

Resettlement Planning Document

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**IND: Karnataka Integrated Urban Water
Management Investment Program – Byadagi Town
(Packages No 01BDG01 and 01BDG02)**

Prepared by Karnataka Urban Infrastructure Development and Finance Corporation,
Government of Karnataka for the Asian Development Bank.

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CURRENCY EQUIVALENTS

(as of 4 April 2013)

Currency Unit	=	Indian rupee/s (Re/Rs)
Re1.00	=	\$0.02
\$1.00	=	Rs54.48

ABBREVIATIONS

ADB	—	Asian Development Bank
BPL	—	below poverty line
CBO	—	community-based organization
CC	—	city corporation
CDP	—	comprehensive development plan
CLIP	—	city level investment
CPMU	—	central project management unit
DC	—	deputy commissioner
DLRC	—	district level resettlement committee
DPR	—	detailed project report
DP	—	displaced person
EA	—	executing agency
ELSR	—	elevated level storage reservoir
GLSR	—	ground level storage reservoir
Gol	—	Government of India
GoK	—	Government of Karnataka
GRC	—	grievances redressal committee
IWRM	—	integrated water resources management
KMRP	—	Karnataka Municipal Reforms Project
KUIDFC	—	Karnataka Urban Infrastructure Development and Finance Corporation
KUWSDB	—	Karnataka Urban Water Supply and Drainage Board
LA	—	land acquisition
LAA	—	Land Acquisition Act
LA and R&R	—	land acquisition and resettlement and rehabilitation
MFF	—	multitranches financing facility
MLA	—	member of Legislative Assembly
NGO	—	nongovernment organization
NKUSIP	—	North Karnataka Urban Sector Investment Program
O&M	—	operations and maintenance
PIU	—	project implementation unit
PMDSC	—	project management and design supervision consultant
PMU	—	project management unit
PWD	—	Public Works Department
RPMU	—	regional project management unit
RoW	—	right of way
SES	—	socioeconomic survey
SPS	—	Safeguards Policy Statement
SR	—	storage reservoir
STP	—	sewage treatment plant
TMC	—	town municipal council
TOR	—	terms of reference

ULB	—	urban local body
WSS	—	water supply and sanitation
WTP	—	water treatment plant
WWTP	—	wastewater treatment plant

WEIGHTS AND MEASURES

ha	—	hectare
kL	—	kiloliter
km	—	kilometer
lpcd	—	liters per capita per day
m	—	meter
mld	—	million liters per day
m ²	—	square meter

NOTES

- (i) The fiscal year (FY) of the Government of India and its agencies begins on 1 April and ends on 31 March. "FY" before a calendar year denotes the year in which the fiscal year ends, e.g., FY2011 begins on 1 April 2011 and ends on 31 March 2012.
- (ii) In this report, "\$" refers to US dollars.

This resettlement plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

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EXECUTIVE SUMMARY

A. Scope of Land Acquisition and Resettlement in project

1. Land acquisition under the proposed project involves the acquisition of land for one sewage treatment plant (STP) and one pumping station (PS) and temporary disruption of income sources during linear pipe-laying works for water supply component. The construction of STP and PS will require private land of an area about 4-5 hectares (ha) to construct STP with waste stabilisation pond technique. Both STP and PS will be located in same location. Much of project's temporary impacts on communities and persons will be avoided by careful selection of pipe line alignments and limiting project to non-business hours. The expected project impacts are limited to the following: (i) acquiring land for the construction of the new Sewage Treatment Plant and Pumping station; (ii) temporary disruption to on-street parking and business activities, and (iii) temporary shifting of vendors and hawkers during construction works from the right of way (ROW).

Table 1: Land Requirement for Byadagi Town

Sl. no.	Component	Total Land Requirement	Remarks
1a	Construction of additional SR (1 unit)	625 m ²	The proposed SR to be built within government/ULB land or existing facility.
1b	Water supply: distribution of treated water through trunk mains and network,	Nil	Replacement/improvement of distribution pipelines/facilities proposed along existing road RoW. However, temporary impact of disruption of business likely for roadside hawkers/vendors.
2a	Wastewater: STP, Pumping station	5.79 ha of land based on waste stabilization pond technology and 100 m ² for PS	Land preferably to be purchased by ULB and in case of failed negotiation land acquisition will be adopted. PS to be located within existing STP premise.
2b	Sewerage network	Nil	Sewers can be laid in the middle of the roads and pathways. No impact envisaged.
3.	Community Toilet	225.4 m ²	For 530 slum/non-slum poor families 107 toilet seats proposed to be constructed and 225.4 m ² of land will be required. Government/ULB land will be identified

2. The provision of community toilets for the poor and slum/non-slum dwellers is another component of KIUWMIP. To that end assessment has been made by the social development consultant through a social assessment survey, and an estimated 530 households require such facility. As per adopted norm, 107 toilet seats for 530 households spread over 9 blocks need to be constructed and 225.4 m² area of land is required for that. However actual area required will depend on availability of ULB/government land or land donation.

1. Temporary Resettlement Impact

3. As the project includes laying of trunk main and distribution network pipelines under water supply component mostly along the existing ROW of the town roads there would be temporary resettlement during the construction period. Temporarily affected mobile hawkers and vendors, including those running businesses in kiosks, will be assisted by the resettlement NGO in shifting to alternative locations during the brief period of construction, and allowed to

return once construction is declared complete. The whole period of temporary shifting will consist of about 5 to 7 days. The proposed sewer lines will be laid in the middle of the roads, and no impact on roadside hawkers/vendors is expected. The roads are also not expected to be closed for the laying of sewer lines. However, to avoid any inconvenience, an engineering solution will be sought and civil work can be done at night to avoid parking problems and allow the plying of public vehicles during daytime. However, if parking is essential, an appropriate environmental management plan (EMP) will be prepared. During detailed design, the exact alignments and any additional impacts, if any, will be known.

2. Socio-economic information and profile.

4. Census and socioeconomic survey of the permanently displaced persons were undertaken during initial impact assessment. In all, four families are likely to suffer involuntary resettlement impacts due to acquisition/sale of land. Three families of them are title owners and one is the tenant/lessee cultivating all the lands owned by the three land owners.

5. Based on transect walks and confirmation of project engineers on the length of high, medium and low density roads with proposed pipelines in the project area, temporary impacts on six hawkers, 12 mobile vendors, and parking of 130 two wheelers, 32 three wheelers, 30 Matadors and five hand driven carts are envisaged during laying/rehabilitation of the distribution network. Transect walks reveal that all the six hawkers and one mobile vendor of temporarily affected persons are vulnerable.

3. Categorisation

6. This Project is classified as category B in accordance with ADB's Safeguard Policy Statement (SPS). ADB's SPS covers both temporary and permanent impacts to both titled and non-titled persons, and includes both physical and economic displacement.

4. Resettlement Budget and Financing Plan

7. The resettlement cost for the project of Bydagi TMC is estimated at Rs19,621,701 or \$364,715, which will be met with counterpart (government) funds. The budget will be updated as required to reflect the DMS based on the detailed design, and latest replacement costs

5. Implementation Schedule

8. Project implementation period (civil works) is expected to require 36 months to complete. The RP implementation will need 18 months to complete all tasks including payment disbursement, income restoration assistance and other resettlement assistance.

6 Monitoring and Reporting.

9. The RPMU with the design consultants (PMDSC) will update the RP based on detailed designs, and conduct field inspections and resettlement surveys prior to displacement in sections ready for construction. A resettlement NGO will be engaged for implementing the RP and will be responsible for regular monitoring with supports from PIU/ULB and will prepare monthly monitoring report. The RPMU would prepare semi-annual monitoring reports on the progress of RP implementation and general safeguards compliance. The reports will be submitted to ADB on a quarterly basis. They will also be uploaded on the ADB website.

I. PROJECT BACKGROUND

1. Karnataka Integrated Urban Water Management Investment Program (KIUWMIP) aims to invest on urban water supply and sanitation (UWSS) for selected towns. Water supply and wastewater systems suffer from under-investment throughout the state of Karnataka. Water supply is intermittent, wastewater collection and treatment systems are either nonexistent or poorly maintained. The absence of scientific wastewater treatment and sewer systems contaminates groundwater, posing a risk to the public health. If the issues associated with the poor water management in the state are not resolved, the state's economic growth will be stunted, public health will deteriorate, and water resource disputes will escalate.

A. Project Investments

2. Under this project, the following types of physical works will be constructed: (i) laying of pipes for replacement and reinforcement of water supply distribution and sewerage collection system; (ii) construction of one service reservoir; (iii) construction of water supply strategic mains; (iv) installation of bulk meters and domestic meters; (v) construction of new Byadagi sewage treatment plant (STP); and (vi) construction of community toilets. The draft RP provides specific details on the components under project.

3. This draft resettlement plan (RP) prepared for the Byadagi subproject is based on a technical feasibility study, and will be updated based on detailed design during project implementation. This is prepared based on ADB's Safeguard Policy Statement 2009, and the Land Acquisition Act, 1894 and its subsequent amendments in 1988. The concerned ULB will update and finalize the draft RP after the final detailed design is finished.

II. PROJECT DESCRIPTION

4. The urban local body (ULB) of Byadagi is the statutory entity responsible for providing water and wastewater services to the people. However, the ULB suffers from a resource crisis, without capacity or capability to operate and maintain these civic infrastructure systems. At present there is a wastewater treatment facility that needs augmentation, and the water supply system also needs renovation.

5. Table 2 describes the proposed water supply component as per design. There will be one additional service reservoir with a capacity of 900 kl to be constructed at Bettada Mallapa hillock. The area required is 615 m², and the land belongs to ULB. No resettlement impacts are envisaged as the proposed water reservoir is located in the empty land. However new settlement plots for poor communities are currently being developed near to proposed location. Some protection measures to assigned land need to be conducted by the respective ULB to prevent encroachment.

6. Strategic mains of 11 km long will be laid encircling the town and distribution network will be throughout the town. Pipe diameter will vary from 200 to 450 mm. The required space at pit head will be about 1 m by the road side avoiding utility line and edge of the carriage width.

7. For Sewage treatment plant four land parcels have been identified by the ULB within Byadagi village and at a distance of about 1.2 km from the town boundary. The total land identified for the STP and PS construction is 5.79 ha in area. The land has the advantage of location by the stream side. Sewer rising mains will cover whole town. Since the sewer mains will be laid in the middle of the road there will be no temporary impact of loss of income by the

road side vendors. The laying of sewer rising mains and sewer lines will be done mostly at night where roads are used for vehicular traffic. Besides, trenches will be dug in stretches so as not to disrupt access to the road and business activities to a great extent. Traffic can be diverted on either side of the road while construction would be in progress. All these measures will need proper traffic management, road diversion. These will be included in EMP to be prepared for the project requirement. All these measures will help roads to remain open all through construction work. Road closure is not envisaged.

8. Construction of community toilets for poor/slum households has been proposed in the program. An estimate has been made of land requirement for construction of community toilets for 530 households who will need 107 number of toilet seats for which an area of 225.4 m² is required. However, actual area may be more to include set back area as per Municipal building by-law. ULB has stated to possess government/ULB land for the purpose; however no details have been provided so far. No resettlement impact is envisaged as government/ULB land will be available.

