

# Resettlement Plan

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Improvement Project – Bulk Water Supply for North  
24 Parganas

Package Number: WW/N24P/01

Prepared by Public Health Engineering Department, Government of West Bengal for the Asian  
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## CURRENCY EQUIVALENTS

(as of 11 July 2018)

Currency unit = Indian rupee (₹)

₹1.00 = \$0.014

\$1.00 = ₹68.691

## ABBREVIATIONS

ADB	- Asian Development Bank
CBO	- community-based organization
DBO	- design, build and operate
DDR	- due diligence report
DMS	- detailed measurement survey
DSC	- district steering committee
DSISC	- design, supervision and institutional support consultant
EMP	- environmental management plan
ESSU	- environment and social safeguard unit
FGD	- focus group discussion
GLR	- ground level reservoir
GOWB	- Government of West Bengal
GRC	- grievance redress committee
GRM	- grievance redress mechanism
HIDCO	- Housing and Infrastructure Development Corporation
HSGO	- head, safeguards and gender officer
IPP	- indigenous people plan
NGO	- nongovernment organization
NOC	- no objection certificate
PHED	- Public Health Engineering Department
PIU	- project implementation unit
PMC	- project management consultant
PMU	- project management unit
RFCTLARRA	- Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act
ROW	- right-of-way
SIA	- social impact assessment
SPS	- Safeguard Policy Statement
SGC	- safeguard and gender cell
TOR	- terms of reference
WBDWSIP	- West Bengal Drinking Water Sector Improvement Project
WTP	- water treatment plant

## WEIGHTS AND MEASURES

dia	-	diameter
km	-	kilometer
m	-	Meter
MLD	-	million liters per day
mm	-	Millimeter
m <sup>3</sup>	-	cubic meter

**NOTE**

In this report, "\$" refers to United States dollars.

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## EXECUTIVE SUMMARY

**Background.** The proposed West Bengal Drinking Water Sector Improvement Project (WBDWSIP or the Project) aims to provide safe, reliable and continuous drinking water as per Government of India's standard to about 6 million people in the Arsenic, Fluoride, and salinity affected selected areas of North 24 Parganas, East Medinipur and Bankura districts in accordance with the Vision 2020 of GOWB and Government of India Strategy for Drinking Water Supply. The Project will ensure drinking water security through 24/7 piped water supply schemes in the areas covered. The Project will have following key outputs: Output 1: Climate resilient drinking water infrastructure constructed; and Output 2: Institutions and capacity of stakeholders for drinking water service delivery strengthened.

**Subproject Description.** Proposed subproject components under package WW/N24P/01 include: (a) construction of 100 MLD water treatment plant (WTP) including intake sump, pump house and mechanical sludge dewatering system; (b) laying of 200 m of 1200 millimeter (mm) diameter raw water conveyance mains; (c) centralized clear water reservoir cum booster pumping station (storage capacity-8500 m<sup>3</sup> capacity); (d) laying of around 4 km of clear water transmission mains of 1200 mm diameter; and (e) construction of three intermediate booster stations, one each in Haroa, Rajarhat and Bhangar II, block.

**Resettlement Plan.** This resettlement plan is prepared for package WW/N24P/01 of WBDWSIP, proposed for funding by ADB, using the sector lending modality.

**Scope of Land Acquisition and Resettlement.** No compulsory acquisition of private land is anticipated under package WW/N24P/01. The land required for WTP and centralised clear water sump and booster station (booster station 1) belongs to the Housing and Infrastructure Development Corporation (HIDCO) and is vacant and free of users. The land required for ground level reservoirs (GLRs) cum intermediate booster stations of 2.646 acres is expected to be acquired through negotiated settlement without recourse to expropriation as per the policy of the Government of West Bengal, and with third party certification as per ADB SPS. Two privately-owned sites have been identified site in Bhangar is presently a mango orchard and has no structures or informal users; and (ii) site in Haroa has been leased out to a brick kiln owner (1 lessee), who manufactures bricks on a major portion of the site. The vacant, unused portion of the brick kiln production unit, measuring 4 bighas, is proposed for negotiated settlement and is not anticipated to cause any economic impact to the lessee. The third proposed GLR site, in Rajarhat, belongs to the Government of West Bengal (GOWB) as vested land, where most of the land required for construction of proposed facilities is vacant, and does not have any users. However, there are potential impacts to a government primary health sub-centre building (structure loss) located at the entrance to the site, which presently serves 250-300 community members (women and children) in a month. The impacts on the health center will be confirmed during detailed design.

During the laying of the clear water main pipeline, the loss of three vacant temporary structures is anticipated. The structures are owned by non-titleholders, as follows: (i) the local party office of a political party; (ii) the meeting place for a group that supplies labour and materials for construction work; and (iii) an abandoned shop of which unknown ownership. In addition, potential temporary income loss to eight small shop/business owners for a period of 10 days each is possible during pipe laying works. In most road/pipe sections, it will be possible to completely avoid temporary income loss to businesses, as road width is adequate and will not require closure.

The resettlement plan will be updated and reconfirmed for final involuntary resettlement impacts after completion of detailed design and detailed measurement surveys in sites / sections ready for implementation.

**Categorization.** The subproject is classified as Category B in accordance with ADB's safeguard review procedures for the Safeguard Policy Statement (SPS), 2009. ADB's SPS covers both temporary and permanent impacts to both titled and non-titled persons, and includes both physical and economic displacement.

**Consultation and Disclosure.** Goals and objectives of the project have been disclosed to stakeholders (including, beneficiaries, affected persons, elected representatives and institutional stakeholders) through consultation meetings and focus group discussions. A program of continuous consultation and disclosure is proposed.

**Institutional Setup.** The Public Health Engineering Department (PHED), West Bengal has overall responsibility for implementing this resettlement plan. For the WBDWSIP, a project management unit (PMU) will be created under PHED Kolkata, supported by PHED Project Implementation Units (PIU) at the district level. The PMU will be supported by project management consultants (PMC) and the PIUs by design, supervision and institutional support consultants (DSISC) in planning and implementation of the project. In case of design-build-operate (DBO) contract packages like WW/N24P/01 subproject package, the contractor is envisaged to have a Social Supervisor, who will be responsible for joint inspections with design engineers and PIUs, detailed measurement surveys (DMS), finalization of inventory of losses, updating and implementation of resettlement plan.

**Resettlement Budget and Financing Plan.** The resettlement cost estimate for the proposed subproject package WW/N24P/01 is ₹6.8 million.



## I. PROJECT DESCRIPTION

### A. Introduction

1. The proposed West Bengal Drinking Water Sector Improvement Project (WBDWSIP or the Project) aims to provide safe, reliable and continuous drinking water as per Government of India's standard to about 6 million people in the arsenic-, fluoride-, and salinity-affected selected areas of North 24 Parganas, East Medinipur and Bankura districts in accordance with the Vision 2020 of Government of West Bengal (GOWB) and Government of India Strategy for Drinking Water Supply. The Project will ensure drinking water security through 24/7 piped water supply schemes in the areas covered. The Project will have the following key outputs: Output 1: Climate resilient drinking water infrastructure constructed; and Output 2: Institutions and capacity of stakeholders for drinking water service delivery strengthened.

2. Under Output 1, The project will provide a minimum of 70 lpcd of continuous potable water through metered connections to the households in selected areas of the project districts. The distribution systems will be designed on a DMA basis. Both the bulk and the distribution systems will be integrated with modern STWM and monitoring tools, including supervisory control and data acquisition and geographic information systems. Bulk water supply systems, consisting of intakes, water treatment plants, and transmission mains, will be sized to provide water supply en route to urban and rural areas. They will be connected into a grid with the existing and the new systems in the project districts, where feasible, to reduce redundancy, improve resilience, and efficiently manage the system.

3. The proposed Haroa-Rajarhat-Bhangar subproject in North 24 Parganas and 2 neighbouring blocks in South 24 Parganas<sup>1</sup> is anticipated to benefit around 0.81 million people with surface sources based potable drinking water in the Arsenic affected areas of the Rajarhat and Haroa blocks in the North 24 Parganas district, Bhangar I and Bhangar II block of the South 24 Parganas district.<sup>2</sup> The proposed Haroa-Rajarhat-Bhangar subproject components are divided into two packages: (i) procurement of bulk water supply components including water treatment plant (WTP), transmission mains, reservoirs and pumping stations in Haroa, Rajarhat and Bhangar II; and (ii) distribution system components comprising 39 overhead reservoirs (OHR), laying of distribution network in 37 zones and an estimated 114,800 household connections.

4. This resettlement plan is prepared for the package involving procurement of bulk water supply components only, including WTP, transmission mains, reservoirs and pumping stations in Haroa, Rajarhat and Bhangar II. The resettlement plan is prepared based on the available preliminary design for the subproject.<sup>3</sup> The resettlement plan will be updated and reconfirmed for final involuntary resettlement impacts after completion of detailed measurement surveys in sections ready for implementation.<sup>4</sup> The final resettlement plan will be reviewed and disclosed to affected persons and other stakeholders, and in the PHED and ADB websites. No civil works

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<sup>1</sup> This subproject will be financed by proportionate Sub-Mission grant from Ministry of Drinking Water Supply, Government of West Bengal (GOWB) and ADB funding.

<sup>2</sup> These blocks are presently dependent on the Ground water sources with arsenic contamination in the 320 out of the 728 habitations.

<sup>3</sup> Detailed project report for the subproject is not yet finalized.

<sup>4</sup> Detailed measurement survey will be jointly conducted by Safeguards Officer (Social) at the Environmental and Social Safeguards Unit of the concerned PIU, consultants and contractors prior to implementation at each site/stretch of alignment. DSISC and contractor will be responsible for conduct of DMS and DSISC Social Safeguard Specialist will update resettlement plans prior to implementation.

contracts package should be awarded and started before the completion of final resettlement plan implementation for the said package. The implementing agency is responsible to hand over the project land/site to the contractor free of encumbrance.

## B. Proposed Subproject Components

5. Proposed subproject components under the bulk water supply package (procurement of bulk water supply components including WTP, transmission mains, reservoirs and pumping stations in Haroa, Rajarhat and Bhangar II) include: (a) construction of 100 MLD WTP, including intake sump, pump house and mechanical sludge dewatering system; (b) laying of 200 m of 1200 millimeter (mm) diameter raw water conveyance mains; (c) centralized clear water reservoir cum booster pumping station (8500 m<sup>3</sup> storage capacity); (d) laying of around 4 km of clear water transmission mains of 1200 mm diameter; and (e) construction of three intermediate booster stations, one each in Haroa, Rajarhat and Bhangar II blocks. Table 1 presents details of proposed components under the bulk water supply package for Haroa-Rajarhat-Bhangar, and Appendix 1 presents a summary of potential involuntary resettlement impacts.

**Table 1: Proposed Subproject Components Under Bulk Water Supply Components Procurement Package in Haroa, Rajarhat And Bhangar II**

S. No.	Project Component	Details
1	Construction of water treatment plant including intake sump, pump house and mechanical sludge dewatering system	100 MLD capacity
2	Laying of 1200 mm dia raw water conveyance mains	200 m length
3	Centralized clear water reservoir sum booster pumping station (referred to as booster station 1 or BS1)	8500 m <sup>3</sup> storage capacity
4	Laying of water transmission mains of 1200 mm dia	4 km length
5	Construction of intermediate booster stations cum ground level reservoirs	3 in number, one each in Haroa, Rajarhat and Bhangar II

m<sup>3</sup> = cubic meter, km = kilometer, MLD = million liters per day, mm = millimeter.

6. **Measures to Avoid and Minimize Involuntary Resettlement.** To avoid and minimize involuntary resettlement impacts, the subproject will consider the use government land where available and government road rights-of-way for laying of all proposed pipes under the bulk water supply components procurement package of Haroa-Rajarhat-Bhangar subproject. The originally conceived clear water transmission main alignment would have affected more than 500 squatter households with structure loss and resettlement impacts. This significant and permanent involuntary resettlement impact was avoided through discussions with PHED engineers and an alternate alignment proposed. For the alternate alignment for clear water transmission mains, one section of pipe laying is proposed through Housing and Infrastructure Development Corporation's (HIDCO) garden that may lead to temporary income loss to 8 shopkeepers. An alternative alignment avoiding impacts to the shopkeepers is also under consideration; however, it may not be feasible. Once the most feasible alignment section is confirmed through detailed design, the temporary impacts will be thoroughly assessed. In addition, obtaining two parcels of land for ground level reservoirs (GLRs) in Haroa and Bhangar through negotiated settlement, without recourse to expropriation, from private landowners is proposed, thus avoiding involuntary resettlement. Both GLR cum booster station sites proposed to be obtained through negotiated settlement do not have structures and are free of informal users. There is a potential for the livelihood impacts to a lessee (brick kiln owner) at GLR site in Haroa. To avoid such impacts, it is proposed to restrict the area of land purchase to 4 bighas, instead of the originally proposed 5 bighas as the latter would have resulted in a reduction in brick production and loss of income to

the lessee.<sup>5</sup> Details of land ownership documents of the proposed privately-owned sites for the Haroa and Bhangar GLR cum booster stations, and letters signifying willingness of the owners to sell the land to government are presented in Appendix 10. The WBDWSIP project management unit (PMU) will ensure that no expropriation would result upon failure of negotiations, conduct meaningful consultations with affected persons including non-titleholders, offer the market rate for land and other assets, ensure transparency and availability of information on prevalent market price, and ensure there is no coercion in the negotiated settlement process. An independent external party to document the entire negotiation and settlement process will be appointed. Third party certification of negotiated settlement, copies of sale deeds and records of transfer of land to PHED will be appended to the final/updated resettlement plan.<sup>6</sup>

7. Traffic management during pipe laying work, advance notice to residents and businesses prior to start of work, ensuring access to shops and businesses by providing pedestrian access through planks, assistance to mobile hawkers and vendors and those with moveable, temporary structures to shift to (and back from) nearby locations where they can continue with their economic activities, is will be adopted. Where excavation close to residences or commercial properties cannot be avoided, simple mitigation measures such as provision of planks will be implemented as per available guidelines in environmental management plan (EMP) and best practice. Timely information will be provided to the public about potential negative impacts and mitigation measures, including grievance redress procedures and time taken for the same, prior to start of project implementation.

### **C. Objectives of the resettlement plan**

8. This resettlement plan is prepared for investments proposed for development of bulk water supply components of the Haroa-Rajarhat-Bhangar subproject, under WBDWSIP. It addresses the potential involuntary resettlement impacts of the proposed subproject components and is consistent with the agreed Entitlement Matrix for the Project, Government of India and Government of West Bengal policies, and the ADB SPS, 2009.

9. This resettlement plan is prepared in accordance with ADB SPS requirements for involuntary resettlement Category B projects and to meet the following objectives:

- (i) to describe the identified scope and extent of land acquisition and involuntary resettlement impacts because of identified project components, and address them through appropriate recommendations and mitigation measures in the resettlement plan;
- (ii) to present the socio-economic profile of the population in the project area, identify social impacts, including impacts on the poor and vulnerable, and the needs and

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<sup>5</sup> Discussions with PHED engineers have confirmed that the proposed facilities (GLR cum booster station) can be accommodated within 4 bighas (1.323 acres).

<sup>6</sup> A due diligence report will be prepared and appended to the updated resettlement plan. It will have the following information: (i) Land ownership documents and consent letters of all land sellers; (ii) photographs and minutes of consultations/discussions/negotiations with all landsellers; (iii) third party certification of land purchase process; (iv) land purchase committee's report on valuation of land; (v) sale deed and land transfer records for each site obtained through negotiated settlement, and (vi) DMS and census survey/business survey results for sections ready for implementation of pipe-laying work, confirmation of impacts and furnishing of socio-economic details and impacts for all affected persons.

- priorities of different sections of the population, including women, poor and vulnerable;
- (iii) to describe the likely economic impacts and identified livelihood risks of the proposed project components;
  - (iv) to describe the process undertaken during project design to engage stakeholders and the planned information disclosure measures and the process for carrying out consultation with affected people and facilitating their participation during project implementation;
  - (v) to establish a framework for grievance redressal for affected persons that is appropriate to the local context, in consultation with stakeholders;
  - (vi) to describe the applicable national and local legal framework for the project, and define the involuntary resettlement policy principles applicable to the project;
  - (vii) to define entitlements of affected persons, and assistance and benefits available under the project;
  - (viii) to present a budget for resettlement and define institutional arrangements, implementation responsibilities and implementation schedule for resettlement implementation; and
  - (ix) to describe the monitoring mechanism that will be used to monitor resettlement plan implementation.

Figure 1: Google Earth Maps Depicting Proposed Components of Package WW/N24P/01

Figure 1A: Water Treatment Plant



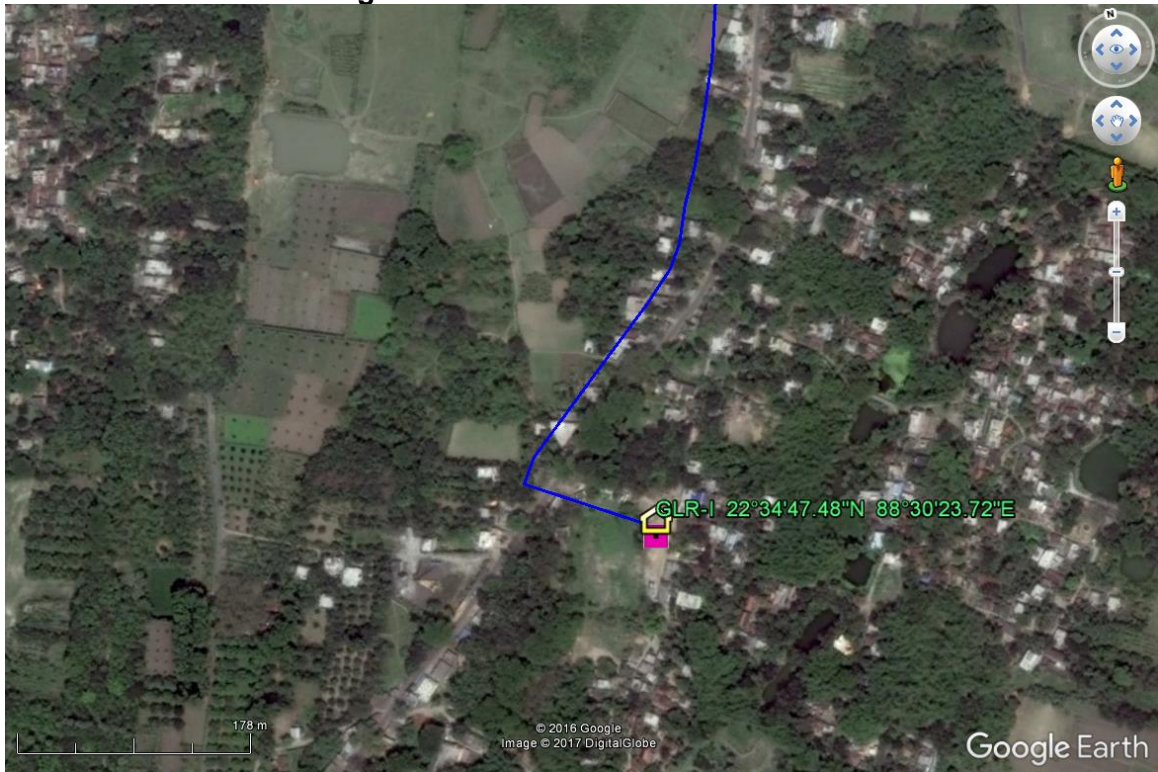
Source: Google Earth.

Figure 1B: Booster Station 1



Source: Google Earth.

