.2.3	One-time rehabilitation grant of Rs.20,000 for reconstruction of affected shop	
		6.2.4	One-time subsistence allowance of Rs. 18,000/-	
		6.2.5	Shifting assistance of Rs.10,000/-	
		6.3	Kiosks / Street Vendors	The PIU and the implementation support NGO/agency will consult such DPs and assess the requirement of subsistence allowance and rehabilitation grant
		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	

SNo	Impact Category	Entitlements		Implementation Guidelines
			duration of disruption to livelihood, but not exceeding 3-months	
		6.3.3	If relocation to nearby place and continuance of economic activity in the same place is not possible, then one-time rehabilitation grant of Rs.18 000/-	
		6.4 6.4.1	Cultivation 2-month notice to harvest standing crops or market value of compensation for standing crops	
7	Impact to Encroachers	7.1 7.1.1	Cultivation 2-month notice to harvest standing crops or market value of compensation for standing crops, if notice is not given	Market value for the loss of standing crops will be decided by the PIU, PWD in consultation with the Agriculture or Horticulture Department
		7.2 7.2.1	Structure 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
PART IV. IMPACT TO VULNERABLE HOUSEHOLDS				
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
		8.3	Provision of access to basic utilities and public services	in consultations with the DPs so as to develop appropriate training programmes suitable to the DPs skill and the region. Suitable trainers or local resources

SNo	Impact Category	Entitlements		Implementation Guidelines
				will be identified by PIU and NGO in consultation with local training institutes.
PART V. IMPACT DURING CIVIL WORKS				
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 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	
PART VI. COMMON PROPERTY RESOURCES				
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.
PART VII. UNFORESEEN IMPACTS				
Unforeseen impacts encountered during implementation will be addressed in accordance with the principles of RFCTLLAR 2013 and the ADB Safeguard Policy Statement				

85. 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

86. The PIU will provide compensation at replacement cost for affected land and structure in accordance with the RFCTLARR Act, 2013 to the title holders. Further, compensation for partially damaged structures, along with cost of restoration has been included and shifting assistance has also been provided for the displaced households in the entitlement matrix. Compensation to the non-title holders for the loss of assets other than land, such as dwellings and shops have been provided for in the entitlement matrix. The entitlements to the nontitle holders will be given only if they were in occupation of the land or structure in the project area prior to the cut-off date, the date of census survey i.e. February 2019.

B. Relocation Strategy

87. Based on census and socioeconomic survey only one residential structure having non-significant impact (>10%) was found to be impacted. However, the viability of the structure will be known only at the time of implementation during the assessment done by the PWD engineer for valuation purpose. As part of the implementation activity, the PIU with the help of the implementation support NGO should consult the affected DP to obtain his choice based on the options available to them.

C. Relocation Strategy for CPR

88. There are 12 common property resources reported to be affected under the sub-project as provided in table 12 of this RP. The CPRs will be compensated either by cash compensation at replacement cost to the community (registered trust, society or village committee as appropriate) or reconstruction of the community structure in consultation with the affected community.

VIII. INCOME RESTORATION AND REHABILITATION

A. Loss of Livelihood in this Subproject

89. The subproject causes significant impact to 3 households (encroachers) losing livelihood due to loss of commercial structures. All of them are encroachers. The owners of agriculture land are losing less than 10% of their productive land and hence, not significantly impacted. However, provisions have been made in the entitlement matrix to cover households of all type losing livelihood during construction period of the subproject.

B. Entitlements for Loss of Livelihood

90. 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 non-title owner losing structures

- a. Compensation at scheduled rates without depreciation for the affected portion of the commercial structure.
- b. Assistance of Rs. 25,000 to vulnerable households who have to relocate, and
- c. Skill development training to all vulnerable households.

91. 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.

C. Income Restoration Measures

92. 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 and identifying an alternate shop location and re-establishing the shop/kiosk/vending or utilizing the finances for buying land or taking land on lease in order that they will be able to do business in the same area, if necessary. 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.

93. The PIU with assistance of the implementing NGO will ensure that households whose incomes are affected and/or who have to relocate receive assistance in accessing utility services (e.g., water and electricity connection) and other relevant government services (e.g., health clinics and schools).

IX. RESETTLEMENT BUDGET AND FINANCING PLAN

A. Introduction

94. The resettlement cost estimate for the project road Bidasar – Dungargarh – Kalu section of SH-93 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.

95. 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.50.120 million. The major heads of budget items are listed below.

