

# Draft Resettlement Plan

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## IND: Kolkata Environmental Improvement Investment Program (KEIIP) Tranche 2 (TR-02/WS-16)

Prepared by Kolkata Municipal Corporation for the Asian Development Bank.

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## **CURRENCY EQUIVALENTS**

(as of 15 April 2016)

Currency unit	=	Rupee (INR)
INR 1.00	=	USD 0.01503
USD 1.00	=	INR 66.5535

## **ABBREVIATIONS**

ADB	-	Asian Development Bank
CBO	-	community based organizations
DDR	-	due diligence report
DMS	-	Detailed Management Survey
DSC	-	Design and Supervision Consultants
FGD	-	focus group discussion
GoWB	-	Government of West Bengal
GRC	-	Grievance Redressal Committee
GRM	-	Grievance Redress Mechanism
GRU	-	Grievance Redress Unit
INRM	-	India Resident Mission
KEIIP	-	Kolkata Environmental Improvement Investment Program
KMC	-	Kolkata Municipal Corporation
MFF	-	multitranchise financing facility
NGO	-	nongovernmental organizations
PMU	-	Project Management Unit
PWD	-	Public Works Department
RoW	-	right of way
SMU	-	safeguard monitoring unit
SPS	-	Safeguard Policy Statement
SSE	-	social safeguard expert
SSO	-	social safeguard officer

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## EXECUTIVE SUMMARY

1. **Background.** The Asian Development Bank (ADB)-financed Kolkata Environmental Improvement Investment Program (KEIIP) aims to achieve improved water supply, sewerage and drainage service quality and operational sustainability in selected areas of Kolkata Municipal Corporation (KMC). ADB has approved loans under a multitranche financing facility for KEIIP. A project management unit (PMU) created under KMC is implementing KEIIP. On completion of Project 1 under Tranche 1 of KEIIP, KMC is now seeking assistance for Project 2, supported by the proposed tranche 2 of KEIIP. Project 2 will include physical and non-physical investments in water supply and sanitation improvement, with six contract packages under water supply and nine contract packages under sewerage, respectively.
2. **Subproject Description.** This Resettlement Plan is prepared for water supply package TR-2/WS16 under Project 2 of KEIIP, proposed for ADB funding using its multitranche financing facility (MFF). Proposed subproject components include laying of 17,500 meter (m) transmission main of dia ranging from 250 millimeter (mm) to 1,400 mm, from existing Daspara pumping station to underground reservoirs at Pratik Phase III and KMC Land on Julpia Road; and transmission main from the underground reservoirs to eight elevated service reservoirs.
3. **Resettlement Plan.** This draft Resettlement Plan is prepared based on technical details available from the sub-project appraisal report for the proposed water supply package TR-2/WS16 under project 2 of KEIIP. The draft Resettlement Plan will be updated post conduct of Detailed Measurement Survey (DMS), after detailed project report finalization.
4. **Scope of Land Acquisition and Resettlement:** All identified alignments for subproject components are owned by government (Public Works Department (PWD) or KMC), hence no land acquisition is envisaged for proposed alignments. The Resettlement Plan for the subproject identifies temporary income loss to 165 persons for a period of 10 days each, on the basis of transect walks, of which 10 are female. None of the surveyed potentially affected persons were found to be vulnerable. The Resettlement Plan proposes compensation to affected persons based on the entitlement matrix prepared for the project.
5. The Resettlement Plan proposes compensation to affected persons based on the entitlement matrix prepared for the project. Mitigation measures are also included in the Resettlement Plan cost. Potential losses that can be avoided and/or mitigated through proper scheduling of work, avoidance of impact to businesses where possible, provision of planks for access to shops and businesses and traffic management plans to avoid disruption have been proposed.
6. **Categorisation.** The subproject 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.
7. **Consultation and Disclosure.** Goals and objectives of the project have been disclosed to stakeholders (beneficiaries, affected persons, stakeholder agencies) through consultation meetings and focus group discussions. A program of continuous consultation and disclosure is proposed.
8. **Institutional Setup.** A PMU created under KMC is implementing KEIIP. The PMU is supported by project management consultants and DSC in planning and implementation of KEIIP. The PMU has a Safeguard Monitoring Unit, with a Social Safeguard Officer and 14 field analysts, who are envisaged to play a key role in awareness generation, consultation, grievance redress and safeguard and gender monitoring.
9. **Resettlement Budget and Financing Plan.** The resettlement cost estimate for the proposed subproject package TR-2/WS16 is INR 1.14 million.