Figure 1C: Ground Level Reservoir 1



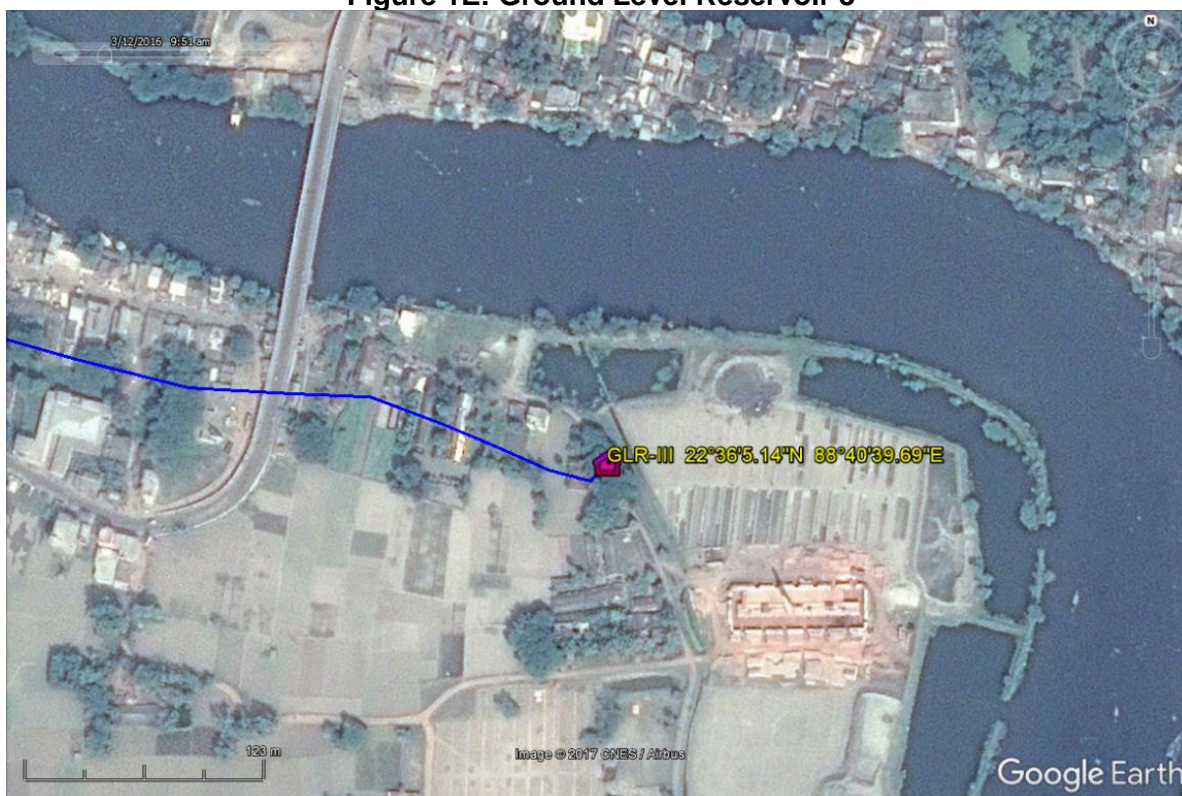
Source: Google Earth.

Figure 1D: Ground Level Reservoir 2



Source: Google Earth.

**Figure 1E: Ground Level Reservoir 3**



## II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

### A. Land Acquisition and Involuntary Resettlement

10. The scope of land acquisition and resettlement is identified based on field visits to each site where facilities are proposed, and the entire (100%) stretch of pipe alignment proposed under the Haroa-Rajarhat-Bhangar bulk water supply package. No compulsory acquisition of private land is anticipated. Loss of 3 uninhabited temporary structures (of which 1 is abandoned) on the government right-of-way, and temporary income loss to shops/businesses are the potential involuntary resettlement impacts identified. The temporary income loss to 8 shopkeepers will only occur if a stretch of clear water transmission alignment through HIDCO garden is selected/finalized during detailed design, which will be minimized to the extent possible through provision of access planks.<sup>7</sup> Where impact is unavoidable, compensation will be paid for the period of disruption/income loss as per the agreed entitlement matrix. Estimation of temporary impacts along pipe alignments is based on 100% walk-throughs along potential alternate alignment sections and business surveys. Involuntary resettlement impact assessment will be reconfirmed after detailed design and finalization of alignment through detailed measurement surveys in sites/sections of pipe alignment ready for construction and results of the assessment will be included in the updated resettlement plan (footnote 1), prior to implementation.

11. The WTP including intake sump, pump house and mechanical sludge dewatering system

<sup>7</sup> In case an alternate section of alignment along a HIDCO road is selected, there will be no temporary impacts. Detailed design to confirm most feasible alignment, based on which this resettlement plan will be updated.

is proposed on an available vacant portion of government land belonging to HIDCO, within an existing WTP complex which is being maintained by PHED. The raw water conveyance mains of 1200 mm dia and 200 m in length is proposed within the above-mentioned WTP complex, which belongs to HIDCO. GOWB, and the entire complex is free of informal users. The centralized clear water reservoir cum booster pumping station is proposed on another parcel of land belonging to HIDCO, where PHED is already operating water supply facilities; the land is vacant, fenced and free of informal users. Land acquisition for both WTP and booster station sites was undertaken over 30 years ago by HIDCO and discussions with PHED officials reveal that there are no pending or legacy issues related to land acquisition or compensation payment to the original landowners. Copy of the land ownership documents for the WTP and booster station sites showing ownership by HIDCO and the agreement between HIDCO and PHED for construction and operation of facilities on HIDCO land is not yet available, and will be appended to the updated resettlement plan. Based on site visits to the WTP and booster station sites, no involuntary resettlement impacts are anticipated at the two sites.

12. The total length of clear water main pipeline of 1200 mm dia proposed to be laid under the package is about 4 km, using open cut method for the major part, and jack pushing method in other parts where road cutting is to be avoided/disruptions minimised. Structure loss to 3 vacant, temporary structures on government right-of-way (of which 2 belong to political parties/groups with political affiliations and one is an abandoned shop of which ownership could not be established through consultations with local people), and potential temporary loss of income to 8 small business owners and vendors is identified in a small section of the clear water mains alignment, for a period of 10 days each. None of the affected persons/entities are vulnerable (Appendix 6).

13. Construction of three ground level reservoirs cum intermediate booster stations, one each in Haroa, Rajarhat and Bhangar II, block, is envisioned:

- (i) The Rajarhat GLR cum booster station is proposed on vested, government land. There is an existing PHED tubewell and pumping station in a corner of the site and a primary health sub-centre at the entrance to the proposed site. The government primary health sub-centre caters to about 250-300 mothers and infants per month, covering about 5,000 households in the surrounding area. Discussions with PHED officials reveal that demolition of the health sub-centre building will be required, and the sub-centre will have to be shifted to a location close by, where vacant, government land is available. Permission of the Block Primary Health Office will be required for shifting of the health centre. Engineers involved in detailed design will explore the possibility of avoiding impact to the health sub-centre and if impact is unavoidable, it will be ensured by the PHED PMU for WBDWSIP that the primary health sub-centre is functional in alternate premises, before any demolition of the existing building is undertaken. Alternative arrangements will thus have to be made (e.g. in a government building or in a rented, private building in the vicinity) to ensure that the health centre continues to remain functional until its new premises are ready. The remaining site area is vacant and unused; part of it is a dry water tank and part of it has trees and shrubs. There is a government primary school adjacent to the government land/proposed GLR cum booster station at Rajarhat. Consultations with the school authorities revealed the urgent need for safe water supply to the school and the surrounding community.
- (ii) The Bhangar GLR cum booster station is proposed at a privately-owned site, which is proposed to be obtained through negotiated settlement. The plots are owned by 14 owners, Mr. Alamgir Mallik (power of attorney holder and part owner) and his



10 siblings, who jointly own 106.6 decimals, Mr. Iccha Haque Molla and Mr. Ibrahim Molla (brothers), who jointly own 3 decimals, and Ms. Regina Khatun, who owns 21.6 decimals. Consent letters for sale through negotiated settlement have been obtained from Mr. Alamgir Mallik (power of attorney holder), Ms. Regina Khatun, and Mr. Icchha Haque Molla and Mr. Ibrahim Molla. Presently, there is a mango orchard at the proposed site; a few mango trees would need to be cut for the proposed facilities. There are no structures or informal users at the site. None of the present owners are below poverty line or vulnerable, and all of them own other land parcels where agriculture/pisciculture/horticulture is practiced (through sharecroppers). Field visits and consultations revealed that they are willing to sell the land to government as it will be used for public welfare.

- (iii) The Haroa GLR cum booster pumping station is proposed on a plot that is proposed to be obtained through negotiated settlement from 9 private owners, legal heirs (including wife, 4 daughters and 3 sons) of Late Wadul Zamedar. All the heirs have given Power of Attorney to Mr. Bazid Ali Zamedar, who is the legal representative of the heirs, besides being one of the heirs himself. The site is presently leased out to a brick manufacturer, Mr. Mannan Ali Baidya, who uses a large portion of the same for manufacturing and drying/storage of bricks. The GLR is proposed to be constructed on a vacant portion of the land measuring 4 bighas (1.323 acres). Initially, the plan was to purchase 5 bighas (1.65 acres), however, on being informed about the lessee's contention that purchase of 4 bighas would not impact his livelihood and that of his workers, but if 1 additional bigha i.e. total 5 bighas are sold, it would lead to significant economic impact. PHED engineers confirmed that 4 bighas of land would be sufficient for the proposed facilities and only 4 bighas would be purchased for the Haroa GLR site. The GLR is proposed to be constructed in the vacant portion of the land, without affecting the brick kiln business and land owners have given their written consent for sale to government, hence no land acquisition or structure loss or livelihood loss is anticipated.

14. The civil works contract for Package WW/N24P/01 will have specific provisions related to impact avoidance, for pipelaying activities as well as construction work near schools, health centres, *anganwadis* (nursery schools), etc. The works contractor will be required to maintain access to shops and residences or other buildings along pipe alignments and to institutions located close to proposed sites, and safety through hard barricading of excavated alignments/sites. Care will be taken to avoid/mitigate economic impacts through the following measures: (a) announcement of proposed civil works in advance (to enable shopowners to stock up and remain unaffected if goods vehicles are unable to reach them during construction), (b) provision of planks to ensure pedestrian access; (c) careful timing of implementation to avoid peak sale hours/days or school timings; (d) night work in commercial areas, where possible; (e) minimizing construction period to the extent possible; (f) assistance to mobile vendors if any present during construction, to shift nearby; (g) signages with project details and contact details for grievance redress; and (h) proper traffic management. These measures will be part of the contract and will be implemented through it, with careful monitoring by the concerned PIU. Currently, PHED informally offers through its contractors, one operation related job per site purchased through negotiated settlement (to any one member of the households of land sellers, jointly nominated by them). In rare cases where any of the land sellers are extremely poor, PHED considers offering operation related jobs to a maximum of 2 persons belonging to land seller households, per site. These arrangements will be formalized and implemented through the contract.

15. A final assessment of impacts will be undertaken along each site/road section based on the detailed engineering design. A detailed measurement survey (DMS) will be conducted to update or finalize the resettlement plan accordingly. Any shop that has been closed for a period of 6 months or more before the DMS for updating the resettlement plan will not be eligible for compensation against temporary income loss. Rigour in data collection and consultations with local people will be required to ensure that all affected persons eligible for compensation are identified.

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

	<b>Details</b>	<b>No. of Affected Persons</b>	<b>Remarks</b>
1	Permanent land acquisition	None	
2.	Structure loss	4	<p>Three vacant, uninhabited, temporary structures made of tin sheets are present on proposed government-owned right-of-way of the clear water transmission mains. They can be easily dismantled and reconstructed nearby (vacant space is available), when pipelaying is completed.</p> <p>One government public health sub-centre on the vested (government) land where the Rajarhat GLR cum booster station is proposed. Design engineers to explore possibility of avoidance of impact to the sub-centre, and if it cannot be avoided, alternative arrangements to be made to ensure continued health service to the community prior to disruption.</p>
3.	Permanent and significant livelihood impact	None	All 22 land sellers who own the site for two GLRs are likely to lose less than 10% of their annual income due to sale of the land. All 22 have alternate sources of livelihood.
4.	Potential temporary impacts (income loss) to shop/business owners	8	Temporary income loss for 10 days each, anticipated. Impact to the 8 shopkeepers will occur only if a section of the clear water transmission mains alignment passing through HIDCO garden is selected. In the event of selection of an alternative section along a HIDCO road based on feasibility and detailed design, temporary impact to the 8 shopkeepers will be avoided.
4a.	Potential temporary impact (income loss) to vulnerable persons among temporarily affected shop/business owners	None	None of the 4 (out of 8) shopkeepers present during surveys were found to be vulnerable. Based on consultations with the 4 shopkeepers available during survey, it was learnt that the remaining 4 shopkeepers who could not be consulted were also not vulnerable; this will be confirmed during resettlement plan finalization, post selection/confirmation of clear water alignment section.
5.	Potential temporary income loss to employees in affected shops/businesses	None	The temporarily impacted businesses (shops/kiosks) are very small; the business is managed by the owners themselves.

	Details	No. of Affected Persons	Remarks
6.	Affected Indigenous People	None	No Indigenous Peoples communities possessing the characteristics described in the ADB SPS has been identified in the package areas.

## B. Indigenous Peoples

16. No adverse impacts to indigenous peoples are anticipated as a result of the proposed bulk water supply components of Haroa-Rajarhat-Bhangar subproject under WBDWSIP. The private landowners from whom two GLR cum booster station sites are being obtained through negotiated settlement do not belong to the scheduled tribes. None of the shopkeepers facing potential temporary income loss in the event of selection of one of the alternative sections of the clear water transmission mains alignment belong to the scheduled tribes.

## III. SOCIO-ECONOMIC INFORMATION AND PROFILE

### A. Profile of Affected Persons

17. The profile of affected persons is prepared based on walk-throughs along the entire (100%) pipe alignment proposed under the package WW/N24P/01. Surveys and consultations were conducted at locations where potential impacts were identified during the walk-through. The three affected temporary structures on government ROW were vacant every time the alignment was visited. Consultations with local residents and political representatives revealed that one of the structures belongs to a political party (Bharatiya Janata Party) and serves as its local office; another belongs to a local group (called the "Syndicate") that supplies labour and materials for large-scale construction projects; and another is an abandoned shop that has not been opened for over 2 years (as reported by community members), ownership of which could not be established. A total of 8 small shops/business owners were identified as those facing potential temporary impacts, of which 4 (50%) shopkeepers could be surveyed/consulted. None were found to belong to below poverty line households.<sup>8</sup> Two of the 8 shopkeepers are female (but do not belong to female-headed households). Three of the shopkeepers are elderly, of which one is also female, however, none were found to be below poverty line.<sup>9</sup> The stated overall average profit per day of the surveyed shopowners was ₹232 per day, lower than the present applicable minimum wage rate of GOWB of ₹273. The profit per day was reported to range between ₹190-310 for the surveyed shopkeepers. None of the 8 shopkeepers facing potential temporary income loss belong to the scheduled castes/scheduled tribes,<sup>10</sup> and all are literate. The overall average dependency ratio in the temporarily affected persons' households is 2.75. The profile and photographs of surveyed shops/businesses that are potentially temporarily affected is presented in Appendixes 8 and 9.

<sup>8</sup> On adjusting the Planning Commission, Government of India estimates of the state-specific urban poverty line for West Bengal in 2012, the estimated urban poverty line in 2017 is INR 1544 per capita per month. Government of India, Planning Commission. 2013. *Press Note on Poverty Estimates 2011-12*. New Delhi.

<sup>9</sup> Vulnerable households comprise below poverty line households, female-headed households, disabled person-headed household, elderly-headed household, households with out-of-school/working children, landless households, household with no legal title / tenure security, and schedule castes and scheduled tribe households.

<sup>10</sup> One shopkeeper belongs to Backward Class Category B (i.e. backward, but less so than Category A backward classes) as per Government of West Bengal classification of backward classes of citizens other than scheduled caste or scheduled tribe, but is well above the poverty line.

18. The socio-economic profile of each of the affected persons will be furnished in the updated resettlement plan/DDR once the DMS and census survey are concluded, in stretches ready for implementation. The methodology for estimation of temporary involuntary resettlement impacts is appended as Appendix 6.

19. Appendix 10 presents a socio-economic profile of the land sellers (who are not affected persons) and a lessee on one of the sites proposed to be obtained through negotiated settlement, which helps establish that they are not poor or vulnerable.

**Table 3: Summary Profile of Temporarily Affected Persons**

	Description	Profile
1	Components	Laying of clear water transmission mains 1200 mm dia (4 km)
2	Total no. of temporarily affected persons	8
2a	Shop/business owners (temporarily affected)	8
2b	Employees in the temporarily affected shops/businesses	0
3	No. of women affected persons	2 (25%) shop/business owners; both do not belong to female-headed households and are above poverty line.
4	No. of BPL affected persons	None
5	No. of literate affected persons	8 (100%)
5	Types of business	Sale of fruits, fast food, tea and stationery, electrical equipment, packaged drinking water, betel leaf and stationery, and bicycle repair.
6	Types of structures	All 8 are temporary structures; no structure loss is anticipated.
7	Assessed impact duration	Temporary (estimated at 10 days each);
8	Loss	Potential temporary income loss
9	Stated overall average profit / day (₹)*	232
10	Stated profit per day (range, in ₹)	190-310
11	No. of affected shopkeeper households having any other income source	None. All eight households are dependent only on the shops for their livelihood.

BPL = below poverty line, ₹ = Indian rupee, km= kilometer, & = percent. Notes: (i) None of the affected persons / shop owners were found to belong to scheduled castes / tribes. Although a few are elderly and/or women, they are not below poverty line; (ii) On adjusting the Planning Commission, Government of India estimates of the state-specific urban poverty line for West Bengal in 2012, the estimated urban poverty line in 2017 is ₹ 1544 per capita per month. Government of India, Planning Commission. 2013. *Press Note on Poverty Estimates 2011-12*. New Delhi. Source: Transect walk and business survey, 2016.

#### **IV. INFORMATION DISCLOSURE, CONSULTATION, AND PARTICIPATION**

##### **A. Public Consultation**

20. The resettlement plan was prepared in consultation with stakeholders including temporarily affected persons, land sellers, beneficiaries/local people, poorest of poor households (non-titleholders on government land), Gram Panchayats pradhans, panchayat members/ public representatives, panchayat officials, Zilla Parishad officials and PHED engineers. Meetings were held in 3 sample gram panchayats in the subproject area with pradhans, panchayat members and officials, interviews of persons (4 out of 8 potentially affected persons) likely to face temporary impacts, and focus group discussions (FGDs) with potential beneficiaries including titleholders and non-titleholders were conducted. A total of 46 persons (beneficiaries and affected persons), of which 19 (41%) were women, were consulted on the proposed development interventions,

perceived impacts and mitigation measures and need for their cooperation and participation. Walk-throughs (along 100% of tentatively identified alignment, to be confirmed during detailed design), business surveys and socio-economic surveys and consultations with affected persons facing potential impacts also helped understand affected persons perspectives and propose mitigation measures and highlighted the need for stringent monitoring to avoid/minimise economic losses. While the temporarily affected persons' main concern was (temporary) income loss, the land sellers conveyed their willingness to sell their land for a project that benefits the community, but were concerned about the time taken for the purchase committee of Government of West Bengal to arrive at an offer price. The land sellers are aware of the process of negotiated settlement undertaken by the government. The project's entitlement matrix was explained to the affected persons, and the transparent process of land purchase and determination of market price proposed, was explained to the land sellers. Some of the beneficiaries were concerned about affordability of water connection and user charges, but a majority expressed the need for a safe, piped water supply. It was explained that connection charge would be affordable for all. Non-titleholders squatting on government land were not hopeful of inclusion in project benefits. The issue of inclusion of such households was discussed in the 3 Gram Panchayat level meetings held and while all Gram Panchayats agreed to provide water to such households, some were in favour of individual connections to all (whether titled or non-titled), while others were in favour of standpost supply to non-titled households.