B. Compensation

96. **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.

97. **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. 8,100 for permanent structure, Rs. 5,514 for semi-permanent and Rs. 2,052 for temporary structure. A budgetary provision of Rs. 30,000/- per well has been made for private wells of maximum 3' wide and 20' depth. However, at the time of joint verification, the competent authority will value each and every structure to arrive at the replacement cost as per the latest SoR. The solatium of 100% on structure rate is adopted for titleholders.

98. **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

99. 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

100. 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. This subproject has impact on two religious structures. The other type of CPR structures (sitting places, toilets etc.) will be reconstructed by the EA through contractor.

E. RP Implementation Cost

101. The cost of hiring NGO for assisting PIU in resettlement plan implementation has been provided with a budget of Rs.14,000,000, for intermittent inputs and the resettlement plan implementation is expected to be completed in 36 months including disbursement of compensation for land acquired under RFCTLARR Act. Since, this facility is a Category-B for IR budgetary provision is not being made separately for hiring of an external monitor. 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.

F. Source of Funding and Fund Flow

102. 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

103. The budget for this sub-project is based on data and informed collected during census and socioeconomic surveys conducted in April 2018. The unit rates for structure have been worked out from the SoR. The total budget for Bidasar – Dungargarh – Kalu section of SH-93 is estimated at Rs. 50.120 million.

H. Disbursement of Compensation and Assistances

104. 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.

105. 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
Compensation				
Land Cost (Multiplying Factor 1.75 and Solatium 100% -titleholders)	Sq.m	608	16,400	9,971,200
Semi-Permanent Structure	Sq.m	5,514	5.82	32,091
Temporary Structure	Sq.m	2,052	61.15	125,480
Cost for CPR	LS	300,000	2	600,000
Sub total -1				10,728,771
R&R Assistance				
One-time grant for land owners	One-time	500,000	41	20,500,000
One-time resettlement allowance for Major Owner Res I Com	One-time	50,000	0	0
Subsistence allowance for Major Res I Com Owners	One-time	36,000	0	0
Shifting allowance major owners	One-time	50,000	0	0
Alternate house for Major Impacted Owner Residences (R)	One-time	148,000	0	0
Rehabilitation grant for Kiosks	One-time	18,000	-	
Vulnerable Household assistance	One-time	25,000	01	25,000
Training for Vulnerable household	One-time	5,000	12	60,000
Sub total -2				20,585,000
Administrative Cost				
NGO Recruitment	LS	14,000,000		14,000,000
Administrative Expenses (PIU)	LS	-		-
Disclosure Expenses	LS	50,000		50,000
Training for PIU and PMU Staff	LS	200,000		200,000
Sub total -3				14,250,000
Total (1+2+3)				45,563,771
10 % Contingency				4,56,377
Grand Total				50,120,148
Total in INR Million				50.120

Note: A budget allocation of about \$150,000 of an external expert for Tranche 2 is included in the total project cost.

X. GRIEVANCE REDRESSAL MECHANISM

A. Grievance Redressal Committee

106. 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.

107. 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.

108. 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.

109. 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.

110. **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

111. **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

112. **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

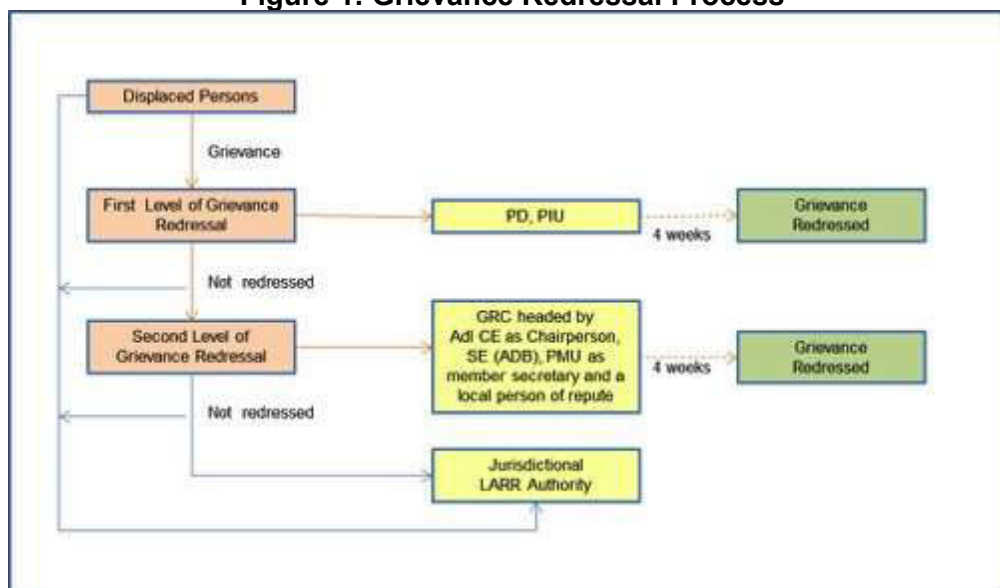
a register of all petitions received with details of date of receipt of the petition, date of hearing, if any, along with nature of complaint/concern, action taken and date of communication sent to petitioner. Communication, in writing will be sent to the aggrieved person about the date, time and venue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