## **I. PROJECT DESCRIPTION**

### **A. Introduction**

1. On 26 September 2013, the Asian Development Bank (ADB) approved the provision of loans under a multitranche financing facility (MFF) for the Kolkata Environmental Improvement Investment Program (KEIIP or the Investment Program) for an aggregate amount not to exceed \$400 million. The impact of the Investment Program will be improved access to water supply and sanitation in Kolkata Municipal Corporation (KMC). The outcome will be improved water supply, sewerage and drainage service quality and operational sustainability in selected areas of KMC. KEIIP has three outputs: (i) inefficient water supply assets rehabilitated; (ii) sewerage extension to peripheral areas continued;<sup>1</sup> and (iii) financial and project management capacity further developed. KMC is KEIIP's executing agency. A project management unit (PMU) created under KMC is implementing KEIIP.

2. The first loan under it, Tranche 1 or Loan 3053-IND, amounting to \$100 million, was approved by ADB on 22 October 2013, signed on 3 March 2014 and made effective on 30 May 2014. Project 1, supported by tranche 1, included subprojects for improvement of infrastructure, operations and sustainability in sewerage, drainage and water supply in KMC.

3. The proposed Project 2, supported by the proposed tranche 2 of KEIIP, will include physical and non-physical investments in water supply and sanitation improvement in KMC. Project 2 is aligned with improved access to water supply and sanitation in KMC as defined by the Investment Program.

4. This draft Resettlement Plan is prepared for the proposed water supply package TR-2/WS16 under project 2 of KEIIP. The draft Resettlement Plan is prepared on the basis of technical details available in the subproject appraisal report.<sup>2</sup> The subproject is classified as "Category B" for Involuntary Resettlement impact as per ADB's Safeguard Policy Statement (SPS), 2009. The draft Resettlement Plan will be updated and reconfirmed for final involuntary resettlement impacts after finalization of detailed design and completion of detailed measurement surveys (DMS).<sup>3</sup> The final Resettlement Plan will be reviewed and disclosed on the implementing agency and ADB websites. No civil works contracts package should be awarded and started before the completion of final Resettlement Plan implementation for the said package. The KEIIP PMU is responsible to hand over the project alignments to the contractor after payment of compensation to affected persons.

### **B. Proposed Subproject Components**

5. Proposed subproject components include laying of laying of 17,500 meter (m) transmission main of dia ranging from 250 millimeter (mm) to 1,400 mm, from existing Daspara pumping station to underground reservoirs at Pratik Phase III and KMC Land on Julpia Road;

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<sup>1</sup> The 1899 Calcutta Municipal Act defined the administrative domain of the municipal authority as covering 25 wards and having an areal extent of 48.5 square kilometers. Many boundary changes followed, the latest one in January 1984 when Boroughs XI, XII, XIII, XIV and XV were annexed to KMC. These boroughs in the peripheral areas, are popularly known as "added areas".

<sup>2</sup> DPR for the subproject is under preparation; not yet finalized.

<sup>3</sup> Detailed measurement survey will be jointly conducted by social safeguards officer of KEIIP PMU, consultants and contractors prior to implementation at each site/stretch of alignment. Resettlement Plan for different stretches will be prepared and submitted to ADB for approval; prior payment of compensation to impacted persons is mandatory before start of civil work at each site/alignment stretch. DSC and contractor will be responsible for conduct of DMS and DSC will update Resettlement Plans prior to implementation.

and transmission main from the underground reservoirs to eight elevated service reservoirs (ESR, of which six are proposed under another package, and two are existing ESRs).

**Table 1: Summary of Proposed Components under Package TR-2/WS16**

Package Details	Length (m)
Laying of Transmission Main from existing Daspara pumping stations to UGRs at Pratik Ph III and KMC Land on Julpia Road; and transmission main from UGRs to 8 ESRs (6 proposed + 2 existing).	
250 mm Dia	130
350 mm Dia	2940
400 mm Dia	200
450 mm Dia	80
500 mm Dia	2300
600 mm Dia	2000
700 mm Dia	500
800 mm Dia	6020
1200 mm Dia	460
1400 mm Dia	2870
<b>Total</b>	<b>17500</b>

ESR = elevated service reservoirs; KMC = Kolkata Municipal Corporation; m = meter; mm = millimeter; UGRs = underground reservoirs.

