

Resettlement Plan

August 2022

India: Rajasthan State Highway Investment Program – Tranche 3

Package 2: Churu-Tara Nagar-Nohar
Volume 1 of 2, Main Document

Prepared by Public Works Department, Government of Rajasthan for the Asian
Development Bank.

CURRENCY EQUIVALENTS

(As of 1 August 2022)

Currency unit –	Indian rupees (₹)
₹1.00 =	\$ 0.026
\$1.00 =	₹79.18

ABBREVIATIONS

ADB	– Asian Development Bank
DC	– District Collector
GOI	– Government of India
GRC	– Grievance Redressal Committee
IAY	– Indira Awaas Yojana
RFCTLARR	– The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
RLAB	– Draft Rajasthan Land Acquisition Bill
NGO	– Nongovernment organization
PD	– Project Director
PIU	– Project Implementation Unit
PRoW	– Proposed Right-of-Way
SDRS	– Social Development and Resettlement Specialist
RoW	– Right-of-Way
SO	– Safeguards Officer
SH	– State Highway
SPS	– Safeguard Policy Statement
SoR	– PWD Schedule of Rate

NOTES

- (i) The fiscal year (FY) of the Government of India and its agencies ends on 31 March. “FY” before a calendar year denotes the year in which the fiscal year ends, e.g., FY2022 ends on 31 March 2022.
- (ii) In this report, "\$" refers to US dollars

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EXECUTIVE SUMMARY

1. The government of Rajasthan is implementing the Rajasthan State Highways Development Program (RSHDP) to improve the state core network, comprising all state highways and major district roads. RSHDP aims to improve about 20, 000 kilometers (km) of state highways and major district roads to a 2-lane standard. Phase 1 of RSHDP was designed to engage private sector investment through public-private partnership (PPP) for about 9, 000 km of state highways. Two models of PPP have developed viability gap funding for roads with adequate capacity of revenue generation, and annuity for other roads. As part of RSHDP, the Rajasthan government has initiated Rajasthan State Highways Investment Program (RSHIP) with the financial assistance of \$ 500 million from the Asian Development Bank (ADB) to improve the efficiency of about 2000 km of State Highways (SH) and Major District Roads (MDR) in the state.

2. The RSHIP is a multi-tranche financing facility (MFF) modality proposed to finance the project due to its large scale of investment. Tranche 1 has 16 subproject roads totaling about 998 km. In Tranche-2 four contract packages are in EPC mode and two contract packages in DBOT Hybrid Annuity Mode basis are proposed. Tranche- 2 is financing the upgrading of 754.563 km of State Highways and continue supporting the capacity building of the PPP Division of the PWD, particularly on safeguards implementation monitoring and road safety. Tranche -3 has four subproject roads totaling about 290.515 km spread over 7 Districts. These four roads are Dantiwara-Pipar-Merta city, Churu-Taranagar -Nohar, Kherli-Nadbai-Kumher, and Paloda-Garhi-Anandpuri.

3. The proposed upgrading generally includes cross-section improvement to at least an intermediate 5.5-meter lane with the one meter shoulder of drains and depending on the terrain, land use, and availability of right-of-way particularly in urban areas will have flexible or rigid pavement, raise embankment, open or closed drain and earthen or lined side drain. Bypasses to minimize resettlement impacts; widening, rehabilitation, and repairs of bridges and cross-drains. In addition, toll plazas, bus shelters, and road safety measures will be included in all the subprojects.

4. The PPP Division of the PWD has prepared this resettlement plan for Churu-Taranagar- Nohar section of SH-36 proposed under Tranche-3 for improvements under RSHIP. The assessments for land acquisition and resettlement were initiated in 2018 with the support of detailed project report consultants. 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.

5. The project road Stretch-1 Churu-Taranagar is from Churu (km 0.000) to Tananagar (km 39.520) section of SH-36. The Project road Stretch-2 starts Taranagar-Nohar from Taranagar (km 39.540) to Nohar (km 111.940) section of SH-36. The project road is approximately 111.940 km long. The project road passes through the Churu and Hanumangarh districts of Rajasthan. The major settlements along the project highway are Shajoosar, Bhairusar, Narsipur, Chalkoi, Tara Nagar, Balauthal, Bhawan, Dheeravas, Sahava, Khopada, Dhurjana, Dholewala Bas, Dhadi Saharan, and Nohar.

6. The project involves the acquisition of private land measuring 11.1605 ha belonging to 141 agricultural landowners including 3 structure owners (1 solar power plant and two tube wells). The private land is required for the construction of 1 realignment and 3 toll plazas. Besides agricultural owners' structure of 126 NTHs of which 13 residential owners, 93 shop

owners, 4 residential-cum- commercial owners, and 16 other structures will be affected. Further, there are 18 common property resources that will be impacted in this subproject. All together the subproject will cause an impact on 267 households.

7. 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 Churu-Traranagar-Nohar SH-36 proposed under Tranche 3 of RSHIP. The document describes the magnitude of impact, mitigation measures proposed method of valuation of land, structure and other assets, eligibility criteria for availing rehabilitation and resettlement assistances, baseline socio-economic characteristics, entitlements based on the type of loss and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring.

8. The affected households under this subproject constitute 43.83% General caste households followed by other backward classes (46.44%) and schedule caste (9.73%). There are 1301 total affected persons of which 52.96% are male and 47.04% are female. The sex ratio among affected persons is found to be 888. Out of a total, 46.07% of households are cultivators. The census survey revealed that 12.80% DPs are uneducated. The subproject will affect 49 vulnerable households, comprising 26 scheduled caste households followed by 17 below the poverty line, 4 women-headed households, and 2 others.

9. During the census and socio-economic survey, 7 FGDs were conducted in villages along the subproject road Churu-Taranagar-Nohar in settlements and sections where impacts were recorded. A total of 85 persons (including 14 females) participated in the consultation meetings. All relevant aspects of subproject design, details of land required, and impact on private property were discussed with the affected communities.

10. Information will be disseminated to affected persons at various stages. Information including the magnitude of the loss, detailed asset valuations, entitlements and special provisions, grievance procedures, the 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, booklets, etc. in Hindi. The Hindi version of an executive summary of the resettlement plan along with the entitlement matrix and structure and process of GRC will also be disclosed.

11. 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 (RFCTLARR) Act, 2013, State laws and regulations, and ADB's Safeguard Policy Statement (SPS), 2009.

12. For title holders, the date of Section -11 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 the projected census survey for the subproject will be the cut-off date.

13. 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 the Government of Rajasthan. The total resettlement cost for the subproject is **Rs. 212.9 million**.

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

15. 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 will also look into Resettlement and Rehabilitation and s/he will be supported by the Project Director, PIU in the implementation of the resettlement plan.

16. 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 be supported by a resettlement plan implementation support NGO.

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

I. PROJECT DESCRIPTION

A. Background

1. The government of Rajasthan has proposed to upgrade its road network under Rajasthan State Highway Investment Program (RSHIP) and as part of this endeavour, the 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 supports up-gradation and improvement of the identified roads and under Tranche 1, 16 road projects totalling about 979.686 kilometers (km) spread across the State of Rajasthan are under implementation. Tranche 2, 1 road projects totaling about 754.563 km spread across 14 Districts in the State of Rajasthan is under implementation and Tranche 3, 4 roads project totalling 290.515 km spread across 7 districts is under project preparation stage. The road subprojects proposed under Tranche 3 and their packaging details are given below.

Table 1: List of Subprojects Roads under Tranche 3

S. No.	District	Road Section	Road No	Length (km)
01.	Jodhpur, Nagaur	Dantiwara-Pipar-Merta City	SH-21	86.700
02.	Hanumangarh, Churu	Churu-Traranagar-Nohar	SH-36	111.940
03.	Alwar, Bharatpur	Kherli-Nadbai-Kumher	SH-44	38.600
04.	Banswara	Paloda-Garhi-Anandpuri	SH-10A	53.275
Total				290.515

2. The PPP Division of the Public Works Department has prepared this resettlement plan for the Churu-Taranagar-Nohar, SH-36 road subproject proposed under Tranche 3 for improvements under RSHIP. This resettlement plan addresses social issues arising out of the 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

3. The proposed road subproject passes through two districts – Churu and Hanumangarh of Rajasthan state.

District Churu

4. Churu district is bounded by Hanumangarh District to the north, the Haryana state to the east, the Jhunjhunu, and Sikar districts to the southeast, the Nagaur District to the south, and the Bikaner District to the west. The district is situated between 28°18' north latitude and 74°58' east longitude. Churu District has a population of 20,39,547 accounting for 2.98 percent of the State's population. The urban population accounts for 28.3 percent of the

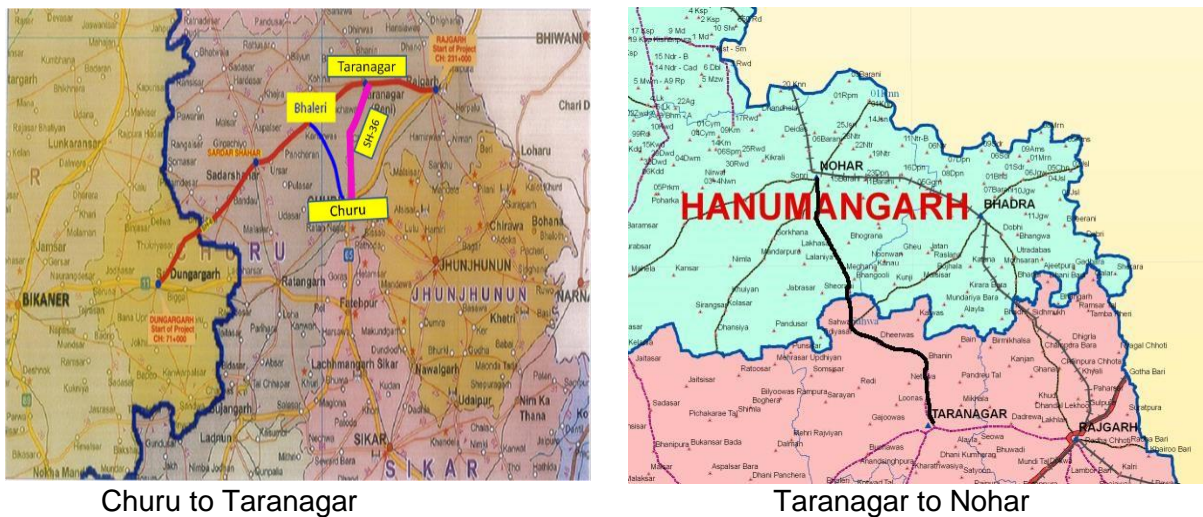
¹ Household or family means affected family in accordance with the Sec 3(c) of RFCTLARR Act, 2013.

district's population and the rural population is 71.7 percent. The percentage of the male population (51.6%) is slightly higher than the percentage of the female population (48.4%) and the sex ratio is 940, higher than the State average of 928. The literacy rate in the district is 56.3 percent, higher than the State literacy rate (55.8%) and the male literacy rate (66.3%) is much higher than the female literacy rate (45.8%). There are 44.3 percent workers, of which main workers account for 69.6 percent and marginal workers 30.4 percent. Main workers comprise of 60.8 percent cultivators and 6.6 percent of agricultural workers, totaling 67.4 percent dependent on agriculture. Other workers comprising service, industry, etc account for 30.6 percent of the main workers.