Table 2: Proposed Project Components, Byadagi Town

Sl.	Infrastructure	Function	Description	Location	Resettlement Impact
Water Supply					
1	Service reservoirs	Temporary storage of treated water prior to distribution	Construction of one GLSR of 900 KI	Construction of Reservoir in Government land at: ■ Bettada Malappa Hillock	No impact envisaged
2	Strategic main	Distribution of water from service reservoir to distribution system.	Laying of 11 km of strategic mains, with pipe diameters varying from 200 mm to 450 mm.	Supplying and laying complete, including road restoration for laying of mains from Betadda Malappa and encircling the town.	Temporary impact will affect some road side hawkers, vendors and parking of vehicles
3	Distribution mains	Distribute treated water to customers, replacing existing pipes and expanding the network into new areas.	All pipes will be HDPE above 250 mm would be ductile Iron and pipes of diameter 250 mm and below will be HDPE.	Supply and laying of Pipes on public roads to interconnection strategic main to distribution network, with improvements.	No impact envisaged
4	Installation of bulk meters and district meters	Water audit. Measure flows in raw/clear water mains including each district metered area.	Installation of bulk meters from 400 mm to 100 mm diameter.	On raw/clear water pumping mains, inlet, and outlet of water treatment plants and service reservoirs. On primary mains and secondary distribution network.	No impact
5	Installation of domestic meters	Consumption based tariff system. Assessment and reduction of leakage.	3000 domestic water meters to be installed.	Water meters to be installed on each HHs connection/commercial connection.	Not applicable
Wastewater Component					
1	Sewage treatment plant	To treat sewage or wastewater generated in the town, to meet the desired quality standards for recycling or discharging back into the environment.	The STP is planned to treat 4.6 mld sewerage from the Byadagi town	Byadagi village – 5.79 ha agricultural land belonging to 4 families	Land acquisition will be initiated and loss of land, crops, livelihood will be affected for four owners and one tenant families
2	Sewerage system	Sewerage system to collect the sewage or wastewater from the town and convey to the proposed STP.	Sewerage network of approximately 52 km long will be laid to collect all the swage throughout the town and transfer to the STP.	All throughout the town	Temporary impact, if any will be mitigated by proper measures. Traffic diversion and parking arrangement will be made in case of road closure. EMP will prescribe

Sl.	Infrastructure	Function	Description	Location	Resettlement Impact
					mitigation measures
C. Community Toilet					
1	Community toilet, wash basin, clothes washing platform, bathing rooms, men's urinals and caretaker's room will be provided where land/space is available	Provide hygienic sanitation facility to slum/non-slum poor households in a cost effective manner	In all 530 HH will have facility of community toilets at one toilet seat per eight households.	Community toilets in eight locations will be provided.	Land measuring 225 m ² area will be provided by ULB without any physical or economic displacement. No resettlement impact envisaged.

III. SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACT

9. According to project design, the town of Byadagi will require land for establishment of STP and pumping station. Although the Chief Officer (CO) of the ULB had expressed preference for purchase of land through negotiated settlement the land acquisition option will be considered in case of failed negotiation. Accordingly, this RP has been prepared to address involuntary resettlement impact due to land acquisition.

10. Land for construction of STP and PS has been identified at 5.79 ha in the vicinity of Byadagi village about 1.2 km away from town limit. Land parcel in four plots belonging to four families will be acquired to accommodate STP and PS and also to construct buffer wall/green belt around the site for environmental protection. Necessary initial environmental examination and EMP will be prepared. Temporary impact due to laying of sewer network will be mitigated through careful work time, proper traffic arrangement and diversion. Road closure will be avoided.

11. Water supply infrastructures will be accommodated within the facilities' existing premises and will not involve land acquisition. Water supply networks and new sewer lines will not need fresh land acquisition as these will be laid along the roads and pathways within the ROW. The civil construction works for these improvements will be carried out taking people's convenience in view wherever applicable. However, initial social assessment reveals that temporary resettlement impacts on hawkers and vendors and restriction on parking of vehicles are anticipated during laying of water trunk mains, distribution network and sewer rising mains and sewer lines in the project towns. This RP will provide assistance for the temporarily affected shop owners, vendors, and hawkers for loss of their income and alternate access to the roadside shops will be provided. The overall impacts will be further minimized, if required, through careful selection of construction sites and change in alignment at the detailed design stage and by shifting construction work time at night.

12. For construction of community toilet an area of about 225.4 m² will be required. The total area required may increase to allow for setback area as per municipal building by-laws. The land will be provided by the ULB should be ULB/government land without any involuntary resettlement impact, which may involve physical or economic displacement. In the absence of ULB land, the option of land donation will be explored and land transfer process and ADB's SPS requirement followed as indicated in the resettlement framework (RF). Process of land availability will be monitored as part of social safeguard monitoring requirement. Table 3 provides details of land required for the subproject.

Table 3: Land Requirement for Sub-Project

Sl. no.	Component	Total Land Requirement	Remarks
1a	Construction of additional SR (1 unit)	625 m ²	The proposed SR to be built on existing government/ULB land.
1b	Water supply: distribution of treated water through trunk mains and network,	Nil	Replacement/improvement of distribution pipelines/facilities proposed along existing road RoW. However, temporary impact of disruption of business likely for road side hawkers/vendors.
2a	Wastewater: STP, pumping station	5.79 ha of land based on waste stabilization pond technology and 100 m ² for PS	Land preferably to be purchased by ULB and in case of failed negotiation land acquisition will be adopted. PS to be located within existing STP premise.
2b	Sewerage network	Nil	Sewers can be laid in the middle of the roads and pathways. No impact envisaged.
3.	Community Toilet	225.4 m ²	For 530 slum/non-slum poor families 107 toilet seats proposed to be constructed and 225.4 m ² of land will be required. government/ULB land will be identified

A. Resettlement Framework

13. The resettlement framework (RF) prepared for KIUWMIP is based on Land Acquisition Act (Karnataka), as amended in 1988, ADB's SPS of 2009 and National Rehabilitation and Resettlement Policy (NRRP) of Government of India, 2007 and adopts the following resettlement principles:

- (i) resettlement impacts of each subproject will be avoided or minimized, exploring all viable alternative subproject designs;
- (ii) where the resettlement impacts are unavoidable, the DPs should be assisted in improving or at least regaining their standard of living;
- (iii) the DPs will be consulted in the subproject preparation planning and implementation and resettlement information will be disclosed to all of them;
- (iv) vulnerable groups including households headed by women, the elderly or disabled, and indigenous groups and those without legal title to land and property and those living below poverty line (BPL) will be given special assistance to facilitate improvement their socio-economic status;
- (v) the absence of formal title to land is not a bar to policy entitlements.
- (vi) compensation for all lost assets acquired or affected is based on the principle of replacement cost;
- (vii) restoration of livelihoods and residences of the DPs will be assisted with adequate resources with a time-bound action plan in coordination with civil works;
- (viii) DPs are to be assisted to integrate economically and socially into host communities where physical displacement takes place, so that adverse impacts on the host communities are minimized and social harmony are promoted.
- (ix) opportunities for negotiated land purchase by adopting relevant Government of Karnataka LA Act and government orders/circular will be explored. In such cases of negotiated settlement and land donation government will engage an independent third party for supervising and validating these procedures as per ADB SPS, Safeguard Requirement 2, para. 25.

- (x) all payments including compensation for loss of land, assets, structures, trees, income, and common properties will be made prior to physical or economic displacement and commencement of civil construction work.

14. Subprojects to which the framework will be applied would broadly have three types of resettlement impacts that will require mitigation measures. The types of impacts are (i) loss of assets, including land and houses; (ii) loss of livelihood or income opportunities; and (iii) loss of common property resources and loss of access or limited access to such resources.

B. Entitled Person/ Displaced Person

15. According to ADB's safeguard requirement described in SPS three kinds of displaced persons are eligible for compensation, assistance, and benefits. They are:

- (i) persons who lost land / assets in entirety or in part having formal legal title over land;
- (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws (such as customary right over land by tribal people); and
- (iii) persons occupying land over which they neither have legal title, nor have claims recognized or recognizable under national law.

16. ADB's IR policy applies to all three kinds of displaced persons. Adequate and appropriate compensation for land and structures at replacement cost will be provided to: (i) the persons having legal title over land; (ii) those without legal title but with claims recognized under national laws, and (iii) those occupying land without legal title or claim recognized under national laws, who will be compensated for loss of structures and other assets except land. The displaced people under category (iii) are eligible for compensation and assistance only if they occupied the land prior to the project cut-off date

C. Temporary Impact

17. Transect walks, reconnaissance surveys and discussions with the consultant reveal that full closure of roads is not envisaged and it will be possible to maintain access to shops and businesses. Display disruptions are not anticipated to affect livelihoods. The summary of both permanent and temporary resettlement impacts is presented in the table below (Table 4).

Table 4: Summary of Resettlement Impacts

S. No.	Details	No.
1	Permanent land acquisition	5.79 Ha
2	Affected structures	None
3	Parking disruption (residential and commercial areas) - no. of affected two wheelers	130
4	Parking disruption (commercial areas) - no. of three wheelers	32
5	Parking disruption (commercial areas) - no. of hand driven cart	5
6	Parking disruption (commercial areas) - no. of Matadors	30
7	Total temporarily affected hawkers and vendors	6
8	Temporarily affected mobile vendors	12
9	Affected immovable businesses	None

10	Temporarily affected employees of businesses	None
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18. Transect walks and extensive reconnaissance surveys in the project area do not reveal the need for full closure of roads, hence no major impacts on businesses and their employees are anticipated. Opening a trench in one section at a time for pipe-laying is likely to minimize disruptions and impacts. There is scope to minimize impacts on businesses through proper planning and implementation of mitigation measures to a level that will not affect income.

19. Affected hawkers and vendors will be assisted by contractors to move to the other side of the road and returning after construction is completed. Where they are not required to shift, access will be ensured by the contractor. The construction period will be minimized, and is estimated to be less than 7 days per section of work.

20. The following mitigation measures are proposed to avoid and/or reduce the temporary impacts to businesses during linear pipe laying works.

- (i) provision of advance notice to community to shift their merchandise, vending items, and mobile shops at least 30 days prior to construction work;
- (ii) conducting awareness campaigns through a media partner, if any and the project implementing and monitoring NGO with signage for road diversion, safety caution, etc.;
- (iii) maintaining access to shops by providing planks and leaving spaces to avoid disturbance to residents and businesses;
- (iv) open pits to be guarded properly for safety reason, especially during day time working period, near road crossings, near school complex, etc.;
- (v) managing traffic flows as per the traffic management plan prepared by the contractor in coordination with local authorities and communities;
- (vi) conducting 60% works at night and 40% during the day;
- (vii) limiting period of time for open trenches;
- (viii) completing works quickly where large numbers of businesses are located;
- (ix) avoiding full street closure to the extent possible;
- (x) providing employment opportunities to the displaced persons (DPs) during construction works, especially vulnerable DPs, if they so desire;
- (xi) placing telephone hotlines on signs on visible areas to notify in case of emergency;
- (xii) making the community fully aware of the grievance redress mechanism;
- (xiii) providing contact number of responsible persons in the RPMU and ULB offices; and
- (xiv) providing assistance to vendors and hawkers in shifting to alternative nearby locations and helping in the reinstallation of their businesses as early as possible.

Google Earth impression of Byadagi TMC with road network



IV. SOCIOECONOMIC INFORMATION AND PROFILE

21. Social, poverty and gender analysis for Byadagi was undertaken by the social development specialist of the team of consultants, with the overall program objective of improved urban services and quality of life in the city for all socioeconomic groups. Secondary data from Census of India and the urban local body, primary data from a baseline sample survey conducted in the town (comprising a mix of poor and non-poor communities in Byadagi), and consultations/focus group discussions held have been used to define the existing situation in quantitative and qualitative terms. The analysis provides an understanding of the present levels of service access at household level by different socioeconomic groups, gaps, needs and preferences of households, poor and non-poor, opportunity costs incurred by households for alternative mechanisms to overcome shortfalls in service, affordability, and willingness to pay for improved services. List of affected persons is provided in the Annexure.

A. Demographic and Socio-economic Profile of the Town

22. As per Census 2011 (provisional figures), Byadagi TMC has a population of 30,000. Decadal population growth rate in the period 2001-2011 of 16.9% is fairly low. The table below compares census data with the results of the primary survey. Sample households in Byadagi have an average household size of 5.2, closer to Census 2001 data and ~19% of the population comprises scheduled castes and scheduled tribes (SC/ST). Refer to Table 5 below for details.

23. Labour force participation rate for the sample population is similar to Census 2001 figures (40%). The proportion of female workers among male workers in Byadagi is 19%. Within the group of marginal workers, female workers in general comprised 69%. The proportion of female non-workers to total non-workers was high at 63%. While females constitute only 8% of cultivators, they comprise 73% of agricultural labourers and 53% of household industry workers. It was evident that more females are employed in lower-paid jobs in Byadagi. (Census 2001).

Table 5: Demographic Profile of Byadagi

Indicator	Census 2001	Census 2011	Primary data	
Population	25,663	30,000		
Population (0-6years)	3,381 (13.17%)	NA	NA	
No. of households	4,792	7,318		
Average household size	5.4	4.10	5.2	
Slum population	4,617 (18%)**	4,431 (17.26%)	286 (14%)	
SC, ST population	5,481 (21.36%)	NA	NA	
Sex ratio	955			
Child sex ratio (0-6 Years)	903			
Sex ratio (SC)	980			
Sex ratio (ST)	1,026			
Total literacy	77%			
Male literacy	85%			
Female literacy	69%			
Gender gap in literacy	16%			
Labour force participation rate	42%			40%
Workforce participation rate	36%			32%
Dependency ratio	1.74			

Source: Census, 2001, <http://www.byadagitown.gov.in/statistics>, and Baseline Survey, 2012.