6. Measures to avoid and minimize private land acquisition and involuntary resettlement impacts include identification of government land for construction of each of the proposed eight reservoirs and municipal and government road right of way (RoW) for laying of all pipelines.

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

### **C. Objectives of the Resettlement Plan**

8. This Resettlement Plan is prepared for investments proposed for subproject components of water supply package TR-2/WS16 under tranche 2 of KEIIP. It addresses the involuntary resettlement impacts of the proposed subproject components and is consistent with the agreed Resettlement Framework and ADB's SPS 2009.

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

- (i) to describe the identified scope and extent of land acquisition and involuntary resettlement impacts as a result of identified project components, and address them through appropriate recommendations and mitigation measures in the Resettlement Plan;



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

Figure 1: Google Earth Map depicting proposed components of TR-2/WS16



## II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

### A. Land acquisition and involuntary resettlement

10. The scope of land acquisition and resettlement is identified based on field visits to the proposed alignments. Proposed interventions and their potential involuntary resettlement impacts are presented in **Appendix 1**. Only temporary income loss is identified; estimation of temporary impacts along pipe alignments is based on transect walks and business surveys. During business survey, 100% of identified affected shops could not be covered as many were closed. The Resettlement Plan will be updated with the results of 100% survey of affected businesses during DMS survey (footnote 3) in sections ready for implementation. No land acquisition or structure loss or relocation or permanent economic displacement will be entailed in case of package TR-2/WS16. Efforts have been made in detailed design to avoid or minimize resettlement impact through careful design of pipe alignments for transmission mains through available, existing municipal/government road RoW.

11. Potential impacts of 17.5 kilometer (km) proposed transmission mains are assessed through transect walks and business surveys of 500 m of pipe alignment. Based on walk-throughs across the entire alignment, impacts are anticipated in about 2.5 km in different parts and/or stretches of the 17.5 km proposed alignment. Only potential temporary income loss to 160 shopkeepers (10 female and 150 male shopkeepers) and 5 employees for transmission main pipelaying activity for a period of 10 days each, are estimated on the basis of transect walks. Ten of the shopkeepers are female. None of the affected persons surveyed were found to be vulnerable.

12. Mobile vendors as well as those with moveable structures will be assisted to shift to nearby places during the period of civil works, where they will be able to continue with their business until they are assisted to move back, when civil works for the stretch is completed; hence will not be affected.<sup>4</sup> Where businesses are unable to or are not required to shift, access will be ensured by the contractor by avoiding excavation of adjacent footpaths and/or by providing planks for pedestrian access. Where businesses are unable to or are not required to shift, access will be ensured by the contractor by avoiding excavation of adjacent footpaths and/or by providing planks for pedestrian access. Potential disruptions at pipe crossings at congested, commercial are to be mitigated by undertaking night work and minimizing the construction period.

13. Impacts will be required to be reassessed during Resettlement Plan updation through the detailed measurement survey, when the exact alignment is known and marked along each road. The Resettlement Plan will be updated for impacts based on the DMS survey results.

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<sup>4</sup> Mobile hawkers will not be affected as they will be able to shift to nearby locations to continue plying their trade.

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

S. No.	Details	Affected persons (No.) /affected land area (sq. m)	Remarks
1	Permanent land acquisition	None	
2.	Permanent relocation impact	None	.
3.	Permanent impact: structure loss	None	
4.	Total no. of persons facing potential temporary income loss	165	For a period of 10 days each, assessed on the basis of transect walks
4a	Potential temporary income loss to <b>shopowners</b>	160	Same as above
4b	Potential temporary income loss to <b>employees</b>	05	Same as above
4c	Potential temporary income loss to <b>female shopowners</b>	10 (6%)	Same as above
4b.	Potential temporary impact of main pipelines to vulnerable persons	None	Same as above
5.	Potential permanent livelihood impact	None	
6.	Affected Indigenous People	None	-

Note: Mobile hawkers and vendors with moveable structures will be assisted to shift to nearby locations by the contractor, and will be able to continue plying their trade during the period of disruption. Hence, such hawkers and vendors will not be affected and are not counted among affected persons.