District Hanumangarh

5. Hanumangarh District is the northern most district of Rajasthan and is surrounded by Churu in the south, Sri Ganganagar in the west, Punjab, and Haryana in the north and east respectively. The district covers an area of 9,656 square kilometers (km²) and is situated between 29° 5' to 30° 6' North latitude and 74° 3' to 75o 3' east Longitude. The district has a population of 1,774,692 accounting for 2.58% of the State's population. The district is largely rural, with 80.25 % of the District population in the rural areas and urban areas accounting for just 19.7%. The percentage of the male population (52.47%) is marginally higher than the percentage of the female population (47.5%) and the sex ratio is 906, much less than the State average of 928. The literacy rate in the district is 67.1%, higher than the State literacy rate (66.1%) and the male literacy rate (77.4%) is much higher than the female literacy rate (55.8%). There are 47.07% workers, of which main workers account for 36.18% and marginal workers 10.88%. Main workers comprise 44.35% cultivators and 19.97 agricultural workers, totaling 64.32% dependent on agriculture. Other workers comprising service, industry, etc. account for 35.68% of the main workers.

Figure 1: Location Map of the Project Road



C. Subproject Road Description

6. The Project Road Stretch 1 starts at Churu-Taranagar from Churu (km 0.000) to Taranagar (km 39.520) section of SH-36. The Project Road Stretch-2 starts at Taranagar-Nohar from Taranagar (km 39.540) to Nohar (km 111.940) section of SH-36. The project road is approximately 111.940 km long. The project road passes through the Churu and Hanumangarh districts of Rajasthan. The location of the road is shown in **Figure 1**.

D. Details of Settlements

7. The roadside socio-economic condition varies from rural village developments to rural agricultural areas, semi-rural open areas with occasional roadside dwellings, and small businesses scattered throughout the route. There is ribbon development at some locations along the road with small settlements. The majority of the project road passes through a rural area with planned terrain. The sections of Project Highway passing through built-up areas are given in table 2 for Churu-Taranagar-Nohar road.

Table 2: Sections Passing through Built-up Areas

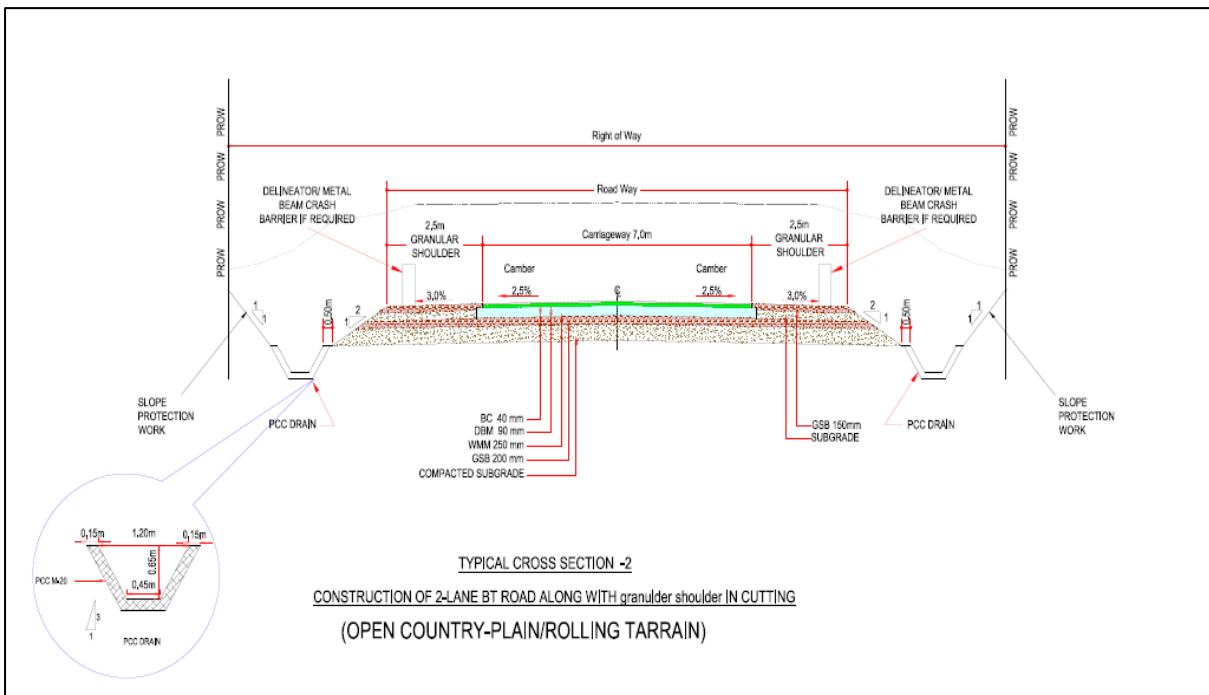
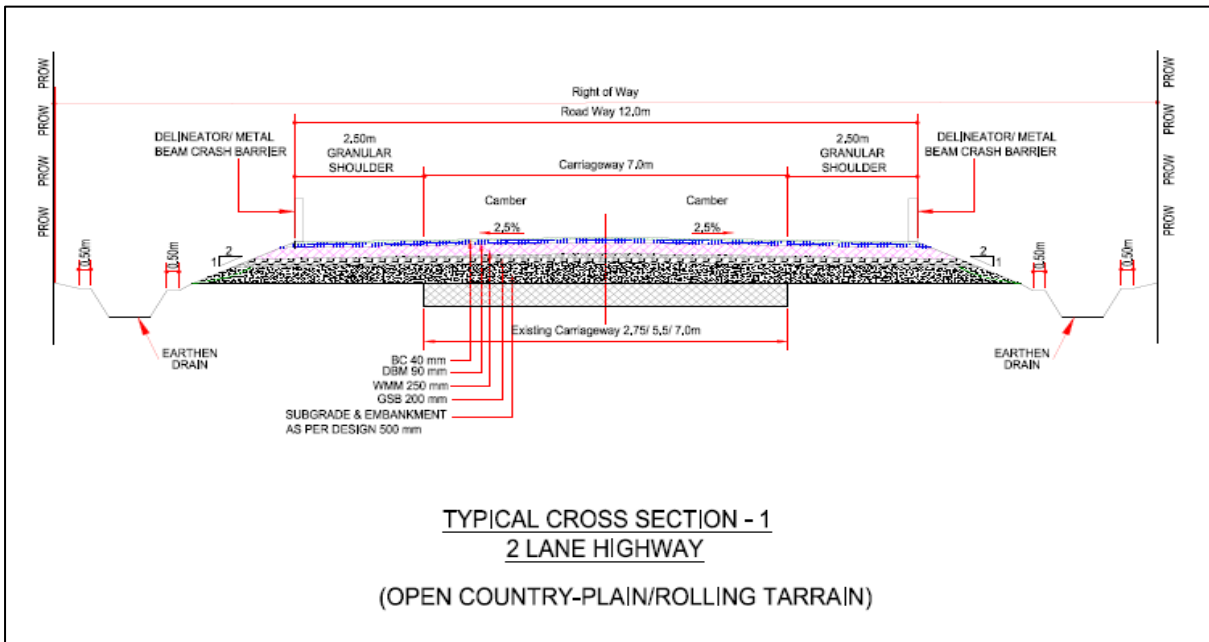
S. No	Name of Built-up Area	Existing Chainage		Length
		From	To	
1	Shajoosar	9.40	11.00	1.30
2	Bhairusar	19.70	20.30	0.30
3	Narsipur	24.10	24.60	0.20
4	Chalkoi	25.60	26.20	0.30
5	Tara Nagar	44.00	45.20	1.20
6	Balauthal	53.60	54.30	0.70
7	Bhawin	59.70	59.90	0.20
8	Dheeravas	71.50	73.10	1.60
9	Sahava	78.60	81.40	2.80
10	Khopada	88.60	89.20	0.60
11	Dhurjana	96.70	97.60	0.90
12	Dholewala Bas	102.50	102.60	0.10
13	Dhadi Saharan	109.2	109.30	0.10
14	Nohar	113.10	115.40	2.30