## **B. Information Disclosure**

21. Information dissemination and disclosure has been a continuous process since the beginning of the project. The approved Entitlement Matrix and resettlement plan will be placed in the head office of PHED, PHED PMU office, and concerned divisional offices of PHED and Gram Panchayat offices accessible to affected persons. The design, supervision and institutional support consultants (DSISC), Environment and Social Safeguard Unit (ESSU) of PIU and safeguard and gender cell (SGC) of PMU will continue consultations, information dissemination, and disclosure. A strategy for continued consultation and participation will be undertaken as per the WBDWSIP resettlement framework. The final/updated resettlement plan will be disclosed to affected persons and other stakeholders, and on ADB's website, as well as state government, local government (Gram Panchayats), PMU (PHED) websites. Project information will be continually disseminated through disclosure of resettlement planning documents, as and when updated. Information on compensation, entitlements and resettlement planning and management principles adopted for the subproject will be made available in the local language (Bengali) and the same will be distributed to affected persons. The consultation process will be continuous, through the project cycle. Draft project information disclosure leaflet containing the Executive Summary of this resettlement plan and the Entitlement Matrix, and contact numbers of PMU, contractor, project engineer and DSISC social safeguards personnel and concerned engineer, and grievance redress hotline number will be distributed among affected persons and beneficiaries.

## **C. Continued Consultation and Participation**

22. The SGC of PMU and ESSU of concerned PIU will extend and expand the consultation and disclosure process during the construction period. The project management consultants supported by Design Supervision and Institutional Support Consultants will conduct training of contractors (engineers as well as safeguards personnel). The SGC of PMU, and with the support of DSISC, will design and conduct a public awareness campaign during project implementation. A consultation and participation plan is prepared for the project; PMU will be assisted by project management consultants (PMC) and PIUs by DSISC to ensure that the communities in project

areas are fully aware of project activities at all stages of construction. Community groups will be consulted and made aware of the civil works and project activities, anticipated impacts and mitigation measures, grievance redress process and contact details of PIU personnel prior to construction.

## **V. GRIEVANCE REDRESS MECHANISM**

### **A. Common Grievance Redress Mechanism**

23. A common Grievance Redress Mechanism (GRM) will be put in place to redress social, environmental or any other project and/or subproject related grievances. The GRM described below has been developed in consultation with stakeholders. Public awareness campaign will be conducted to ensure that awareness on the project and its grievance redress procedures is generated. The campaign will ensure that the poor, vulnerable and others are made aware of grievance redress procedures and entitlements per project entitlement matrix, and PMU and concerned PIUs will ensure that their grievances are addressed.

24. Affected persons will have the flexibility of conveying grievances/suggestions by dropping grievance redress/suggestion forms in complaints/suggestion boxes or through telephone hotlines at accessible locations, by e-mail, by post, or by writing in a complaints register in Gram Panchayat office or PMU or PIU office. Careful documentation of the name of the complainant, date of receipt of the complaint, address/contact details of the person, location of the problem area, and how the problem was resolved will be undertaken. PMU's Head, Safeguards and Gender Officer (HSGO) together with PIU Safeguard Officers will have the joint responsibility for timely grievance redressal on safeguards and gender issues and for registration of grievances, related disclosure, and communication with the aggrieved party. The affected persons will also be encouraged to seek a complaint registration number through the PIU.

25. The GRM provides an accessible, inclusive, gender-sensitive and culturally appropriate platform for receiving and facilitating resolution of affected persons' grievances related to the project. A two-tier GRM is conceived, one, at project level and another, beyond project level. For the project level GRM, a Grievance Redress Cell will be established at PIU; the safeguards officers of the ESSU PIU, supported by the social safeguards specialist of DSISC will be responsible for conducting periodic community meetings with affected communities to understand their concerns and help them through the process of grievance redressal including translating the complaints into Bengali or English, recording and registering grievances of non-literate affected persons and explaining the process of GRM. All expedient and minor grievances will be resolved at field level; should the PIU fail to resolve any grievance within the stipulated time period, the PMU will be consulted and suggested actions by PMU taken by PIU with DSISC support, within specified time. PIU will also be responsible for follow-through for each grievance, periodic information dissemination to complainants on the status of their grievance and recording their feedback (satisfaction/dissatisfaction and suggestions). In the event that certain grievances cannot be resolved at project level, they will be referred to the District Steering Committee (DSC), which will also act as Grievance Redress Committee (GRC), particularly in matters related to land purchase/acquisition, payment of compensation, environmental pollution etc. Any higher than district level inter-departmental coordination or grievance redress required will be referred to the state level Steering Committee.

26. All grievances – major or minor, will be registered. In case of grievances that are immediate and urgent in the perception of the complainant, the contractor, and supervision personnel from the PIU supported by DSISC will try to successfully resolve them in consultation

with the Member, Panchayat and the Gram Panchayat Pradhan. In case of larger issues, they will seek the advice and assistance of the SE PIU. Grievances not redressed through this process within/at the project level within stipulated time period will be referred to the DSC/GRC.

27. The DSC will be set up to monitor project implementation in each district. In its role as a GRC, the DSC will meet every month (if there are pending, registered grievances), determine the merit of each grievance, and resolve grievances within specified time upon receiving the complaint-filing which the grievance will be addressed by the state-level Steering Committee (SC). The Steering Committee will resolve escalated/unresolved grievances received. Grievances remaining unresolved by Steering Committee may be referred by affected persons to appropriate courts of law. The multi-tier GRM for the project is outlined below (Figure 4), each tier having time-bound schedules and with responsible persons identified to address grievances and seek appropriate persons' advice at each stage, as required. The GRC will continue to function throughout the project duration. The PMU shall issue notifications to concerned PHE Divisions to establish the respective PIU (and field) level GRCs, with details of composition, process of grievance redress to be followed, and time limit for grievance redress at each level.

28. An aggrieved person shall have access to the country's legal system at any stage, and accessing the country's legal system can run parallel to accessing the GRM and is not dependent on the negative outcome of the GRM.

#### **B. Composition of Grievance Redress Committee and District Steering Committee**

29. The DSC, acting as GRC will have District Magistrate (Chairperson), Superintending Engineer, PIU as Member Secretary, Additional Executive Officer, Zilla Parishad, Assistant (Social and Environmental) Safeguard Officers of the ESSU of the PIU, Institutional Support and Capacity Building Officer, PIU, Block Development Officers from respective blocks, and representatives from the affected village panchayat and / or community, if any, eminent citizens, community based organizations (CBOs) and nongovernmental organizations (NGOs). The DSC/GRC must have a minimum of two women members. In case of any indigenous people impacts in future subprojects, the DSC/GRC must have representation of the affected indigenous people community, including at least one female indigenous person, the chief of the tribe or a member of the tribal council as traditional arbitrator (to ensure that traditional grievance redress systems are integrated) and an NGO working with indigenous people groups.

30. The Steering Committee will include Chief Secretary, as chair, Principal Secretary/Additional Chief Secretary, PHED, Principal Secretary, P&RD, Principal Secretary, Finance, Principal Secretary, Irrigation and Waterways Development Department, Principal Secretary, Public Works Department, Engineering in Chief, PHED, Member Secretary, and Others as invitees.

#### **C. Areas of Jurisdiction**

31. The areas of jurisdiction of the GRC, headed by the District Magistrate will be (i) all locations or sites within the district where subproject facilities are proposed, or (ii) their areas of influence within the District. The Steering Committee will have jurisdictional authority across the state (i.e., areas of influence of subproject facilities beyond district boundaries, if any).

#### **D. Consultation Arrangements**

32. This will include regular group meetings and discussions, at least twice during resettlement plan preparation, with affected persons by the social safeguards personnel of DSISC and PIU. During the first year of resettlement plan implementation, such meetings will take place on a quarterly basis, while in subsequent years; these meetings will be held at least twice a year. The consultation arrangement thus envisaged is intended to address both general and/or specific individual grievances through a participatory approach. Besides, the consultative process is meant to be flexible to provide timely mitigation of grievances of the affected persons. The most complex cases will be dealt with through one-to-one consultation with particular affected persons by a host of actors comprising social safeguard specialist of DSISC and SO (social safeguards), ESSU PIU, with the support of SGC PMU as and when required. DSISC will be responsible for ensuring that non-literate affected persons and/or vulnerable affected persons are assisted to understand the grievance redress process as well as for encouraging them to register complaints and follow-up with relevant authorities at different stages in the process.

#### **E. Recordkeeping**

33. Records of all grievances received, including contact details of complainant, date the complaint was received, nature of grievance, agreed corrective actions and the date these were effected and final outcome will be kept by PIU (with the support of DSISC) and submitted to PMU.

#### **F. Information Dissemination Methods of the Grievance Redress Mechanism**

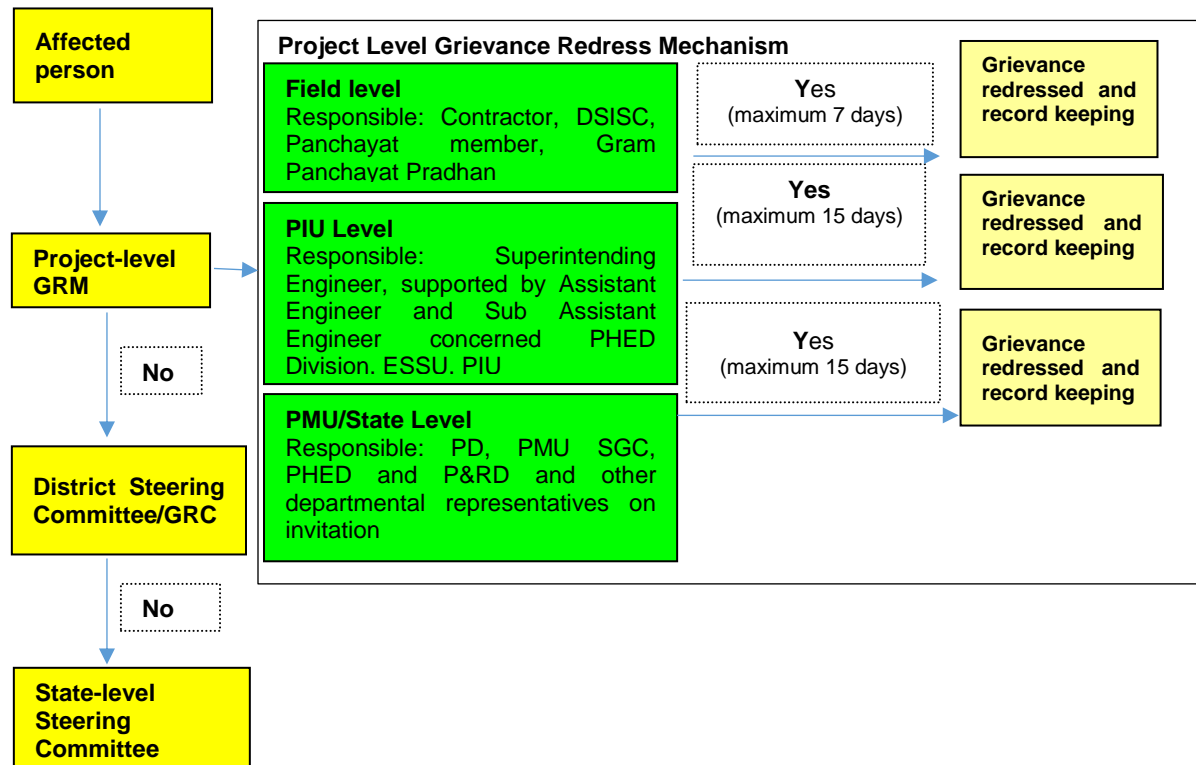
34. The PIU, assisted by DSISC will be responsible for information dissemination to affected persons on grievance redressal procedure. Gram Panchayat/coverage area/affected area-wide public awareness campaigns will ensure that awareness on grievance redress procedures is generated through the consultation and participation plan. Public awareness campaign will be conducted to ensure that awareness on the project and its grievance redress procedures is generated. The PIU safeguard officers (environment and social) will be assisted by DSISC safeguards specialists with information/collateral/awareness material etc. and in conducting project awareness campaigns. The campaign will ensure that the poor, vulnerable and others are made aware of grievance redress procedures and entitlements per agreed entitlement matrix including. who to contact and when, where/ how to register grievance, various stages of grievance redress process, time likely to be taken for redressal of minor and major grievances, etc. Grievances received and responses provided will be documented and reported back to the affected persons. The number of grievances recorded and resolved and the outcomes will be displayed/disclosed in the PMU and PIU offices, Gram Panchayat/concerned local panchayat notice boards and on the web, as well as reported in the semi-annual environmental and social monitoring reports to be submitted to ADB. A sample grievance registration form has been attached in Appendix 4.

35. **Periodic review and documentation of lessons learned.** The PMU SGC will periodically review the functioning of the GRM and record information on the effectiveness of the mechanism, especially on the PIU's ability to prevent and address grievances.

36. **Costs.** All costs involved in resolving the complaints (meetings, consultations, communication and reporting/information dissemination) will be borne by the PMU. Cost estimates for grievance redress are included in resettlement cost estimates. The grievance redress process is shown in Figure 6.



**Figure 2: Grievance Redress Mechanism**



DSISC=Design, Supervision and Institutional Support Consultant; ESSU=environmental and social safeguards unit, GRC=grievance redress committee; GRM=grievance redress mechanism, PIU= project implementation unit, P&RD = Panchayat and Rural Development; PMU =project management unit, PHED=public health engineering department; SGC=safeguards and gender cell.

37. ADB Accountability Mechanism. If the established GRM is not able to resolve a grievance, the affected person also can use the ADB Accountability Mechanism through directly contacting (in writing) the Complaint Receiving Officer (CRO) at ADB headquarters or the ADB India Resident Mission (INRM). Before submitting a complaint to the Accountability Mechanism, it is necessary that an affected person make a good faith effort to solve the problem by working with the concerned ADB operations department and/or INRM. Only after doing that, and if they are still dissatisfied, will the Accountability Mechanism consider the complaint eligible for review. The complaint can be submitted in any of the official languages of ADB's developing member countries. The ADB Accountability Mechanism information will be included in the project-relevant information to be distributed to the affected communities, as part of the project GRM.

## VI. POLICY AND LEGAL FRAMEWORK

38. The policy framework and entitlements for the project are based on applicable laws and regulations of the national and state government, the ADB Safeguards Policy Statement (2009); and the agreed project entitlement matrix.

39. The key involuntary resettlement principles of the ADB Safeguards Policy Statement (2009) are:

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- (ii) Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a GRM to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- (iii) Improve, or at least restore, the livelihoods of all displaced persons through (a) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement cost for land when the loss of land does not undermine livelihoods, (b) prompt replacement of assets with access to assets of equal or higher value, (c) prompt compensation at full replacement cost for assets that cannot be restored, and (d) additional revenues and services through benefit sharing schemes where possible.
- (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) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (vii) 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 nonland assets.
- (viii) 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.
- (ix) 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.

- (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- (xii) Monitor and assess resettlement outcomes, their impacts on the standards 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.

40. **Government of India and Government of West Bengal Laws and Policies.** The applicable legal and policy frameworks of the government, include: **The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013**, and state policy as listed below:

- (i) **West Bengal Land Acquisition Manual 1991**, which provides guidelines on determination of market price for compensation, but has not been revised post passage of LARR 2013. GOWB has now taken a policy decision to adopt negotiated purchase and not land acquisition as the mode of procurement of land for public purpose;
- (ii) **Memorandum for direct (negotiated) purchase of land for public purpose:** provides for constitution of a Purchase Committee, process of determination of value of land, buildings, structures. It provides an incentive on the price of land finally determined if land registration is accomplished within defined time frames. GOWB has also exempted the stamp duty for such purchase of land.<sup>11</sup>
- (iii) **The West Bengal Land and Land Reforms Manual, 1991** deals with management of lands owned by Government of West Bengal. Chapter XV of the Manual provides the principles and procedures for settlement of lands for non-agricultural purposes (which includes urban development work). In case of long-term settlement, it provides in detail the process of determining the market value of land from the records of recent sales of similar categories of land in the vicinity, using figures from the Sub-registration offices and carefully checking the same against the valuation in land acquisition cases in the locality.<sup>12</sup>
- (iv) **The West Bengal Estates Acquisition Act, 1953 and the West Bengal Land Reforms Act of 1955 and amendments** are important land-related laws of the State regulating land holding (ceiling) for various purposes including change in

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<sup>11</sup> Memorandum (No. 756-LP/1A/03/14(Pt II) dated 25 February 2016) for Direct (Negotiated) Purchase of Land for Public Purpose in The Kolkata Gazette (Extraordinary) dated March 1, 2016.

<sup>12</sup> The Directorate of Registration and Stamp Revenue, Government of West Bengal has introduced transparent, online procedures for updating of market value of any land parcel in the state. Market values of land for different locations are updated every three to six months and published online. This helps ensure a fair price to the landowner/seller in case of purchase, and affected person (in case of land acquisition); it also ensures that the State does not lose out on taxes and stamp duties due to under-reporting of land value.

character and ownership and use of the land and the rights of sharecroppers. There are, however, no specific provisions in the Acts that will have a direct bearing on involuntary resettlement under the Project.

41. In case of discrepancy between the policies of ADB and the government, gap-filling measures will be adopted to bridge the discrepancies (Appendix 2). Based on these, the core involuntary resettlement principles applicable are: (i) land acquisition, and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative subproject designs; (ii) where unavoidable, time-bound resettlement plans will be prepared and affected persons will be assisted in improving or at least regaining their pre-program standard of living; (iii) consultation with affected persons on compensation, disclosure of resettlement information to affected persons, and participation of affected persons in planning and implementing subprojects will be ensured; (iv) vulnerable groups will be provided special assistance; (v) payment of compensation to affected persons including non-titled persons (e.g., informal dwellers/squatters, and encroachers) for acquired assets at replacement rates; (vi) payment of compensation and resettlement assistance prior to the contractor taking physical acquisition of the land and prior to the commencement of any construction activities; (vii) provision of income restoration and rehabilitation; and (viii) establishment of appropriate GRMs. Details of entitlements for different categories of entitled persons are available in the agreed project Entitlement Matrix.

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

### **A. Types of Losses and Affected Person Category**

42. The anticipated types of losses due to the proposed bulk water supply components of Haroa-Rajarhat-Bhangar subproject comprise (i) structure loss to non-titleholders on government land including political parties or groups supported by political parties; and (ii) potential temporary income loss to shop keepers/business owners. The income loss to affected persons will be temporary loss of daily income for the period of disruption, assessed as 10 days.<sup>13</sup>

43. According to ADB SPS 2009 in the context of economic impacts due to involuntary resettlement vis-à-vis, affected persons are those who are economically displaced (loss of productive land, structures, assets, access to assets, income sources, or means of livelihood). The absence of formal and legal title to the land does not bar the affected person from receipt of compensation and resettlement assistance from the project. Vulnerable affected persons are eligible for additional compensation and assistance and are to be accorded priority in employment in project related construction activities.

44. DMS and Inventory of Loss Surveys will be conducted for project sites and transmission/feeder mains alignments, once the detailed design is finalised. These surveys remain to be conducted before implementation at each stretch of pipeline when the exact alignment is known and will determine the total number of temporarily affected persons along the alignment.<sup>14</sup> Eligibility for compensation will be the date of start of the DMS prior to

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<sup>13</sup> Stringent monitoring and adherence to the EMP provisions will help minimize losses. If losses can be avoided during construction through careful planning and implementation of mitigation measures and monitoring, no compensation payment will be necessary.