14. Through implementation of the EMP, contractors are required to maintain access to shops to avoid and limit the disturbance to the extent possible, and implement mitigation measures specified in their contracts, which will be monitored by the design supervision consultants (DSC) and project implementation unit.<sup>5</sup> Temporary economic impacts to businesses along the pipe routes will be avoided and/or mitigated through careful planning of the timing of implementation of works on congested commercial roads (night works will be proposed for congested, commercial areas), good traffic management planning and implementation,<sup>6</sup> and maintaining access to shops during the construction period as outlined in the EMP.

15. The contract will have specific provisions related to impact avoidance and mitigation. The following mitigation measures are proposed to avoid and/or mitigate temporary impacts to businesses and residents during linear works: (i) provision of advance notice to community; (ii) conducting awareness campaigns on the proposed project, its benefits, potential temporary impacts and mitigation measures, grievance redress mechanism, etc.; (iii) maintaining access by providing planks and leaving spaces to avoid disturbance to residents and businesses; (iv) managing traffic flows as per the traffic management plan prepared by the contractor in coordination with local authorities and communities; (v) undertaking civil works at night along congested commercial stretches and limiting the amount of time of open trenches; (vi) placing details of telephone hotlines and contact information of project implementation unit offices in signages in visible places; (vii) providing assistance to mobile vendors and hawkers to shift to alternative nearby locations; and (viii) avoiding construction during festival season (Durga Puja,

<sup>5</sup> The safeguard monitoring unit of KEIIP PMU and the DSC resettlement expert will oversee Resettlement Plan implementation.

<sup>6</sup> Traffic management plans will be developed by the Contractor (approved by the DSC and KEIIP PMU) for congested road segments during the implementation period.

Kali Puja, Id, Christmas etc.), when the shops have maximum sales. These measures will be enforced through the contract, which will have these as clauses.

## B. Indigenous Peoples

16. No adverse impacts to indigenous peoples are anticipated, as all selected alignments are within the urban limits of KMC.

## III. SOCIO-ECONOMIC INFORMATION AND PROFILE

### A. Profile of Affected Persons

17. **Temporary impacts.** A transect walk of 500 m was conducted along Mahatma Gandhi Road, along with business surveys of shops that were found open during survey. Types of shops include grocery, stationery, fruit seller, florist, snacks stall, meat shop etc. The reported average daily profit to shopowners is Rs. 187 (ranging between Rs. 130-Rs. 250). A 100% walk-through along the entire 17.5 km proposed pipe alignment helped identify those businesses in a total of about 2.5 km in parts and/or stretches of the total proposed pipe length are potentially affected. Hence, the results of transect walk were projected to the length of affected stretches and an estimate of the potential temporary income loss impact to 165 persons (160 shopkeepers and 5 employees), including 10 (6%) women identified. None of the surveyed affected persons were found to be vulnerable.<sup>7</sup> All surveyed shop/business owners and their employees were Hindus, and the average dependency ratio of affected person households was 2.7.

**Table 3: Profile of Temporarily Affected Persons Surveyed (TR-2/WS 16)**

S. No.	Description	Profile
1	Components	Laying of transmission main (17,500 m long)
2	Total no. of temporarily affected persons surveyed	17
2a	Shop/business owners surveyed (No.)	16 (out of 17 affected persons surveyed)
2b	Employees in the shops/businesses (No.)	01 (of 17 affected persons surveyed)
3	No. of vulnerable affected persons	0
4	Types of business	Meat Shop, Tea Stall, Stationery shop, Puffed rice shop, Grocery, Fruit shop, Florist, Snacks stall,
5	Type of structure	Makeshift / temporary
6	Assessed impact duration	Temporary (maximum of 10 days each);
7	Loss	Potential temporary income loss
8	Stated overall average profit / day (Rs.)*	<b>Rs. 187/-</b>
9	Stated profit per day (range, in Rs.)	<b>130/- to 250/-</b>

Source: Transect walk and business survey, 2016

Note:

1. On adjusting the Planning Commission, Government of India estimates of the state-specific urban poverty line for West Bengal in 2012, the estimated urban poverty line in 2016 is INR 1464 per capita per month. Government of India, Planning Commission. 2013. *Press Note on Poverty Estimates 2011-12*. New Delhi.