E. Proposed road widening

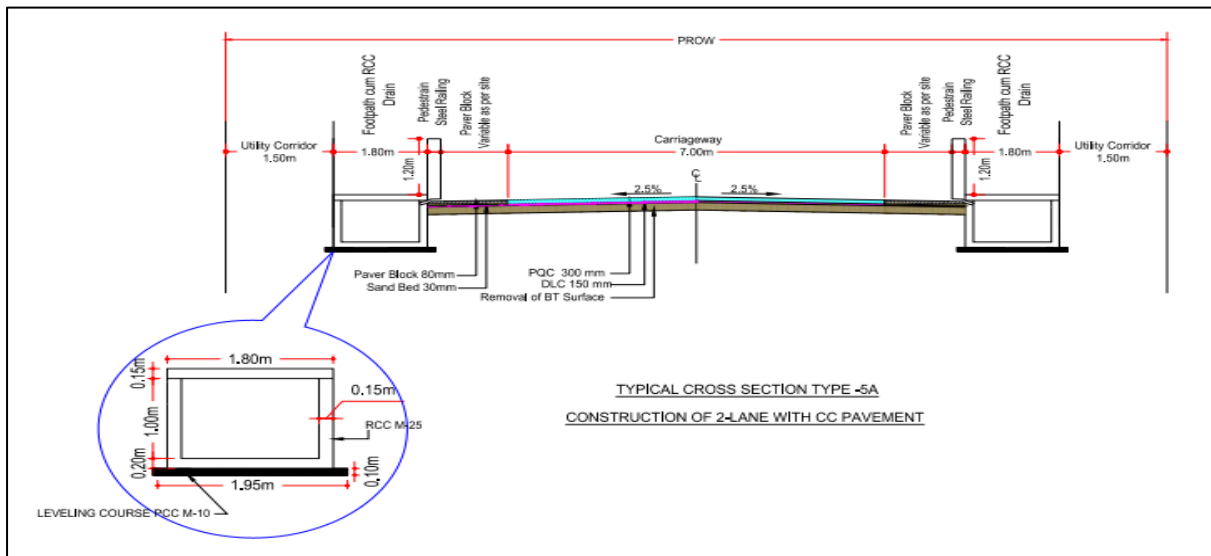
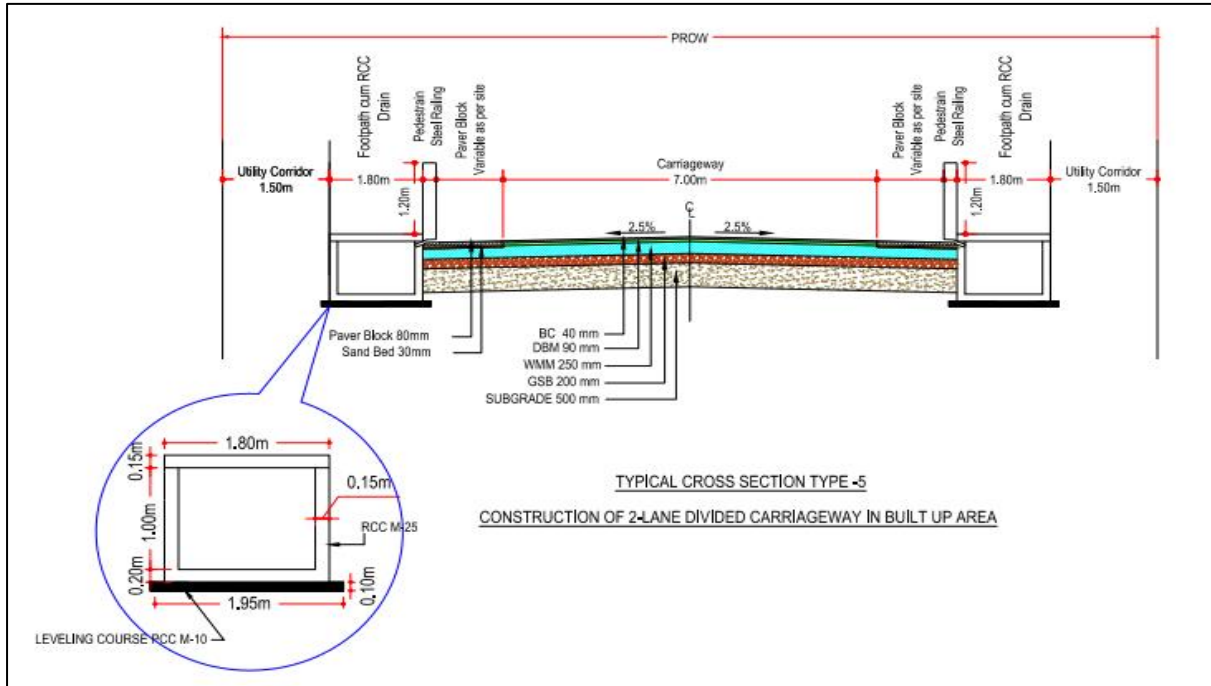
8. Due to markets on both sides of the road like Shajoosar, Bhairusar, Narsipur, Chalkoi, Tara Nagar, Balauthal, Bhawan, Dheeravas, Sahava, Khopada, Dhurjana, Dholewala Bas, Dhadi Saharan and Nohar and presence of several commercial encroachers structures, upgrading the existing road into two laning would be a difficult task in some stretches. The project up-gradation currently being planned as per the terms of reference (TOR) involves widening the existing road to 2 lanes with paved shoulders along with drainage and a realignment in Gajsar.

9. The existing features of project road are ascertained through inventory surveys. The project road is passing through plain terrain, predominantly surrounded by barren / agricultural lands. The height of embankment varies from 0.5 to 1.5m. 14 villages are observed along the project stretch. The existing alignment comprises of many sharp horizontal curves and deficient vertical curves. The existing ROW is varying from 18-24 m. The existing junctions are not up to IRC standards. The Typical cross section proposed for this road subprojects are presented in figure 2.

Figure 2: Typical Cross Section



Note: TCS schedule as given above shall be treated as an approximate assessment. The actual length of the TCS schedule shall be prepared by the contractor based on detailed investigations and site requirements.



F. Subproject Impacts

10. The towns and villages along the subproject road would have improved connectivity with State Highways (SH), National Highways (NH), major trading, educational and administrative centers. Further, the improved road will reduce the travel time to the residents of this area to work place, schools, hospitals, and markets. Agriculturists 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.

11. A census and socio-economic survey was carried out between February-June 2022 under Social Impact Assessment to understand the nature and magnitude of impacts of proposed road subproject. The questionnaire is provided in **Appendix-1**. Based on the findings it was revealed that the project would involve acquisition of private land measuring 11.1605 ha for construction of 2.020 km long realignment and 3 toll plaza, belonging to 141 agricultural landowners including 3 structure (1 solar power plant and 2 bore well). Besides agriculture owners structure of 126 NTHs of which 93 shop owners, 13 residential, 4 residential cum- commercial owners and 19 others structure will face disruption during civil works. There are 18 common property resources that will be impacted in this subproject. Altogether the subproject will cause an impact on 267 households. The involuntary resettlement impact has been summarized in table 3.

Table 3: Summary of Involuntary Resettlement Impacts

Impact	Extent/Numbers
	Churu-Taranagar-Nohar
Total Land Required	11.1605 ha
Private Land Acquisition (ha)	11.1605 ha
Government Land Required	-
Temporary Land Acquisition (ha)	Nil
Affected Households	267
Titled affected House hold	141
Non-titled affected House hold ² (including kiosks)	126
Physically Displaced Households (Partial Loss of Residence)	13
Economically Displaced Households (Partial Loss of Shop)	93
Economically Displaced Titleholders losing land ³	7
Physically and Economically Displaced Households (Loss of Residence cum Shop)	4
Titleholders Losing strip of land ⁴ (non-significant impact)	138
Households losing other structures (non-significant impact)	19
Tenants	0
Total Affected Persons	823
Titled affected persons	613
Affected employees	0
Affected Structures	129
Affected Private Trees	55
Affected Common Property Resources	18

Source: Census and Socio-Economic Survey, SIA, February-June 2022, and DPR

12. The Social Impact Assessment identifies the vulnerable population in order to minimize the adverse impact and provide adequate mitigation measures. An assessment was made to bring out the vulnerable DPs (households below poverty line, SC, ST, Women-headed Households, households headed by physically challenged persons, the elderly, landless and households without legal title to land). Their distribution on the stretch in terms of absolute numbers and percentage are given below.

² Encroached households are those who own the adjoining land and the impact is to the structure in the right-of-way.

³ Landowners losing 10% or more of their land.

⁴ The affected families losing less than 10% of the agricultural land have been considered as facing nonsignificant impact as the loss of land will not result in physical or economic displacement.

Table 4: Vulnerable Groups along the Project Road

Sl. No.	Vulnerable Category	Total	Total %
1	Scheduled Caste	26	53.07
2	Scheduled Tribe	0	0
3	Below Poverty Line	17	34.69
4	Women-Headed Household	4	8.16
5	Physically Challenged	0	0
6	Old/Inactive	2	4.08
Total		49	100.0

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

G. Minimizing Involuntary Resettlement

13. Measures were taken to minimize adverse involuntary resettlement impacts by adopting concentric widening in built-up sections and reducing the proposed right-of-way to 18 m. The available right-of-way (RoW) will be utilized to the extent possible, thereby reducing the land required for the proposed widening. Based on the design requirements, 2.020 km long realignment and 3 toll plazas have been proposed along the existing road. The existing RoW (18-24 mt) has been confirmed with the Revenue Department and physically verified on the ground.

Table 5 : Existing Right of way (ROW)

S.No.	Design Chainage (km)		Existing RoW (M)	Proposed RoW (M)
	From	To		
Churu -Taranagar Road -Nohar				
1	0+000	111+940	18-24	18-24
Realignment				
2	0.000	2.020	0	30

Source: Detailed Design Survey, RPWD

H. Impact on Indigenous Peoples

14. The census and socio-economic survey and consultations had along the project area confirm that there are no indigenous people in the settlements along the subproject road and further the subproject do not impact indigenous peoples communities.

I. Scope and Objective of Resettlement and Indigenous People Plan

15. 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 Churu-Taranagar-Nohar (SH-36) proposed under Tranche 3 of RSHIP. The document describes the magnitude of impact, mitigation measures proposed method of valuation of land, structure and other assets, eligibility criteria for availing rehabilitation and resettlement assistances, baseline socio-economic characteristics, entitlements based on the type of loss and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Introduction

16. The subproject involves improvement of the Churu-Taranagar-Nohar State Highway 36 of total length of 111.940 km. The project road Stretch-1 Churu-Taranagar from Churu (km 0.000) to Taranagar (km 39.520) section of SH-36. The Project Road Stretch-2 starts at Taranagar (km 39.540) and ends at Nohar (km 111.940) section of SH-36 in Churu and Hanumangarh districts of Rajasthan.

B. Scope of Land Acquisition

17. Based on the detailed design prepared by RPWD and the Detailed Measurement Survey (DMS) the proposed Churu-Taranagar-Nohar State Highway 36 will require 11.1605 hectares of land in Churu and Hanumangarh Districts. The entire land (11.1605 hectare) to be acquired is private land. The land acquisition required for Gajsar Greenfield alignment with 30 mt RoW, Gajsar Brownfield alignment with 20 mt additional RoW, on both sides of existing road with 10 mt RoW, Narshihpura toll plaza, Bhanin toll plaza, and Meghana toll plaza. The category and amount of land to be acquired is given below.

Table 6: Category of Land to be acquired

S.No.	Type of Ownership	Extent in Hectare	Sq.mt.
1	Private	11.1605	111605
2	Government land	0.0	0.0
Total		11.1605	111605

Source: Census and Socio-Economic Survey, SIA, February-June 2022, and DPR

18. The land proposed to be acquired is under various uses. Based on the census and socio-economic data of SIA the land proposed for acquisition categorized by its use is presented in the following table.

Table 7: Classification of Loss of Private Land and Impacts

S.No.	Use of Land	Number of Affected Household	Hectare
1	Agricultural	138	10.9235
2	Residential	0	0
3	Commercial	0	0
4	Barren Land	0	0
5	Others (If any)	3	0.237
Total		141	11.1605

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

19. The land being acquired has been categorized based on the extent of land lost and those landowners losing 10 percent and more of their land are only 7 households, being significantly affected households in this subproject. The remaining 134 affected households are losing less than 10 percent of their agriculture land. The extent of land lost by the number of affected households is given in the following table.