<sup>14</sup>The Detailed Measurement Survey (DMS) will establish the number of affected persons/ businesses along each proposed pipe /road stretch with potential impacts. It will collect only essential information for determining entitlements.

commencement of civil works in sites/sections ready for construction. The DSISC will conduct DMS survey of affected persons along the relevant sites/sections where transect walks reveal any impacts (Appendix 6). The date of DMS survey will serve as the cut-off date for eligibility. Hawkers or businesses who settle in the affected areas after the cut-off date will not be eligible for compensation. They will, however be given sufficient advance notice (at least 30 days), and assisted to vacate premises and dismantle affected structures prior to project implementation. Contractors will provide shifting assistance to hawkers / vendors requiring help. Information regarding the cut-off date for eligibility to all types of compensation will be documented and disseminated throughout the project area.

## **B. Entitlements**

45. The entitlement matrix (Table 4) summarizes the types of possible losses and corresponding entitlements in accordance with ADB and government policies, based on the principle of replacement cost. In addition to the estimated impacts, the entitlement matrix safeguards unforeseen impacts.

46. In accordance with the entitlement matrix for the project, all displaced households and persons will be entitled to a combination of compensation packages and resettlement assistance, scope of the impacts including socioeconomic vulnerability, and measures to support livelihood/income restoration. The entitlement matrix for the subproject based on the above policies is in Table 4.

## **C. Relocation**

47. Relocation impact to a government primary health sub-centre building is anticipated. The process to be followed will be as per GOWB's standard operating procedure in such cases. In addition, since the health sub-centre is widely used by women and children of the community, the resettlement plan proposes as mitigation measure, support for ensuring continued services for the transition phase until a permanent solution / alternative building is provided to the sub-centre. In case of the 3 affected temporary structures of squatters along government ROW, a lump sum shifting and transitional assistance of ₹10,000 will be provided. The affected entities will be allowed to shift back to the present location or nearby where vacant space is available, when construction work is completed.

## **D. Temporary Loss of Income**

48. The resettlement plan envisages the following steps:

**Step 1:** Conduct public awareness and information dissemination prior to construction works (through PIU and DSISC)

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A rapid survey will be conducted using an instrument similar to the one used for business surveys during walk-throughs. for this resettlement plan (refer Appendix 6 for a survey form template for the DMS). The DMS will gather personal information on the affected person, type of business, type of structure, number of persons employed, income and profits per day of owner and employees, vulnerability, if any of the owner or employees, and will record the type of distress likely. In case of the affected health sub-centre building, the DMS will be conducted jointly by PHED and the Block Primary Health Office. During discussions with PHED officials, it was indicated that in cases where government property is affected, the government's standard processes of obtaining consent of the affected department need to be followed, and conditions stipulated by the affected department and agreed between the two departments, need to be met.

- Step 2:** DSISC field personnel, PIU and the contractor(s) to jointly confirm exact alignments/mark the extent of excavation on each road section, and the traffic diversion plan.
- Step 3:** The DSISC safeguards specialist will (a) conduct a transect walk jointly with the ESSU staff of PIU and contractor; to determine the extent / nature of impacts. Such walks will establish the need for Detailed Measurement Surveys on each road stretch; (b) conduct a detailed measurement and inventory of losses survey; to establish the number of affected persons/businesses along each proposed waste water pipe alignment/road stretch/sites and potential impacts and enable an inventory of losses., (c) update the resettlement plan (identifying potential losses), and (d) send the updated resettlement plan to PIU/PMU and ADB for review and approval after detailed designs and surveys are complete.
- Step 4:** The ESSU personnel of PIU will distribute identity cards to affected persons: those facing income losses and those requiring assistance, and vulnerable affected persons. The ESSU assisted by DSISC will collect details of bank accounts of affected persons, and assist those without bank accounts to open the same.
- Step 5:** Affected persons can then access the compensation/assistance/allowances provided from the project.
- Step 6:** PIU to pay compensation/assistance/allowances prior to displacement in sections ready for construction (as required). The SGC of PMU to closely monitor compensation payment, which can be through cheques or direct transfer to beneficiary accounts.
- Step 7:** PIU to give formal clearance to the contractor to proceed with civil works, through a certification, after receiving due clearance from PMU to proceed.
- Step 8:** PIU to keep accounts, record of affected persons, amounts paid, and receipts record for accounting purposes and submit copies of records in the periodic Social Monitoring Report to PMU.

## **E. Vendor Assistance**

49. Vendors requiring temporary shifting assistance during construction period will be notified in advance and assisted to shift to alternative locations to continue the trade with limited disruption. They will be allowed to return to their original location after construction is declared complete. The contractor will provide the necessary assistance.

**Table 4: Entitlement Matrix**

<b>Type of Loss</b>	<b>Application</b>	<b>Definition of Entitled Person</b>	<b>Compensation Policy<sup>a</sup></b>	<b>Implementation Issues<sup>b</sup></b>	<b>Responsible Agency<sup>c</sup></b>
Loss of Government land	Vacant plot, right-of-way (ROW) of road	Squatters	1.Squatters will be notified and given 60 days advance notice to remove their assets. 2. A lump sum shifting assistance of ₹10, 000 will be provided.	Vulnerable households will be identified and provided assistance as required.	1. Project management unit (PMU)/safeguard and gender cell (SGC) will ensure provision of notice. 2. Project implementation unit (PIU)/design, supervision and institutional support consultant (DSISC) will identify and SGC will verify vulnerable households.
Loss of commercial/ other structure		Encroachers and squatters	1.Encroachers will be notified and given 60 days advance notice to remove their assets. 2. Compensation for affected structures at replacement cost without depreciation. 3.Right to salvage material from the demolished structure at no cost. 4. A lump sum shifting and transitional assistance of ₹10,000 will be provided.	Vulnerable households will be identified during the census survey of affected households conducted by the PIU/SPMSC.	PMU/SGC will verify the extent of impacts determine assistance, verify vulnerable households.
Temporary disruption of livelihood	Commercial and agricultural activities	Legal titleholders, tenants, leaseholders, employees, hawkers or vendors.	1.60 days advance notice regarding construction activities, including duration and type of disruption. 2. Cash assistance based on the net income from the affected business or minimum wage for the loss of income/livelihood for the period of disruption, whichever is more. 3. For construction activities involving disruption for a period of more than a month, provision of alternative sites for hawkers and vendors for continued economic activities. If not possible, allowance based on the net income of the	1. During construction, the PIU/DSISC will identify alternative temporary sites to the extent possible, for vendors and hawkers to continue economic activity. 2. PIU/DSISC will ensure civil works will be phased to minimize disruption through construction scheduling in co-ordination with the contractors	PIU/DSISC in coordination with Contractors will identify alternative locations.

Type of Loss	Application	Definition of Entitled Person	Compensation Policy <sup>a</sup>	Implementation Issues <sup>b</sup>	Responsible Agency <sup>c</sup>
			affected business or minimum wage rate for the affected households up to 3 months or the actual period of disruption whichever is more.		
Loss and temporary impacts on common resources	Common resources	Communities, Government Agencies <sup>d</sup>	<p>1.The contractor shall follow the provisions in this entitlement matrix for any impact on structure or land due to movement of machinery during construction or establishment of construction plant.</p> <p>2.Compensation for trees based on timber value at market price, and compensation for perennial crops and fruit trees at annual net product market value multiplied by remaining productive years; to be determined in consultation with the Forest Department for timber trees and the Horticulture Department for other trees/crops.</p> <p>3.Time bound restoration of land to its previous or better quality.</p> <p>4.The contractor will maintain access to businesses (e.g., planks, keeping traffic flow, pedestrian access, no full street closures, etc.).</p> <p>5. Replacement or restoration of the affected community facilities – including public water stand posts, temples, shrines, bus shelters etc.</p> <p>6. Enhancement of community resources.<sup>e</sup></p>	PIU/DSISC will ensure compensation and other entitlements are implemented in co-ordination with the contractors	PMU/DSISC and Contractor
Any other loss not identified			1. Any unanticipated impacts of the project will be documented and mitigated based on the spirit of the principles agreed upon in this Resettlement Framework and the RFTLARRA.		The PIU/DSISC will ascertain the nature and extent of such loss. The SGC will finalize the entitlements in line with



Type of Loss	Application	Definition of Entitled Person	Compensation Policy <sup>a</sup>	Implementation Issues <sup>b</sup>	Responsible Agency <sup>c</sup>
			2. Unanticipated involuntary impacts will be documented and mitigated based on the principles provided in the ADB involuntary resettlement Policy.		the ADB Safeguard Policy Statement.

Note: The applicable minimum wage rate at the time of project implementation for unskilled industrial workers in the area or zone where affected person is located will be payable against temporary income loss.

<sup>a</sup> Statutory compensation rates will be adjusted by 5% per annum (based on the average inflation rate in India over the past 10 years).

<sup>b</sup> For design, build and operate (DBO) contracts, the DBO contractor undertakes design tasks.

<sup>c</sup> For design, build and operate (DBO) contracts, the DBO contractor carries out design responsibilities.

<sup>d</sup> For example, schools, health centers and integrated child development scheme centers.

<sup>e</sup> For example, provision of water connections, toilets and/or play areas with appropriate facilities.

## **VIII. COMPENSATION MECHANISM**

### **A. Temporary Income Loss**

50. Assistance for temporary loss of income and livelihood will be paid to the displaced persons as per Entitlement Matrix. The computation of loss will be based on the prevalent minimum wage rate for unskilled industrial workers in the area where affected person is located as published by the Department and Directorate of Labour, Government of West Bengal.<sup>15</sup> As per the EM, all categories of affected persons (e.g. business owners and employees); all shops/businesses whether titled or non-titled will be eligible for compensation against temporary income loss.

### **B. Structure Loss**

51. Compensation for structure loss will be paid to the displaced persons/entity as per Entitlement Matrix. The computation of loss will be based on applicable government schedule of rates, adjusted for annual inflation to reflect replacement cost, without considering depreciation. The calculation of replacement cost is based on the following elements: (i) fair market value; (ii) transaction costs; and (iii) interest accrued.

### **C. Loss of Common Property Resource**

52. In case of loss of common property resource, the compensation shall cover restoration/enhancement of the affected common property resource and transitional support to the community until such restoration is achieved.

53. All compensation and resettlement assistances will be paid to the entitled displaced persons prior to commencement of civil works.

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

### **A. Resettlement Costs**

54. The resettlement cost estimate (Table 5) includes compensation for potential temporary income loss to shopkeepers, compensation for structure loss and shifting assistance, cost of restoration of affected common property resources, mitigation measures, DMS survey costs for resettlement plan finalization, monitoring survey costs, third party witness costs, and consultation, grievance redress and awareness generation cost. The government will bear all resettlement plan costs related to compensation and mitigation and will be responsible for releasing the funds for resettlement in a timely manner. The estimated total resettlement cost for the subproject is ₹6,805,524.00. The resettlement cost items and estimates are outlined in Table 5.

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<sup>15</sup> The minimum wage is higher than the daily loss incurred by each of the surveyed/identified affected persons in package TR-2 SD 22, hence compensation at minimum wage rate is considered adequate.

**Table 5: Resettlement Cost**

	Details	No.		Unit cost	Total Cost (₹)
1	Structure loss				
1.1	Temporary structures	3		15,000	45,000
1.2	Provisional sum for restoration/enhancement of CPR (primary health sub-centre)*	1		5,000,000	5,000,000
<b>2</b>	<b>Transitional and other assistance</b>				
2.1	Provisional sum for rental assistance for CPR (primary health sub-centre) before restoration is achieved		18 months	15,000	270,000
2.2	Shifting assistance	4	Lump sum	10,000	40,000
<b>3</b>	<b>Temporary Income Loss</b>				
3.1	Provisional sum for compensation of temporary income loss @ minimum wage rate** \$	8	10 days	273	21,840
<b>4</b>	<b>Mitigation Measure</b>				
4.1	Provision of water supply connection to Health Sub-centre and Primary School on land near Rajarhat GLR		Lump sum		10,000
<b>5</b>	<b>Surveys, consultations, grievances and awareness</b>				
5.1	DMS Survey for resettlement plan updation, post-implementation monitoring survey		Lump sum		250,000
5.2	Consultation, grievance redress		Lump sum		250,000
5.3	Awareness Generation		Lump sum		250,000
<b>6</b>	<b>Third Party Costs</b>				
6.1	Provisional sum for third party witness costs		Lump sum		50,000
	<b>Sub-total</b>				6,186,840
	<b>Contingency at 10%</b>				618,684
	<b>Grand Total (₹)</b>				6,805,524

Note: Cost of land purchase through negotiation is not added to the resettlement plan Cost. GOWB's Purchase Committee will consult land sellers before arriving at the negotiated sale price.

\* Provisional sum for restoration of CPR is provided for in resettlement plan costs; it includes the cost of the building (of area 2000 ft<sup>2</sup>), and furniture, fixtures, and equipment required to make it fully functional. In the event that the government is able to provide an alternate government building in the vicinity where the health centre can be shifted, this amount as well as the amount budgeted towards transitional rental assistance for the CPR will not be required.

\*\* Provisional sum for compensation of temporary income loss is provided for, in the event that a particular alignment stretch through HIDCO garden is selected for the clear water transmission mains, which will involve temporary impacts. In case the alignment is not selected during detailed design, these temporary impacts will not occur. The latest applicable minimum wage rate in the area/zone where the affected person is located will be used in the updated resettlement plan for computation of compensation against temporary income loss. This will be updated during resettlement plan revision/updating and implementation.

## **X. IMPLEMENTATION ARRANGEMENTS**

### **A. Institutional Arrangements**

55. The Public Health Engineering Department (PHED), Government of West Bengal will be the executing and implementing agency for the Project, responsible for management, coordination and execution of all activities funded under the loan. A central Project Management Unit (PMU) in Kolkata attached to PHED will be responsible for implementing the WBDWSIP. The PMU will be supported by Project Implementation Units (PIUs) at district level.

56. The PMU will be supported by the Project Management Consultants and PIUs will be supported by Design, Supervision and Institutional Support Consultants in project management and implementation respectively.

57. A state-level Steering Committee is constituted to provide policy direction and project oversight. A Tender Evaluation and Recommendation Committee is constituted to review and evaluate bids; and a District Steering Committee is constituted to monitor project implementation and undertake coordination among local agencies, set up monitoring mechanisms and undertake grievance redress activities as required.

### **B. Safeguard Implementation Arrangements**

58. **Project Management Unit.** A Safeguard and Gender Cell (SGC) will be established in PMU with the overall responsibility of ensuring compliance with ADB SPS. SGC will be headed by a Head, Safeguards and Gender Officer (HSGO) and will report to the Project Director directly. The HSGO will have overall responsibility in implementation of the RF, Environmental Assessment and Review Framework (EARF), resettlement plans, EMPs, SEMP, GESI action plan, and appropriate monitoring and reporting responsibilities. Key social safeguard tasks and responsibilities at the PMU level are as follows:

#### **59. Social Safeguards.**

- (i) ensure subprojects conform to the agreed subproject selection criteria for the project;
- (ii) review and finalize subproject involuntary resettlement and indigenous people category;
- (iii) oversee preparation of resettlement plans/due diligence reports (DDRs)/ indigenous people plans (IPPs); confirm existing resettlement plans/ DD Rs/ IPPs are updated based on detailed designs, and that new subproject resettlement plans/DDRs are prepared in accordance with the resettlement framework and indigenous people planning framework (IPPF) prepared for the project;
- (iv) responsible for issuing the public notice to acquire a particular land/ property for the sub-project along with project information/details as well as the project cut off date;
- (v) ensure that resettlement plans/ DD Rs/IPP s are included in bidding documents and civil works contracts;
- (vi) ensure that water supply safety plan recommended by the World Health Organization are included in bidding documents and civil works contracts;
- (vii) provide oversight on social safeguard management aspects of subprojects and ensure resettlement plans/ IPPs and impact avoidance measures outlined in the

- resettlement framework/ IPPF/ environmental management plan / resettlement plans/ IPP/ DDR are implemented by PIU and contractors;
- (viii) ensured and monitor the provision in the contract to include the indigenous people households/ communities/ wards to be the beneficiaries of the facilities constructed under the Project;
  - (ix) facilitate and ensure compliance with all government rules and regulations regarding No Objection Certificates, third party certificates for negotiated settlement or donation, land ownership and transfer details etc. for each site, as relevant;
  - (x) supervise and guide the PIUs to properly carry out the social safeguard and gender monitoring (RP/IPP as per the resettlement framework/ IPPF);
  - (xi) review, monitor, and evaluate the effectiveness with which the resettlement plans/ IPPs/ provisions of DDRs are implemented, and recommend corrective actions to be taken as necessary;
  - (xii) consolidate monthly social safeguard and gender monitoring reports from PIUs/ DSISCs and submit semi-annual social safeguard monitoring reports (SSMR) to ADB;
  - (xiii) ensure timely disclosure of final resettlement plans/ DDRs/ IPPs to affected persons and other stakeholders;
  - (xiv) address any grievances brought about through the GRM in a timely manner;
  - (xv) oversee training needs assessment of affected persons and vulnerable persons by PIUs/ PMC, coordinate training activities and convergence with livelihood programs of the government;
  - (xvi) identify training needs and coordinate training activities for the PIUs/ contractors/ Project NGOs/ DSISCs for capacity building to implement the resettlement plans/ IPP/ DDR, and GRM;
  - (xvii) coordinate database management for social safeguards implementation and monitoring; and
  - (xviii) coordinate public awareness campaigns by the PIUs including resettlement provisions with the help of print and electronic media.

60. **The SGC will be supported by social safeguard specialists in the PMC.** Key safeguard tasks and responsibilities of the PMC on social safeguards are as follows:

61. Social Safeguards and Gender Specialist PMC

- (i) Establish a system to monitor social safeguards and gender outcomes of the Project; including the functioning of the GRM, and prepare indicators for monitoring important parameters of safeguards and gender;
- (ii) Take proactive action to anticipate the gender equality and social inclusion and social safeguards aspects of the Project to avoid delays in implementation;
- (iii) Support PMU to prepare resettlement plans, Indigenous Peoples Plans, of subproject water supply schemes that will be appraised during project implementation;
- (iv) Support the PMU in ensuring that the social safeguard and GESI activities are carried out in accordance with the agreed plans and frameworks;
- (v) Support PMU in preparing gender strategy for PHED;
- (vi) Ensure that the relevant measures specified in the resettlement plans, Indigenous People Plans and GESI action plan will be incorporated in bidding documents and approved by ADB prior to issuance of invitation for bidding and monitor their compliance on behalf of PMU; and (f) ensure monitoring of social safeguards plans

and GESI action plan and address unanticipated impacts, if any; and (g) provide training programs to PMU/PIU staff and contractors involved in the project implementation for strengthening their capacity in managing and monitoring social safeguards and gender.