2. Total shops counted in 500 m stretch = 32, Shops found closed = 16, Total shops surveyed = 16, Male Respondents = 14, Female Respondents = 2.

18. No permanent land acquisition and relocation impacts are envisaged. The complete socio economic profile of affected persons will be furnished once the DMS and census survey

<sup>7</sup> Vulnerable persons in the context of Kolkata comprise members of below poverty line households, including poor female-headed, poor disabled-headed, poor, elderly-headed households, and poor households without tenure security on land.

(100% of affected shops) are concluded. The methodology for estimation of temporary involuntary resettlement impacts is included as **Appendix 3**.

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

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

19. The Resettlement Plan was prepared in consultation with stakeholders including temporarily affected persons, beneficiaries/local people, councilors/public representatives, and city engineers. Interviews, consultations and focus group discussions (FGDs) were conducted to seek feedback from local people and other important stakeholders (60 persons, of which 41, or 68% were women) on the proposed development interventions, perceived impacts and mitigation measures and their participation and need for awareness among them. Transect walks, business surveys and consultations with affected persons facing temporary impacts also helped understand affected persons perspectives, propose mitigation measures and drove home the need for stringent monitoring to avoid/minimise economic losses. While the affected persons' main concern was temporary income loss, potential beneficiaries were concerned about house connections and water tariffs and their affordability. **Appendix 7** provides details of stakeholder consultation meetings and FGDs.

##### **B. Information Disclosure**

20. Information dissemination and disclosure has been a continuous process since the beginning of the program. The approved Resettlement Framework and Resettlement Plan will be placed in the head office of KMC, KEIP PMU office, and concerned ward offices of KMC accessible to affected persons. The DSC and Safeguard Monitoring Unit (SMU) of PMU will continue consultations, information dissemination, and disclosure. A strategy for continued consultation and participation is in the Resettlement Framework. The finalized/approved Resettlement Plan will also be disclosed in ADB's website, as well as state government, local government (KMC), PMU (KEIP) websites. Project information will be continually disseminated through disclosure of resettlement planning documents, as and when updated. Information on compensation, entitlements and resettlement planning and management principles adopted for the subproject will be made available in the local language (Bengali) and the same will be distributed to affected persons. The consultation process will be continuous, through the project cycle. Draft project information disclosure leaflet (**Appendix 4**) containing the Executive Summary of this Resettlement Plan and the Entitlement Matrix, and contact numbers of PMU, contractor, project engineer and DSC social safeguards personnel and concerned engineer, and grievance redress hotline number will be distributed among affected persons and beneficiaries.

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

21. The SMU of PMU will extend and expand the consultation and disclosure process during the construction period. The project management consultants supported by DSC will conduct training of contractors (engineers as well as safeguards personnel). The SMU of PMU, and with the support of DSC, will design and conduct a public awareness campaign during project implementation. A consultation and participation plan is prepared for the project; PMU will be assisted by PMC and DSC to ensure that the communities in project areas are fully aware of project activities at all stages of construction. Community groups will be consulted and made aware of the civil works and project activities, anticipated impacts and mitigation measures, grievance redress process and contact details of PMU personnel prior to construction.

## **V. GRIEVANCE REDRESS MECHANISM**

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

22. Project grievance redress mechanism (GRM) will be established to evaluate, and facilitate the resolution of affected persons' concerns, complaints, and grievances related to social and environmental issues of the project. The GRM will aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns linked to the project. The proposed three-tier project GRM covers both environment and social issues. The GRM at borough level worked very effectively in Kolkata Environment Improvement Project (Phase I) as the first tier of the GRM and has been retained for KEIP.<sup>8</sup> A Grievance Redress Unit (GRU), headed by the Administrative Officer, has been established in the KEIP PMU as the second tier of the GRM. For any unresolved grievances at PMU level, a Grievance Redress Committee (GRC) headed by the Commissioner KMC shall be the third tier of the GRM.<sup>9</sup> The GRM will be disclosed to the affected communities and households prior to the mobilization of contractors in any subproject areas. The Project GRC, supported by the DSC consultants as well as the PMU social safeguard officers (SSO) will be responsible for timely grievance redress on environmental and social safeguards issues and responsible for registration of grievances, related disclosure and communication with the aggrieved party. Contact details, procedures and complaint mechanism will be disclosed to the project affected communities at accessible locations and through various media (i.e. leaflets, newspapers, etc.). Samples of draft project leaflets, Grievance Registration Forms and monitoring templates are appended to this Resettlement Framework.