113. **Headquarter Level (PMU) Complaint Handling System:** Decision of the PD, PIU will be final unless an appeal is preferred to the 2nd level GRC at PMU. The complaint/concern will be redressed in 4-week time and written communication will be sent to the complainant about the decision taken.

114. In addition to the subproject level grievance redressal mechanism, affected persons can submit their grievances through the State government grievance redressal mechanism namely Rajasthan Sampark¹⁴ and further, all stakeholders will have access to ADB's Accountability Mechanism¹⁵.

115. **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 4-week time and written communication will be sent to the complainant. A complaint register will be maintained at PIU/PMU level with details of complaint lodged, date of personal hearing, action taken and date of communication sent to complainant. If the complainant is still not satisfied s/he can approach the 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



¹⁴ <http://sampark.rajasthan.gov.in/index.aspx>.

¹⁵ <https://www.adb.org/>

[contact?target=Hmzj1lfKqMSRDKA0C6/kg==&name=Complaint%20Receiving%20Officer&referrer=node/81970](https://www.adb.org/contact?target=Hmzj1lfKqMSRDKA0C6/kg==&name=Complaint%20Receiving%20Officer&referrer=node/81970).

XI. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION

A. Administrator of LARR

116. 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

117. 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.

118. 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.

119. 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 retention of an external expert/monitor to verify PMUs monitoring information and provide advise compliance issues, and ensure that external monitor's recommendations are implemented, where appropriate

C. Project Implementation Unit

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

121. 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

122. 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.

123. 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.

124. 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 7.

E. Project Implementation Consultant

125. 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. Rehabilitation and Resettlement Award

126. In accordance with the provisions of the RFCTLARR Act [Sec 31 (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 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.

127. 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.

128. 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.

129. 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.

130. 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.

G. Management Information System (MIS)

131. 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.

H. Capacity Building of PIU

132. 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

133. 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

134. 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.

135. **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.

136. **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.

137. **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

138. 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 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) Obtaining options for resettlement and choice of resettlement site location;

- (viii) MIS in operational for tracking land acquisition and rehabilitation and resettlement Implementation progress;
- (ix) Structure valuation;
- (x) Disclosure of micro plan (list of eligible affected persons and their entitlements);
- (xi) Issue of Identity cards;
- (xii) Rehabilitation and resettlement award including assistance for non-title holders;
- (xiii) Relocation of CPRs;
- (xiv) Payment of rehabilitation and resettlement assistance;
- (xv) Allotment of house sites or development of resettlement sites;
- (xvi) Shifting of affected persons of alternative resettlement sites;
- (xvii) Land acquisition award;
- (xviii) Certification of payment of rehabilitation and resettlement assistance for first milestone;
- (xix) Certification of payment of land acquisition and rehabilitation and resettlement assistance for second milestone impact evaluation; and
- (xx) Coordination with civil works.

139. **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.

140. 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.

141. 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

142. 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

143. 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 1st 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.

144. PMU prepare and will submit semi-annual monitoring reports to ADB for disclosure on the ADB website. In view the non-significance of resettlement impacts, the monitoring mechanism for this project will have only internal monitoring by PIU.