62. **Project Implementation Unit.** At each PIU, an Assistant Engineer will be given additional responsibilities of safeguard tasks and will be designated as Safeguards Officer (SO). The SO will oversee the safeguards implementation at PIU level, coordinate public consultations, information disclosure, regulatory clearances and approvals, resettlement plan implementation, EMP implementation and grievance redressal. Key social safeguard tasks and responsibilities of SO are as follows:

63. **Social Safeguards and Gender**

64. The PIUs, assisted by the project NGOs, will conduct safeguards implementation at PIU level through the following key tasks:

- (i) fill up involuntary resettlement/indigenous peoples impact checklist and classify the project;
- (ii) conduct census and socio-economic surveys, detailed measurement surveys, and verification surveys of Affected persons, conduct consultations with Affected persons, finalize list of Affected persons prepare/update RP/DDR/IPP with the assistance of PMC, and submit to PIUs and PMU for review and approval and further submission to ADB;
- (iii) inform Affected persons on (a) the project cutoff date; (b) public notice for schedule of land acquisition/occupation; (c) entitlement matrix; and (d) compensation packages against different categories of loss, and tentative schedule of land clearing/ acquisition for starts of civil works activities;
- (iv) coordinate valuation of assets, such as land, trees of various species, etc. Based on proper due diligence and assessment, finalize compensation packages;
- (v) facilitate the land acquisition and compensation processes in consultation with the district administration; coordinate, supervise and monitor disbursement of compensation;
- (vi) obtain no objection certificate (NOCs), land documents, third party certifications as required for the subproject;
- (vii) include resettlement plans/ IPPs/ DDRs in bidding documents and civil works contracts;
- (viii) oversee day-to-day implementation of resettlement plans/ DDRs/ IPPs by contractors, including compliance with all government rules and regulations, take necessary action for obtaining rights of way;
- (ix) oversee resettlement plans/DDR/IPP and GESI plan implementation and maintenance of data for monitoring, by contractors;
- (x) ensured and monitor the provision in the contract to include the indigenous people households/ communities/ wards to be the beneficiaries of the facilities constructed under the Project;
- (xi) take corrective actions when necessary to ensure no adverse social impacts;
- (xii) submit monthly social monitoring reports to PIUs and PMU;
- (xiii) conduct continuous public consultation and awareness;
- (xiv) address any grievances brought about through the GRM in a timely manner as per the resettlement plans/ DDRs/ IPPs;

- (xv) organize an induction course for the training of contractors, preparing them on resettlement plan/ DDR/ IPP/ GESI plan implementation, social safeguard and gender monitoring requirements related to mitigation measures, and on taking immediate action to remedy unexpected adverse impacts or ineffective mitigation measures found during the course of implementation;
- (xvi) liaise with the District Administration, Gram Panchayats and line departments for dovetailing government's schemes for income generation and development programs for affected people, as and when required; and
- (xvii) assist in the implementation, monitoring and reporting of GESI plan.

65. The PMC resettlement specialist will assist the PIU Safeguard Officers in training, social safeguard supervision, monitoring, record keeping and report preparation activities. The PIUs will be assisted by DSISC teams which will include an Environmental Specialist and a Social Safeguards Specialist. Following are the key tasks:

66. **Social Safeguards and Gender Expert, DSISC**

- (i) Screen and categorize subproject components;
- (ii) Carry out baseline surveys;
- (iii) Ensure the contractors comply with the agreed social safeguards frameworks, resettlement plans, and due diligence reports on social safeguards for the project
- (iv) Prepare any additional draft resettlement plans, due diligence reports and prepare any new safeguard documents as and when required;
- (v) Assist the PIUs in the implementation of final resettlement plans and GESI action plan;
- (vi) Prepare periodic safeguard monitoring reports as per the format acceptable to ADB and quarterly GESI action plan updates in format provided in Project Administration Manual;
- (vii) Collect relevant data on implementation of GESI action plan and design gender-sensitive communication strategy and IEC materials illustrating key social and behavioural messages related to hygiene, sanitation and health jointly with the communication specialist and in accordance with the GESI action plan; and
- (viii) Extend assistance to PHED in carrying out awareness campaigns focused on involving women and girls in water management activities in the focus areas and monitor activities of the Project NGOs.

67. **Nongovernment Organizations.** Three Project nongovernment organizations (NGOs)/ consultants will be engaged for each of the Project districts to support the Gram Panchayats in their institutional and capacity building for sustainable operating and maintenance of the assets created. The Project NGOs will work in close coordination with the design, supervision and institutional support consultants (DSISC) for the concerned PIU, and report to the PIU. Related to social safeguards, the Project NGO will support social safeguards compliance monitoring at Gram Panchayat-level, conduct awareness generation, and support PIUs in achieving outputs under the GESI Action Plan for the Project.

68. **DBO Contractor.**<sup>16</sup> The DBO Contractor will have a dedicated Social Supervisor, who will hold a Master's degree in social science and would have at least 5 years of experience in resettlement planning and implementation, as well as gender action plan implementation, preferably in multi-lateral aided projects. The tasks of the Contractor's Social Supervisor will be to:

- (i) Work in close coordination with the PIU, design engineers and DSISC social safeguards personnel to finalise detailed design keeping the safeguard principles adopted for the project in view;
- (ii) Ensure that all design-related measures (e.g. special considerations for the vulnerable related to facility locations or design, mitigation measures for affected persons etc.) are integrated into project designs before approval
- (iii) Conduct joint walk-throughs with PIU, design engineers and DSISC social safeguards personnel in sites/sections ready for implementation; identify the need for detailed measurement surveys, and conduct detailed measurement surveys to arrive at the final inventory of loss;
- (iv) Update the draft resettlement plan and due diligence report and submit to PIU/PMU and ADB for review and approval.
- (v) Ensure strict adherence to ADB and government policy on social safeguards and the agreed entitlement matrix during implementation,
- (vi) Assist with grievance redressal and ensure recording, reporting and follow-up for resolution of all grievances received;
- (vii) Assist PIU in disclosing relevant information on safeguards (eligibility, entitlements, compensation, cut-off date, processes, timelines, GRM etc.) to beneficiaries and affected persons including the vulnerable.
- (viii) Submit monthly social safeguard and gender action plan monitoring reports to PIU, with gender-disaggregated data as required for monitoring.

**Table 6: Institutional Roles and Responsibilities**

<b>Activities</b>	<b>Agency Responsible</b>
<b>Sub-project Initiation Stage</b>	
Finalization of sites/alignments for sub-project (on ground)	PMU/PIUs
Coordination between Purchase Committee, District level Revenue Department authorities and land sellers	PMU/PIUs
Meetings at community/ household level with Affected Persons and beneficiaries	PIUs/DSISC
<b>resettlement plan Preparation/ Updating Stage</b>	
Conducting DMS Survey / Census of all Affected Persons	PIUs/DSISC
Conducting FGDs/ meetings / workshops during census surveys	PIUs/DSISC
Verification of survey results, vulnerable households	PMU/PMC
Computation of compensation	PMU/PMC
Conducting discussions/ meetings/ workshops with all Affected Persons and other stakeholders	PIUs/DSISC PMU/PIUs
Finalizing entitlements	PMU/PIUs
Disclosure of final entitlements and compensation packages	PIU/DSISC
Approval of Final resettlement plan	ADB

<sup>16</sup> In case of Package WW/N24P/01, the DBO contractor will be responsible for resettlement plan updating and implementation, in close coordination with the PIU and DSISC.



Activities	Agency Responsible
<b>resettlement plan Implementation Stage</b> Payment of compensation Consultations with Affected persons during rehabilitation activities Grievances Redressal Internal Monitoring	PIUs/PMU PIUs/DSISC PMU/PIUs/DSC PMU/PIUs

DSC = district steering committee, DSISC = design, supervision and institutional support consultant, FGD = focus group discussion, PMU = project management unit, PIU=project implementation unit.

### C. Institutional Capacity

69. Capacity to handle environmental/involuntary resettlement/indigenous people impacts, gender and vulnerability issues, etc., needs to be built in the Project. PHED has built some institutional capacity for safeguards, having recently implemented a JICA funded project, however, further efforts will be needed to ensure a trickle down of safeguards capacity to all levels of its staff. Capacity building training on safeguards and gender is required for PHED and other stakeholders such as Gram Panchayats, Zilla Parishad, district and block level officials and contractors' personnel who will be involved in resettlement plan implementation, to ensure familiarity with ADB SPS, the resettlement framework, indigenous peoples planning framework, entitlement matrix, GRM, and the safeguards monitoring and reporting system. Training of PMU/PIU staff on aspects such as environmental planning/resettlement planning/implementation, social protection and gender, including the specific recording, reporting, and disclosure requirements need to be planned for.

70. For the capacity building of designated social safeguards officers, project engineers and contractors personnel, PMU with the support of PMC and DSISC, will organize training programs on safeguards. Services of consultant trainers may be procured for coordinating and imparting required trainings to the staff. One training workshop in every quarter in the first year, followed by one training program/workshop half-yearly in the following years, is proposed for a minimum of 40 participants in each training program/workshop. Training programs will focus on safeguard monitoring in the field, grievance redress, awareness generation among the public, gender issues and reporting of safeguard and gender monitoring data for periodic monitoring reports to be submitted to ADB.

71. Owing to the complexity of projects in rural areas of West Bengal, there is a need to specially focus on capacity building on social (distinct social, economic and cultural traits and traditions of people and the importance of preserving these), legal (rights over land and land tenure issues) and technical aspects in such Projects with an adequate budgetary provision. Training on provisions of EARF/resettlement framework. Further, capacity building of CBOs in the Project area will be considered to ensure that they are able to represent the affected groups more effectively. If required external resources, e.g., sociologists and development practitioners with relevant experience will be employed. Additional measures to enhance institutional capacity include exposure visits of social safeguard staff of the Project to other Indian states that have successfully implemented ADB funded Projects.

## XI. IMPLEMENTATION SCHEDULE

72. All the compensation and assistance as per EM will be completed prior to the start of the civil work at each specific site / stretch. Written confirmation is required to be sent by the PMU to ADB stating that all compensation has been paid to affected persons. Construction work can begin

only in sites / sections where compensation has been paid. The resettlement plan implementation schedule is presented in Table 7.

## **XII. MONITORING AND REPORTING**

73. resettlement plan implementation will be closely monitored to provide effective basis for assessing resettlement progress and identifying potential difficulties and problems. Monitoring will be undertaken by the SGC PMU assisted by PMC. Monitoring will involve administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis; socio-economic monitoring during and after any resettlement impact utilizing baseline information established through the detailed measurement/census survey of affected persons proposed during resettlement plan updation, and overall monitoring. Monthly progress reports reporting status of resettlement plan implementation will be prepared by SGC PMU assisted by PMC. The PMU will submit semi-annual monitoring reports to ADB for review and post all safeguard monitoring reports on ADB and PHED website. A sample monitoring template is given in Appendix 7.

**Table 7: Implementation Schedule**

	Year 1		Year 2				Year 3	Year 4	Year 5	Year 6
	Q3	Q4	Q1	Q2	Q3	Q4				
Setting up of project level GRM										
Awareness generation among affected persons on entitlements, impact avoidance and mitigation measures to be implemented by the contractor										
Conduct detailed measurement surveys, census surveys and issuance of ID cards in sections ready for construction										
Identify Vulnerable affected persons, if any*										
Appoint third party; obtain third party certification of negotiated settlement										
Update due diligence report to resettlement plan										
Update draft resettlement plan to reflect surveys, consultations, design changes, and due diligence results										
Consultations and disclosure										
Review and approval of updated resettlement plan (ADB)										
Training/capacity building of PMU and PIU safeguards officers, engineers and other staff, DSISC supervision staff and contractor's staff										
Payment of compensation										
Handover of sites and alignments to contractors										
Start of civil works										
Internal monitoring, including surveys of affected persons on entitlements, satisfaction surveys										
Repair/reconstruction of affected facilities, structures, utilities, if any		Immediately, in consultation with other departments, as required								

DSISC = design, supervision and institutional support consultant, GRM = grievance redress mechanism, PIU = project implementation unit, PMU = project management unit.

## SUBPROJECT COMPONENTS AND THEIR POTENTIAL INVOLUNTARY RESETTLEMENT IMPACTS

	<b>Project Component</b>	<b>Details</b>	<b>Land/Right-of-Way Ownership</b>	<b>Potential Involuntary Resettlement Impacts and Mitigation Measures</b>
1	Construction of water treatment plant (WTP) including intake sump, pump house and mechanical sludge dewatering system	100 million liters per day (MLD) capacity	Housing and Infrastructure Development Corporation (HIDCO), Government of West Bengal (GOWB)	Proposed within the compound of an existing WTP, where sufficient vacant land is available. The site has a compound wall and has no informal users. The existing WTP on HIDCO land is being operated and maintained by PHED. The land was acquired by HIDCO over 30 years ago. No legacy issues in land acquisition were reported and all compensation was reported to have been paid. No land acquisition or involuntary resettlement impacts anticipated.
2	Laying of 1200 millimeters (mm) dia raw water conveyance mains	200 meters (m) length	HIDCO, GOWB	Same as above - proposed within the existing WTP compound owned by HIDCO. No land acquisition or involuntary resettlement impacts anticipated.
3	Centralized clear water reservoir sum booster pumping station	8500 m <sup>3</sup> capacity	HIDCO, GOWB	Proposed on land belonging to HIDCO, which has an existing pumping station being maintained by PHED. The site has a compound wall and as indicated by PHED officials, adequate vacant, unused land is available within the site for the proposed facilities. No land acquisition or involuntary resettlement impacts anticipated.
4	Laying of clear water transmission mains of 1200 mm dia	4 kilometers (km) length	GOWB	Proposed along government road or drain ROWs. Two alternatives were examined and alternative 1, which mainly followed drain ROW, would have led to involuntary resettlement impacts to 500 structures belonging to non-titleholders was dropped. Alternate 2 in anticipated to: (a) impact 3 vacant (2 uninhabited and 1 unused for over a year), temporary structures belonging to non-titleholders (2 are offices of a political party and a local group that supplies labour and material for large constructions, respectively, and the third is an abandoned shop that has not been opened for over a year; and (b) potentially impact 8 shopkeepers with temporary income loss for a period of 10 days each, in case a particular stretch of the alignment passing through a garden developed by HIDCO is selected. In the event that the said alignment is not selected and an alternative section along a HIDCO road is finalized as the pipe alignment, temporary income loss to the 8 shopkeepers will be avoided. DMS and

	<b>Project Component</b>	<b>Details</b>	<b>Land/Right-of-Way Ownership</b>	<b>Potential Involuntary Resettlement Impacts and Mitigation Measures</b>
				business surveys following detailed design will confirm impacts No land acquisition will be required.
5	Construction of intermediate booster stations cum ground level reservoirs			
5.1	Haroa	1.323 acres minimum land required. Total plot area = 3.46 acres.	Private land	Land has been leased out by the present owners (8 legal heirs of late owner) to a brick kiln owner who uses a portion of the land for brick production and drying of bricks. Seven landowners have given power of attorney for sale to one of the owners (i.e. total 8 owners). Consultations with the power of attorney holder and another owner revealed their willingness to sell the land to government for public welfare. Consultation with the brick kiln owner (who has 6 household members, and employs 5 permanent staff and 30-50 seasonal labour as and when required) revealed his apprehension about potential drop in production and significant (>20%) income loss to him and his workers if more than 4 bighas were to be purchased by government. However, if the vacant, unused land measuring 4 bighas were to be used, the lessee does not anticipate any income loss. Purchase of 4 bighas would affect 10.25% of the total land holdings of the owners, which yields less than 10% of their individual annual incomes. The lessee's concerns were conveyed to PHED who agreed that the proposed facilities could be constructed on 4 bighas of land (and not 5 bighas as originally proposed). Consent letter signed by power of attorney holder and land records are available. No land acquisition or structure loss is anticipated. The need to provide a project operations related job at the proposed facility to at least 1 family member jointly nominated by all owners was requested for, during consultations.
5.2	Rajarhat	1.65 acres land required and available.	Vested land (GOWB)	Measurement survey not yet conducted. Consultations and field visits reveal that the land belongs to GOWB. Potential structure loss to an existing Government Primary Health Sub-centre that mainly caters to women, infants and children from the surrounding community is possible. Engineers involved in detailed design should explore the option of retaining the

	<b>Project Component</b>	<b>Details</b>	<b>Land/Right-of-Way Ownership</b>	<b>Potential Involuntary Resettlement Impacts and Mitigation Measures</b>
				existing community health facility. In case it is not possible to avoid loss of the structure, vacant government land is available very close to the existing location, where a new facility may be constructed. Alternately, space may be provided in existing government buildings within 1 km of the existing location, to avoid adverse impacts to the community. The resettlement plan provides for transitional rental support to the Sub-centre during the period of shifting, until such time that an alternate facility is made available. It also provides for the cost of construction of a new building, should there be a need to build one. The surrounding landuse of the site consists of an existing PHED borewell and pumphouse and a primary school. The school and the affected Health Centre will be provided with safe drinking water connections from the project, as mitigation measures. No land acquisition anticipated; potential loss of 1 government structure (primary health sub-centre) is identified; to be confirmed during detailed design.
5.3	Bhangar	1.323 acres land required and available	Private land	<p>The land belongs to 14 persons. The site is presently a mango orchard. The owners are economically well-off having lands and houses and are dependent on agriculture, horticulture and pisciculture on the lands owned by them, which are given out to sharecroppers for cultivation. The share of income from the affected land to the owners is less than 2% of the annual income of the lowest earner among them. No permanent labourers or sharecroppers are likely to be affected due to purchase of the mango orchard. There are no structures at the site; a few mango trees are likely to be affected.</p> <p>Consent letter signed by a power of attorney holder of 11 legal heirs/present owners and 3 other owners are available. No land acquisition, structure loss or significant permanent livelihood loss is anticipated. However, during consultations, the land sellers requested for jobs for one person per extended land seller household.</p>

Note: Based on interactions of PMU staff with the land sellers and their socioecpnomoc information (professions, sources of income of households, level of education and property possessed), both sellers are not assessed as vulnerable persons.

## COMPARISON OF NATIONAL AND STATE LAWS AND GAP ANALYSIS

### Comparison of the RFCTLARRA 2013 with key indicators of ADBs Safeguard Policy Statement 2009

A comparison of the key indicators has been made, and how the gaps will be addressed through the Resettlement Framework in case of any instance of involuntary land acquisition is given.

**Table A2. Comparison of Key Indicators of ADB's Safeguard Policy Statement 2009 with National Law (RFCTLARRA) and State Laws**

	<b>ADB Safeguard Policy Statement, 2009</b>	<b>National Law (RFCTLARRA 2013)</b>	<b>State Laws (WBLAM 1991) (WBLLRM 1991) (WBPLA 1962)</b>	<b>Identified Gaps and Proposed Gap Filling Measures</b>
1	Compensation at Replacement Cost	The new Act provides the market value with a detailed calculation of market value which, includes (i) value of land to be determined as provided under section 26 plus; (ii) Factor by which the land value based on calculation under Section 26 is to be multiplied in the case of rural area is 1 – 2 based on distance of the of the project from urban area, as may be notified by the appropriate Government. And by a factor of 1 for urban areas, plus (iii) Value of assets attached to land or building under section 31 plus (iv) Solatium Equivalent to 100% of the market value of land, multiplied by the factor specified for urban & rural areas.	WBLAM 1991 provides guidelines on determination of market price for compensation, but has not been revised post passage of RFCTLARRA 2013. In 2015, GOWB took a policy decision that the state government shall only obtain land through negotiated purchase and will not forcibly acquire land. GOWB does not recognize the sub-soil rights of raiyats/land holders, but only recognizes surface rights.	The resettlement framework provides for compensation at market value / replacement value for involuntary acquisition of land and/or involuntary restrictions on land use.
2	Provision of full compensation without any deduction	Under Section 31 there is 100 % solatium, which is amount equivalent to 100% of the compensation amount.	Not mentioned for structures in state laws.	Not specifically mentioned for structures in RFCTLARRA, but will be specified so as there is no ambiguity
3	Compensation to squatters and other non-title holder including tenants and land users.	Under second schedule it is mentioned resettlement entitlement will benefit families whose livelihood is primarily dependent on land acquired	State laws protect the rights of sharecroppers ( <i>bargadars</i> ) and agricultural tenants and do not allow the government to obtain land if a	Both national and state laws do not specify assistance to squatters and encroachers

	<b>ADB Safeguard Policy Statement, 2009</b>	<b>National Law (RFCTLARRA 2013)</b>	<b>State Laws (WBLAM 1991) (WBLLRM 1991) (WBPLA 1962)</b>	<b>Identified Gaps and Proposed Gap Filling Measures</b>
			sharecropper is left with less than 1 hectare of land. State laws allow for removal of encroachers / unauthorised occupants on government lands by the SDO.	
4	Cut -off Date	Those living 3 years prior to acquisition will be considered for benefits.	Squatters and encroachers are not protected under state law.	The date of census survey is considered as the cutoff date
5	Social Impact Assessment (SIA) to identify the impacts, risks and views of potential project-affected persons and communities	The bill proposes preparation of SIA study under Chapter 2, Section 4.	There is no mention of SIA under state law.	The resettlement framework provides for SIA in accordance with ADB SPS and National Law.
6	Preparation of a Resettlement plan and Census Survey to address adverse involuntary resettlement impacts.	Provision for preparation of Rehabilitation and Resettlement Scheme under section, which is similar to resettlement plan.	No equivalent provision	The resettlement framework provides for resettlement plan preparation in accordance with ADB SPS and National Law.
7	Consultation with affected persons	Proposed in different sections throughout the bill, Section 17, para 4, Section 4 para 1 to give a few instances.	Not specified	The resettlement framework provides for meaningful consultation with affected persons.
8	Disclosure of involuntary resettlement information to stakeholders	Provisions for disclosure is there - Publication of SIA study under Section 6, Publication of the Rehabilitation and Resettlement Scheme under section 19	Not specified	The resettlement framework has specific provisions for information disclosure to affected



	<b>ADB Safeguard Policy Statement, 2009</b>	<b>National Law (RFCTLARRA 2013)</b>	<b>State Laws (WBLAM 1991) (WBLLRM 1991) (WBPLA 1962)</b>	<b>Identified Gaps and Proposed Gap Filling Measures</b>
				persons and stakeholders.
9	All compensation to be paid prior to displacement and the commencement of civil work.	Possession of land is after the collector ensures full payment of compensation as well as resettlement benefits to be paid within 3 months for compensation or 6 months for other benefits from the date of award.	Not specified	All compensation to be paid before start of civil works
10	Special assistance for vulnerable households.	There are specific provisions for scheduled Castes and Scheduled Tribes under Section 42, plus additional benefits as given in Second Schedule	State laws protect scheduled tribes and scheduled castes from land alienation.	Covers other groups such as women headed house holds
11	Other Allowance such as subsistence/ transition, shifting allowance	Provisions for all allowance given in Second Schedule.	No such provisions	Provided for in the entitlement matrix in the resettlement framework.
12	Livelihood restoration	Provides for training and livelihood restoration measures under Second Schedule which also includes a job in the project activities if the scope is available.	Not specified	Provided for in the entitlement matrix in the resettlement framework.
13	Grievance Redressal Mechanism.	The bill has a detailed grievance mechanism proposed at all levels starting from the gram sabha up to the government level.	Not specified	Provided for in the resettlement framework.
14	Monitoring	Monitoring is only proposed at the national level.	Not specified	Regular monitoring at the project level is proposed.