23. A common GRM will be in place for social, environmental, or any other grievances related to the project. Every grievance shall be registered and careful documentation of process with regard to each grievance undertaken, as explained below. The PMU environmental and social safeguards officers will have the overall responsibility for timely grievance redress on environmental and social safeguards issues.

24. Public awareness campaign will be conducted to ensure that awareness on the project and its grievance redress procedures is generated. The PMU environment and social safeguard officers will be assisted by DSC safeguards specialists with information/collateral/awareness material etc. and in conducting project awareness campaigns. The campaign will ensure that the poor, vulnerable and others are made aware of grievance redress procedures and entitlements per project Resettlement Framework, and PMU will ensure that their grievances are addressed.

25. Affected persons will have the flexibility of conveying grievances/suggestions by dropping grievance redress/suggestion forms in complaints/suggestion boxes that have already been installed by PMU or through telephone hotlines at accessible locations, by e-mail, by post,

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<sup>8</sup> Complaints received during KEIP (Phase I) pertained mainly to water stagnation in project areas during heavy rain (addressed with the help of local councilors through the use of pumps), delays in road restoration, damage to compound walls/steps etc. in narrow lanes during construction, and number of house connections required per property (two or more connections were required per property in many cases, due to informal property subdivision, even though the property tax records show a single unit). Complaints received were immediately referred by the SDU to the concerned engineer in the PMU (the Director General Projects), who advised them on further action. Follow up with contractor/councilor was undertaken by SDU and final feedback sought from complainant on resolution. The first level of GRM was very effective in KEIP and helped smoothen the process of project implementation.

<sup>9</sup> The target date for establishment of the first level (borough level) of GRM and third level GRM (headed by Commissioner KMC) is before loan negotiation.

or by writing in a complaints register in KMC's Borough office or PMU office. **Appendix 2** has the sample grievance registration form. Careful documentation of the name of the complainant, date of receipt of the complaint, address/contact details of the person, location of the problem area, and how the problem was resolved will be undertaken. PMU safeguard officers will have the overall responsibility for timely grievance redressal on environmental and social safeguards issues and for registration of grievances, related disclosure, and communication with the aggrieved party.

26. **Grievance redress process.** In case of grievances that are immediate and urgent in the perception of the complainant, the contractor and DSC on-site personnel will provide the most easily accessible or first level of contact for quick resolution of grievances. Contact phone numbers and names of the concerned PMU safeguard officers and contractors will be posted at all construction sites at visible locations. The PMU safeguard officers will be responsible to see through the process of redressal of each grievance.

- (i) **1<sup>st</sup> Level Grievance.** The first point of contact for people filing complaints will be the SMU field workers assigned to the ward (who will be available at an appointed time at the sites(s) and borough office) and the contractor's personnel. The phone number of the KMC Borough office should be made available at the construction site signboards. Registers for writing complaints will be available at borough offices. The contractors and SMU safeguard monitors can immediately resolve grievances on-site in consultation with each other and the area engineer and borough engineer, as required, and will be required to do so within 7 days of receipt of a complaint/grievance. Record of grievances received at field level will be conveyed once a week to the SSO/Environment Safeguards Officer and Administrative Officer at PMU, to enable tracking.
- (ii) **2<sup>nd</sup> Level Grievance.** All grievances that cannot be redressed within 7 days at field/ward level will be reviewed by the GRU at PMU, headed by the Administrative Officer, assisted by the Safeguard Officers and concerned Deputy Chief Engineer, who will seek the advice of the Project Director, and Director General of PMU as necessary, and attempt to resolve the grievances within 15 days from the date of registration of complaint. The GRU of the PMU is already formed; the resettlement framework provides details of the same. If the PMU feels that the matter is beyond its jurisdiction, it will escalate the same to the GRC.
- (iii) **3<sup>rd</sup> Level Grievance.** All grievances that cannot be resolved at PMU level will be referred to the GRC with support from PMU and DSC. GRC will attempt to resolve grievances within 30 days from date of receipt of complaint.<sup>10</sup> The GRC for the project needs to be formally set up.