**Byadagi TMC (slum census data for Byadagi not available).

NA=Not available

24. In order to arrive at the distribution of poor and non-poor households in towns, households were classified on the basis of monthly per capita expenditure (MPCE) classes. The definition of below poverty line for urban Karnataka as per the Planning Commission, Government of India was used to identify BPL households in the sample. The maximum, minimum and average MPCE for the town were considered and appropriate MPCE classes arrived at.

Table 6: Distribution of Sample by Monthly Per Capita Expenditure (MPCE) Class

MPCE Class (Rs.)	No. of Households	% of Households in MPCE Class	Mean Household Expenditure (Rs.)	Mean Monthly Per Capita Expenditure (Rs.)
0 – 588	53	13%	3564	479
589 – 700	44	11%	3757	641
701 – 1400	264	65%	4742	964
1401 – 2100	39	10%	5822	1622
> 2100	5	1%	5168	2871
Total/AVG	405	100%	4590	885

Source: Baseline Survey, 2012. (N=405)

25. Using the MPCE classes so derived, 53 sample households were defined as BPL, 44 in the second consumption class, and 264, 39 and 5 respectively in the third, fourth and fifth consumption classes respectively.

26. The educational attainment of Chief Wage Earners (CWE) in the sample denotes 22% of CWEs in Byadagi are illiterate, 27% have completed only up to primary education, about 36% have bachelor's degrees, and only 17% have completed their Master's degrees or higher qualifications. Female unemployment is higher at 79% than male unemployment in Byadagi (21%) as per baseline survey data. Analysis of the demographic and socio-economic profile of sample households reveals striking disparities between the households in the first MPCE class (Rs. 0-588) and the highest MPCE class (Rs. >2100).

27. Disparities between MPCE classes are most evident in the proportion of illiterate CWEs (38% for the last MPCE class and 20% for the highest MPCE class) and those who have completed PhD/professional degrees (40% in the highest MPCE class versus 0% in the lowest). 64% of CWEs in the lowest MPCE class comprise unskilled workers/daily wage earners, while only 20% in the fifth quintile are Business/private sector/government jobs place households in the higher consumption quintile. Unemployment levels are highest among women and men in the middle income groups.

B. Socio Economic profile of Displaced Persons (DP)

28. Since the town does not have sewage treatment facility, the proposed wastewater component will cover the whole town. The sewage treatment component requires 5 ha at a suitable location. The ULB, after repeated effort, could locate four parcels of agricultural land near the town. The area is located about 1.2 km away from the town boundary and easily accessible with a government owned brick road as the means of conveyance to reach the site. The site is also adjacent to a natural stream which has given added advantage of carrying wastewater through in case of power cuts. Waste stabilisation pond can be constructed as the most judicious mode of wastewater treatment plant. Land requirement is shown in the table below.

Table 7: Details of Land Available for Acquisition

Sl. No.	Plot No.	Area of Plot (Ha)	Area Required (Ha)	Balance area (Ha)
1	225	4.95	2.0	2.95
2	224	1.14	1.14	0
3	223	0.74	0.74	0
4	222/1	1.91	1.91	0
	Total	8.74	5.79	2.95

Source: Registrar Office, Byadagi

29. The plot with survey no. 225 is owned by one family, and plots with survey no. 223 and 224 are owned by another family residing in the town. The owners of the remaining plot no. 222/1 are living outside the area, one of them living abroad, and the other in another district of Karnataka. None of these land parcels is cultivated by the owners. Instead, these are leased-out to one tenant, who also owns 6.4 Ha of land in Byadagi village. The soil type is dry red soil and without facility of irrigation. The present tenant cultivator uses non-mechanised mode of cultivation and productivity depends on adequate rainfall at right time, and hence varies from year to year. All the owners and the lessee have alternate source of livelihood and hence income due to loss of agricultural land will not be significantly affected. However compensation for loss of crop and loss of income for the tenant will be compensated adequately. A brief household profile of title owners and the tenant/lessee is given below. Since other two owners do not live in the area, one of them settled in United States of America, details of the family could not be found, except their land details. All the details of the families will be collected during project implementation by the implementing NGO.

Table 8: Demographic Details of Displaced Families

Sl. No.	Status of ownership	No. of HH	Type of loss	Educational qualification				Family size		
				Illiterate	Pr	Sec	BA +	M	F	T
1	Owner	4	Agricultural Land	1	5	3	1	6	6	12
2	Lessee	1	Income	2	3	4	4	8	5	13
	Total	5		3	8	7	5	14	11	25

Source: Census and SES, 2012 * Data of two families not available for lack of communication

30. The families of four owners and one lessee will be permanently affected due to loss of agricultural land as a result of land acquisition. Two non resident families as owners could not be contacted and their family details could not be collected. It is, however, understood that the family size is around 4 - 6 persons. Total number of displaced persons of the three families surveyed is 25, but once detailed survey of the non-resident families is done, the total number may increase to about 35.

31. All the households belong to general caste community and are living above poverty line. Poverty line for the state of Karnataka was fixed by the Planning Commission of India as per capita monthly income of Rs 417.84 in rural area and Rs 588.06 in urban area, with reference year of 2004-05. None has any disabled persons in the families. So, none of the households will be defined as vulnerable family.

32. Two of the resident families are of joint family type, and size of the family is large. So far as educational qualification is concerned, out of 25 persons, only four are illiterate. The head and chief earner of two local resident families are poorly educated, none of them passed

beyond secondary level of education. While only one member from the family of “Owner” attained bachelor’s degree in technical education, four members of the family of the “Lessee” are continuing their education at graduation level with two studying MBA course. (Table 8)

33. The working status reveals number of working persons in active age group. There are five workers and the rest non-workers. None of the workers are women. Neither there is any child worker in the families. They are not even engaged in cotton plucking, which requires a number of labour in the season. It is understood that women from well-off families do not work outside especially in semi-urban or rural society. They mostly look after the household work and remain involved in the well-being of the families. Cultivation is the major occupation although service in government and private sector has also been taken up by two persons. Both the resident owners are engaged in other occupations and the land is given for cultivation to a lessee. One of them is employed in a private shop and the other operates pool car for the school students. (Table)

Table 9: Economic status of the Displaced Persons

Sl. no.	Status of Ownership	NO. of HH	Working Status		Occupation	
			Worker	Non worker	Main	Marginal
1	Owner	4	4	6	Self employed (1) Service (3)	Cultivation (1)
2	Lessee	1	3	10	Cultivation (2)	Service (1)
	Total		7	16	Self employed - 1 Cultivation – 2 Service 3	Cultivation -1 Service – 1

Source: *Census and SES, 2012.*

34. Information of other non-resident owners is not available, except that the land parcels owned by them are also cultivated by the single lessee. The lessee is fully engaged in cultivation of the plots rented out. He also owns another parcel of land of 16 acres in Byadagi. The cost of cultivation for all the plots is borne by the lessee. Cotton and maize are the major crops grown with a small portion kept aside for capsicum, ground nuts. Cotton, ground nut and maize are grown for sale; while capsicum is consumed mostly and surplus is sold. Productivity varies with the rainfall. Average productivity of cotton is 7 quintals per acre in poor harvest season and goes up to 12 quintals in good season. Production of maize varies from 20-25 quintals per acre. Ground nut yield rate is 10 quintals per acre.

35. The household income for the last financial year reveals that income from sale of agricultural crop accounts for the major share of the household income. Income from service is comparatively less. One of the resident owners earns also from operating pool car, though income from that is not substantial (Table 10).

Table 10: Annual Household Income

HH. No.	Status of Ownership	Source of Income	Annual Household Income (Rs)
1	Owner	Lease of agril land	72,000
		Pool car owner-operator	60,000
		Sale of Agril product (other plot)	210,000
		Service	300,000
	Total		642,000
2	Owner	Service	1,04,000
		Lease of land	40,000
	Total		144,000
3	Lessee	Sale of agril crops (rented plot)	82,000
		Cultivation (16 acres own land)	200,000
		Service	240,000
	Total		522,000

Source: Census and SES, 2012 Income of the non-resident owners not available.

C. Temporary Impact

36. Of the proposed components, the laying of pipes for replacement or reinforcement of distribution system is anticipated to have temporary impacts on hawkers and vendors. Transect walks enable an estimation of potential impacts on 18 hawkers and vendors with movable/stationery structures who work in high-density commercial areas in the proposed project. The rapid survey of businesses undertaken as part of the transect walks reveal that 11% of affected persons comprise below poverty line persons and another 17% are women. Daily income of affected persons were found to range from Rs.200-1,800, with an average daily earning of Rs980. No permanent land acquisition/displacement of population is envisaged due to this activity as the pipes are proposed to be laid along the right of way of the existing roads.

Table 11: Summary of Temporary Impact on Hawker, Vendor, Parking

Street Stretch	No. of Affected Persons	Daily Income Range (Rs)	Average Daily Income (Rs)	Types of businesses *	Remarks
A. High Density (commercial)	18	200-1800	980	Vegetable/fruit/ other stalls/cobbler	Vegetable/fruit sellers store their merchandise in wooden/tin/metal frame sheds in cycle carts or vans, or on plastic spread sheets on roads-side. Parking for customers and commercial vehicle operators outside shops and businesses. Full closure of road will not be required; partial access for traffic can be maintained if work done at day time. If work is done at night, road can remain fully open during the day. Formal businesses are not likely to be affected as alternate access will be provided.
a. Mobile vendor	12				
b. Stationery hawkers/vendor	6				
c. BPL	2				
d. WHH	4				
B. High density	Nil	NA	NA	-	No hawkers and vendors on

Street Stretch	No. of Affected Persons	Daily Income Range (Rs)	Average Daily Income (Rs)	Types of businesses *	Remarks
(residential)					road/pipeline ROW. Access to shops and residences can be maintained.
C. Medium density (residential)		NA	NA	-	Access to businesses, residences and institutions can easily be maintained by contractor by following IEE provisions. Display of wares by shops on road RoW observed. Parking will not be affected.
D. Low density		NA	NA		No hawkers and vendors on road/existing pipeline RoW. Access to businesses, residences and institutions will be provided. Parking will not be affected.

Source: Transect walks in October 2012.

D. Gender Impact and impact on Indigenous People

37. Initial assessment of permanently affected families indicated that the project will not significantly affect the women, other than the loss of income from agricultural sources for the families in general. Lower income from family livelihood will induce the women harsher control over family expenses. The women of the non-resident families will have least effect of income-loss since they are not dependent on income from the agricultural land they own. None of the families are women-headed and neither are women earning members among the families. However, among temporarily impact locations, four women have been found to be earning from sale of flowers, fruits, and fast-food by road side. They will have loss of income during the construction phase which will be for 7 days at the most. They will be additionally compensated for temporary loss of livelihood. Besides, shifting assistance will be provided to them.

38. So far as impact on indigenous people is concerned, no such persons were found to be affected either permanently or temporarily. The vulnerable families affected due to disruption of business at construction phase are either women-headed families or belong to below poverty line. Detailed survey will be undertaken during implementation by NGO to assess gender impact or impact on indigenous people. If such IP families are found to be affected due to involuntary resettlement impact mitigation measures will be taken according to provision in IPPF.

V. CONSULTATION, PARTICIPATION AND INFORMATION DISCLOSURE

39. Consultation with the primary and secondary stakeholders is an important tool for the successful preparation and implementation of RP. The primary stakeholders include displaced persons (DP), the project beneficiaries, the host population (in cases where DPs need to be relocated elsewhere), and the implementing agency, the ULBs. The secondary stakeholders are other individuals or groups with interest in the project, and include elected representatives of the ULBs, local or national government, policy makers, advocacy groups, and NGOs.

40. At the draft RP preparation phase, project impact on involuntary resettlement was disclosed during SIA for initial consultation and feedback from potential DPs and the community. To provide for more transparency in planning and for further active involvement of displaced

persons and other stakeholders, the project information will be disseminated through disclosure of final resettlement planning documents by ULB to the DPs, community leaders, and people's representatives, and will also be translated into local language to be published in regional newspapers. For effective disclosure of the RP, a brief RP containing project impact and entitlement options will be printed in the local language other than English. A copy of the brief RP prepared for disclosure will be sent to ADB. The same will be printed on pamphlets and posted prominently in government offices, ward councils, and ULB offices, apart from being distributed among the DPs.