C. Monitoring indicators

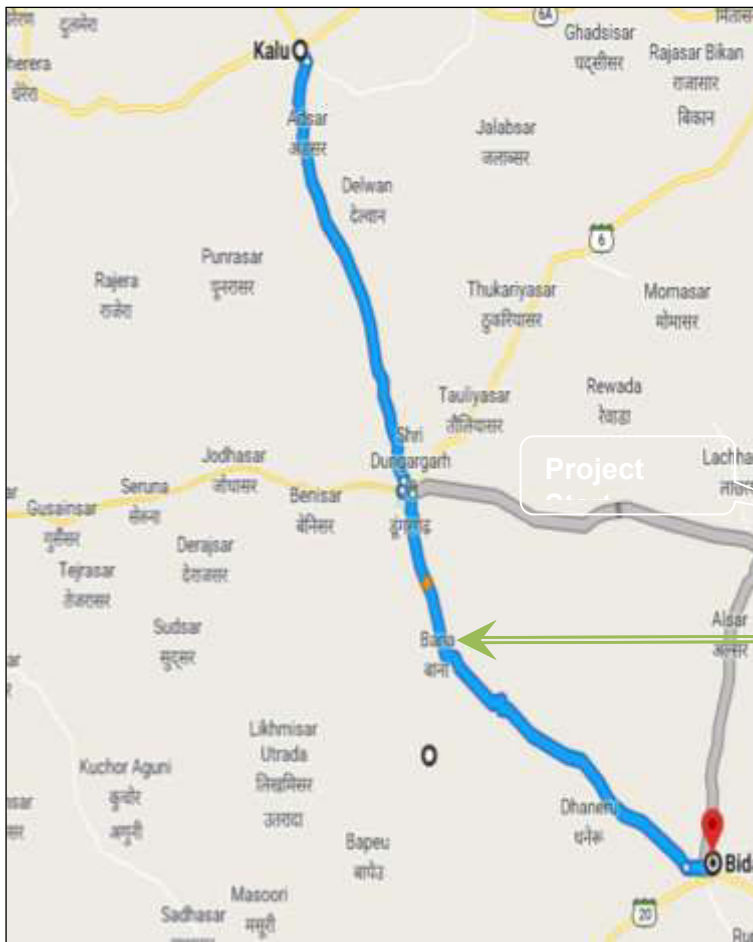
145. The indicative monitoring indicators for physical monitoring will be: land acquired (ha) - private; land transferred (ha) - government; issue of ID cards; number of affected persons received full rehabilitation and resettlement assistance (titleholders); number of affected persons received full 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 receive compensation and rehabilitation and resettlement assistances; number of CPRs relocated; and number of grievance received and resolved. The indicative monitoring indicators for financial monitoring will be: amount paid as land compensation; amount paid as structure compensation; amount paid as rehabilitation and resettlement assistances; and amount spent on common property resources.

146. The indicators should be revisited prior to resettlement plan implementation and revised in accordance with the final approved RF.

147. 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: Google Earth Image of the Subproject Road



Appendix 2: Summary of Affected Households Losing Land

S. No.	Village Name	Plot No/ Khasra No.	Chainage	Side	Type of Land	Use of Land	Affected Area of Land (in Hect.)	Type of Private Ownership	Name of the Owner / Occupier
1	Mingsaria	114	13.400	LH S	Irrigated	Agri	0.02	Joint	Hadmanaram
2	Mingsaria	114	13.400	LH S	Irrigated	Agri		Joint	Sagram
3	Mingsaria	114	13.400	LH S	Irrigated	Agri		Joint	Ramlal
4	Mingsaria	114	13.400	LH S	Irrigated	Agri		Joint	Kumbhar am
5	Mingsaria	137	13.600	RH S	Irrigated	Agri		Joint	Hadmanaram
6	Mingsaria	137	13.600	RH S	Irrigated	Agri	0.02	Joint	Sagram
7	Mingsaria	137	13.600	RH S	Irrigated	Agri		Joint	Ramlal
8	Mingsaria	137	13.600	RH S	Irrigated	Agri		Joint	Kumbhar am
9	Dungergar h	747	43.600	RH S	Irrigated	Agri	0.01	Joint	Rukmani
10	Dungergar h	747	43.600	RH S	Irrigated	Agri		Joint	Shobha
11	Ridi	727	25.350	RH S	Irrigated	Agri	0.01	Individual	Daunath
12	Ridi	733	25.450	RH S	Irrigated	Agri	0.01	Joint	Chetan nath
13	Ridi	733	25.450	RH S	Irrigated	Agri		Joint	Pokar nath
14	Ridi	732	25.600	RH S	Irrigated	Agri	0.01	Individual	Bhaira devi
15	Ridi	731	25.700	RH S	Irrigated	Agri	0.01	Individual	Ratana ram
16	Dungergar h	716	46.800	RH S	Irrigated	Agri	0.03	Individual	Kumkum devi
17	Dungergar h	719	46.500	RH S	Irrigated	Agri	0.04	Joint	Kamla devi
18	Dungergar h	719	46.500	RH S	Irrigated	Agri		Joint	Phool devi
19	Delwa	202	67.700	RH S	Irrigated	Agri	0.01	Joint	Omprakash
20	Delwa	202	67.700	RH S	Irrigated	Agri		Joint	Mangilal
21	Delwa	202	67.700	RH S	Irrigated	Agri		Joint	Mukhram