Table 8: Intensity of Land Impact

S.No.	Scale of Impact	Number of Affected Household
1	Up to 10%	134

S.No.	Scale of Impact	Number of Affected Household
2	More than 10%	7
Total		141

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

C. Impact to Structures

20. The properties likely to be affected by the proposed road are surveyed by using the structured schedule. These properties may include houses, shops, offices, religious establishments, markets, community halls, or any other structure. It has been attempted to get the details of various structures that are located within the proposed RoW of the project road.

21. The preliminary social survey, conducted within 18-30 meters as per proposed right of way indicates that there are significant numbers of structures falling within the proposed road. The survey shows that as many as 147 structures will be impacted within the proposed right of the way on the existing road. The structures include private properties, religious properties, community properties, and government properties. The following sections deal with the details of the affected structures along the project road. The number of properties and their distance from the existing centreline is depicted in Table 9.

Table 9: Distance of Affected Structures from Centreline

Sl. No.	Distance from center line	Number	%
1	Upto 5.0 m	11	7.48
2	Upto 10.0 m	133	90.47
3	Upto 15.0 m	3	2.05
Total		147	100.0

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

i. Ownership of the properties likely to be affected

22. As mentioned above that the analysis of affected properties has been done. Analysis has been done to consider widening of the road up to 18 meters and 30 meters in Gajsar realignment. The total number of properties documented has been analyzed under different categories in terms of their uses, such as private, religious, and public /Govt. etc. Out of the total 147 properties that are likely to be affected, 129 (87.76%) are private properties (properties that are owned by individuals and do not have govt. or community ownership), while 3 (2.04%) are religious properties, 10(6.80%) are community properties, which include well and pyau (water storage for public use) and 5(4.40%) are Government property is also likely to be negatively impacted.

23. The property falling within the corridor of impact as per its type of ownership has been documented in Table 10.

Table 10: Ownership of Properties likely to be affected

Sl. No.	Type of Properties	Number	Total %
1	Private	129	87.76
2	Religious	3	2.04
3	Government office	10	6.80
4	Community	5	3.40
Total		147	100.0

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

24. Out of 129 private structures getting affected 126 (97.64%) belong to encroachers who own the adjoining land. The titleholders own 3 structures. The ownership details of the private structures getting affected are presented in the following table and the list of displaced households is provided in **Appendix-2, 3 & 4.**

Table 11: Category of Private Ownership

Sl.No.	Category	Number of Structures	Percentage
1	Titlholders	3	2.36
2	Encroacher	126	97.64
3	Squatter	0	0
Total		129	100.0

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

ii. Type of construction of the structures

25. Taking the proposed widening of the road up to 18-30 meters into consideration, after analysis, it reveals that the maximum numbers of the constructed structures, which are likely to be impacted within the corridor of impact, are temporary (96.12%) and only 3.10% are semi-permanent and 1 is temporary structures. The details of the type of constructions of the structures are summarized in table 12.

Table 12: Type of Construction of Structures

Sl.No.	Type of Construction	Number	Total %
1	Permanent	1	0.78
2	Semi-Permanent	4	3.10
3	Temporary	124	96.12
Total		129	100.0

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

iii. Private properties to be affected

26. It is revealed from the social survey that in the case of widening of the project road up to 18 meters, the total number of private properties likely to be affected is estimated at 129 in number. These private properties are residential, commercial, or residential-cum-commercial. It was found in the social survey that most of the structures along the road are commercial in nature (72.09 %). Only 10.08% of the affected structures are residential 3.10 % of them are residential-cum- commercial and 14.73% are other's structures. Details of private properties likely to be affected are shown in Table 13.

Table 13: Type of Private Properties Likely to be affected

Sl. No.	Type of PrivateProperty	Number	Total %
1	Residential	13	10.08
2	Commercial	93	72.09
3	Res-cum-commercial	4	3.10
4	Others (Boundary Wall, Bathroom etc)	19	14.73
Total		129	100.0

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

D. Magnitude of Impact on Structures

27. The subproject will cause impact to structures of temporary, semi-permanent and permanent type of construction. All 110 main structures affected under the subproject will face loss of less than 50% of the total area and hence, the impact is non-significant. The significantly impacted structures (3 structures under others category) have been considered for replacement cost for the full structure. However, the viability of all affected 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 14: Use by Extent of loss to the Affected Structures

S.No.	Impact	Residence	Commercial	Residence cum Commercial	Others	Total
1	0-10	13	54	2	16	85
2	10-25	0	39	2	0	41
3	25-50	0	0	0	0	0
3	50-75	0	0	0	0	0
4	75-100	0	0	0	3	3
Total		13	93	4	19	129

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

E. Loss of Livelihood

28. The subproject will cause significant impact on loss of livelihood to 41 households who would be losing over 10% of their commercial structure. There are 7 agriculture landowners who are losing more than 10% of their productive land and hence, the impact is significant. The loss of livelihood impact is presented in the following table.

Table 15: Loss of Livelihood

S.No.	Category of Loss	Number of Affected Households	Number of Affected Persons
1	Owners of Business	41	128
2	Commercial Tenants	0	0
3	Employees	0	0
4	Agricultural Landowners (losing \geq 10% of the land)	7	36
Total		48	164

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

F. Loss of Trees

29. The project will not require removal 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 LAP 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.

G. Loss of Common Property Resources

30. In terms of community property resources (CPR), 18 structures were reported to be affected. Out of 18 structures, 3 are religious structures (temples), 10 are community structure (Chabutra, panchayati) and 5 are government structures (bus stands, waiting sheds etc). The types of affected CPRs are presented in the Table 16, and the list of CPR affected in the subproject is presented in **Appendix: 5**. 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 16: Type of affected CPR

Sl. No.	Type of Structure	No. of Structure	%
4	Community Structure	10	55.55
5	Religious Structure	3	16.67
6	Government Structure	5	27.78
Total		18	100.0

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

III. SOCIO ECONOMIC INFORMATION AND PROFILE

A. Involuntary Resettlement Impacts

31. This resettlement plan is based on the census and socio-economic survey carried out between February-June 2022, based on the final and detailed design of the road subproject. The census survey identified 267 households losing their land and/or structures. The salient findings are presented in the following sections.

B. Methodology Adopted

32. The census survey enumerated all private assets/properties and common property resources within the proposed right-of-way (PRoW) of 18m-20m in, and 30m in greenfield realignment 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.

33. In addition to recording the above information, detailed socio-economic characteristics, including the demographic profile of members of the household, standard of living, inventory of physical assets, vulnerability characteristics, indebtedness level, health and sanitation, perception about the project, and resettlement preferences was collected from all affected households. All structures were photographed and numbered for reference and record. The common property resources within the PRoW that were getting affected were also enumerated.

34. The census survey identified 267 households that would be affected by the subproject. The socio-economic survey was carried out amongst all households and the details of the same are analysed and presented in the following sections.

C. Demographic Profile of Project Displaced Households

35. **Household by Sex:** Males account for 52.96% and female account for 47.04 % amongst Displaced Persons (DPs). The sex ratio among the DPs is found to be 888 females per one 1000 males.

Table 17: Number of Displaced Persons by Sex

S.No.	Sex	Number	Percentage
1	Male	689	52.96
2	Female	612	47.04
	Total	1301	100.00

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

36. **Household by Religion:** Hindus account for 95.88% of the household getting affected, followed by 3.37% Muslims and 0.75% household belongs to Jain.

Table 18: Household by Religion

S.No.	Religion	Number	Percentage
1	Hindu	256	95.88
2	Muslim	9	3.37
3	Jain	2	0.75
	Total	267	100.00

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

37. **Household by Social Group:** Around 46.44% of the displaced households belong to the other backward category, followed by 43.83% general, and around 9.73 % schedule caste. The details are provided in table below.

Table 19: Household by Social Category

S.No.	Social Category	Number	Percentage
1	General	117	43.83
2	Other backward caste	124	46.44
3	Scheduled caste	26	9.73
4	Scheduled tribes	0	0
	Total	267	100.0

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

38. **Household by Size of Family:** 53.94% of the affected families reported a family size of 5 to 6 members and around 32.58% of 3 to 4 members. There are only 8.61% of households have a family size of more than 6 members.

Table 20: Size of the Household

S.No.	Size of the Family	Number	Percentage
1	Up to 2	13	4.87
2	3 to 4	87	32.58
3	5 to 6	144	53.94
4	Above 6	23	8.61
	Total	267	100.00
	Average size of the family is 4.		

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

39. **Age group of affected persons:** The number of women aged above 65 years is more as compared to men in the same age group. The difference in between two in age group 21 and below is also high. In all, 46.35% of the affected persons are in the age group of 21 and below, followed by 15.91% in the age group of 22 and 35, 15.45% in the age group of 36 and 50, 12.61% in the age group of 50 and 65 and 9.68% in the above 65 age group.

Table 21: Age Group of PAPs

S.No.	Age Group	Male		Female		Total	
		Number	%	Number	%	Number	%
1	Up to 21	314	45.57	289	47.22	603	46.35
2	> 21 and ≤ 35	118	17.13	89	14.54	207	15.91
3	> 35 and ≤ 50	107	15.53	94	15.36	201	15.45
4	> 50 and ≤ 65	88	12.77	76	12.42	164	12.61
5	Above 65	62	9.00	64	10.46	126	9.68
	Total	689	100.00	612	100.00	1301	100.00

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

D. Socio-economic Profile

40. **Educational level of affected persons:** 12.80% DPs are uneducated. The other includes 22.21% up to the primary, 18.73% up to the middle, 14.46% below metric, 26.13% high school, 4.01% graduates, and 1.66% postgraduate. 12.85% of the women are uneducated compared to 12.77% of men.

Table 22: Educational level of PAPs

S.No.	Education	Male		Female		Total	
		Number	%	Number	%	Number	%
1	Uneducated	78	12.77	69	12.85	147	12.80
2	Literate	132	21.60	123	22.91	255	22.21
3	Upto Middle	109	17.84	106	19.74	215	18.73
4	Below Metric	88	14.40	78	14.53	166	14.46
5	Metric	157	25.70	143	26.63	300	26.13
6	Graduate	30	4.91	16	2.98	46	4.01
7	Above	17	2.78	2	0.37	19	1.66
	Total	611	100.00	537	100.00	1148	100.00

Note: Children below 6 years are excluded.