41. The project does not foresee any complete loss of income source and/or livelihood of the potential displaced families, since the tenant and resident owner, as well as the non-resident owners have other alternative lands or means of livelihood. As an income restoration measure for the tenant/lessee who will lose his livelihood partially as his source of income as the tenant cultivator from four parcels of agricultural land, assistance in other forms will be provided than any income generation skill development training. However, as an economically viable option, cash assistance equivalent to purchase of agricultural/irrigational equipment, such as pump-set, may be considered. The NGO will consult with the tenant/lessee more for such assistance during implementation phase.

42. During RP finalization and implementation phase, detailed procedural formalities for access to the entitlement benefits will be further disclosed to the DPs. The project implementation unit (PIU) at ULB level and under RPMU at KUIDFC will extend and expand the consultation and disclosure process during the detailed design and project implementation stage. The resettlement NGO will be entrusted to ensure ongoing consultations and public awareness programs during project implementation. This task will be carried out in coordination with the PIU, design consultant (PMSDC), and contractors to ensure the communities are made fully aware of project activities in all stages of construction. A community participation action plan will be prepared by the NGO in consultation with ULB. The community in general and the affected families, vendor associations in particular, will be consulted and made aware of the civil works under project activities prior to construction, and about ADB policy on involuntary resettlement.

43. All consultations will be organized by ULBs and RO will be responsible for conducting and/or arranging participatory consultation and disclosure meetings in such a manner that the DPs and the stakeholders at community level will feel free to express their views without coercion, fear, or hesitation. If there is any change in project design in sites or alignment depending on inputs of the consultation process, these will be made known to the DPs.

VI. GRIEVANCE REDRESS MECHANISM

44. A project-specific grievance redress mechanism (GRM) will be established to receive, evaluate, and facilitate complaints and grievances of the DPs in relation to the project's social and environmental performances. The main objective of the GRM will be to provide time-bound action and a transparent mechanism to resolve social and environment concerns.

45. A project GRM will cover the project's towns for all kinds of grievances, and will be regarded as an accessible and trusted platform for receiving and facilitating project-related complaints and grievances. The multi-tier GRM for the program will have realistic time schedules to address grievances and specific responsible persons identified to address grievances, and to whom the DPs have access to interact easily.

46. Awareness on grievance redress procedures will be created through a public awareness campaign, with the help of print and electronic media and radio. The resettlement NGO will ensure that vulnerable households are also made aware of the GRM, and assured that their grievances to be redressed adequately and in a timely manner.

47. There will be multiple means of registering grievances and complaints: by dropping grievance forms in complaint/suggestion boxes at accessible locations, or through telephone hotlines, email, post or writing in a complaint registrar book in ULB's project office. There will be a complaint registrar book and complaint boxes at the construction site office to enable quick response to grievances/complaints for urgent matters. The name, address and contact details of the persons, with details of the complaint/grievance, location of problem area, and date of receipt of complaint will be documented. The RPMU's social development /resettlement officer will be responsible at the project level for timely resolution of the environmental and social safeguards issues and registration of grievances, and communication with the aggrieved persons. Annex 1 is the draft PID to be distributed to all affected communities and DPs which include the contact numbers of the respective ULB officers responsible for the KIUWMIP.

A. Grievance Redress Process

48. There will be several tiers for the grievance redress process. Simple grievances for immediate redress will first be resolved at onsite by the contractor. If the grievance is unaddressed for up to 7 days, the complainants may go to PIU officer in the ULB responsible for resettlement/social issues. The project engineer and the resettlement NGO will assist in resolving the issues. Names, designations, and contact number of personnel responsible for grievance redress at ULB and RPMU will be posted at the contractor's and PMDSC's site offices in full view of the public. The NGO will be involved in community mobilization and awareness campaign among the communities. Grievances of an immediate nature should be resolved onsite or within ULB/PIU level within 15 days of registration of grievances.

49. All grievances that cannot be resolved by ULB/PIU within 15 days will be forwarded to RPMU's resettlement officer, and PMDSC specialist, who will review and resolve them within 15 working days of grievance registration with the assistance of the resettlement NGO and concerned PIU/ULB personnel, if required.

50. The grievances of a critical nature and those which cannot be resolved at RPMU level should be referred to the grievance redress committee (GRC)/steering committee (ST) set-up at district level, to be settled within 30 days. All documents related to grievances, and follow-up action taken to resolve them, along with explanatory note on the nature, seriousness, and time taken for grievance redress, shall be prepared by the RPMU resettlement officer and circulated to GRC/SC members at least a week prior to scheduled meeting. The decision taken at the GRC/SC level will be communicated to the DPs by the RPMU resettlement officer through ULB/PIU and resettlement NGO.

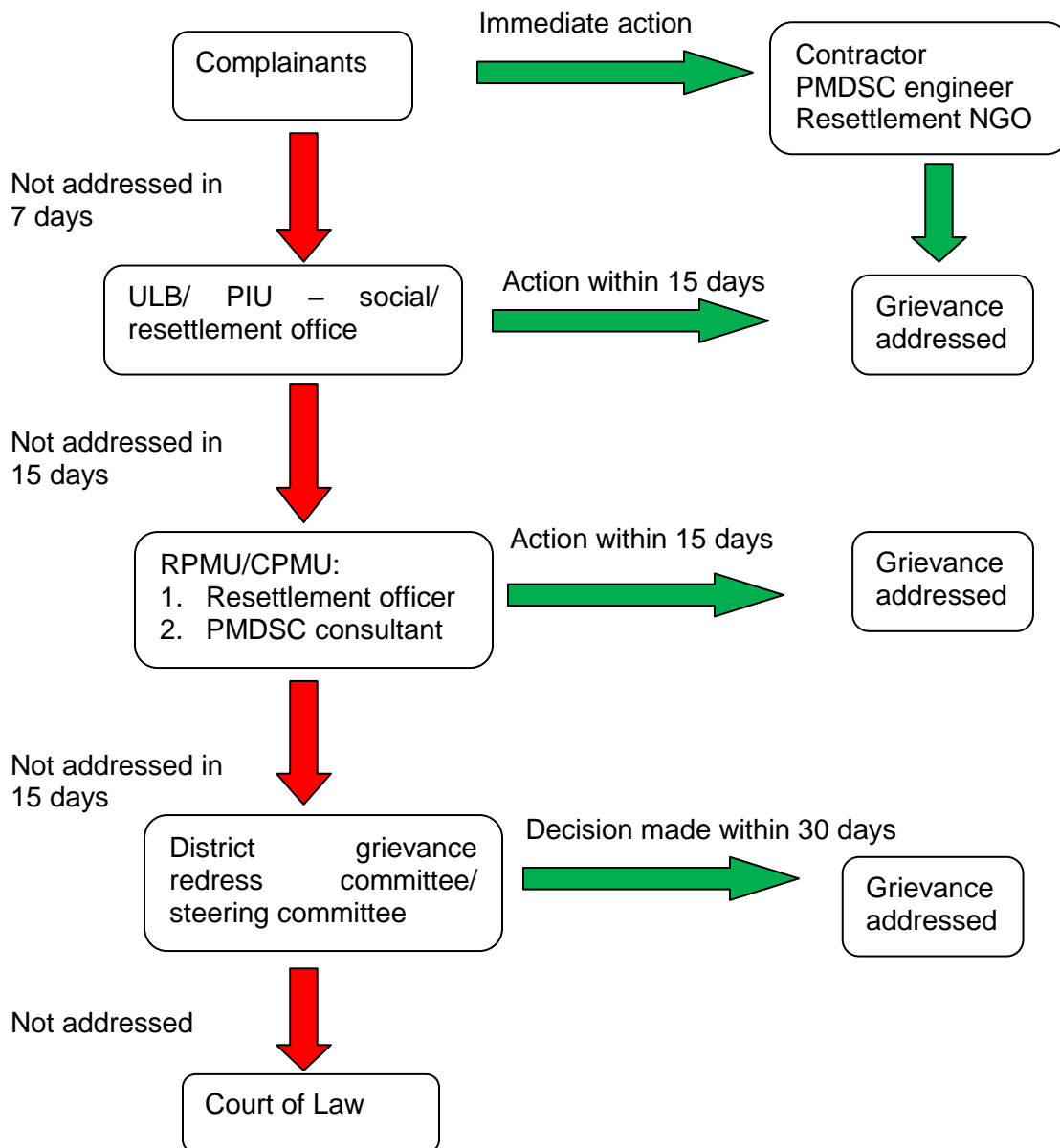
51. For any issues that remain unresolved by the GRC or SC, or if the decisions made at such meetings are not acceptable, the complainants /DPs can approach the Court of Law, as per Government of Karnataka legal procedure.

B. GRC/SC Composition and Selection of Members

52. The GRC/SC for the project will be headed by deputy commissioner (DC) of the district, with members as followed: (i) ULB commissioners of project towns, (ii) Revenue Department (Registrar) official, (iii) RPMU resettlement officer of KIUWMIP, and (iv) ULB officer who will convene the periodic meeting of GRC and will shoulder responsibility of keeping records of grievances/complaints in detail with help from the resettlement NGO. Other members, such as NGO/CBO representatives, wards council representatives, and DPs' representatives will be selected by the ULB commissioner to represent them in the GRC/SC meeting. The NGO should also deploy one person in the team who will be responsible for coordinating with all GRC members and the DPs for grievance redress.

53. In the event that the established GRM is not in a position to resolve the issue, the affected person also can use the ADB Accountability Mechanism (AM) through directly contacting (in writing) the Complaint Receiving Officer (CRO) at ADB headquarters or the ADB Indian Resident Mission (INRM). The complaint can be submitted in any of the official languages of ADB's DMCs. The ADB Accountability Mechanism information will be included in the PID to be distributed to the affected communities, as part of the project GRM. A grievance redress mechanism is shown in Figure 1.

Figure 1: Grievance Redress Process



VII. POLICY FRAMEWORK AND ENTITLEMENT

A. Policy Framework

54. The resettlement principles adopted in this framework recognize the Land Acquisition Act, Karnataka, 1894 (amended in 1988), National Resettlement and Rehabilitation Policy, Government of India as notified in 2007,¹ and the relevant Asian Development Bank's (ADB) Safeguard Policy Statement (SPS) of 2009 and Operations Manual F1 (2010).

B. National Rehabilitation and Resettlement Policy

55. The principles of the NRRP are as follows.²

- (i) to minimize displacement and to promote, as far as possible, non-displacing or least-displacing alternatives;
- (ii) to ensure adequate rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of the affected families;
- (iii) to ensure that special care is taken for protecting the rights of the weaker sections of society, especially members of the scheduled castes and scheduled tribes, and to create obligations for the state for their treatment with concern and sensitivity;
- (iv) to provide a better standard of living, making concerted efforts for providing sustainable income to the affected families;
- (v) to integrate rehabilitation concerns into the development planning and implementation process; and
- (vi) where displacement is on account of land acquisition, to facilitate harmonious relationship between the requiring body and affected families through mutual cooperation.

C. ADB's Involuntary Resettlement Policy

56. Basic principles of ADB's SPS where involuntary resettlement is unavoidable are noted below.

- (i) Involuntary resettlement should be avoided whenever feasible.
- (ii) Where population displacement is unavoidable, it should be minimized.
- (iii) All lost assets acquired or displaced will be compensated based on the principle of replacement cost.
- (iv) Each involuntary resettlement is conceived and executed as part of a development project or program. The displaced persons (DPs) need to be provided with sufficient resources to re-establish their livelihoods and homes with a time-bound action plan in synchronization with civil works.
- (v) The DPs are to be fully informed and consulted in details.
- (vi) The absence of a formal title to land is not a bar to entitlements.
- (vii) The DPs are to be identified and recorded as early as possible to establish their eligibility, through a census, which serves as a cut-off date, and prevents subsequent influx of encroachers.
- (viii) Particular attention must be paid to Vulnerable Households including those without legal title to land or other assets; households headed by women; the

¹ Gazette of India, Extraordinary, Part 1, Section I, dated the 31st October, 2007.

² Ibid, Chapter II, pg 3.

elderly or disabled; and indigenous groups. Assistance must be provided to help them improve their socio-economic status.

- (ix) The full resettlement costs are to be included in the project costs and benefits.
- (x) All payments including compensation for loss of land, assets, structures, trees, income, and common properties will be made prior to physical or economic displacement and commencement of civil construction work.

57. B's Safeguard Policy Statement for Involuntary Resettlement does not apply to negotiated settlements, unless failed negotiation leads to compulsory land acquisition by expropriation.³ It also encourages the borrower/ client to acquire land/other assets through negotiated settlement, thereby avoiding lengthy land acquisition procedure and legal battle. However the borrower/client will ensure, through meaningful consultation with the displaced persons and those without legal title, adequate and fair price for land and other assets. The borrower/client will have to engage an independent external party to document the negotiation and settlement processes. The borrower/client will agree with ADB on consultation processes, policies, and laws that are applicable to such transactions; third-party validation; mechanisms for calculating the replacement costs of land and other assets affected; and record-keeping requirements. Similar process will be followed for voluntary donation of land, where an external independent entity will supervise and document the consultation process and validate the land donation process as per legal requirement.