S. No.	Village Name	Plot No/ Khasra No.	Chainage	Side	Type of Land	Use of Land	Affected Area of Land (in Hect.)	Type of Private Ownership	Name of the Owner / Occupier
22	Delwa	245	66.300	Bot h	Irrigate d	Agri	0.21	Joint	Bhanwar Lal
23	Delwa	245	66.300	Bot h	Irrigate d	Agri		Joint	Mohan ram
24	Delwa	245	66.300	Bot h	Irrigate d	Agri		Joint	Likhmara m
25	Delwa	245	66.300	Bot h	Irrigate d	Agri		Joint	Ghamnda ram
26	Delwa	245	66.300	Bot h	Irrigate d	Agri		Joint	Gangara m
27	Delwa	245	66.300	Bot h	Irrigate d	Agri		Joint	Ramuram
28	Delwa	245	66.300	Bot h	Irrigate d	Agri		Joint	Sona
29	Delwa	244	66.400	Bot h	Irrigate d	Agri	0.27	Individual	Prabhura m
30	Delwa	243	66.700	Bot h	Irrigate d	Agri	0.61	Individual	Bhomraj
31	Gusaisar	1064	57.950	LH S	Irrigate d	Agri	0.22	Joint	Maghara m
32	Gusaisar	1068	58.000	RH S	Irrigate d	Agri		Joint	Maghara m
33	Gusaisar	1068	58.000	RH S	Irrigate d	Agri	0.14	Joint	Jesaram
34	Gusaisar	1068	58.000	RH S	Irrigate d	Agri		Joint	Mamraj
35	Gusaisar	1068	58.000	RH S	Irrigate d	Agri		Joint	Raju
36	Gusaisar	1068	58.000	RH S	Irrigate d	Agri		Joint	Ramlal
37	Gusaisar	1071	58.200	LH S	Irrigate d	Agri	0.02	Joint	Dungarra m
38	Gusaisar	1071	58.200	LH S	Irrigate d	Agri		Joint	Aasuram
39	Gusaisar	1071	58.200	LH S	Irrigate d	Agri		Joint	Mamraj
40	Gusaisar	1071	58.200	LH S	Irrigate d	Agri		Joint	Surjaram
41	Gusaisar	1071	58.200	LH S	Irrigate d	Agri		Joint	Girdhari ram




Appendix 3: Summary of Affected Households Losing Structure

S. No.	Village Name	Chainage	Side	Name of the Owner / Occupier	Affected Area of Structure (Sq.m)	Type of Construction of Structure	Use of Structure	Status of Structure
1	Bidasar	0.500	LHS	Ramniwas	45	Temporary	Workshop	Encroacher
2	Kothinada	11.000	RHS	Lixman Ram	2.42	Temporary	Shop	Encroacher
3	Mataji Mod	15.000	LHS	Muknaram	9.36	Temporary	Shop	Encroacher
4	Dungergarh	44.000	RHS	Nirmal Modi	4.37	Temporary	Shop	Encroacher
5	Dungergarh	47.750	LHS	Jahangir	5.82	Semi-Permanent	House	Encroacher

Appendix 4: List of CPR

S. No.	Village Name	Block Name	Chainage	Side	Ownership	Type of Construction of Structure	Use of Structure
2	Bidasar	Bidasar	1.500	RHS	Government	Semi-Permanent	Govt. Toilets & Water Tank
3	Bidasar	Bidasar	2.000	RHS	Community	Semi-Permanent	Trust
4	Bidasar	Bidasar	2.500	RHS	Government	Semi-Permanent	Tubewell House
15	Nosaria Camp	Dungargarh	14.600	RHS	Community	Temporary	Sitting Place
16	Nosaria Camp	Dungargarh	14.600	RHS	Community	Temporary	Sitting Place
22	Bana	Dungargarh	33.000	LHS	Government	NA	PHED Office
23	Bana	Dungargarh	33.000	LHS	Government	Semi-Permanent	Govt. Toilets
26	Salasar	Dungargarh	39.500	LHS	Community	Semi-Permanent	Water Tank
26	Salasar	Dungargarh	39.500	LHS	Community	Semi-Permanent	Water Tank
27	Bana	Dungargarh	33.000	LHS	Government	Temporary	Water Hut
27	Ridi	Dungargarh	26.000	RHS	Religious	Temporary	Temple
31	Dungargarh	Dungargarh	46.600	LHS	Religious	NA	Boundary Wall