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

41. **Occupation of affected persons:** The displaced households are largely (48.69%) involved in farming and cultivation followed by business (36.33%) and only 4.49% households were found in job/service.

Table 23: Occupation of DPs

S.No.	Occupation	Number	%
1	Cultivator	123	46.07
2	Agriculture Labourer	7	2.62
3	Daily Wage Earner	11	4.12
4	Salaried	12	4.49
5	Business	97	36.33
6	Self Employed	17	6.37
	Total	267	100.00

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

42. **Income of affected household:** The official poverty line⁵ for the state is Rs. 4525 per month. 20.22% of DPs have monthly income less than Rs. 5000. Most (62%) of the DP households are earning between Rs.10,001 and Rs.20,000 per month. Around 21% DPs are earning between Rs.5,001 and Rs.10,000, 11.99% DPs are earning between Rs.20,001 and Rs.30,000 while, 4.87% (13 households) have a monthly income of more than Rs. 50000. The details are provided below in table 24.

Table 24: Monthly Household Income of DHs

S.No.	Monthly Family Income (Rs)	Number	Percentage
1	Up to 5,000	54	20.22
2	5,001 to 10,000	57	21.35
3	10,001 to 20,000	89	33.33
4	20,001 to 30,000	32	11.99
5	30,001 to 50,000	22	8.24
6	>50,000	13	4.87
	Total	267	100.00

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

43. **Impact to vulnerable household:** The vulnerable account for 18.35% of the affected household and amongst the vulnerable 53.06% are schedule caste households, followed by

⁵ Source: Press Note on Poverty Estimates, 2011-12, Government of India, Planning Commission, July 2013

34.69% below poverty line (BPL)⁶ households and 4 Women headed households. The category of vulnerable affected households is presented in the following table.

Table 25: Vulnerable Households in the Subproject

S.No.	Vulnerable Type	Number	Percentage
1	Women Headed Household	26	53.06
2	Scheduled tribes	0	0.00
3	Scheduled Caste	17	34.69
4	Below poverty line	4	8.16
5	Disabled Headed Household	0	0.00
6	Old/Inactive	2	4.08
	Total	49	100.0

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

44. **Project Impact on Women:** Improved roads will bring equal benefits to women and girls. Direct benefits include a decrease in travel time and an increase in reliable and convenient transport services. Indirect benefits include improved access to products and services, including social services such as health, education, as well as other government services. During construction, women will also benefit from the increased employment opportunities. However, road construction and improvements may also lead to potential negative impacts such as the spread of STIs (sexually transmitted infections), trafficking, and road safety issues. Potential negative impacts will be addressed through community awareness that will be implemented by the RP implementing agency.

E. Key Socio-economic Indicators

45. The key socio-economic indicators established based on the census and socio-economic survey carried out amongst the affected household between February to June 2022 are presented below. These indicators would form the baseline indicators, in addition to other indicators identified by RPWD, and would be compared with the midterm and post-implementation evaluation carried out by the independent external evaluation agency.

Table 26: Key Socio- economic Indicators

S.No.	Indicator	Unit	Value/Figure
a)	Income (N = 267)		
1	Monthly family income	Average	Rs. 8, 668
2	Number of earners	Average	1.87
b)	Impact (N =267)		
3	Residence	%	4.86
4	Business / Shop	%	34.83
5	Residence cum Commercial	%	1.49
c)	Social Characteristics (N=267)		
5	Family size	Average	4.8
6	Women headed household	%	1.49

F. Resettlement Preferences

46. The affected households were asked to indicate their preferred resettlement and rehabilitation option and were asked if they prefer self-managed cash assistance or project-supported housing/livelihood assistance. Out of 267, only 8 households were opted for project

⁶ 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.

supported assistance while, 100% of them preferred cash compensation for loss of their assets.

IV. CONSULTATION, PARTICIPATION AND DISCLOSURE

A. Consultation in the Project

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

B. Methods of Consultation

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

49. During the census and socioeconomic survey, meaningful⁷ 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 the opportunity to express their concern was provided during the consultations. The consultation methods followed and proposed are detailed in the following table.

Table 27: 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

50. In addition to the web disclosure of the resettlement plan seeking views and suggestions of the general public, detailed consultations regarding the extent of involuntary resettlement impact and the mitigation measures proposed in the resettlement plan will be

⁷ 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.

disclosed to the affected persons and general public through public meetings held along the subproject road during resettlement plan implementation.

51. During the census and socio-economic survey, FGDs were conducted in villages along the subproject road in settlements and sections where impacts were recorded. All relevant aspects of subproject design, details of land required, and impact on private property were discussed with the affected communities. A total of 85 persons (including 14 females) participated in the 7 consultation meetings. The number of participants and the photographs are provided as **Appendix-6** to this report.

C. Outcome of the Consultations

52. Consultations were undertaken 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.

Perceived Negative Impacts

- Loss of agriculture land
- Increase in air pollution
- Problem for school going children due to increased traffic
- Increase in Road accident

Perceived Positive Impacts

- Ease of travel
- Increase in self-employment
- Saving of travel time
- Improved living standard
- Better access to health and educational facilities
- Increase in land price.

53. The people were generally enthusiastic about the project and consider that it will bring social and economic development to the region. There is a 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 roads 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 assistance to be completed before the start of construction work. People were particularly concerned about road safety issues and expressed the need for proper signage, speed breakers, and pedestrian crossings to minimize the risk of accidents.

54. The community perceives that the project will help in improving road safety, promote more business, give better access to services, reduce travel time and promote local employment opportunities. They consider that it would lead to an increase in land rates and facilitate the 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 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) an increase in leisure time. The negative impacts pointed out were largely

related to the loss of land and assets. The salient discussion points are summarized in the following table.

Table 28: Summary of Consultation Outcome

Location	Issues / Concerns	Response
Meghna (Village) Date: 3.03.2022	<ol style="list-style-type: none"> 1. Land Acquisition Process, 2. Compensation for structures, option for relocation. 3. Safety issues and speed breaker at school and underpass for animals. 4. Acquisition of structures coming within ROW. 5. Majority of participants asked for provision of footpath and road side drains. 6. Employment opportunities in road construction. 	<ol style="list-style-type: none"> 1. As per Gol & GoR act and policy for this project 2. Will be provided based on GoR Policy. Cash compensation as preferred. 3. Speed breaker, cautionary signs and 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. 5. Same is considered in design and provided 6. Employment opportunity during civil works is built into the contractor document.
Bhalautal Date: 04.03.2022	<ol style="list-style-type: none"> 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 	<ol style="list-style-type: none"> 1. Widening will be proposed based on available ROW (of PWD) and concentric as far as possible. 2. Sufficient time will be given to relocate the assets. 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 and preference in civil works 6. Footpath cum drain proposed for safety and development of village and there will be no water logging in village due to road drain
Gajsar Date: 17.08.2022	<ol style="list-style-type: none"> 1. Safety issues and benefits from the project to the Stakeholders. 2. Acquisition of structures coming within ROW. 3. Majority of participants asked for provision of footpath and road side drains. 4. 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 5. Relocation/Reconstruction of temples adjacent to Road Carriageway 	<ol style="list-style-type: none"> 1. Design has made use of the available RoW 2. As per Gol and GoR act and policy for this project 3. Will be provided based on GoR Policy. 4. Speed breaker, cautionary signs and drain and footpath have been proposed in built up sections 5. Same is considered in design 6. No temple is affected 7. 4-lane has not been proposed 8. Employment opportunity during civil works is built into the contractor document

Location	Issues / Concerns	Response
	<ol style="list-style-type: none"> 6. People are asking whether 4 lane road provision in village portion 7. Employment opportunities in road construction 	
Sahwa Date: 25.03.2022	<ol style="list-style-type: none"> 1. Minimisation of impact on commercial establishment 2. Compensation should be given in cash. 3. Divider for safety in habitation area 4. Majority of participants asked for provision of footpath and road side drains 	<ol style="list-style-type: none"> 1. Widening will be proposed based on available ROW (of PWD) and concentric as far as possible. 2. As per Gol and GoR act and policy for this project 3. Speed breaker, cautionary signs and drain and footpath have been proposed in built up sections 4. Same is considered in design
Bhanin Date: 18.08.2022	<ol style="list-style-type: none"> 1. Land Acquisition Process, 2. Compensation for structures, option for relocation. 3. Safety issues and benefits from the project to the Stakeholders. 4. Acquisition of structures coming within ROW. 5. Majority of participants asked for provision of footpath and road side drains. 6. Employment opportunities in road construction. 	<ol style="list-style-type: none"> 1. As per Gol and GoR act and policy for this project 2. Self-relocation with cash compensation as preferred will be allowed as per the GoR policy. 3. As per Gol and GoR act and policy for this project 4. Only affected part of the structures will be demolished after given sufficient time to vacate salvage the material. 5. Same is considered in design 6. Unskilled job will be given to local people during construction.
Narsipura Date:18.08.2022	<ol style="list-style-type: none"> 1. Road safety issues, often accident occurs due to narrow road and bridge at certain places. 2. Minimization of impact on structures particularly in market area 3. Option for relocation 4. Employment Opportunities 	<ol style="list-style-type: none"> 1. Widening will be proposed based on available ROW (of PWD) and approved design. 2. Impact on structures will be minimised by taking the available width in the market area. 3. Options are open either project assisted or self-relocation. 4. Unskilled job during construction will be given to local people as far possible.

D. Plan for further Consultation in the Project

55. The extent and level of involvement of stakeholders at various stages of the project from the 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 the 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.

56. 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 will be conducted during implementation where the PIU Project Director, supported by the implementon 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 the 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

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

58. Information will be disseminated to affected persons at various stages. Information including the magnitude of the loss, detailed asset valuations, entitlements and special provisions, grievance procedures, the 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, booklets, etc. in Hindi. The Hindi version of the executive summary of the resettlement plan along with the entitlement matrix and structure and process of GRC will also be disclosed.

59. 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. The 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 on the website throughout the life of the project.

V. POLICY AND LEGAL FRAMEWORK

A. Background

60. 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

61. 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

62. 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 the RFCTLARR Act are discussed below.

63. The RFCTLARR Act applies to the 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.

64. The act prohibits acquisition of multi crop land for any project, however in exceptional cases allows acquisition of multi crop land, wherein the State-specific threshold of acquiring such land is not exceeded and equivalent wasteland is developed for agricultural purposes. Linear projects are exempted from this condition.

65. 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 a 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 the 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 on all immovable properties or assets, trees, and plants.

66. 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 the Second Schedule and Third Schedule. The amenities to be provided in a resettlement site are detailed in the Third Schedule.