D. Karnataka Land Acquisition Act

58. The Land Acquisition Act, 1894 was replaced by the Karnataka Land Acquisition Act, 1988 with a view to facilitate land acquisition process and make it more people-friendly. A few relevant amendments made to the Karnataka LAA are important to understand the legal requirement in case of land acquisition and other ways of facilitating land availability for public purpose. These are in the form of government orders and circulars and mentioned in brief below.

- (i) According to the government order (G.O. No. VAE 26 HAM 2010, Bangalore, dated 13 April 2010) issued on 13 April 2010, a committee headed by the deputy commissioner of the district (DC) can decide the "guidance value" and even pay the landowner for compensation of land up to a maximum of 3 times more than the guidance value. Other members of the committee are the local member of the Legislative Assembly (MLA), assistant commissioner (AC), ULB president and ULB commissioner.
- (ii) According to government circular no. RD 13 BHU.SWA.DHA. 2006 dated 24 February 2006, 50% of the award value for land will have to be submitted by the requiring body on the date Section 4(1) notification is served and the rest of the full compensation payment to be submitted before Section 6(1) notice is served. There is one year time period for issuance of notification of section 4(1) and section 6(1) and two years between issuing section 6(1) and award of compensation. If award exceeds more than the stipulated 2 years, the land acquisition process will lapse and a fresh LA procedure will have to be initiated.
- (iii) In the Circular No. RGRHCL 05 HSA 2006, dated 16 June 2008, tehsildar or AC of the district has been duly authorized by DC to purchase land for public purpose. This circular facilitates purchase of private land directly from the people for public purpose.
- (iv) Deputy commissioner of the district is empowered to pay a maximum of Rs. 1 crore (1 crore = 10 million) to an individual. Regional commissioner of a region is

³ ADB Policy Paper: Safeguard Policy Statement, June 2009 Safeguard Requirements 2: Involuntary Resettlement

empowered to pay compensation up to a maximum of Rs.5 crores to an individual. If the compensation amount exceeds Rs.5 crores for an individual, the proposal should go to the principal secretary, Land Revenue Department, Government of Karnataka for his approval, and ultimately to be approved by the minister in charge of the Land Revenue Department.

59. The entitlement matrix of the Program fills the gaps between the above policies, as detailed in the KIUWMIP Resettlement Framework prepared for the Program, thus provides guidance for compensation, resettlement, and rehabilitation assistance planning. The entitlement matrix lists various types of losses, defines eligibility criteria and entitlements and provides basic parameters for preparation of compensation and resettlement benefits.

Table 12: Entitlement Matrix^a

Sl. No.	Type of Loss	Type of Impact	Type of Displaced Person	Compensation Entitlement
1	Land (residential / agricultural)	Permanent	Owner (s) with legal title/customary rights of land to be identified during detailed survey	<ol style="list-style-type: none"> 1. Cash compensation at replacement value or open market value of land and free of taxes. 2. Subsistence cash allowance based on minimum wage rate of Rs 157.34 per head per day: (a) for a period of 6 months if residual land unviable; (b) for a period of 3 months if residual land viable. 3. If displaced household is vulnerable,^b compensation for entire or part of land is by means of land-for-land if so desired by HHHs, provided land of equal productivity is available. PIU should find alternate plot of equal productivity in lieu of land lost within close vicinity for the WHH to be provided as security for future. For other vulnerable DPs, if equal productive land is not available, cash compensation may be alternate option. 4. Rehabilitation assistance for owners categorized as vulnerable (female/disabled family headed, indigenous persons, BPL^c HH) in form of cash assistance to purchase income generating equipment or acquire skill training of their choice, subject to a limit of Rs. 40,000.^d 5. All fees, taxes, and other charges (registration, etc.) incurred for replacement land will be borne by the project.
		Permanent	Tenants, leaseholders, and sharecroppers	<ol style="list-style-type: none"> 1. Cash assistance based on 3 months' income from land 2. Reimbursement for unexpired lease in case of leaseholders 3. Assistance to leaseholder to find new land/place; 4. Rehabilitation assistance for tenants categorized as vulnerable (female/disabled family head, indigenous persons, BPL^e HH) in form of cash assistance to purchase income-generating equipment or acquire skill training of their choice, subject to a limit of Rs. 40,000.^f <p>This provision includes the tenants of the negotiated land settlement.</p>
		Permanent	Encroachers: titled or nontitled land users who have extended their activities illegally into the government land	<ol style="list-style-type: none"> 1. Vulnerable HH will be given cash assistance to purchase income generating tools/equipment, or for skill development training of their choice subject to a limit of Rs 40,000 2. Priority to be employed during construction, if so desired
		Temporary	owner/occupant/land users	<ol style="list-style-type: none"> 1. Rental value during period of temporary occupation/ loss of access to land 2. Compensation for lost income during temporary occupation
2	Commercial/ industrial, residential land	Permanent	Owner (titleholder, legalizable user)	<ol style="list-style-type: none"> 1. Cash compensation at replacement value or open market value of land and free of taxes 2. Subsistence cash allowance based on minimum wage rate of Rs 157.34 per head per day: (a) for a period of 6 months if residual land unviable; (b) for a period of 3 months if residual land viable. 3. If displaced household is vulnerable,^b compensation for entire or part of land is by means of land-for-land if so desired by HHHs, provided land of equal productivity is available. The alternate plot should equal productivity in lieu of land lost and within close vicinity for the WHH to be provided as security for future. For other vulnerable DPs, if equal productive land is

				<p>not available, cash compensation may be alternate option.</p> <p>4. Rehabilitation assistance for owners categorized as vulnerable (female/disabled family headed, indigenous persons, BPL^c HH) in form of cash assistance to purchase income generating equipment or acquire skill training of their choice, subject to a limit of Rs. 40,000.^d</p> <p>5. All fees, taxes, and other charges (registration, etc.) incurred for replacement land will be borne by the project.</p> <p>6. Provision of title for remaining land to legalizable user</p>
			Lessee, tenant	Cash refund at rate of rental fee proportionate to size of lost plot and duration of remaining lease period already paid
			Non-titled user (squatter, encroacher)	Provision of access to land under existing land allocation or legalization schemes; either as titled or rental/lease land
		Temporary	owner/occupant/land users	<p>1. Rental value during period of temporary occupation/ loss of access to land</p> <p>2. Compensation for lost income during temporary occupation</p>
3	Structures (residential/ commercial—such as houses, shops, barns, garage, outhouse) and other fixed assets (pumps, wells, fences, etc.)	Permanent	Owner(s) of structures to be affected by the project (with or without legal status to the land, including squatters/ encroachers)	<p>1. Replacement value of structure according to Basic Schedule of Rates plus cost of labor</p> <p>2. Where loss of structure is partial and the remaining portion is not viable for living any more, compensation should be for whole structure; otherwise, compensation will be for affected structure only.</p> <p>3. Free transport facility or shifting assistance of Rs. 3,000 (one-time payment)</p> <p>4. Registration cost and taxes, associated with new house, if any, will be borne by the project.</p> <p>5. Right to salvage material from existing structure</p> <p>6. Subsistence allowance in cash of Rs. 157.34 per day (for 3 months) based on minimum wage rates⁹ for vulnerable households</p>
		Permanent	Leaseholders occupying affected structures	<p>1. Reimbursement of unexpired lease</p> <p>2. Free transport facility or shifting assistance of Rs. 3,000 (one-time payment)</p> <p>3. Subsistence allowance of Rs157.34 per day (for 3 months) based on minimum wage rates for vulnerable households</p> <p>4. Replacement value of assets created by lessee according to Basic Schedule of Rates and cost of labor</p> <p>5. Right to salvage material from structure created by lessee</p> <p>6. Vulnerable households will be given cash assistance to purchase income generating equipment/tools or get training of their choice subject to a limit of Rs. 40,000.</p>
4	Loss of access to the commercial structure within the subproject area	Permanent	Tenants/leaseholders occupying affected structures	<p>1. For tenants, 3 months' rental assistance to be provided based on rental value which DP is currently paying</p> <p>2. For leaseholder, reimbursement of unexpired lease</p> <p>3. Subsistence allowance for 3 months based on minimum wage rates of Rs. 157.34 for vulnerable households</p> <p>4. Cash assistance for purchase of income generating equipment/skill training if they so desire, for vulnerable households</p>

				<p>5. Free transport facility or shifting assistance of Rs. 3,000 (one-time payment)</p> <p>6. Right to salvage material from existing structure, if any part thereof was built/extended by the tenant/ lessee</p>
		Permanent	Squatters/encroachers using the affected structure	<p>1. All DPs will be given advance intimation of 60 days to shift from the public land.</p> <p>2. Free transport facility or shifting assistance of Rs. 3,000 (one-time payment)</p> <p>3. Subsistence allowance for 3 months based on minimum wage rate of Rs. 157.34 for the vulnerable households</p> <p>4. Cash assistance for purchase of income generating equipment/skill training if they so desire, for vulnerable households</p>
5	Loss of standing crops/trees within subproject area	Permanent/ temporary	Owner (titled/untitled) of trees/ crops/: encroachers cultivating government land, informal land users	<p>1. Notice will be given to crop/tree owners to minimize the loss.</p> <p>2. Cash compensation for lost standing crops and loss of future harvest (maximum of 2 years) will be paid. Compensation for cash crop will be based on market rate of that harvesting season.</p> <p>3. Compensation for perennial crops to be calculated as annual net product value multiplied by number of productive years remaining. For trees, it will be based on the market value of timber in case of timber-bearing trees and replacement cost in case of fruit-bearing trees. If the trees are yet to reach age of maturity for calculating economic value, cost of seedlings, saplings, and agricultural inputs will be added to the compensation valuation.</p> <p>4. For vulnerable households, subsistence allowance for one cropping cycle in case of seasonal crop</p>
6	Loss of livelihood/ income	Permanent	Owner of business (registered and informal)	<p>1. Cash compensation equal to lost income for one year, based on tax record or, in its absence, comparable rates from registered businesses of the same type with tax records</p> <p>2. Provision of re-training, job-placement, additional financial grants and income generating equipment and organizational/logistical support to establish DP's alternative income generation activity</p>
		Permanent	Employees working in commercial establishments	<p>1. Assistance to persons affected due to employer being displaced, based on (1) actual wage as recorded in the formal contract or (2) minimum wage rate for 3 months' income</p> <p>2. Assistance to be linked to project related employment opportunities, if so desired</p>
		Temporary	Employees working in commercial establishment	<p>1. Cash compensation equal to duration of wages lost</p>
		Temporary	Owner of business including hawkers/vendors, agricultural laborers temporarily affected during construction	<p>1. Cash assistance equivalent to an average of maximum daily net income to be paid or the number of days /weeks of temporary disruption</p> <p>2. Free transport facility or one-time shifting assistance of Rs. 3,000 will be provided.</p>
		Permanent	Farm/agricultural worker	<p>1. Assistance based on minimum wage rate for 3 months</p> <p>2. For vulnerable persons:</p>

				<p>a.) Cash assistance for purchase of income-generating equipment subject to a maximum of Rs. 40,000</p> <p>b) Skill development training, if they so desire</p> <p>c) Assistance to be linked to project related employment opportunities, if so desired</p>
7	Relocation	Permanent/ temporary	Owners, tenants of the affected structures/ assets	1. Shifting assistance will be provided to the DPs to move from the place proposed for acquisition to a new place. The amount of the shifting assistance will be decided based upon volume of material/assets to be shifted and distance to new place. ULB may provide free transport facility for this
8	Loss of community/social facility (such as cultural/religious heritage objects/place of worship, etc.)	Permanent	Community or local body owning the structure/ assets /place or object of worship	<p>1 Restoration/replacement and improvement of community assets, such as water pumps, wells, school, temples, shrines, and cultural heritage sites</p> <p>2 Enhancement of community resources and replacement of resources likely to be depleted</p>
9	Any other loss not identified			Unidentified involuntary impacts shall be documented and mitigated based on principle provided in the ADB's SPS

- ^a Vulnerable households include Women Headed Household (WHH), families belonging to BPL category, disabled headed household, Indigenous people. Subsistence allowance is a transitional allowance offered to all DPs whose livelihood will be affected due to the subproject and which will be utilized/ consumed by DPs. Subsistence allowance will be decided based on minimum wage rate as defined by Karnataka state (current rate being Rs.157.34). For vulnerable households, subsistence allowance will be supplemented by income generating/skill development training.
- ^b BPL- Below Poverty line. Poverty line is fixed by The Planning Commission of India as a daily per capita income of Rs.32 in urban areas, and Rs.25 in rural areas. In a revised estimate, the Planning Commission has published poverty line in Karnataka, with reference year of 2004-05, to be determined as per capita monthly income of Rs.417.84 in rural areas, and Rs 588.06 in urban area.
- ^c NGO will assist in identification and purchase of income generating equipment/asset.
- ^d Minimum wage rates are fixed by Government of Karnataka each year comprising basic pay and variable dearness allowance according to Gazette Notification no. KAE 96 LMW 2005 dated 31 July 2007. Minimum wage rate for agricultural works has been fixed at Rs 157.34 per day for the year 01 April 2012 to 31 March 2013.