RFCTLARRA = Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act; SIA = social impact assessment; SPS = Safeguard Policy Statement; WBLAM = West Bengal Land Acquisition Manual; WBLLRM = West Bengal Land and Land Reforms Manual; WBPLA = West Bengal Public Land (Eviction of Unauthorized Occupants) Act.

Note: Bridging the Gap between the State Government's Negotiated Land Purchase Policy and ADB's Safeguard Policy Statement 2009.

GOWB published its updated Memorandum (No. 756-LP/1A/03/14(Pt II) dated 25 February 2016) for Direct (Negotiated) Purchase of Land for Public Purpose in The Kolkata Gazette (Extraordinary) dated 1 March 2016. The State Government's policy of avoiding involuntary/forcible land acquisition and adopting a negotiated land purchase policy is in line with ADB policy. The process to be followed for negotiated purchase is clearly delineated in the government's guidelines (a scanned copy of the Memorandum is presented the resettlement framework). In line with ADB's transparency requirements, in addition to the Government's processes, a thirdparty certification of negotiation and settlement is recommended in the resettlement framework, which also provides the suggested terms of reference for the independent third party, and a typical template for certification.

## **DRAFT PROJECT INFORMATION DISCLOSURE LEAFLET**

### **A. Background**

1. The proposed West Bengal Drinking Water Sector Improvement Project (WBDWSIP or the Project) aims to provide safe, reliable and continuous drinking water as per Government of India's standard to about 6 million people in the arsenic, fluoride, and salinity affected selected areas of North 24 Parganas, East Medinipur and Bankura districts in accordance with the Vision 2020 of GOWB and Government of India Strategy for Drinking Water Supply. The Project will ensure drinking water security through 24/7 piped water supply schemes in the areas covered. The Project will have following key outputs: Output 1: Climate resilient drinking water infrastructure constructed; and Output 2: Institutions and capacity of stakeholders for drinking water service delivery strengthened. This leaflet provides a description of the WBDWSIP components proposed under a contract package WW/N24P/01 for procurement of bulk water supply components including Water Treatment Plant, Reservoirs, Transmission Mains and Pumping Stations works in Haroa, Rajarhat, Bhangar II.

### **B. Subproject Description**

2. Proposed subproject components under package WW/N24P/01 include: (a) construction of 100 MLD water treatment plant (WTP) including intake sump, pump house and mechanical sludge dewatering system; (b) laying of 200 m of 1200 mm diameter raw water conveyance mains; (c) centralized clear water reservoir cum booster pumping station (storage capacity-8500 m<sup>3</sup> capacity); (d) laying of around 4 km of clear water transmission mains of 1200 mm diameter; and (e) construction of three intermediate booster stations, one each in Haroa, Rajarhat and Bhangar II, block.

### **C. resettlement plan: Policy and Principles**

3. A resettlement plan is prepared for sewerage and drainage package WW/N24P/01 of WBDWSIP, based on ADB's Safeguard Policy Statement 2009 and applicable Government of India and Government of West Bengal laws and policies.

### **D. Involuntary Resettlement Impact**

4. No private land acquisition is anticipated as a result of proposed components under package WW/N24P/01. Structure loss to 3 vacant (uninhabited) temporary structures owned by non-titleholders (one belongs to a political party and serves as its local party office, another serves as a meeting place for a group that supplies labour and materials for construction work, and the third is an abandoned shop, of which ownership could not be established). In addition, potential temporary income loss to 8 small shop/business owners for a period of 10 days each is assessed. In most road/pipe sections, it will be possible to completely avoid temporary income loss to businesses, as road width is adequate and will not require closure. The land required for WTP and centralised clear water sump and booster station belongs to HIDCO and is vacant and free of users.

5. For the ground level reservoirs (GLR) cum intermediate booster stations, 1 land is vested (government land) and the other 2 sites are to be obtained through negotiated settlement from 22 private owners. Of the privately-owned sites, the GLR site in Bhangar is presently a mango orchard and has no structures or informal users, while the GLR site in Haroa has been leased out to a brick kiln owner, who manufactures bricks on a major portion of the site. The vacant, unused

portion of the Haroa GLR site, measuring 4 bighas is proposed for negotiated settlement and is not anticipated to cause any economic impact to the lessee. The proposed GLR site at Rajarhat belongs to GOWB (vested land), where most of the land required for construction of proposed facilities is vacant, and does not have any users. However, potential impact to a government primary health sub-centre building located at the entrance to the site, which presently serves 250-300 community members (women and children) in a month, is possible; to be confirmed during detailed design. The resettlement plan will be updated and reconfirmed for final involuntary resettlement impacts after completion of detailed design and detailed measurement surveys in sites/sections ready for implementation. The assessed impact will be reconfirmed through detailed measurement survey following detailed design.

### **E. Entitlements and Compensation**

6. The resettlement plan proposes compensation to affected persons based on the entitlement matrix prepared for the project. Potential losses that can be avoided/mitigated through proper scheduling of work, avoidance of impact to businesses where possible, provision of planks for access to shops and businesses and traffic management plans to avoid disruption have been proposed. As per the entitlement matrix for WBDWSIP, persons facing temporary income loss are entitled to compensation at the prevalent minimum wage rate for unskilled industrial workers declared by Government of West Bengal, for the period of disruption. Vulnerable persons among the affected persons are entitled to preferential appointment to project-related construction jobs, if so desired by them. Affected persons including titled and non-titled will be eligible for compensation as defined in the Entitlement Matrix for the project. In addition, as per current practice of PHED GOWB, land sellers (in case of negotiated purchase) will be entitled to a project operation related job for 1 person per affected site. In case of multiple ownership, all owners will nominate 1 person for the operation related job who is willing and able to take up the available work. A budgetary provision of ₹.6.8 million for resettlement plan implementation is made.

### **F. Institutional Arrangements**

7. A project management unit (PMU) created under PHED Kolkata, supported by PHED Project Implementation Units (PIU) at district level will implement WBDWSIP. The PMU is supported by project management consultants (PMC) and the PIUs by design, supervision and institutional support consultants (DSISCs) in planning and implementation of the project. For safeguards, the PMU will have a Safeguard and Gender Cell headed by a Safeguards Officer, and the PIUs will have Environmental and Social Safeguards Units (ESSU), with Safeguard Officers (Environmental and Social). In case of DBO contract packages like package WW/N24P/01, the contractor is envisaged to have a Social Supervisor, who will be responsible for joint inspections with design engineers and PIUs, DMS surveys, finalization of inventory of loss, updating and implementation of resettlement plan.

### **G. Grievance Redress Mechanism**

8. A two-tier grievance redress mechanism (GRM) is conceived, one, at project level and another, beyond project level. For the project level GRM, a Grievance Redress Cell will be established at PIU level. Grievances of affected persons will first be resolved at field level by the contractor, DSISC supervision personnel and field staff of PIU in consultation with the concerned panchayat member and Gram Panchayat Pradhan. Grievances not redressed at field level will be escalated to the PIU level Grievance Redress Cell headed by the Superintending Engineer in charge of the PIU, who will be assisted by the Safeguards Officers of the Environmental and Social Safeguards Unit of the PIU. Any grievance that remains unresolved by the PIU, will be escalated to the WBDWSIP PMU, headed by the Project Director, who will be assisted by the

Environment and Social Cell in the PMU. In the event that certain grievances cannot be resolved at project level, they will be referred to the District Steering Committee, which will also act as Grievance Redress Committee, particularly in matters related to land purchase/acquisition, payment of compensation, environmental pollution etc.

9. The GRC will determine the merit of each grievance, and resolve grievances. The DSISC will assist the SOs at ESSU PIU to keep records of all grievances received including: contact details of complainant, date that the complaint was received, nature of grievance, agreed corrective actions and the date these were effected, and final outcome. The safeguards officer (social) of PIU ESSU will be the focal person for facilitating the grievance redress. The GRM will continue to function throughout the project duration.

#### H. Contact details

Organisation	Name	Position	Phone Number	Email ID
Contractor: Social Supervisor				
DSISC Supervision Staff				
SO, SGC PMU				
SO (Social), ESSU PIU				
GR Hotline				

DSISC = design, supervision and institutional support consultant, GR = grievance redress, PIU = project implementation unit, SGC = safeguard and gender cell, SO = safeguard officer.

### SAMPLE GRIEVANCE REDRESS FORM

The \_\_\_\_\_ Project welcomes complaints, suggestions, queries and comments regarding project implementation. We encourage persons with grievance to provide their name and contact information to enable us to get in touch with you for clarification and feedback. Should you choose to include your personal details but want that information to remain confidential, please inform us by writing/typing \*(CONFIDENTIAL)\* above your name. Thank you.

<b>Date</b>		<b>Place of registration</b>			
<b>Contact Information/Personal Details</b>					
<b>Name</b>		<b>Gender</b>	* Male * Female	<b>Age</b>	
<b>Home Address</b>					
<b>Place</b>					
<b>Phone no.</b>					
<b>E-mail</b>					
<b>Complaint/Suggestion/Comment/Question</b> Please provide the details (who, what, where and how) of your grievance below:					
If included as attachment/note/letter, please tick here:					
<b>How do you want us to reach you for feedback or update on your comment/grievance?</b>					

#### FOR OFFICIAL USE ONLY

<b>Registered by:</b> (Name of Official registering grievance)	
<b>Mode of communication:</b> Note/Letter E-mail Verbal/Telephonic	
<b>Reviewed by:</b> (Names/Positions of Official(s) reviewing grievance)	
<b>Action Taken:</b>	
<b>Whether Action Taken Disclosed:</b>	Yes No
<b>Means of Disclosure:</b>	

## **TERMS OF REFERENCE FOR INDEPENDENT THIRD PARTY FOR NEGOTIATED SETTLEMENT**

For any negotiated settlement, an external independent entity will observe and document the consultation process and validate the negotiated settlement process as per legal requirement

### **TOR for Independent Third Party Witness**

An independent third party is sought to be appointed to oversee and certify the process of negotiated settlement. The third party shall be briefed about his/her expected role and deliverables by the concerned PIU.

**Eligibility:** The third party shall be a representative of the community (for example, a leader of the community with formal/legal standing, a representative of a local NGO/CBO with formal and legal standing), without any direct interest in the negotiation process or subproject activity, who is acceptable to each of the concerned parties (PIU/PMU and concerned land owner).

**Scope of work:** The role of the third party shall be to ensure a fair and transparent process of negotiation/donation. The envisaged scope: of work shall entail the following:

- (i) witness and keep a record of meetings held with the concerned parties,
- (ii) ensure there is no coercion involved in the process of negotiated settlement / land donation,
- (iv) ensure that the preferences and concerns of the land owner related to access, selection of site within lands held, etc. are recorded and any stipulated conditions met,
- (v) ensure that the negotiated settlement agreement is drafted in a fair and transparent manner,
- (vi) confirm that the offered/agreed price is fair and meet the market price of the land with similar value and condition in the area,
- (vii) ensure the negotiated settlement does not result any negative impacts to the third party associated with the purchase/donation activity,
- (viii) identify and recommend mitigation measures to land owner / affected third party, if required,
- (ix) ensure that taxes, stamp duties and registration fees for purchased of land are borne by government, and
- (x) submit a certificate as witness to the purchase and transfer process.

**Deliverables:** The details of the meetings, and a certificate/reports as witness to the purchase / donation process and mitigation measures to owner, if any, shall be submitted by the third party to PMU, PIU and owner/donor in the local language.

**Sample Certification Formats**

This is to certify that Mr./Mrs. XXXXXXXXXXXXXXXXXXXX, (profession, designation, address) is appointed as independent third party to certify the process of negotiated settlement of plot no.....area.....owned by XXXXXXXXXXXX (names of owner), who is a signatory to this certificate. It is also placed on record that none of the signatories to this certificate have any objection to appointment of xxxx as third party witness.

Date

Officer of PHED and land donor

(Names and Signatures)

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I, \_\_\_\_\_ of \_\_\_\_\_ (address) certify that I was witness to the process of negotiated settlement / land donation (details of plot \_\_\_\_\_ from XXXXXXXXXXX land owners names).

I certify that:

1. The process of purchase of the said land was transparent; the landowner(s) was/were happy to sell the affected assets for the welfare of the community/subproject activities.
2. The offered price of the land is fair and meets the market price of the land with similar value.
3. No coercion was used in the purchase process.
4. No (formal/informal) third party (associated with the purchase/donation) is negatively affected<sup>1</sup> by the purchase/donation activity
5. Land transfer costs (registration fee and stamp duty) were borne by the government and not by the owner/donor.
6. All concerns expressed by the owner/donor as agreed, were addressed and no pending issues remain.
7. The following mitigation measures were identified and implemented / provided to the land owner/donor.
8. Attached are the minutes of meetings held between project proponents and the land owner/donor, and the agreed price/value of the donated land which I was witness to.
9. Attached are the pictures of the land purchased and pictures of the original land owner(s) of the purchased land.
10. Attached are the information of the socio economic background of the land owner(s)

Signed/

Name

XXXXXXXXXXXXXXXXXXXXX

Date: \_\_\_\_\_ Place: \_\_\_\_\_

Encl: Minutes of meetings held between land owner/donor and project proponents

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<sup>1</sup> Negatively affected defines as permanent loss of/ access to shelter or livelihood support which could cause impoverishment to the affected third party.

## ESTIMATION OF TEMPORARY IMPACTS

### Methodology for Estimation of Temporary Impacts

Transect walks will be undertaken for estimation of temporary impacts in road sections ready for implementation of pipe laying work, jointly by PIU engineer, DSISC engineer, DSISC social safeguard personnel, and contractor's social safeguard and engineering design personnel. The exact pipe alignment and exact location of excavated trench along a road (whether in the centre or on one side of road), keeping in mind other utilities, as well as exact location of facilities in a site, needs to be known and marked. The transect walk will help determine sections where impacts are likely. In such sections, DMS Surveys and business surveys/socio-economic surveys as required are to be undertaken and the resettlement plan updated for impacts. Care will be taken to record all details, such as names of employees of affected businesses and their vulnerability status.

For the purpose of this resettlement plan, walk-throughs were undertaken jointly by the concerned PHED Division team, safeguards consultants and socio-economic survey team along all proposed pipe alignments (100%) under package WW/N24P/01. Based on this, impacts to 3 temporary structures belonging to non-titleholders on government ROW, potential temporary income loss to 8 persons (8 shopowners) were identified. Business surveys indicated profits to business owners ranging between ₹190-310 per day.

For detailed measurement surveys to be conducted for resettlement plan updation prior to implementation, this exercise will have to be undertaken again for the entire length of proposed pipeline, taking into account design changes, utility locations and exact alignment / location of pipe alignment along each road, jointly by the PIU, DSISC and contractor. Resettlement plan will be updated and approved by ADB and payment of compensation made, prior to implementation in each stretch.

The following format is recommended for a survey of businesses to determine income loss during Detailed Measurement Survey. Results of the DMS Survey can be reported in the appended format for survey data.

**Table A6.1. Checklist for Transect Walks-Socio-Economicsurvey of Affected Businesses/Sample Form for Survey of Businesses Under Detailed Measurement Survey**



Date of Survey	Serial No.				
Name of road	Address/Location:				
Name of affected person					
Father/Mother's name					
Type of business/hawker					
Education (maximum level attained)					
Status	Owner	Tenant			
	If owner: Titled	Non-titled			
	Mobile	Permanent			
Description of structure					
Since when operating in that location					
Frequency of operation in a week	Daily	2-3 days/week	1 day/week	Half day	Full day
Hours of operation in a day					
Person(s) employed if any	No.				



Date of Survey	Serial No.	
Maintenance / Rent	₹per annum or month, specify	
Investment (recurring)	₹/ month	
Average profit per day	₹	
Whether household has any other income source		Percentage of income from other source(s)
Salaries paid to employees(total/month)	₹/month	
Highest profits recorded in	Hours(AM/PM) _____Week _____Weekday (specify days)_ _____Festival _____On(specify)_	
Will employee(s) be affected	Yes/No	
Whether anyaffectedpersonis	BPL/WHH/disabled/backwardcommunity/Indigenous People/elderly/child worker Worker	
No. of dependents of owner		
No. of dependents of employees		
Whether road ROW used for	Parking/Display of wares /Storage/Other purpose, specify	
Type(s) of distress likely		
Views/Concerns		

BPL = below poverty line, WHH = woman headed household (Chief Wage Earner is a woman), ROW=right-of-way.

**Table A6.2. Results of Transect Walks and Business Survey**

Sl. No.	Name of the shop owner	Sex	Age	Caste	Type of Structure	Nature of Business	No. of Employees	Net Income (monthly) (INR)	Household members (including shop owner)	Any Vulnerability	Photographs	Remarks
1	Mr. ANUP	Male	42	General	Temporary	Electrical Equipment	Nil	Not Known	Not Known	Not Known		Shop found closed in all visits. Other shop owners said that, it doesn't operate regularly.
2	NANI SAHA	Male	42	General	Temporary	Fast Food Stall	Nil	Not Known	Not Known	Not Known		Shop found closed in all visits. Other shop owners said that, it operates only in Mornig
3	BISWANATH MAJHI	Male	65	OBC	Temporary	Tea and stationery	Nil	5400	2	Nil		Shared information about the PHE Project. He has moral support for such work. He said it is essential service. All shop owners will co-operate.
4	INDU BALA	Female	60+	General	Temporary	Fruit Seller	Nil	Not Known	Not Known	Not Known		Shop found closed during all 3 visits.
5	BASU SARKAR	Male	39	General	Temporary	Packaged Drinking Water	Nil	8000	4	Nil	<b>Not willing to shoot Photo</b>	
6	ARUNAVA BALA	Male	46	General	Temporary	Fast Food Stall	Nil	6000	3	Nil	<b>Same as above</b>	
7	BINATA BISWAS	Female	59	General	Temporary	Betel leaf and stationery	Nil	5000	2	Nil		
8	GOPAL SARKAR	Male	62	General	Temporary	Cycle Repairing	Nil	Not Known	Not Known	Not Known		Shop found closed during all 3 visits.