67. The Government of India recognizes and seeks to protect the rights of scheduled tribes, principally through the following Acts/policies:

68. **The National Commission for Scheduled Tribes (NCST)** came into effect from 19th February 2004 through Constitution (89th Amendment) Act, 2003 which bifurcated the erstwhile National Commission for Scheduled Castes and Scheduled Tribes into two separate commissions for Scheduled Castes and Scheduled Tribes. The NCST functions under clause (5) of Art.338 A includes "To investigate & Monitor matters relating to Safeguards provided for STs under the Constitution or under other laws or under Govt. Order, to evaluate the working of such Safeguards." Further, it also has a duty to submit report to the President annually and at such other times as the Commission may deem fit, upon/ working of Safeguards.

69. **The Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights Act)** or FRA, 2006 and the Rules, which came into force from 1 January 2008 (including an Amendment in 2012). The Act recognizes and records the rights of forest dwellers who have been residing and depending on the forest for generations for their bonafide livelihood needs, without any recorded rights;

70. **The Provisions of the Panchayats (Extension to Scheduled Areas) Act or PESA, 1996** empowers the Gram Sabha in a scheduled area to prevent alienation of land in the scheduled area and to take appropriate action to restore unlawfully alienated land of a scheduled tribe; and the power to control local plans (for development) and resources for such plans. The Gram Sabha has to approve any plan for social and economic development in a scheduled area before implementation, and is responsible for selection of beneficiaries under any poverty alleviation or other program; and

71. **The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995** which protect SC/scheduled tribes from (a) wrongful occupation or cultivation of any land owned by them or allotted to them or lands notified by any competent authority to be allotted to, a member of a Scheduled Caste or a Scheduled Tribe and transfer of land allotted to SC/scheduled tribes; (b) wrongful dispossession of a member of a Scheduled Caste or a Scheduled Tribe from his land or premises or interference with the enjoyment of his rights over any land, premises or water; and (c) from any forceful removal/causing of a Scheduled Caste or a Scheduled Tribe to leave his house, village or other place of residence.⁸

C. Legal and Policy Frameworks of Rajasthan State

72. The legislation and policy concerning the land acquisition and resettlement for road projects include (i) Rajasthan Land Revenue Code, 1959, (ii) Rajasthan Highway Act, 2003, (iii) Rajasthan Resettlement Policy-2007. The gist of these acts and policies are discussed in the following section.

1. Rajasthan Land Revenue Code, 1959

⁸ Transfer means a sale, gift, exchange, mortgage (with or without possession), lease, or any other transaction not being a partition among members of a family or a testamentary disposition, and includes the creation of a charge or an agreement to sell, exchange, mortgage, or lease or enter into any other transaction.

73. 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 the power of revenue departments but does not deal with the acquisition and payment of compensation.

2. Rajasthan Highway Act, 2003

74. 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 in highways of the Rajasthan State.

3. Rajasthan Resettlement Policy-2007

75. The 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 a 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

76. The Rules framed and notified by GoR for the RFCTLARR Act, 2013 detail the process of SIA, public hearing and SIA report, and social impact management plan. The consent requirement that is to be obtained during the SIA is explained with the provision of formats for the same. The rules also explain the process of preparing and publishing the rehabilitation and resettlement scheme.

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

77. ADB 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.

78. 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 losses, whether such losses and involuntary restrictions are full or partial, permanent or temporary.

79. 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 the 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

80. A comparison between Government Statutes and ADB's involuntary resettlement safeguards policy that provides gap-filling measures reflected in the entitlement matrix is presented in Annexure-1. 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.

81. 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 the 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 titleholders, 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 the 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 percent solatium, and 12 percent interest on market rate to all titleholders. Further, in addition to compensation, the title holders are entitled to resettlement allowance, subsistence allowance, and shifting allowance. This meets the ADB SPS requirement. Furthermore, the titleholders who lose their house and who do not have any other house site will be entitled to a built house or cash in lieu of house provided they have been residing in the affected area for the preceding three years.

82. 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 the structure, trees, plants, or standing crops damaged must also be included and the solatium being 100 percent of all amounts inclusive. The Act furthermore meets ADB requirement of all compensation to be paid prior to the project taking possession of any land and provision of R&R support including subsistence grant and transportation cost.

Table 29: Comparison between ADB IR Policy Requirements and RFCTLARR Act 2013 with Gap filling measures

S.No.	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				

S.No.	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
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 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	✓	In the definition of affected family, it includes 'a family whose land or other immovable property has been acquired' [Ref: Section 3 sub-section c (i)]	
7	Those who do not have formal legal rights to land lost but who have a claim to such land that are recognized or recognizable under national laws	✓	In the definition of affected family, it includes 'the Scheduled Tribes and other traditional forest dwellers who have lost any of their forest rights recognized under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 due to acquisition of land'; and also includes 'a member of the family who has been assigned land by the State Government or the Central Government under any of its	

S.No.	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
			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 affected persons, host communities and concerned non-government organizations	✓	Whenever a SIA is required, the appropriate Government shall ensure that a public hearing is held at the affected area, after giving adequate publicity about the date, time and venue for the public hearing, to ascertain the views of the affected families to be recorded and included in the SIA Report. [Ref: Section 5]	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
11	Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns.	✓	For the purpose of providing speedy disposal of disputes relating to land acquisition. Compensation, rehabilitation and resettlement, establish, by notification. one or more Authorities to be known as "the Land Acquisition, Rehabilitation and Resettlement Authority" [Ref: Section 51 sub-section 1]	The RF provides for a District level GRC to resolve grievances in the First Level and the appellate authority at the Second Level of grievance resolution mechanism, prior to referring/approaching the LARR authority
12	Preference to land-based resettlement strategies for displaced persons whose livelihoods are land-based.	✓	Land for land is recommended in irrigation projects and in projects where SC/ST is involved equivalent land. [Ref: Second Schedule S.No.2]	Land for land option, if feasible, is provided in the EM. If not feasible, then cash compensation at replacement cost has been provided
13	Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to	✓	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)]	

S.No.	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
	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.			
14	Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards	√ (partly)	The act provides for special provisions and assistance for scheduled caste and scheduled tribe in scheduled area. [Ref: Section 41] Further the act recognizes widows, divorcees and women deserted by families as separate families [Ref: Section sub-section (m)] The act does not recognize other vulnerable category and also SC/ST from non-scheduled areas,	Special provision for vulnerable have been provided in Entitlement matrix.
15	Develop procedures in a transparent, consistent, and equitable manner if acquisition is through negotiated settlement.	x	Not explicitly stated	Provided in the RF
16	Prepare a resettlement plan elaborating on displaced persons entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget and time bound implementation schedule	√	The Act provides for the preparation of Rehabilitation and Resettlement Scheme including time line for implementation [Ref: Section 16 - sub-section 2]	

S.No.	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
17	Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders	✓	<p>The appropriate Government shall ensure that the Social Impact Assessment study report and the Social Impact Management Plan, are prepared and made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be, and the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil, and shall be published in the affected areas, in such manner as may be prescribed, and uploaded on the website of the appropriate Government. [Ref: Section 6 sub-section 1]</p> <p>Further the commissioner shall cause the approved Rehabilitation and Resettlement Scheme to be made available in the local language to the Panchayat, Municipality or Municipal Corporation As the case may be, and the offices of the district collector, the Sub-Divisional Magistrate and 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 resettlement entitlements listed in the Second Schedule commencing from the date of the award made under section 30. [Ref: Section 38 - sub-section 1]	The RF stipulated that all compensation and assistance will be paid to DPs at least 1 month prior to displacement or dispossession of assets
19	Monitoring and assess resettlement outcomes, their impacts on the standard of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.	✓	The Central Government may, whenever necessary for national or inter-state projects constitute a National Monitoring Committee for reviewing and monitoring the implementation of rehabilitation and resettlement schemes or plans under this Act. [Ref: Section 48 - sub-section 1]	The RF provides for internal and external monitoring of LA, R&R

F. Involuntary Resettlement Safeguard Principles for the Project

83. 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 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 the use of appropriate technology to reduce land requirement; (iii) modify the designs of subproject components to minimize 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 standards before displacement whichever is higher.
 - (vii) Carry out meaningful consultations with displaced persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, 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, 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 the land acquisition is through a 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

84. **Compensation for Land:** Land will be acquired at replacement cost and in accordance with provisions of the 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 deed rates for the last 3 years or any rates consented for PPP or private projects. In addition, 100% solatium for the involuntary acquisition of land will be added. If the residual land, remaining after the acquisition, is unviable, the owner of such land/property will have the right to seek acquisition of his entire contiguous holding/property.

85. **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 (For titleholders only) 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.

86. **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.

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.

87. 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

88. 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

89. 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.

90. **Cut-off Date:** For title holders, the date of Section -11 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 (Feb 2022) 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.

91. 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

92. 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
- (vi) rebuilding and/ or restoration of community resources/facilities in accordance with local customs.

93. 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 and again in January 2019.

Table 30: Entitlement Matrix

S No	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	<p>Compensation for land at Replacement Cost¹² or Land for land, where feasible.</p> <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 GoR¹³ 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	<p>Compensation at replacement cost</p> <p>The market value of structures and other immovable properties will be determined by PWD on the basis of relevant PWD Schedule of Rates (SR) as on date without depreciation.</p> <p>Plus 100% solatium In case of partly affected house, manufactory or other building, as per Section 94</p>

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

¹³ For this Project the multiplying factors decided by the state government based on the distance from urban area are -0-10 km (1.25), 10-20 km (1.5), 20-30 km (1.75), <30 km (2).

S No	Impact Category	Entitlements	Implementation Guidelines
			(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
		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

S No	Impact Category	Entitlements	Implementation Guidelines
			require to relocate due to the project
4	Loss of Residence	<p>4.1</p> <p>In case of Project based relocation 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 GoI IAY¹⁴ 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.
		<p>4.2</p> <p>Where jobs are created through the project, employment to at least one member per affected family in the project or arrange for a job in such other project as may be required after providing suitable training and skill development in the required field and at a rate not lower than the minimum wages provided for in any other law for the time being in</p>	
		<p>force.</p> <p>or</p>	

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

S No	Impact Category	Entitlements	Implementation Guidelines
		<p>One-time payment of Rs.5, 00, 000/- for each affected household</p> <p>or</p> <p>Annuity policy that shall pay Rs.2000/-per month for 20 years with appropriate indexation to CPIAL</p>	
		4.3 Monthly subsistence allowance of Rs.3, 000/- per month for a period of one year to affected households who require to relocate due to the project	
		4.4 Transportation assistance of Rs.50, 000/-for affected households who require to relocate due to the project	
		4.5 One-time assistance of Rs.25, 000/- to all those who lose a cattle shed	
		4.6 One-time assistance of Rs.25, 000/- for each affected family of an artisan or self-employed and who has to relocate	
		4.7 One-time Resettlement Allowance of Rs.50, 000/- for affected household who have to relocate	
		4.8 Additional one-time assistance of Rs.50, 000/- to scheduled caste and scheduled tribe families who are displaced from scheduled areas and who require to relocate due to the project	
		4.9 Right to salvage affected materials	
5	Loss of shop /trade / commercial structure	5.1 Where jobs are created through the project, employment to at least one member per affected family in the project or arrange for a job in such other project as may be required after providing suitable training	
		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.	