VIII. INCOME RESTORATION

60. The objective of income restoration activities is to ensure that no DP shall become worse off compared to pre-project status due to project. Income restoration schemes are designed based on the information collected from a socioeconomic survey (SES) during the project preparatory stage as part of SIA. Resource base and existing skill of the DPs as well as their socioeconomic status and cultural pattern will be considered while formulating income restoration program.

A. Income restoration strategy

61. As per initial social assessment for involuntary resettlement five families have been identified who stand to be affected permanently due to land acquisition. None of the families are vulnerable. However the “lessee” may suffer substantial loss of income after acquisition of leased out agricultural land amounting to 5.79 ha which may cause lowering of economic condition. The implementing NGO will re-assess the potential economic status of the “lessee” family due to land acquisition and recommend for income restoration option after consultation with the displaced family. NGO will be responsible for identification of the alternate income option for the DPs according to need-assessed, skill-possessed, willingness, and capacity of the potential trainee.

62. However, it has often been observed that income restoration training schemes turn out to be ineffective as the beneficiary do not have faith in the training courses. It is advisable to provide cash assistance to be earmarked as seed money to purchase/procure tools, equipment, etc., for enhancing income augmentation skill or production instead of giving skill development training. This cash amount can be utilised by the DP to best suit his need. The implementing NGO will ensure that the finance in the form of seed money or cash assistance is spent in proper manner for which it was allotted and report accordingly to RPMU. The NGO will also assist the DP to get access to procure equipment/tools or skill training resources, if they so desire. This activity will be included and prescribed in the final RP together with the detail timeline and dedicated budget.

IX. RESETTLEMENT BUDGET AND FINANCING PLAN

63. The resettlement budget includes cost of land, other assets, standing crops, loss of income for the families suffering permanent impact, potential income losses to vendors, and additional allowances (25% over and above actual income losses or minimum wage rate, whichever is higher) for vulnerable APs. These costs will be borne by counterpart funds. The budget will be updated as required to reflect the DMS based on the detailed design, and latest replacement costs. The land acquisition and resettlement budget shall include: (i) detailed costs of land acquisition, relocation, if applicable, and livelihood and income restoration; (ii) source of funding; (iii) administrative costs; (iv) monitoring cost; (v) cost of hiring NGO; and (vi) arrangement for approval, and the flow of funds and contingency arrangements. All land acquisition, compensation, relocation and rehabilitation, administrative, monitoring and consultant cost, income and livelihood restoration cost will be borne by the RPMU which will ensure timely disbursement of funds to the deputy commissioner’s office for land acquisition, and to the ULB for disbursement of resettlement and rehabilitation assistances and also for cost of hiring implementing NGOs for RP implementation.

64. The cost of all compensation and R&R activities will be an integral part of the overall project cost, which will be borne by KIUWMIP. The RPMU will allocate fund for all land

acquisition/land purchase and resettlement activities and instruct appropriate departments for disbursement, in this case, the district collectorate and ULB. For payment of land and other assets under LA or through negotiated settlement, if such situation arises, RPMU will place fund with the deputy commissioner of the district for disbursement through him or the DLRC. For payment of resettlement assistance and income restoration, if required, fund will be placed with the ULB for disbursement to the DPs through DLRC/RO. The ULB will take due care to preserve documents of payment disbursement due to all land purchase through negotiation and towards compensation payment for land acquisition and R&R activities.

65. The subproject funds for necessary disbursement for land purchase/LA and R&R activities, if necessary, will be kept in custody of the Requisitioning authority, that is, the subject ULBs, based on the valuation computed by DLRC and the Requisitioning body will deposit the fund with the deputy commissioner for disbursement of land and assets compensation and purchase of land. The fund shall be placed 1 month prior to disbursement to keep the time frame of resettlement schedule effective. An indicative budget is shown below.

Table 13: Indicative Budget for RP Implementation

Sl. No.	Compensation for type of loss	Quantity	Unit rate (INR)	Total Amount (INR)	Total Amount (USD)	Source of Fund	Timeline
A.		LA cost					
1	Loss of private agricultural land: owner: 4 HH Cost of land	12.15 acres (5.79 Ha)	7.5 lakhs ^a per acre 30%	9,112,500	169,493	RPMU will provide fund; to be disbursed by Deputy Commissioner (DC)	RPMU to place fund in custody of DC, after compensation calculated by DLRC and 1 mth prior to disbursement
	Solatium	3 yrs	12%	2,733,750	50,848		
	Interest			3,280,500	61,017		
	Subtotal of A.^b			15,126,750	281,358		
B.		Loss of standing crops (Seasonal)					
2	Loss of standing crops at market price: Tenant 1 HH	<u>12.15 ac</u> Cotton- 6.34 ac G.nut – 2.34 ac Maize- 2 ac Capsicum- 1.25 ac	L/s	420,000 280,000 50,000 40,000	7,812 5,208 930 744	Same as above	Same as A.
	Subtotal of B			790,000^c	14,694		
C.		Resettlement Cost: Permanent impact					
4	Subsistence allowance for 3 months	1 household (lessee)	157.34 per day ^d	14,160	264	RPMU to place fund with ULB to be disbursed by DLRC/ULB	Prior to 1 month of disbursement and after calculation done by DLRC
5	Income restoration Program	1 DP	40,000	40,000	744		
	Subtotal of C			54,160	1,008		
D.		Resettlement Cost: Temporary Impact					
6	Income loss - vendor/hawker	6 persons x 7 days	1000	42,000	781	RPMU to place fund with ULB to be disbursed by DLRC/ULB	Prior to 1 month of disbursement and after calculation done by DLRC
7.	Parking arrangement at night – security placement	1 location x 7 days x 2 persons	500 per head per day/night	7,000	130	Same as above	Same as above
8	Shifting assistance - vendor	6 persons	3000 per head	18,000	335		
	Subtotal of D			67,000	1,246		

SI. No.	Compensation for type of loss	Quantity	Unit rate (INR)	Total Amount (INR)	Total Amount (USD)	Source of Fund	Timeline
E.		Other costs					
	Implementing NGO – 18 months	18 month	1,00,000	18,00,000	33480	Same as above	Payment to be made in every quarter
	Subtotal of E			18,00,000	33,480		
		Subtotal of A+B+C+D+E		17,837,910	331,785		
		Contingency @10%		1,783,791	33,179		
		Grand Total INR 19,621,701 or USD 364,964					

^a 1 lakh = 100,000 2.5 acres = 1 Hectare 40 guntas = 1 acre.

Land cost estimated at last recorded registered land cost at Byadagi, i.e Rs.7.50 lakhs per acre as recorded in Registration and Stamps Department, Government of Karnataka. The revised rate of land cost in Byadagi TMC for 2012-2013 is Rs.3.35 lakhs as per Central Valuation Committee.

^b Land cost includes solatium @ 30% and interest @ 12% for 3 years.

^c Average income from sale of each crop for the last two years was taken and then multiplied to get crop compensation for 2 years to overcome future income loss. Expenditure of cultivation was deducted to arrive at net income from cultivation. Total sale of crop (2 years) was Rs.920,000, less rent paid to the owners: Rs.130000. Total income from cultivation: Rs.790,000

^d Minimum wage rate according to Gazette Notification no, KAE 96 LMW 2005 dt 31 July 2007, Karnataka State, has been for agricultural works at Rs.157.34 per day valid for the period from 1 April 2012 to 31 March 2013.

X. INSTITUTIONAL ARRANGEMENTS AND IMPLEMENTATION

A. Existing Institutional Structure and Capacity

66. Karnataka Urban Infrastructure Development and Finance Corporation (KUIDFC) is the nodal executing agency (EA) responsible for implementing KIUWMIP. KUIDFC is a fully owned Government of Karnataka company incorporated under the Companies Act, 1956. In the context of KIUWMP, KUIDFC will establish a central project management unit (CPMU) and regional project management unit (RPMU) at the district level. The RPMU will assign a special resettlement officer (RO) to manage resettlement activities, supervise, and monitor them. The persons should be selected based on their experience in handling resettlement activities for similar external aided projects. The PMDSC resettlement specialist as well as the resettlement NGO will support the assigned resettlement officer at RPMU to manage the resettlement activities of the project.

67. The subproject ULBs will be the implementing agency (IA), supported by the project implementing unit (PIU) that implement subproject components of water supply and wastewater, including resettlement activities. Since proposed program will be the first such ADB-financed project, the staff, officers or even the Chief Officer of Byadagi will need to be trained and educated in ADB's involuntary resettlement policy as stated in SPS. RPMU, along with the ULBs in the capacity of PIU, should ensure that the staff and officers are updated with recent safeguards requirements of ADB SPS, 2009. If required, an orientation course should be organized to develop their capacity to understand and implement involuntary resettlement activities.

68. The NGO will have an important role to carry out in RP implementing activities from project preparation stage until completion of the RP, including income restoration activities, if any. The NGO's key personnel should have a thorough understanding and knowledge of ADB's safeguard policies/guidelines, preferably with experience in implementing RP activities for ADB or other external financing agencies. The NGO should also undergo a capacity development

and orientation course on ADB safeguard requirements. Most importantly, the NGO has a key role in income restoration (IR) and livelihood rehabilitation activities for the vulnerable people who are entitled to such assistance. The NGO should deploy experts in identifying skill development training, if the situation demands, after the updated RP is prepared and approved for implementation.

B. Implementation

69. A well-coordinated action plan for all the responsible organizations/government departments is necessary for successful and timely implementation of the RP. The institutions involved are the district authorities, requisitioning authorities/project implementing unit (ULBs), and regional and central project management unit (RPMU/CPMU) of KUIDFC, with the assigned safeguard officer as its focal person. The CPMU will engage a design supervision consultant (DSC) who will conduct a census and SIA with assistance from the implementing NGO, and after devising possible design options based on resettlement impact, will prepare an updated RP. The RPMU will be responsible for scrutiny of the updated RP, and will seek approval from ADB prior to implementation. The ULB, supported by PIU and NGO as the implementing agency (IA) will be primarily responsible for implementing RP activities on a day-to-day basis. Each of these bodies is responsible for certain functions related to RP implementation, hence, coordination among them is essential.

70. The RP finalization and implementation activities will cover the following:
- (i) identification of cut-off date, RP updating/finalization, conducting census, preparation of photo identity cards and notification for land acquisition, if any, and final consultations with the affected peoples. All eligible DPs will be issued identity cards containing details and types of loss, and entitlement as early as possible to avoid encroachers and squatters taking possession of land after cut-off date. These identity cards will be verified by PIU, NGO, and the DPs with signatures of all involved;
 - (i) preparing the affected vendors/hawkers for physical shifting through consultation, and identification of vulnerable persons for providing shifting assistance in cash;
 - (ii) temporarily affected APs to get sufficient notice to vacate their place of occupancy by roadside before civil works begin. All resettlement assistance payment schedules will be completed in 1 year;
 - (iii) the physical and economic displacement, including payment of compensation of all assets and assistances, must be completed before the start of civil works. APs will get sufficient notice to vacate their property before civil works begin;
 - (iv) preparing the eligible DPs for economic rehabilitation options and assistance. However, economic rehabilitation activities that include an income restoration program may take longer time to complete depending on the nature of trainings. The vocational training will commence after physical relocation, if any and payment of compensation and assistance and is likely to continue for a period of 3-6 months depending on nature of trainings;
 - (v) during implementation, NGO to submit monthly progress reports on the RP implementation to the RPMU through the ULB (PIU). The RPMU will conduct internal monitoring of resettlement implementation and prepare semiannual monitoring reports for submission to CPMU, which will be further submitted to ADB for review and disclosure. The reports will contain progress made in RP implementation with particular attention to compliance with the principles and entitlement matrix set out in the resettlement framework. The report will also document consultation activities conducted, and provide summary of grievances

- or problems identified, complaints lodged by the DPs and actions taken to redress such complaints; and
- (vi) the resettlement officer at RPMU, ULB officials and the NGO staff will undergo an orientation and training program designed for resettlement management. The training activities will focus on issues concerning (i) principles and procedures of land acquisition; (ii) ADB's safeguard policy requirement; (iii) public consultation and participation; (iii) entitlements and compensation disbursement mechanisms; (iv) Grievance Redressal; and (v) monitoring of resettlement operation. The orientation and training will be financed by the RPMU and will occur prior to commencement of RP preparation, at the beginning of RP implementation and once midway through RP implementation. The RPMU will ensure that resettlement budgets are delivered on time to the ULB and the PIU for timely RP implementation. NGO's financial support will also be provided by the RPMU, and included in project cost.