Note: The above information on shop owners of closed shops was received from the other shop owners, who were present during survey. This information will need to be confirmed during DMS.

Source: Business Survey, 2016.

### SAMPLE MONITORING TEMPLATE

A semi-annual monitoring report shall be prepared on resettlement plan implementation and submitted to ADB by the PMC. It will include: (1) **the list of affected persons**, with compensation, if any due to each and details of compensation paid with signed receipts annexed to the report, socio-economic status and satisfaction levels of affected persons with the resettlement plan implementation process, compensation and mitigation measures; (2) **the list of vulnerable affected persons** and additional compensation/special protection measures planned/implemented for them (e.g. assistance to obtain project construction related jobs); socio-economic status and satisfaction levels of affected persons with the resettlement plan implementation process, compensation and mitigation measures; (3) **list of roads for closure** and actions planned / taken to minimize disturbance; (4) **details of consultations held with affected persons** (with number of participants by gender, issues raised, conclusion / agreement reached, actions required/taken); (5) **details of grievances** registered, redressed, outstanding complaints, minutes of GRM meetings held; (6) **details of information disclosure** and awareness generation activities, levels of awareness among target population and behavior change, if any; and (7) **any other relevant information** showing resettlement plan implementation progress. The following checklist may be used for overall monitoring of resettlement plan implementation.

S. No.	resettlement plan Activities	Completed Y/N	Remarks
<b>A. Pre-Construction Activities and resettlement plan Activities</b>			
1	Approval of final resettlement plan by ADB prior to contract award		
2	Disclosure of final resettlement plan on ADB and executing agency websites		
3	Circulation of summary resettlement plan in local languages to all stakeholders		
<b>A. resettlement plan Implementation</b>			
1	Grievance Redress Mechanism established at different levels		
2	Entitlements and grievance redress procedure disclosed		
3	Finalization of list of affected persons, vulnerable affected persons and compensation due		
4	Finalization of list of roads for full or partial closure; mitigation measures proposed and implemented (with photographic documentation)		
5	Affected persons received entitlements as per entitlement matrix in resettlement plan		
6	Payment of compensation, allowances and assistance (No. of affected persons)		
7	Additional assistance (project-related construction jobs, if willing and able) for vulnerable households given (No. of vulnerable affected persons assisted)		
8	Grievances No. of grievances registered No. of grievances redressed Outstanding complaints Disclosure of grievance redress statistics		
9	Consultation, participation and disclosure as per Plan		
<b>C. Monitoring</b>			
10	Survey on satisfaction levels of affected persons with resettlement plan implementation completed		
<b>D.</b>	<b>Labor</b>		

<b>S. No.</b>	<b>resettlement plan Activities</b>	<b>Completed Y/N</b>	<b>Remarks</b>
11	Implementation of all statutory provisions on labor like health, safety, welfare, sanitation, and working conditions by Contractors. Ensuring no child labour used		
12	Equal pay for equal work for men and women		

Note: Where applicable, the information provided in the table should be supported by detailed explanatory report, receipts and other details.

## STAKEHOLDER CONSULTATIONS

**Table A8.1. Consultation at Proposed Ground Level Reservoir Site, Rajarhat**

	Date of Visit	Block	Mouza	Gram Panchayat	OHR / GLR Zone Code	No. of Participants	Concerns/Issues Discussed
1	08.02.17	Rajarhat	Kashinathpore	Rajarhat, Garaguri Gram Panchayat, Patharghata	Ground level storage reservoir (GLSR)	Male: 1 Female: 4 Total: 5	<p>At the site of the proposed ground level reservoir (GLR) and overhead reservoir (OHR) under Pathatghaata Gram Panchayat the land is vested as per the available records of land dept. still a small health unit was seen which caters mainly for women and children for the Gram Panchayat.</p> <p>The center runs with 2 health workers (1 male and 1 female), 3 ASHA Worker (Female), 1 Trained Dai (Mid Wife) (female), 1 Community Health Guide (Male). The centre functions under the control of Block Primary Health Office at Rekjuani.</p> <p>Average 250 - 300 cases are recorded per month at the centre covering 3 surrounding villages Kashinathpur, Gara Guri and Karigar Para approx. 5000 families of mixed community.</p> <p>The Health Unit will be shifted to a nearby location for constructing the GLR and OHR. The new spot (government land) is also just beside the present location and will not be difficult to access for the villegers.</p> <p>As per their opinion, the proposed project of PHE will benefit the village women and children mostly and it is required too.</p>



Photographs of Consultation Meeting at Primary Health Subcenter, Rajarhat Ground Level Reservoir Site

**Table A8.2. Consultation at Primary School near Proposed GLR Site, Rajarhat**

	Date of Visit	Block	Mouza	Gram Panchayat	OHR / GLR Zone Code	No. of Participants	Concerns/Issues Discussed
2	08.02.17	Rajarhat	Kashinathpore	Garaguri Gram Panchayat Free Primary School, Patharghata	GLSR	Head of the Institution Mrs. Runa Chowdhury and 4 teaching staff of school	<p>The Primary School is situated just behind the proposed Rajarhat GLR site.</p> <p>The School runs with 96 students and three teaching staffs. Ms. Runa Roy, head of the Institute said that, there is a tubewell within the school campus which is the main source of water and that too 350 - 400 mt deep.</p> <p>She stated that arsenic free water has been a long standing demand for the area, hence the initiatives taken by PHE must be praised.</p>



Photographs of Consultation Meeting at Primary School near Rajarhat GLR Site

**Table A8.3. Consultation with Local Community Members at Bhangar**

	Block	Mouza	Gram Panchayat	OHR / GLR Zone Code	No. of Participants	Concerns/Issues Discussed
1	Bhangar- II	Satulia	Bhagabanpur	Ground level reservoir (GLR) site	Male: 7 Female: 2 Total: 9	<ul style="list-style-type: none"> <li>Requirement of piped water supply in the area is broadly accepted by all the participants.</li> <li>Poor quality of drinking water causing threat for the health of local villagers and cattle's too.</li> <li>Ground Water can be contaminated by Arsenic, hence, surface water is ideal.</li> <li>Apart from domestic connection, if possible, the authority may consider to expand the scope of use of piped water to agricultural purpose also.</li> <li>A reasonable and affordable water tariff fixed by the government will be gladly accepted by all.</li> </ul>
2	Bhangar- II	Satulia	Bhagabanpur	Irrigation Department land near approach to GLR site	8 women 2 girls Total=10	<p>A cluster of squatter households is located on Irrigation Department land close to the proposed GLR site, Bhangar. On being asked where they collect water from at present, the participants replied that women and girl children had to travel almost 1 km distance to fetch water from a tubewell, and spend about 2 hours each day for the same. As squatter/non-titleholder households, they were concerned whether they would receive water from the project. Every household was desirous of an individual connection and indicated willingness to pay a reasonable user charge, while</p>

	Block	Mouza	Gram Panchayat	OHR / GLR Zone Code	No. of Participants	Concerns/Issues Discussed
						expressing inability to bear connection charge at one go. In case the project could not provide individual connections, they urged that their cluster be provided with standposts, which they would maintain.
3	Bhangar- II	Pithapukuria	Bhagabanpur	Bamunia sch (Z-1)	Male: 8 Female: 2 Total: 10	<ul style="list-style-type: none"> <li>• Consultation with the local people revealed that, they are aware about the side effects of consuming arsenic contaminated water. As they do not have any alternate choices so they choose to use the same. Local tube wells are checked periodically through Panchayats and health dept. officials.</li> <li>• The proposed water supply project of PHED will solve their problem permanently. Treated Surface water will not only be good for their health but at the same time people purchasing water from private source will be able save money. Health related expenses due to water will be reduced which will indirectly increase the savings. Women &amp; children are expected to have more benefits.</li> <li>• In the question of affordability, the respondents unanimously said that they are willing to pay charges if provided individual household connections.</li> </ul>





Photographs of Consultations at Bhangar

**Table A8.4. Consultation with Affected Persons and Community Members at Proposed GLR Site, Haroa**

	<b>Date of Visit</b>	<b>Block</b>	<b>Mouza</b>	<b>Gram Panchayat</b>	<b>OHR / GLR Zone Code</b>	<b>No. of Participants</b>	<b>Concerns/Issues Discussed</b>
1	15 January 2017	Haroa	Nazarnagar	Sonapukur Sankarpur	GLSR	Male: 7	<p>By lessee: whether 5 bighas land really required, as any land sale over 4 bighas would lead to loss of income of more than ₹1 lakh per month to the kiln and would affect him and his workers</p> <p>By owners/family members: Whether project operation related job could be assured for a member of the land seller's families.</p> <p>By community members: When the project would be operational, how much would be the connection and operation charges.</p>

## PHOTOGRAPHS



Affected Temporary Structures Along Clear Water Transmission Main Alignment

Options depicting two possible sections of clear water transmission main alignment

Option 1: Alignment Passes through HIDCO Road (No temporary income loss anticipated. Minor traffic diversion/disruption possible, which can be managed during construction.)



Option 2: Temporary Income Loss to 8 Shops near Shrachi Gol Building, En Route to HIDCO Park



Note: This section of the clear water transmission main alignment is not yet finalized. In case the alignment is along HIDCO road (Option 1), there will be no impact to the shops located at Shrachi Gol Building. However, if the pipeline passes through HIDCO Park (Option 2) temporary income loss to 8 shopkeepers near Shrachi Gol Building is anticipated.



Shops Potentially Affected by Temporary Income Loss  
Near Shrachi Gol Buidling

### Photographs of Transmission Line



1. Point Zero Hidco Perripheral Canal Starting Point Outside Water Treatment Plant



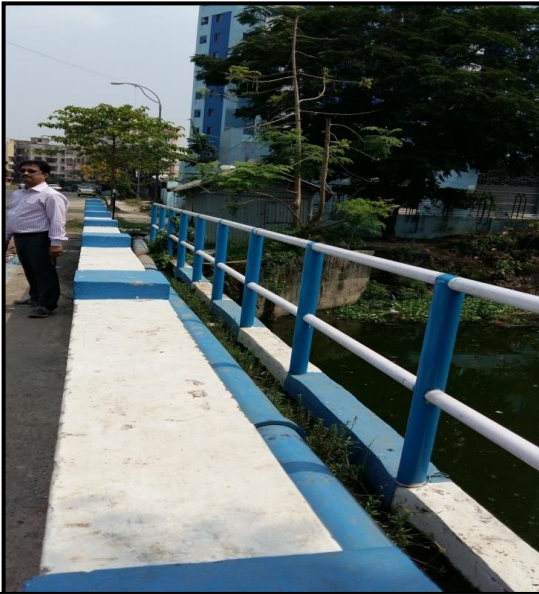
2. Proposed Route of Transmission Line Along Hidco Perripheral Canal (Starting From Outside Water Treatment Plant)



3. Photographs Showing Hutments Along Bagjola Canal, To Which Impact Has Been Avoided Through A Change in Alignment



4. Proposed New Route of Transmission Line Through Hidcco Roads To Avoid Impacts Along Bagjola Canal



5. Proposed New Route of Transmission Line Crossing The Bridge Near **Shrachi Goal (Round) Building** (Three temporary Structures made of Tin, will need to be shifted on either sides of the bridge)



6. Photographs of Shops that might get affected, if the Transmission Line passes through the HIDCO Garden after crossing the above Bridge near **SHRACHI GOAL (ROUND) BUILDING**



7. Location for Micro-tunneling Pit for avoiding a HIDCO approved Flower Cultivation Field maintained by individuals.



8. Location for Micro-tunneling Pit near bridge





9. Proposed route of Transmission Line towards BS-1, passing along HIDCO Drainage Pumping Station



10. End of Transmission Line at BS-1

## WTP PHOTOGRAPHS



WTP land owned by HIDCO (with existing WTP operated and maintained by PHED)



Adequate vacant land available at existing HIDCO-owned WTP premises

## CENTRALISED CLEAR WATER SUMP AND BOOSTER STATION (BOOSTER STATION 1) SITE PHOTOGRAPHS



HIDCO land with compound wall, where there are existing water supply facilities under PHED operation



Site for proposed clear water sump and booster station

### Rajarhat GLR Site



Note: Primary Health Sub-centre Building shows in the background of the Rajarhat GLR site



Note: Trees on vested (government) land may need to be cut at Rajarhat GLR site



Note: Government primary school building and other buildings adjacent to Rajarhat GLR site

## Haroa GLR Site



One of the owners (willing sellers) of the site, Mr. Farid Zamaddar

Photograph of Mr. Bazid Ali Zamaddar, Land owner (willing seller) and Power of Attorney Holder (Haroa GLR Site)



Photograph of Lessee (Haroa GLR site), Mr. Mannan Ali Baidya, taken during interview



### Bhangar GLR Site

Site photographs and consultation with owners / family members and community members



Owner Mr. Ibrahim Molla



Owner, Mr. Alamgir Mallik



**DETAILS OF NEGOTIATED SETTLEMENT: LAND OWNERSHIP, CONSENT LETTERS**

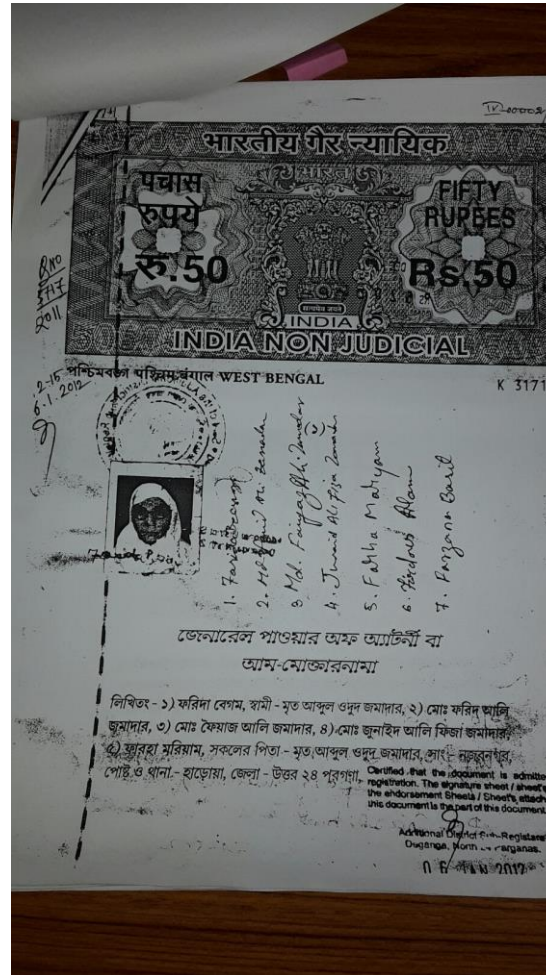
**A. Haroa Ground Level Reservoir Site**

Details of Affected Plots, Consent letters from landowners signifying willingness to sell, Land ownership records.

**Table A10.1. Details of Affected Plots, Ownership, Land Sellers**

<b>Plot No. Khatian No./JL No.</b>	<b>Area in Decimals</b>	<b>Owner(s)</b>	<b>No. of Affected Land Owners</b>	<b>No. of Household Members (Including Landowners)</b>
Plot no. 763 Khatian/JL No.:26	346 decimals (of which 132 decimals required for GLR cum intermediate booster station)	Undivided property of 8 legal heirs of Late WADUL ZAMEDAR. (heirs include wife, 3 daughters and 4 sons) all have given Power of Attorney to BAZID ALI ZAMEDAR, who is one of the legal heirs.	8	NA

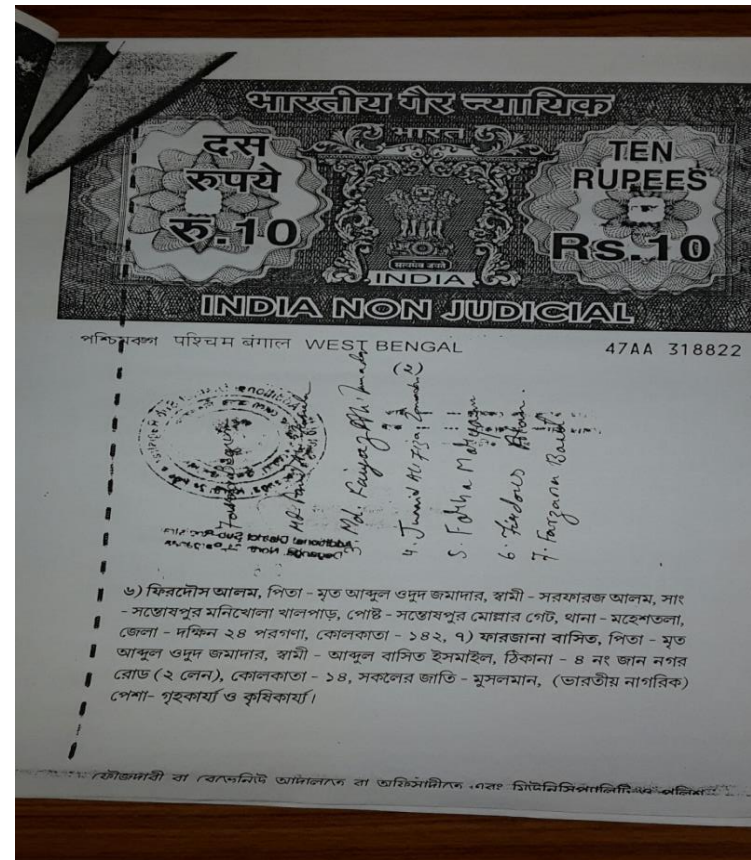
Power of Attorney to Bazid Ali Zamaddar from all legal heirs (other than Bazid Ali Zamaddar himself, who is also a legal heir)



**COPY (1) OF POWER OF ATTORNEY TO BAZID ALI ZAMADDDER BY OTHER LEAGL HEIRS  
FOR HAROA GLSR LAND AT NAZARNAGAR**

1. FARIDA BEGAM (MOTHER) W/O, LATE, ABDUL ODUD ZAMADDER
2. MD. FARID ALI ZAMADDER, 3. MD. FAIAZ ALI ZAMADDER, 4. MD. JUNAID ALI FIZA ZAMADDER (BROTHERS) 5. FARHA MARIUM, 6. FIRDOUS ALAM, 7. FARZANA BASIT (SISTERS)

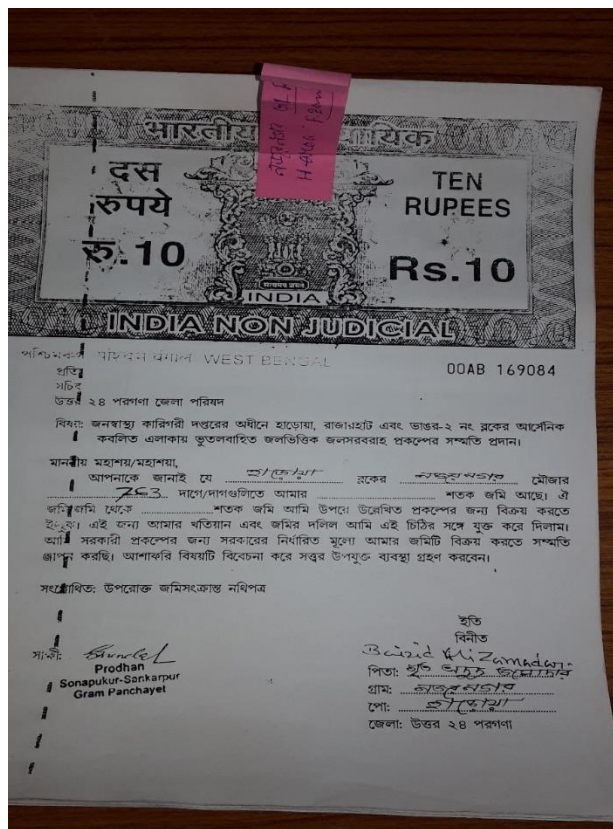




**COPY (page 2) OF POWER OF ATTORNEY TO BAZID ALI ZAMADDER BY OTHER LEAGL HEIRS  
FOR HAROA GLSR LAND AT NAZARNAGAR**

1. FARIDA BEGAM (MOTHER) W/O, LATE, ABDUL ODUD ZAMADDER
2. MD. FARID ALI ZAMADDER, 3. MD. FAIAZ ALI ZAMADDER, 4. MD. JUNAID ALI FIZA ZAMADDER (BROTHERS) 5. FARHA MARIUM, 6. FIRDOUS ALAM, 7. FARZANA BASIT (SISTERS)

Consent for Sale given by Bazid Ali Zamaddar



**NOC by BAIZID ALI ZAMADAR (Landowner and Power of Attorney holder of Nazarnagar GLSR Site at Haroa)**

“ I’m willing to sell a parcel of land at Govt. price to PHED for the underground Water Supply Project to Arsenic Affected area of Haroa, Rajarhaat & Bhangar – II block. The land is situated under Block - HAROA, Gram Panchayat: Soanapukur - Sankarpur, Mouja : Nazarnagar, having DAG No. 763.”