S No	Impact Category	Entitlements	Implementation Guidelines
		<p>or</p> <p>One-time payment of Rs.5, 00, 000/- for each affected household</p> <p>or</p> <p>Annuity policy that shall pay Rs.2000/- per month for 20 years with appropriate indexation to CPIAL</p>	
		5.2 Monthly subsistence allowance of Rs.3, 000/- per month for a period of one year to affected households who require to relocate due to the project	
		5.3 Transportation assistance of Rs.50, 000/- for affected households who require to relocate due to the project	
		5.4 One-time assistance of Rs.25, 000/- for each affected family of an artisan or self-employed or small trader and who has to relocate	
		5.5 One-time Resettlement Allowance of Rs.50, 000/- for affected household who have to relocate	
		5.6 Additional one-time assistance of Rs.50, 000/- to scheduled caste and scheduled tribe families who are displaced from scheduled areas and who require to relocate due to the project	
		5.7 Right to salvage affected materials	

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	<p>Only those directly affected squatters who live there will be eligible for all assistance.</p> <p>Structure owners in RoW/Government lands who do not live there and have rented out the structure will be provided compensation for structure and no other assistance will be provided to them. The occupier (squatter-</p>
		6.1.1	Compensation at scheduled rates without depreciation for structure with 1-month notice to demolish the affected structure	
		6.1.2	Right to salvage the affected materials	
		6.1.3	House construction grant of Rs.70, 000/- for all	

S No	Impact Category	Entitlements	Implementation Guidelines
		<p>those who have to relocate and who do not have a house.</p> <p>Additional house site grant of Rs.50, 000/- to those who do not have a house site</p>	tenant) will be eligible for other assistances
		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.
		6.2.1 Compensation at scheduled rates without depreciation for structure with 1-month notice to demolish affected structure	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
		6.2.2 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 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 Cultivation	
		6.4.1 2-month notice to harvest standing crops or market value of compensation for standing crops	
7	Impact to	7.1 Cultivation	Market value for the loss of

S No	Impact Category	Entitlements	Implementation Guidelines	
	Encroachers	7.1.1	2-month notice to harvest standing crops or market value of compensation for standing crops, if notice is not given	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 replacement cost 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. The PIU with support from the NGO will identify the number of eligible vulnerable displaced persons during joint verification and updating of the RP and will conduct training need assessment in consultations with the DPs so as to develop appropriate training programmes suitable to the DPs skill and the region. Suitable trainers or local resources will be identified by PIU and NGO in consultation with local training institutes.
		8.2	Training for skill development. This assistance includes cost of training and financial assistance for travel, conveyance and food.	
		8.3	Provision of access to basic utilities and public services	
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 compensation for structures at replacement cost.
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,	11.1	Relocation or restoration, if feasible, or cash compensation at replacement cost.	The PIU with the support of RP implementation support NGO will consult the trustees of the places of worship and in consultation with the local panchayat will facilitate

S No	Impact Category	Entitlements		Implementation Guidelines
	community buildings, schools, etc.			the relocation of these property. The compensation for reconstruction/relocation of places of worship will also include the associated cost of carrying out rituals/ceremonies during reconstruction/relocation.
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 / Safeguards Policy Guidelines of Multilateral Institutions.

94. 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

95. 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. Feb 2022.

96. The census and socio-economic survey revealed that the affected households are not losing more than 50% of their residential structures. These households have encroached on the government land and have sufficient private land adjacent to the structures to reconstruct the house. Therefore, not a single household is required to be relocated under this subproject. However, the viability of affected structures will be assessed by the PWD in consultation with the community during RP implementation. The affected households if found eligible will get the compensation at replacement cost as mentioned in the entitlement matrix.

B. Relocation Strategy

97. The physically displaced titleholder households will be entitled for a built house as per PMAY norms or cash in lieu of house. Considering the fewer number of physically displaced households the subproject does not envisage development of any resettlement site. As part of the implementation activity, the PIU with the help of the implementation support NGO should consult each and every DPs to obtain their choice based on the options available to them. The displaced households will be provided with built house in accordance with the provisions of the RFCTLARR Act, if the displaced households desires to have a house provided under the project. The stamp duty and registration charges for the house site and built house will be borne by PWD.

98. With the scattered nature of resettlement impacts the residential structures of non-titleholders affected in the project are spread all along the sub project road. The DPs preferred for cash compensation and self-relocation and during the focused group discussion, while discussing about relocation options people were very much in favour of resettlement within the village to avoid disruption of community life and problem with host community. Therefore, cash compensation at market rate along with relocation assistances is adopted as more practical solution in this case.

99. All the structures affected in the project as per provisions made in the entitlement matrix will be eligible for the following:

- (i) Compensation for structure will be paid at the replacement cost to be calculated as per latest prevailing basic schedules of rates (BSR) without depreciation,
- (ii) In case of relocation, one-time Resettlement allowance of Rs. 50,000 per affected household
- (iii) In case of relocation, shifting assistance to all structures at @ of Rs. 50,000 per structure,
- (iv) Subsistence allowance of Rs. 36,000/- in case of relocation.
- (v) 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

- (vi) Right to salvage materials from structure and other assets with no deductions from replacement value,

100. To help the DPs losing structures in getting all above entitlements and relocating themselves, following relocation strategy will be adopted in the project:

- a) At least 60 days advance notice before demolition of structure.
- b) Their dismantled structures materials will not be confiscated and they will not pay any fine or suffer any sanction.
- c) The RP implementing agency engaged for RP implementation will assist DPs during verification of assets and will provide necessary counselling on payment of compensation and assistance.
- d) The RP implementing agency will 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.
- e) In close consultation with the DPs, the RP implementing agency will fix the shifting dates agreed with the DPs in writing and the arrangements desired by the DPs with respect to their entitlements.
- f) In case of self-relocation also, the RP implementing agency will assist the DPs in finding alternative land within the village if so desired by the DPs in consultation with village committee and other beneficiaries in the villages.

C. Relocation Strategy for CPR

101. There are 18 common property resources reported to be affected under the sub-project as provided in table 16 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. CPR clearing and reconstruction including any ceremonial/religious expenses to relocate such structures will be undertaken by civil works contractors, and the associated costs are incorporated in their contracts.

VIII. INCOME RESTORATION AND REHABILITATION

A. Loss of Livelihood in this Subproject

102. The project impacts reveal that due to loss of land and commercial structures 48 households will experience loss of their livelihood. As per the findings of census survey, 7 landowners losing more than 10% of their agricultural land, 41 owners of commercial structures will be losing their livelihood due to the project. The details of impact on livelihoods in the project are summarized in the Table 31.

Table 31: Loss of Livelihood in the Project

S.N.	Category of Loss	Number of Affected Households	Number of Affected Persons
1	Owners of Business	41	128
2	Commercial Tenants	0	0
3	Employees	0	0
4	Agricultural Landowners (losing \geq 10% of the land)	7	36
Total		48	164

Source: Census and Socio-Economic Survey, SIA, February-June 2022,

B. Entitlements for Loss of Livelihood

103. 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.

1. Loss of livelihood to title owner losing agricultural land and commercial structure

- (i) cash compensation at replacement cost for affected land as per RFCTLARR Act provisions and structures, at scheduled rates without depreciation along with 100 percent solatium on market value of land and structure;
- (ii) onetime payment of Rs.5, 00, 000/- for each affected household or annuity policy that shall pay Rs.2000/- per month for 20 years with appropriate indexation to CPIAL;
- (iii) right to salvage affected materials,
- (iv) subsistence allowance of Rs.36, 000/- for affected households who require to relocate due to the project;
- (v) shifting assistance of Rs.50, 000/- to the landowner, who is required to relocate, and
- (vi) one-time resettlement allowance of Rs.50, 000/- for affected household who have to relocate.
- (vii) 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.

2. Loss of livelihood to non-title owner losing structures

- (i) cash compensation at replacement cost for affected structure as per RFCTLARR Act provisions and structures, at scheduled rates without depreciation
- (ii) house construction grant of Rs. 70,000 to loss of residence.
- (iii) additional house site grant of Rs. 50000 to those who have no house site.
- (iv) right to salvage affected materials,
- (v) subsistence allowance of Rs.18,000/- for commercial loss and affected households who require to relocate due to the project;

- (vi) shifting assistance of Rs.10,000/- to the landowner, who is required to relocate, and
- (vii) assistance of Rs. 25,000 to vulnerable households and training.

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

C. Income Restoration Measures

105. 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 alternative shop location and re-establishing the shop/kiosk/vending or utilizing the finances for buying land or taking land on lease. The compensation for land and assets and the rehabilitation and resettlement assistances arrived at in accordance with the provisions of the RFCTLARR Act are adequate to restore the income levels. Further, the subsistence allowance and annuity policy are aimed at providing long term support to the affected households will ensure that the income levels are restored. Further, efforts will be made to provide employment to the affected persons during the construction phase by facilitating their engagement by the civil works contractor. It may be noted that during the census and socioeconomic survey all the affected persons had indicated their preference to work in the construction. The PD, PIU should ensure that local people and in particular the willing affected persons and vulnerable 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 vulnerable/eligible affected persons for income restoration and skill up-gradation as necessary. 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

106. The resettlement cost estimate for the project road Churu-Taranagar-Nohar proposed under Package-2 include compensation for private land determined in accordance with RFCTLARR Act and by adopting the applicable multiplying factor in accordance with The Rajasthan Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2016.

107. 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. **212.9** million. The major heads of budget items are listed below.

B. Compensation

108. **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 the budgetary purpose, the replacement cost for land has been taken as Rs.1326105per hectare or approximately Rs.132.6 per sq.m. being the highest rate for rural land from the DLC (District Level Committee) records. The multiplying factor as per State rules is 1.25-1.75 based on the distance from the nearest urban center and for budgeting purposes, the highest multiplying factor of 1.75 has been taken along with the 100% solatium. Thus, the land cost has been taken as Rs.397.83 or say Rs.399 including the multiplying factor and the solatium.