71. The roles and responsibilities of the various Institutions/ organisations are listed in Table 14 below.

Table 14: Roles and Responsibilities of Institutions

SI No.	Activities	Responsible Authority/ Agency	Time schedule
Project Preparatory Stage			
1	Finalization of designs/alignments detailed project design report by finalizing design option to minimize resettlement impact	(i) RPMU to appoint design supervision consultant (DSC); (ii) RPMU to appoint implementing NGO for Byadagi; (iii) ULB (PIU) will finalise designs with assistance from DC; (iv) RPMU to engage 1 third party independent evaluator for motoring land purchase process, if Negotiated settlement is involved.	15 days 15 days 7 days
2	Disclosure of final design option, proposed land acquisition/negotiated Land purchase plan Issuance of public notice for LA negotiation for land purchase formation of district level resettlement committee (DLRC) consultation/FGD with DPs/landowners/roadside hawker/vendors to be affected by temporary impact by RO	DC to issue public notice under Section 4(1) of LAA RPMU to: Complete formation of district level resettlement committee (DLRC) depute/appoint designate special officer (RO) at PIU (ULB) to support RO at RPMU level to start consultation with the landowners/all DPs with permanent or temporary impact	30 days/1 month. Section 4 (1) notification to be issued by concerned deputy commissioner of District. All land acquisition activities to be conducted as a separate LA process by DLRC and to continue simultaneously with RP activities
RP Finalization Stage			
3	Census enumeration/SIA survey of DPs for updating RP, identifying temporary impact, preparation and distribution of photo identity cards Formal announcement of project cutoff date	Design consultant (PMDSC) to conduct census and prepare SIA report to update RP if required, as recommended by the RPMU. NGO will prepare photo identity cards after verification of DPs. ULB's, RPMU RO and ward council	15 days for census verification 15 days for preparation of updated RP and distribution of identity cards at the completion of final AP census and DMS activities

SI No.	Activities	Responsible Authority/ Agency	Time schedule
4	Conduct FGD/meetings/workshop during SIA/census survey	RO engaged by PIU (ULB) to convene meetings/workshop depending on project requirement.	To continue throughout project implementation
5	Categorization of all DPs for entitlement eligibility and preparation of micro plan	NGO to categorize DPs, including those having temporary impact, as per entitlement eligibility/type of loss and prepare micro plan	15 days
6	Calculation of replacement costs of land/property/assets for acquisition	DLRC will compute replacement cost of all assets to be acquired based on market value	15 days
7	Formulating all compensation and assistances for the DPs and economic rehabilitation measures, if required conduct consultation/meeting with the DPs for compensation/assistance as per entitlement matrix	DLRC to calculate resettlement assistance for disbursement as per micro plan with assistance from RO. ULB to organize consultation /meeting with DPs to disclose detailed information on loss, entitlement, compensation and assistance	30 days 30 days (both activities to continue simultaneously)
8	Finalizing compensation and rehabilitation packages and preparation of updated/final RP	Design consultant (PMDSC) to finalize compensation and resettlement packages in consultation with DLRC and ULBs and will prepare updated/final RP RPMU to evaluate RP in the light of ADB compliance and RP budget and send for ADB's approval	30 days 15 days
9	Disclosure of updated RP, particularly final entitlement and rehabilitation packages to all DPs	ULB to circulate copies of updated RP with entitlement packages to all stakeholders in disclosure meeting, where NGO/CBOs/ DP's representatives will be present DPs to approve/accept entitlement and rehabilitation measures in the LARP	15 days 15 days
10	Approval of final RP	ADB to approve final RP RPMU to arrange for translation and disclosure of final RP among the DPs and stakeholders	15 days 15 days
RP Implementation stage			
11	Payment of compensation of land/assets to the landowners Or, alternately, Payment of land cost through negotiated settlement Payment of resettlement assistance to eligible DPs/including assistance for vulnerable DPs for income restoration	RPMU will provide fund allocation disbursement of land compensation/ negotiated price of land by DLRC with support of NGOs and LA officer at RPMU level Independent third party evaluator to monitor and evaluate process of land purchase/donation Disbursement of resettlement assistance to be monitored by social safeguard/ development officer at RPMU level	30 days for actual disbursement - to be paid after completion of all LA process – within one year from issuing Section 4 (1). 7 days (for third party evaluation) to submit report 15 days for disbursement of assistance
12	Grievance Redress NGO to coordinate with RPMU, assist DPs, especially the vulnerable ones to have access to GRC/SC	RPMU to set up GRC at district level and SC at Program level ULB to address at initial stage More serious grievances to be addressed at GRC, or SC level	To continue throughout RP implementation

SI No.	Activities	Responsible Authority/ Agency	Time schedule
13	Monitoring and Reporting	ULB will prepare quarterly progress reports with assistance from NGO/RO and send to RPMU RPMU will monitor activities of ULB/DLRC (for LA payment only) CPMU to report RP activities to ADB with safeguard compliance report	Every quarter during RP implementation throughout RP implementation

XI. TRAINING AND CAPACITY BUILDING

72. The ADB requirement on involuntary resettlement does not always conform to the Government of Karnataka's LA Act, and this project with ADB financial assistance will need to comply with ADB's safeguard policy apart from LA requirement of the state of Karnataka. The RPMU and PIU staff and officials are likely to be acquainted with LA procedures of the state government, but may not be aware of the ADB's policy on IR particularly entitlement for the non-titled affected persons and requirement to assist persons for temporary impact during construction.

73. The project design and supervision consultants also need to be aware of the policy, since the final impact assessment should be commensurate with detail design and all types of impacts will need to be noted. The implementing NGO will be instrumental in assigning importance to the need for recording the impact during detail design finalization at implementation stage. The NGO has a key role in monitoring all implementation activities which will include identification of AFs, types of impact, eligibility, and entitlement as per approved LARP.

74. To implement all these activities, the NGO will need to have a comprehensive knowledge of ADB's safeguard policy requirement. One orientation training course will be organized for awareness on ADB policy and project implementation in compliance with ADB safeguards policy among the RPMU personnel, design consultants, and contractors. Another more detailed and rigorous orientation training will be arranged for the NGO, who will be primarily responsible for (i) implementation of RP, (ii) making the APs, particularly the vulnerable ones, aware of their rights and entitlement, (iii) making GRM effective, and last but not the least (iv) monitoring all RP activities according to plan.

75. Since ULB is the major implementing authority, the personnel responsible for RP implementation will be given training in ADB safeguard policy, as well, along with RPMU and NGO. Those responsible at ULB level are assigned staff at ULB, land revenue officials, the commissioner/chief officer, community affairs personnel. In the event of negotiated land purchase or donation of land, independent third party monitoring is an essential requirement and a part of compliance for social safeguard issue. The training component will also include such third party monitoring, evaluation process, documentation and endorsement procedures. The training activity will be conducted by the KUIDFC resettlement officer and/or assigned national safeguard specialist with qualified experience and familiar with ADB SPS (2009) and requirements of ADB-financed project. The training will be conducted prior the RP finalization and implementation.

XII. IMPLEMENTATION SCHEDULE

76. The project is to be implemented over a period of 3 years. The detailed design stage is expected to commence in 2013 and the construction period will cover 36 months. The RP implementation schedule is shown in Figure 2.

Figure 2: Implementation Schedule

Activities	Base Year Prior to Start of Implementation												Year 1				Year 2				Year 3			
	M1	M2	M3	M4	M5	M6	M7	M8	M9	M10	M11	M12	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
XIII. Establish RPMU including safeguards officer	■																							
XIV. Engage safeguards personnel in ULB		■	■																					
XV. Establish GRC and SC		■	■																					
Appoint contractor with safeguards personnel				■																				
Appoint NGO				■	■																			
Conduct IR training for the NGO, consultants, project staff and contractors for awareness building						■	■	■																
Conduct detailed measurement surveys/business surveys						■	■	■																
Update draft RP to reflect final impact and vulnerable DPs according to final design							■	■																
Identification of vulnerable APs for involvement/employment in project construction work, if applicable								■																
Consultations and disclosure of updated RP to ULB						■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Review and approval (by RPMU and ADB), proceed with RP disclosure to DPs including											■													

Activities	Base Year Prior to Start of Implementation												Year 1				Year 2				Year 3			
	M1	M2	M3	M4	M5	M6	M7	M8	M9	M10	M11	M12	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
entitlement, GRM																								
Issuance of ID cards, as required																								
Issuance of notice to DPs, as required																								
Compensation prior to start of construction and assistance as required, including vulnerable APs *																								
Assets registration and transfer of acquired property in the name of ULB																								
Start of civil works																								
Internal monitoring, including surveys of APs on entitlements, satisfaction surveys																								
Repair/reconstruction of affected facilities, structures, connections, utilities if any													Immediately, in co-ordination with other departments, as required											
<p>Note: M=month, Q=quarter. Schedules are indicative and will be finalised during detailed design. The RP will be updated based on final detailed design and DMS/business surveys. Disclosure of final RP will be undertaken.</p> <p>** Since DMS/business surveys will be based on detailed design, a time lag is shown in the schedule above, for completion of detailed design.</p> <p>*Compensation and assistance will be paid prior to start of construction.</p>																								

XVI. MONITORING AND REPORTING

A. Monitoring

77. Monitoring involves periodic checking to ascertain whether resettlement activities are progressing according to RP. Monitoring will cover physical and financial components and provides a feedback to keep the program on schedule. The RPMU, through ULBs will conduct regular internal monitoring of resettlement implementation and prepare 6-monthly monitoring reports for submission to ADB and disclosed in the ADB and EA websites. The reports will contain progress made in RP implementation with particular attention to compliance with the principles and entitlement matrix set out in the resettlement plan. The report will also identify potential difficulties and issues hindering RP implementation in coordination with civil construction works. The report will provide a summary of issues or problems identified and actions taken to resolve the issues as well as a summary of grievances or complaints lodged by households and actions taken to redress such complaints. The implementing NGO will prepare internal reports in consultation with ULBs and submit those to RPMU.

78. In RP implementation, the internal monitoring system will perform the following key tasks:

- (i) carry out administrative monitoring to ensure that implementation is on schedule, funds for LARP execution, released in a timely manner, and grievances dealt with adequately;
- (ii) prepare a sample baseline database on socio-economic condition of the DPs, with pre-project information derived from SIA database at RP preparation stage and a comparison will be made with the present condition of the DPs during RP implementation stage and after the relocation process, if involved; and
- (iii) obtain feedback on rehabilitation measures will be taken to ensure that people are settled and recovering from the resettlement process. This will be part of impact evaluation process that will assess effectiveness of the RP and reestablishment of the DPs after resettlement.

B. Reporting

79. Implementing NGOs to be hired by the EA will in agreement with ADB will monitor and evaluate the RP implementation and economic rehabilitation activities during the entire project period. The monitoring report will contain evaluation of the RP implementation and its efficacy, and provide valuable insight into the constraints in the way of implementation of RP.

80. The monitoring indicators for evaluation of the objectives achieved under the resettlement and rehabilitation program are of three kinds:

- (i) process indicators, indicating project inputs, expenditure, staff deployment, etc. and the effectiveness of consultation undertaken during RP implementation
- (ii) output indicators, indicating results in terms of numbers of affected people compensated/assisted and resettled, skill development training organized, credit disbursed, and number of DPs capable of reorganizing their economic livelihood.
- (iii) impact indicators, related to the long-term effects of the project on people's lives, including social network regained, economic standard sustained, etc.

81. The project does not envisage a significant involuntary resettlement impact, and is considered as "B" category an Independent external monitor will not be engaged.