Appendix 5: Participants in Consultation

S. No.	Place	Date	Numbers of Participate	Photo
1	Ridi	9th Feb. 2019	18 Nos. (16 Male & 02 Female)	
2	Delwa	10th Feb. 2019	24 Nos. (19 Male & 05 Female)	
3	Dungergarh	11th Feb. 2019	10 Nos. (09 Male & 01 Female)	

Appendix 6: Comparison between ADB IR Policy Requirements and RFCTLARR Act 2013 with Gap filling measures

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
Policy Objectives				
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 address 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]	
Scope of Application				
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	

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
			gatherers of forest produce, hunters, fisher folk and boatmen and such livelihood is affected due to acquisition of land [Ref: Section 3 sub-section c (vi)]	
Eligibility Criteria				
6	Those who have formal legal rights to land lost in its entirety or in part	<input type="checkbox"/>	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	<input type="checkbox"/>	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.
Policy Principles				
10	Carry out meaningful consultations with		Whenever a SIA is required, the appropriate	The RF provides for a District level GRC

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
	affected persons, host communities and concerned non-government originations	<input type="checkbox"/>	Government shall ensure that a public hearing is held at the affected area, after giving adequate publicity about the date, time and venue for the public hearing, to ascertain the views of the affected families to be recorded and included in the SIA Report. [Ref: Section 5]	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
11	Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns.	<input type="checkbox"/>	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.	<input type="checkbox"/>	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)	<input type="checkbox"/>	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)]	

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
	transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.			
14	Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards	<input type="checkbox"/> (partly)	The act provides for special provisions and assistance for scheduled caste and scheduled tribe in scheduled area. [Ref: Section 41] Further the act recognizes widows, divorcees and women deserted by families as separate families [Ref: Section sub-section (m)] The act does not recognize other vulnerable category and also SC/ST from non-scheduled	Special provision for vulnerable have 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	<input type="checkbox"/>	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	<input type="checkbox"/>	The appropriate Government shall ensure that the Social Impact Assessment study report and the Social Impact Management Plan, are	

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
	appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders		<p>prepared and made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be, and the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil, and shall be published in the affected areas, in such manner as may be prescribed, and uploaded on the website of the appropriate Government. [Ref: Section 6 sub-section 1]</p> <p>Further the commissioner shall cause the approved Rehabilitation and Resettlement Scheme to be made available in the local language to the Panchayat, Municipality or Municipal Corporation As the case may be, and the offices of the district collector, the Sub-Divisional Magistrate and 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]</p>	
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	The RF stipulated that all compensation and assistance will be paid to DPs at least 1 month prior to displacement or dispossession of assets

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
			resettlement entitlements listed in the Second Schedule commencing from the date of the award made under section 30. [Ref: Section 38 - sub-section 1]	
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 7: 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 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 Tranche-II will finance 11 road projects totalling of about 754.463 Km spread across the State of Rajasthan.

2. The PPP Cell of the PWD has prepared the Resettlement Plan (RP) for Bidasar – Dungargarh – Kalu section of SH-93, 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 Bidasar – Dungargarh – Kalu 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 labor laws, prohibition of child labor, and gender issues;
- (vii) To conduct awareness program on HIV/AIDs, Health and Hygiene, and Human Trafficking in affected villages; and
- (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 labor laws (including prohibition of child labor, bonded labor 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; and
 - (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 labor;
 - (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; and
 - (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; and
 - (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 organize meetings and appraise the communities about the schedule / progress of civil works; and
 - (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 labor 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; and
 - (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; and
 - (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 st 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 st milestone	At the end of the 6th month after commencement of services.
7	a. Disbursement of the entitlements for remaining DPs in the 2 nd 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.

SNo	Key Professional	No. of Persons	Experience
3	R&R Expert and Field Coordinator (intermittent input)	4	<p>Graduate in Social Science with knowledge and experience in census and socioeconomic surveys, RP implementation PRA Technique and fluent in Hindi and English.</p> <p>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.</p> <p>One field coordinator should be posted for each of the road subproject in this packager.</p>

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.