109. **Structure:** The compensation for structures have been arrived at based on PWD Schedule of Rates (SoR), 2018 for building works, material and labour. For budgetary purpose, the replacement cost for structure without depreciation has been taken as Rs.16, 200 for permanent structure, Rs.11, 028 for semi-permanent structure and Rs. 4, 104 for temporary structure, and the cost includes 100% solatium. However, at the time of joint verification, the competent authority will value each and every structure to arrive at the replacement cost as per the latest SoR. The solatium of 100% on structure rate is adopted for titleholders.

110. **Compensation for Trees:** The subproject has no impact on private 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

111. 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

112. The unit cost for the place of worship has been budgeted at a lumpsum Rs.5, 00, 000 to cover the cost of reconstruction which would be assessed and paid during implementation by PIU.

E. RP Implementation Cost

113. The cost of hiring NGO for assisting PIU in resettlement plan implementation has been provided with a budget of Rs.150,00,000, 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. A budgetary cost for external monitoring and evaluation has also been envisaged, as this facility is a Category-A for IR and also the T3 subprojects together will come under Category-A, a budgetary provision of Rs.50,00,000 has been made available for hiring of a consultant for the same. The budgetary provision for meeting administrative expenses including the allocation towards grievance redressal mechanism related expenses is included as part of the project cost. Further, a lump sum provision of Rs.50,000 to meet disclosure expenses and a lump sum provision of Rs.2,00,000/- for administrative expenses like staff training, in particular the PIU staff involved in resettlement plan implementation, has also been budgeted.

F. Source of Funding and Fund Flow

114. 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

115. The budget for this sub-project is based on data and information collected during census and socio-economic surveys conducted in February-June 2022. The unit rates for structure have been worked out from the SoR. The total budget for Churu-Taranagar-Nohar is estimated at Rs. **212.9** million.

H. Disbursement of Compensation and Assistances

116. 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.

117. 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 32: Budget Estimate

S. No.	Item	Input Unit	Rate	Quantity	Amount (RS)
A	Compensation				
A1	Land Cost (As per DLC Rate)	Hectare	132.6	111605	14798823
A2	As per LA act Section 26 (Subsection 2) Multiplying factor of 1.75				25897940
A3	As per section 29 market value of the building and other immovable property or assets attached to the land or building which are to be acquired,				5000000
A4	Total Cost (A2+A3)				30897940
A5	100 %Solatium as per section30				30897940
A6	Interest for 1 year @12%				6500000
	Total Cost of compensation of Land(A4+A5+A6)				68295880
B	Replacement Cost of structure				
B1	Temporary Structures *	Sq.m	0	0	0
B2	Semi-permanent Structures *	Sq.m	11028	23	253644
B3	Permanent Structures*	Sq.m	16200	1015	16443000
B4	Compound Wall	Running meter	1510	24	36240
B5	Cost of CPR	LS	500000	18	9000000
	Sub total (B)				25732884
C	R&R Assistance				
C-1	One-time assistance of Rs. 5 lakh to TH	One-time	500000	141	70500000
C-2	Vulnerable Household assistance	One-time	25000	49	17750000
C-3	Training for Vulnerable household	One-time	5000	49	3550000
	Sub total (C)				91800000
D	Administrative Cost				
D-1	NGO Recruitment	LS	50,000, 00	1	5000000
D-2	The hiring of an External Monitor	LS	25,00,000	1	2500000
D-3	Administrative Expenses (PIU)	LS	2,00,000	1	200000
D-4	Disclosure Expenses	LS	50,000	1	50000
	Sub total (D)				7750000
	Total (A+B+C+D)				193578764
E	10 % Contingency				19357876
	Grand Total				212936640
	Total in INR Million				212.9

X. GRIEVANCE REDRESSAL MECHANISM

A. Grievance Redressal Committee

118. Grievance Redressal Committee (GRC) will be established at two-levels, one at the Project Implementation Unit (PIU) level and second at Project Management Unit (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.

119. 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.

120. 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.

121. 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.

122. **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.

123. **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

124. **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

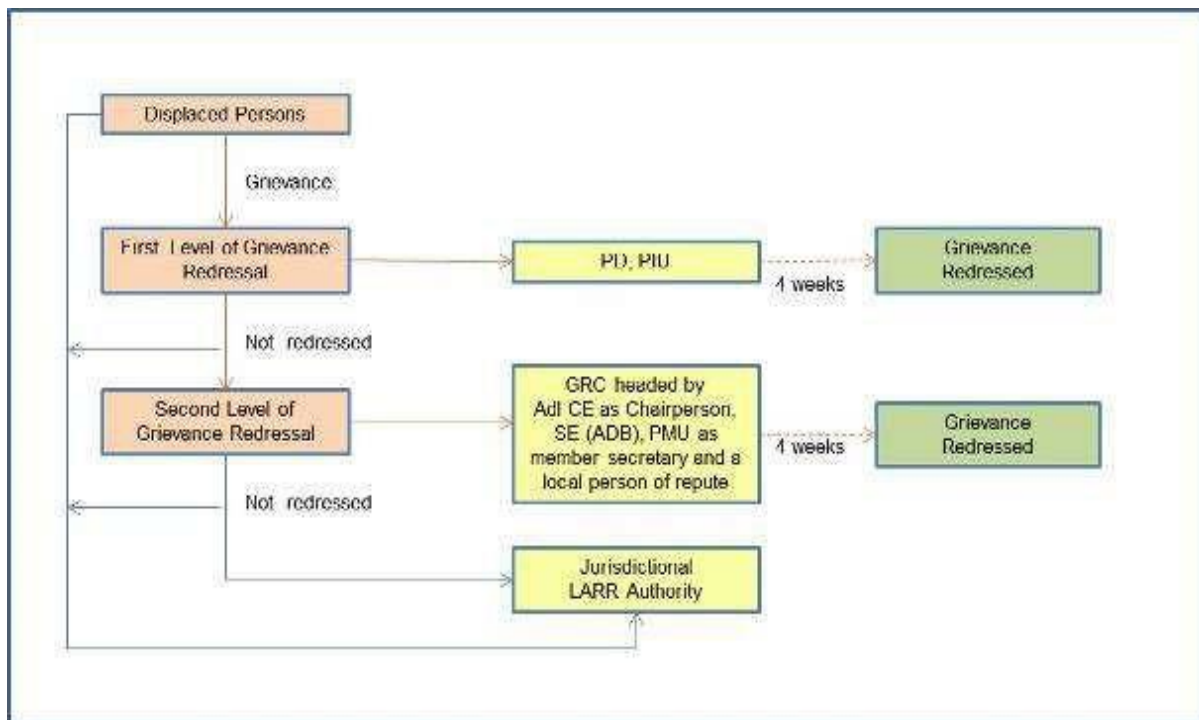
person about the date, time and venue of the hearing and make it known that s/he is entitled for personal hearing and that representation through proxy will be not be entertained. Communication will also be sent through implementation support NGO to ensure that the petitioner is informed about the date of hearing.

125. **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 four-week time and written communication will be sent to the complainant about the decision taken.

126. In addition to the subproject level grievance redressal mechanism, affected persons can submit their grievances through the State government grievance redressal mechanism namely *Rajasthan Sampark*¹⁵ and further, all stakeholders will have access to ADB's Accountability Mechanism¹⁶.

127. **Documentation of Grievances:** The resettlement plan implementation support NGO will assist affected persons in registering their grievances and being heard. The complaint / grievance will be redressed in four weeks 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 3: Grievance Redressal Process



¹⁵ <http://sampark.rajasthan.gov.in/index.aspx>

¹⁶ <https://www.adb.org/contact?target=Hmzi1zfKqMSRDKA0C6/kg==&name=Complaint%20Receiving%20Officer&referrer=node/81970>

XI. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION

A. Administrator of LARR

128. 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

129. 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.

130. 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.

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

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

C. Project Implementation Unit

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

133. 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

134. 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.

135. 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.

136. 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 **Annexure 8**.

E. Project Implementation Consultant

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

F. External Expert/Monitor

138. The ADB Safeguard Policy Statement requires an external expert or monitor to be retained when a project involves significant impacts. The external expert will not be involved in day-to-day project implementation or supervision. The external expert will verify Rajasthan PWD's monitoring information and provide advice on safeguard compliance issues. If any critical involuntary resettlement issues are identified, the external monitor will prepare a corrective action plan. The external expert will prepare and submit semi-annual reports to Rajasthan PWD and ADB. The detailed terms of reference of the external expert is in **Annexure 9**.

G. Rehabilitation and Resettlement Award

139. 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.

140. 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.

141. 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.

142. 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.

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

H. Management Information System (MIS)

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

I. Capacity Building of PIU

145. 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

146. 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

147. 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.

148. 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.

149. 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.

150. 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

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

- (i) Updating of resettlement plan based on design changes, if any;
- (ii) Approval of updated resettlement plan and disclosure;
- (iii) Appointment of NGOs and external monitoring consultants;
- (iv) Constitution and notification of GRCs;
- (v) SIA notification;
- (vi) Verification of affected persons and notification of affected persons list;
- (vii) 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.

152. **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.

153. The construction of houses to physically displaced titleholder households 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.

154. 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 nonsignificant 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

155. 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

156. The Project Implementation Unit (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; (ii) use of grievance procedures; (iii) information dissemination to affected persons on benefits; and (iv) 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.

157. PMU will prepare and submit semi-annual monitoring reports to ADB for disclosure on the ADB website. In view the significance of resettlement impacts, the monitoring mechanism for this project will have both monitoring by PIU and monitoring by an external agency / expert.

C. External Monitoring

158. The external expert monitoring will include but not limited to: (i) review and verify the monitoring reports prepared by PIU; (ii) monitor the work carried out by NGO and provide training and guidance on implementation; (iii) review the grievance redressal mechanism and report on its working; (iv) mid-term impact assessment through sample surveys amongst displaced persons for midterm corrective action; (v) consultation with affected persons, officials, community leaders for preparing review report; (vi) assess the resettlement efficiency, effectiveness and efficiency of PIU, impact and sustainability, and drawing lessons for future resettlement policy formulation and planning. Some of the important task of external monitoring is the feedback of the affected persons who receives compensation and assistance and also alerts on the risks, non-compliances and early warnings in the implementing. The external monitor will submit quarterly monitoring reports to PMU and ADB.

159. 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.

160. The indicators should be revisited prior to resettlement plan implementation and revised in accordance with the final approved RF. Terms of reference for the recruitment of an External Monitoring Agency/Expert is given in Appendix 9.

161. 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.