*Note: The format of consent letter does not give scope to a power of attorney holder to provide consent “on behalf of” persons represented. However, consultations with the landsellers indicate their willingness to sell. Copy of land ownership record to be appended to updated RP, along with consent letter from each owner, or consent letter from power of attorney holder indicating it is on behalf of persons represented.*

**B. Bhangar Ground Level Reservoir Site**

Details of Affected Plots, Consent letters from landowners signifying willingness to sell, Land ownership records

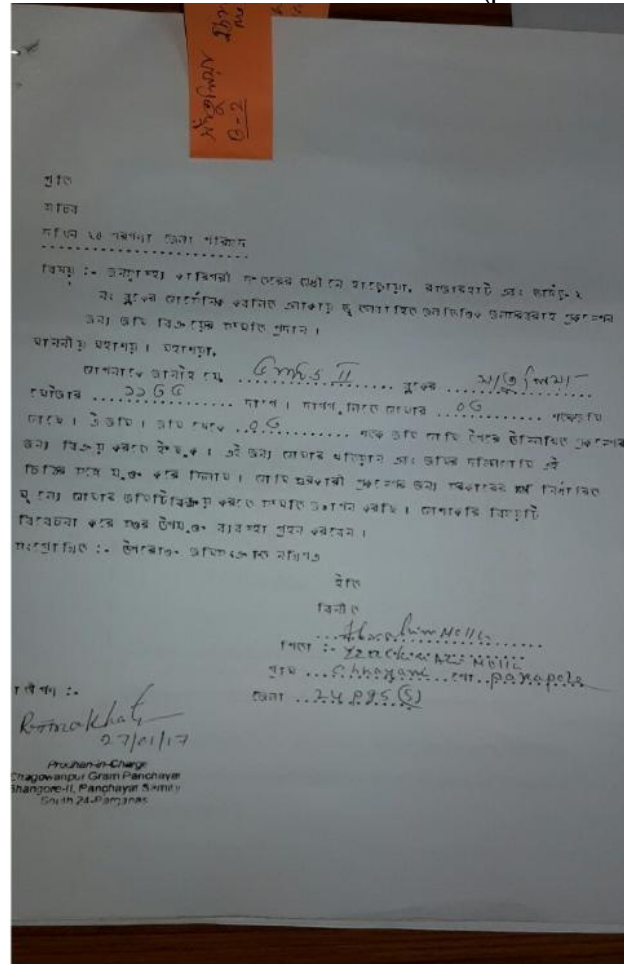
**Table A10.2. Details of Affected Plots, Ownership, Land Sellers**

<b>Plot No.</b>	<b>Area in decimals</b>	<b>Owner(s)</b>	<b>No. of affected land owners</b>	<b>No. of household members (including landowners)</b>
1135	3	Ibrahim Molla and Eachha Ali Molla (brothers)	2	4 (Ibrahim Molla's family)+2 (Icchha Ali Molla's family)=6
1133 1134	106.62 21.6	Alamgir Mallik + 10 brothers and sisters (106.62 dc); and Regina Khatun (21.6 dc)	12	49 (to be verified in updated RP/DDR, as only 2 landowners interviewed)  5 (Alamgir's family)
<b>Total</b>	<b>131.22</b>		<b>14</b>	<b>58</b>

Note: 1.323 acres = 4 bigha, indicated as land requirement by PHED for GLR cum intermediate booster stations. Land available is 1 decimal less than the specified requirement, but the facilities can be accommodated within the available area.

### Consent Letters from Landowners Indicating Willingness to Sell

Consent letter of Eaccha Ali Molla and Ibrahim Molla (part owners of Bhangar GLR site)



**NOC by IBRAHIM MOLLA and EACHHA ALI MOLLA (Landowners of Bhangar – II GLSR Site at Satuli The NOC is duly attested by the Panchayat Pradhan of BHAGABANPUR Gram Panchayat)**

INDIA NON JUDICIAL

TEN RUPEES  
Rs. 10

INDIA

পশ্চিমবঙ্গ পশ্চিম বঙ্গাল WEST BENGAL 06AB 280173  
প্রতি  
শতাব্দ  
উত্তর ২৪ পরগনা জেলা পরিষদ

বিষয় :- জনস্বাস্থ্য কারিগরী দপ্তরের অধীনে হারোয়া, রাজারহাট এবং ভাঙ্গর-২ নং ব্লকের আর্সেনিক  
করবাহিত এলাকায় ভূতলবাহিত জনজীবিতিক জনসংস্কার প্রকল্পের জন্য জমি বিক্রয়ের সন্মতি প্রদান।

মাননীয় মহাশয় / মহাশয়া

আপনাকে জানাই যে ০৬.৬২ একর ১০ জনের ১০ জনের  
মৌজার ১০৬.৬২ ১০৬.৬২ একর / দশভাগিতে আমার ১০ শতক জমি আছে। এ  
জমি / জমি থেকে ১০৬.৬২ শতক জমি আমি উপরে উল্লিখিত প্রকল্পের জন্য বিক্রয় করতে ইচ্ছুক।  
এই জমি আমার স্বত্বাধীন এবং জমির দলিল আমি এই চিঠির সঙ্গে যুক্ত করে দিলাম। আমি সরকারী প্রকল্পের  
জন্য সরকারের নিয়ন্ত্রিত মূল্যে আমার জমি বিক্রয় করতে সন্মতি প্রদান করছি। আশাকরি বিষয়টি বিবেচনা  
করে সত্তর উপযুক্ত ব্যবস্থা গ্রহণ করবেন।

সংশ্লিষ্ট : উপরোক্ত জমিসংক্রান্ত নথিপত্র

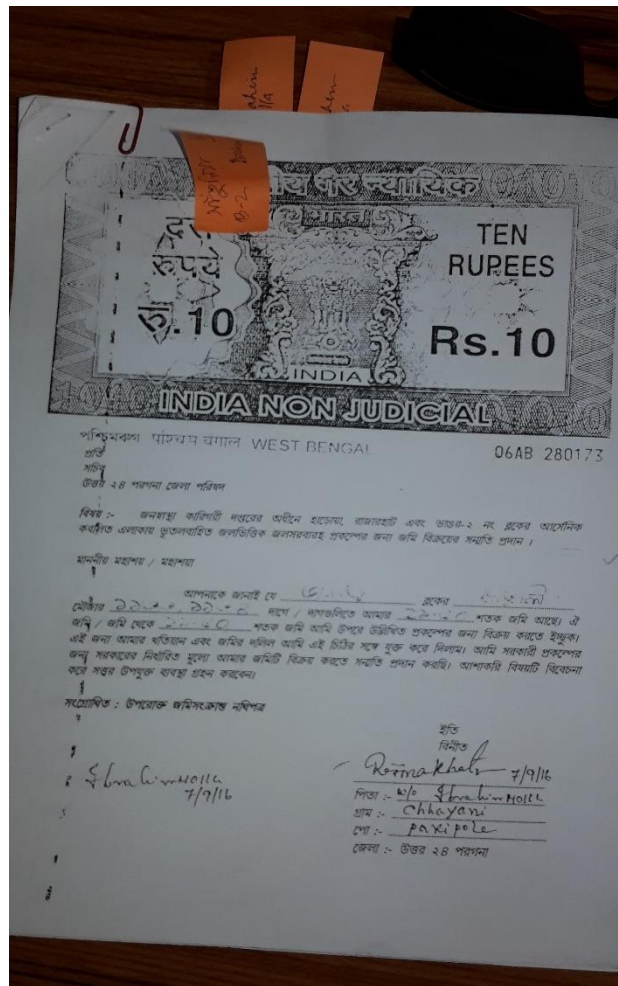
ইতি  
বিনীত  
Ratna Khatu 7/7/16  
পিতা :- Shrahin HOLLU  
গ্রাম :- Chhayani  
পো :- Paxipole  
জেলা :- উত্তর ২৪ পরগনা

Shrahin HOLLU  
7/7/16

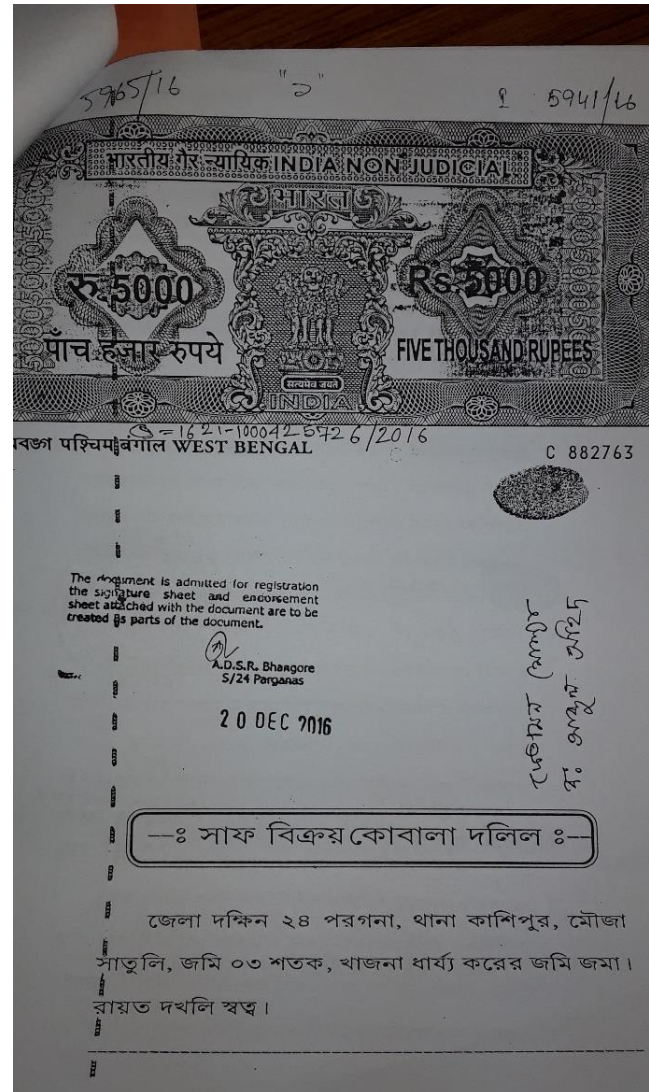
**NOC of ALAMGIR MALLIK (Landowner of Bhanganar – II GLSR Site at Satuli)**

“ I’m willing to sell a parcel of land at Govt. price situated under Block – BHANGAR – II, Gram Panchayat : BHAGABANPUR, Mouja : SATULI, having DAG No. 1133 & 1134 to PHED for the underground Water Supply Project to Arsenic Affected area of Haroia, Rajarhaat & Bhanganar – II block.”

Note: Alamgir Mallik is the Power of Attorney holder for 106.62 decimals land owned by him and his 10 siblings. The standard format given by PHED for consent letter however provides for an individual’s consent. The updated resettlement plan should either include a copy of the NOCs from each individual owner, or, a copy of the power of attorney to Alamgir Mallik along with a consent letter from Alamgir Mallik that states that he/she is the power of attorney holder for xx (names of persons represented and purpose for which power of attorney is provided) and he / she is providing consent for sale on behalf of the persons represented. Third party certification of consent without coercion and the negotiated settlement process is pending, and needs to be appended to the updated resettlement plan.



**NOC by REZINA KHATOON, W/o, Ibrahim Molla (Landowner of Bhangar – II GLSR Site at Satuli & also the Panchayat Pradhan of BHAGABANPUR GP)**  
**“ I’m willing to sell a parcel of land at Govt. price situated under Block – BHANGAR – II, Gram Panchayat : BHAGABANPUR, Mouja : SATULI, having DAG No. 1133 & 1134 to PHED for the underground Water Supply Project to Arsenic Affected area of Haroa, Rajarhaat & Bhangar – II block ”**



**Page 1 of Sale Deed of Satuli Land (GLSR site of Bhangar – II),**

Note: Names of seller or purchaser are not visible.

Sale deed copy of page with names of sellers and purchasers, or, land records (khatian) showing ownership to be appended to updated resettlement plan.

### Profile of Land Sellers in Bhangar Ground Level Reservoir Site

**Table A10.3. Details of Affected Plot**

Plot/Dag No	Land Record/Khatian No./ JI No.	Type of Land and Its Present Use	Total Area of Affected Plot	Percentage of Land to Be Used for Construction (Against Total Plot Area)	Total Land Holdings of The Person (other Than Affected Plot)	Percentage of Land to Be Used for Construction (Against Total Land Holding)	Type of Loss
1133, 1134	49	Mango Garden	1.323 Acres (4 Bighas) (80 Cottahs)	100%	11.570 Acres (35 Bighas) (700 Cottahs)	11%	Land and fruit trees

**Table 10.4. Socioeconomic Profile of Land Sellers (1)**

Name of Affected Person	Education Level	Primary Occupation of Respondent (Affected Person)	Stated Income of Respondent (Affected Person)	Income Sources of Household	Total Household Income from All Sources and for All Earnings Members	Income from Affected Land	No. of Household Members
		Specify	Specify Monthly or Annual (₹)	Specify Type	Specify Monthly or Annual (₹)	Specify Monthly or Annual (₹)	
Ibrahim Molla	X	Land Based (Agriculture – Share of Crop Received From Sharecropper, Horticulture-Sale Of Mangoes, Pisciculture – Sale of Fish)	15,000/- Per Month	Business	15,000/- Per Month	10,000/- Annually (Shared By All Owner Households)	4
Echa Ali Molla	VIII	Land Based (Agriculture – Share of Crop Received From Sharecropper, Horticulture-Sale Of Mangoes, Pisciculture – Sale Of Fish)	10,000/- Per Month	Business	10,000/- Per Month		2
Alamgir Mallik	IX	Land Based (Agriculture – Share of Crop Received from Sharecropper,	8000/- Per Month	Business	8000/- Per Month		5



Name of Affected Person	Education Level	Primary Occupation of Respondent (Affected Person)	Stated Income of Respondent (Affected Person)	Income Sources of Household	Total Household Income from All Sources and for All Earnings Members	Income from Affected Land	No. of Household Members
		Horticulture-Sale of Mangoes, Pisciculture – Sale of Fish)					

Note: ALAMGIR MALIK (sl.no.3) has obtained registered power of attorney from 5 brothers & 5 sisters, the other legal heirs of the plot. Ibrahim Molla (husband of Pradhan of Bhagabanpur Gram Panchayat, Regina Khatun, who is also part owner), Alamgir Malik and Eacha Ali Molla are jointly the present legal owner / heir of the plot and they have given NOC for selling the land.

**Table A10.5. Socioeconomic Profile of Land Sellers (2)**

Name of Land Seller	Caste/Tribe/Community	Whether BPL Card Holder, Elderly, Woman-Headed House Hold, Sc/St Hh, Disabled Headed Household/ Illiterate Hh Head	Type of House	No of Rooms	Area of House	Vehicle/ Refrigerator/Mobile Phone/Other Property Ownership	Whether Willing to Sell Land of Their Own Accord
Ibrahim Molla	General (Muslim)	No	Pucca	3	4 Decimal	Car, Bike, Tv, Fridge, House	Yes
Echa Ali Molla	General (Muslim)	No	Pucca	2	4 Decimal	Car, Bike, Tv, Fridge, House	Yes
Alamgir Mallik	General (Muslim)	No	Pucca	4	1 Bigha	Car, Bike, Tv, Fridge House	Yes

**Profile of Land Sellers in Haroa Ground Level Reservoir Site**

**Table A10.6. Details of Affected Plot**

Plot/Dag No	Land Record/Khatian No./ JI No.	Type of Land and Its Present Use	Total Area of Affected Plot	Total Area Required for Construction	Affected Plot Area Percentage (Against Total Plot Area)	Total Land Holdings of The Person (Other Than Affected Plot)	Percentage of Land to Used For Construction (Against Total Land Holding)
763	26				48%		12%

Plot/Dag No	Land Record/Khatian No./ JI No.	Type of Land and Its Present Use	Total Area of Affected Plot	Total Area Required for Construction	Affected Plot Area Percentage (Against Total Plot Area)	Total Land Holdings of The Person (Other Than Affected Plot)	Percentage of Land to Used For Construction (Against Total Land Holding)
		Vacant Land Brick Field	3.46 Acres 10.46 Bigha 209 Cottah	1.323 Acres 4 Bigha		9.92 Acre (600 Cotah) (30 Bigha)	

Table A10.7. Socioeconomic Profile of Land Sellers (1)

Name	Education Level	Primary Occupation of Respondent (Affected Person)	Income of Respondent (Affected Person)	Income Sources of Household	Total Hh Income from All Sources and For All Earnings Members	Income from Affected Land	No. of Household Members
Baizid Ali Zamedar (Part Owner)	Class X	Business (Contracting, Fish Merchant)	20,000/- Per Month	Business, Lease	20,000/- Per Month	26,600/- Per Annum	4
Farid Zamedar (Part Owner)	Graduate	Business (Contracting, Fish Merchant)	30,000/- Per Month	Business, Lease	30,000/- Per Month	26,600/- Per Annum	4
Mannan Ali Baidya (Lessee)	Class VIII	Business (Brick Manufacturing)	2.5 Lakhs Per Month	Business	2.5 Lakhs Per Month	2.5 Lakhs Per Month	6

Note: 1 owner could not be interviewed, however he has given power of attorney for land sale to his brother, which is appended.

Table A10.8. Profile of Land Sellers (2)

Name	Caste/Tribe/ Community	Whether Bpl Card Holder, Elderly, Woman-Headed House Hold, Sc/St Hh, Disabled Headed Household/ Illiterate Hh Head	Type of House	No. of Rooms	Area of House	Vehicle/ Refrigerator/ Mobile Phone/Other Propoerty Ownership	Whether Willing to Sell Land of Their Own Accord
Baizid Ali Zamedar (Part Owner)	Muslim	No	Pucca	8	3 Cottah	Bike, Tv, Fridge	Yes
Farid Zamedar (Part Owner)	Muslim	No	Pucca	4	3 Cottah	Bike, Tv, Fridge	Yes
Mannan Ali Baidya (Lessee)	Muslim	No	Pucca	4	6 Cottah	Bike, Tv, Fridge	The Respondent Is Leesee And He Has No Objection If the Owner Sell A Portion of The Land.