82. At least two types of monitoring reports have to be prepared/submitted by RPMU to ADB for review and disclosure:

- (i) Quarterly project progress report with section on RP implementation progress included
- (ii) Semi-annual social safeguard monitoring report

ANNEX 1: DRAFT PAMPHLET ON PROJECT INFORMATION DISCLOSURE (PID)

1. Program Background

1. Karnataka Integrated Urban Water Management Investment Program (KIUWMIP) is an ADB-financed program on improvement of sustainable urban service of water supply and sanitation (UWSS) for selected towns/ULBs of Karnataka. The towns suffer from irregular and insufficient urban service in the state. The towns were selected based on IWRM principles and manageability of program implementation through the PPP model. Selection process of the towns was in consultation with the project proponent, KUIDFC and subject towns through a series of stakeholder consultations.

2. Project Description and Component

2. The urban local body (ULB) of Byadagi is the statutory entity responsible for providing water and wastewater service to the people. However, the ULB suffers from resource crisis, without capacity or capability to operate and maintain these civic infrastructure systems. At present, there is no wastewater treatment facility and water supply system also needs renovation and augmentation of water treatment facility.

3. There will be one additional service reservoir with a capacity of 900 kl to be constructed at Bettada Mallapa hillock within ULB-owned land. Strategic mains of 11 km long will be laid, encircling the town and distribution network will be throughout the town. For wastewater facility one sewage treatment plant (STP) and one pumping station (PS) will be constructed at a distance of about 1.2 km from the town boundary. Sewer rising mains will cover whole town.

4. Community toilets for 530 slum/non-slum poor households will be constructed in ULB or government lands to improve health hygiene of the slum/poor. These toilets will be built in various locations spread over the town.

3. Involuntary Resettlement impact

5. For the construction of STP and PS, land parcels with a total area of 5.79 ha will be acquired. In all five families are likely to be affected, of which four are land owners and the remaining one is the tenant cultivator. The owners do not cultivate land and have leased out land to the single lessee/tenant.

6. For the laying of water supply pipeline, temporary impact is envisaged. In all six hawkers/vendors, 12 mobile vendors will lose their businesses for 7 days, and parking for 200 vehicles will be disrupted for about same number of days. Sewer lines will not cause any impact.

4. Policy and principle of RP implementation

7. The resettlement principles adopted for mitigating involuntary resettlement impact will adopt Land Acquisition Act, Karnataka, 1894 (amended in 1988); the National Resettlement and Rehabilitation Policy, Government of India as notified in 2007; and the relevant Asian Development Bank's (ADB) Safeguards Policy Statement (SPS) of 2009, and Operations Manual F1 (2010). The RP has been prepared keeping all these policies and principles, in view, and will be implemented after updating impact during detailed design and measurement survey.

5. Entitlement

8. Compensation for land will be based on highest registered value paid within recent years, plus, a solatium at the rate of 30% and a yearly interest of 12% for 3 years. Crop compensation will be paid to the lessee/tenant for the standing crops at the highest market rate in addition to subsistence allowance for a period of 3 months and cash assistance for income restoration measures. The hawkers/vendors having temporary loss of income during construction period will be paid subsistence allowance at the rate highest daily income and a lump sum shifting assistance. Temporary car parking will be arranged at a suitable place and provision for security personnel will be made for the duration of parked vehicles. A tentative budgetary provision of Rs.19,621,701, or \$364,715 has been made.

6. Institutional Arrangement

9. Byadagi ULB will be the PIU responsible for implementation of RP, and KUIDFC will act as the RPMU, which will have social safeguard/development officer to guide ULB and monitor RP activities. The ULB will engage one resettlement officer for the RP implementation and one NGO will be employed at ULB level to assist RO and implement all RP activities as well as carry on consultation process with the DPs. For computation and disbursement of LA compensation and resettlement assistance, a district level resettlement committee (DLRC) will be set up.

7. Grievance Redress Mechanism

10. To resolve all project related grievances and complaints, a common social and environmental grievance redress mechanism will be in place. The common and simple grievances will be sorted out at project site level by RO and NGO within 7 days. More serious ones will be sent to RPMU and be forwarded to GRC at district level to be resolved within a period of 1 month. If the DPs are not satisfied with the SC's decision they can approach Court of Law of the state.

Details for inquiries:

Name: Designation: Project implementation unit: KIUWMIP Telephone no.: E-mail: Address: Harihar/Davengere/Byadagi/Ranebennur	Name: Designation: Regional project management unit: KIUWMIP Telephone No: E-mail: Address: Haveri/Davengere
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ANNEX 2: NAMES OF AFFECTED PERSONS AND HOUSEHOLD DETAILS

Sl. No.	Name of Head of Household	Type of Loss	Status of ownership	Family size	Social category	Vulnerability	Occupation of HoH	Average Annual HH Income (Rs)
1	Sudin Madhapuramathe.	Agricultural land	Owner	8	Gen caste	None	Service (pvt)	642,000
2	Santosh Madhapuramathe	Do	Owner	4	Do	None	Service (pvt)	144,000
3	Vilas Madhapuramathe	Do	Owner	NA	Do	None	Service (Government)	NA
4	Suhas Madhapuramathe	Do	Owner	NA	Do	None	NA	NA
5	Chhatrad, MF	Income	Lessee	13	Do	None	Cultivation	522,000

ANNEX 3: TERMS OF REFERENCE OF NONGOVERNMENT ORGANIZATION

A. Project Background

1. Karnataka Integrated Urban Water Management Investment Program (KIUWMIP) has been initiated by the Asian Development Bank (ADB) with Government of India to invest in urban water supply and sanitation (UWSS) for selected Tranche 1 towns within the context of an integrated water resource management (IWRM) approach. Water supply and wastewater systems suffer from under-investment throughout the state of Karnataka and desired level of public service is extremely constrained. Water supply is intermittent and available for limited period, with limited capacity to meet public demand. The need to purchase water from tankers has serious economic consequences. Wastewater collection and treatment systems are either non-existent or poorly maintained. The absence of scientific wastewater treatment and sewer systems often leads to contamination of groundwater supplies and poses a risk to public health. If the issues associated with poor water management in the state are not resolved, economic growth will be stunted, public health will deteriorate, and water resource disputes will escalate.

2. The ULB will be the implementing agency for the project and will be responsible for preparing social analysis and resettlement plans for all subprojects, and in accordance with this framework. The ULB with support from the PMDSC will prepare a resettlement plan (RP) and submit the same to the regional project management unit (RPMU) for review and approval prior to commencement of the project.

B. Scope of Work

3. The objectives of the NGO appointed for the implementation of the RP are:
- (i) to support ULB with grass-root skills and capacity for field activity in the implementation of the RP;
 - (ii) to identify through census survey, potential displaced persons (DP), prepare and distribute identification cards to the DPs and educate them on their entitlements and obligations under the RP;
 - (iii) to assist the DLRC/ ROs in disbursement of compensation and resettlement assistance. Ensure that DPs obtain their full entitlements under the RP. Where options are available, the NGO shall provide advice to DPs on the relative benefits of each option;
 - (iv) to conduct market survey for income restoration program and link the DPs to the respective vocational trainings for income restoration and assist in relocation to identified sites, if applicable;
 - (v) to assist the DPs in the redressal of grievances through the grievance redress mechanism established as part of the RP; and
 - (vi) to assist the RO of ULBs to prepare internal monitoring reports; and
 - (vii) to organize consultation and discussion meetings with the DPs, the community leaders and other stakeholders throughout RP preparation and implementation.

C. Tasks

4. The NGO will work as a link between the ULB, the community leaders and the DPs. The NGO will be responsible for assisting the DPs during physical resettlement, if any, and the rehabilitation process, and shall ensure that all of the provisions laid down in the RP are implemented appropriately and effectively. The NGO's responsibilities will be as follows, but will not be restricted to these alone:

- (i) to develop rapport between the DPs and the project authorities. This will be achieved through regular meeting with the ULB personnel and consultations with the DPs. Meetings with the ULB will be held at least fortnightly and regular consultation with DPs will be held as and when necessary throughout the implementation. All meetings and decisions made are to be documented;
- (ii) to assist the ULB to in undertaking a public information campaign in Kannada, at the commencement of the project, to inform the affected communities of:
 - the need for shifting of squatters and encroachers from temporary impact zone along construction sites;
 - the need for LA;
 - the resettlement policy, resettlement framework and entitlement packages; and
 - the likely consequences of the project on the communities/persons' economic livelihood.
- (iii) to identify and verify project beneficiaries through survey, and distribute identity cards to the eligible beneficiaries only;
- (iv) to assist DPs in getting the compensation for their land and properties acquired for the project and in receiving resettlement assistances as per RP;
- (v) to make the DPs aware of GRM at several levels. To sort out grievances and assist the DPs in accessing the various tiers of grievance redress mechanism, including the contractors onsite and the ROs at ULBs, and finally the district level GRC and steering committee (SC). If necessary, the NGO will accompany the aggrieved DPs, especially the vulnerable ones, to appropriate GRC members and see through the grievance redress mechanism until the DPs get redressed;
- (vi) to assist DPs in identifying suitable land for relocation, wherever necessary. Where suitable government land is not available, the NGO will assist the DP in locating a landowner willing to sell his land, and will assist in the negotiation of the purchase price;
- (vii) to assist project authorities in making arrangements for the smooth relocation of the APs and their business. This will involve close consultation with the DPs to ensure that the arrangements are acceptable to them;
- (viii) to ensure proper utilization of the compensation money by the DPs, particularly the vulnerable DPs to purchase equipment and tools received under the economic rehabilitation program;
- (ix) to assist DPs in getting benefits from various government development programs, particularly for income restoration/generation, if desired by the DPs. The NGO will coordinate the training programs for sustainable livelihood and assist in identifying the required skills for livelihood rehabilitation and the training institutes to impart skills. The NGO shall coordinate with other government departments and other NGOs working in the area to ensure that all the skill development trainings are known to the DPs, to select the appropriate training from the list;
- (x) to develop micro level plans for resettlement and rehabilitation in consultation with the DPs and the ULB where relevant. A plan shall be prepared and agreed for each DP, and will include:
 - list of options for loss of land, assets, and livelihood, to be made known to the DPs. The NGOs will explain to the DPs the options available and assist them in selection;
 - arrangements for shifting, if required;

- existing government development programs, of which the DPs will be made aware;
 - data on inputs, outputs and impact indicators for ULB to monitor RP implementation and prepare internal monitoring report; and
 - any other responsibility as may be assigned for the welfare of the affected households.
- (xi) to assist in the identification of sites for the relocation of cultural properties and community assets, especially for the affected indigenous peoples' community, if affected due to project. This is to be done in consultation with the affected IP community and the ULB.

D. Methodology

5. In order to carry out the above tasks, employees of NGOs are to be stationed in the subproject area. Besides interaction with the DPs on an individual basis to update the baseline information, group meetings will be conducted by the NGOs on a regular basis. The frequency of such meetings will depend on the requirements of the DPs but should occur at least once a month, to allow the DPs to remain up-to-date on project developments. NGOs will encourage participation of individual DPs in such meetings by discussing their problems regarding LA, R&R and other aspects relating to their socioeconomic lives. Such participation will make it easier to find a solution acceptable to all involved.

E. Reporting

6. The NGO shall submit an inception report with detailed action plan, manpower deployment, time schedule, and detailed methodology within 30 days of the commencement of the assignment. The NGO should also submit quarterly progress reports on the activities carried out and proposed activities for the coming month. The quarterly progress reports will include data on indicators as required by the ULB.

- (i) Updated data on APs and data on additional APs coming due to changes will be submitted within 2 months of the commencement of the assignment.
- (ii) Micro-level plans for each AP on the project will be submitted to the ULB for information within 3 months of the commencement of the services. Where changes occur during the project implementation necessary changes in the micro level plans will be reflected, and the NGO will update the relevant plans and resubmit them to the ULB.
- (iii) Upon completion of the assignment the NGO shall submit a final report summarizing the actions taken during the subproject implementation, the methodology and manpower used to carry out the work, and a summary of assistance given to each AP under the subproject.

F. Time Schedule

7. It is estimated that the NGO services will be required for 18 months for implementation of RP. However, this may be rescheduled based on the exact nature of the activity and change, if any, in project plan.

G. Key Personnel

8. Apart from the support staff, a team leader, a gender specialist/social development specialist will be required to carry out the activities. The key professionals should have

combined professional experience in the areas of socio-economic surveys, resettlement and rehabilitation, participation, community development and training for economic rehabilitation activities. The staffing requirements may be reviewed based on field requirement.