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

28. **ADB Accountability Mechanism.** 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 through directly contacting (in writing) the Complaint Receiving Officer at ADB

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<sup>10</sup> The GRC will have the following members: KMC Commissioner as Chairperson, KEIIP Project Director, Director General, KEIIP, Environment/Social Safeguard Officer, Administrative Officer as the convener, SMU field workers in charge of concerned service area, Area Engineer, representative of affected persons, and representative of Community Based Organizations (CBOs) or eminent citizens. The GRC must have at least two women members.



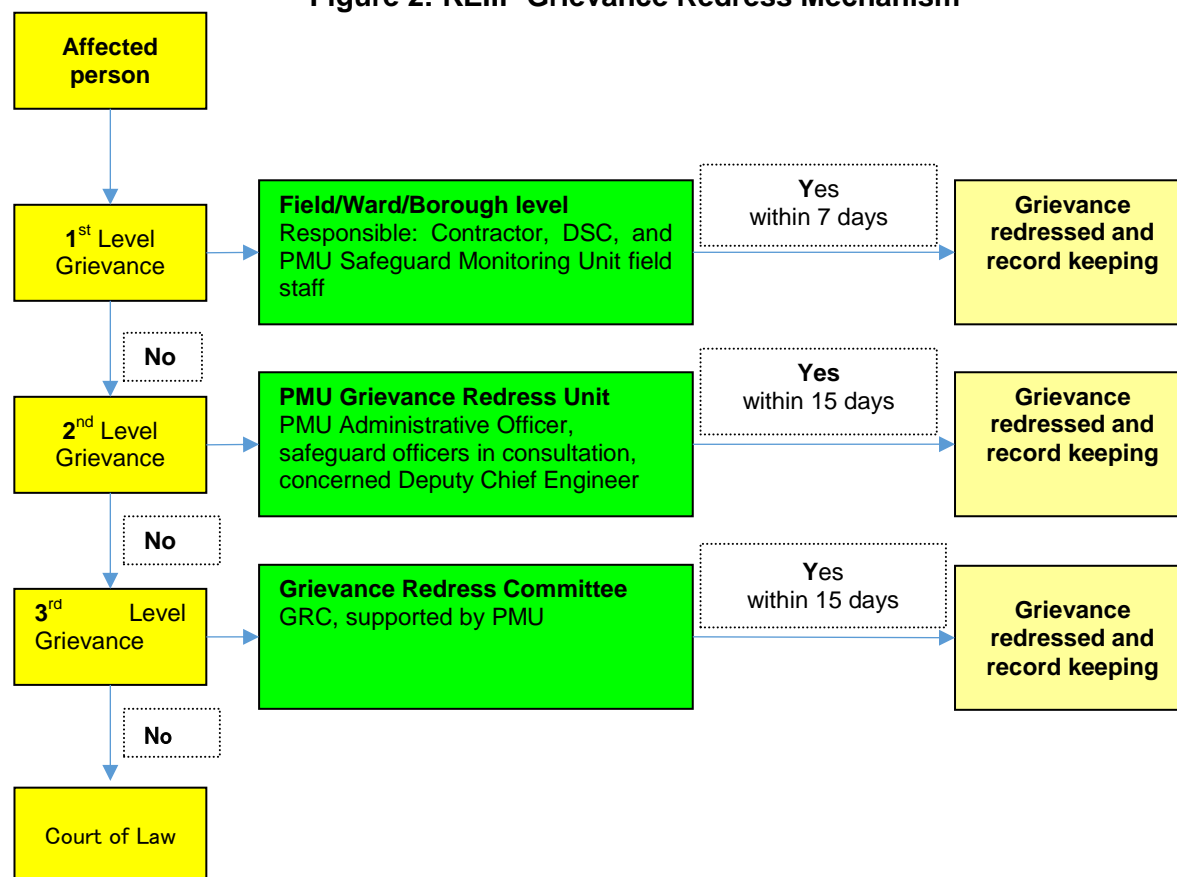
headquarters or the ADB India Resident Mission (INRM). Before submitting a complaint to the Accountability Mechanism, it is recommended that affected people make a good faith effort to solve their problems by working with the concerned ADB operations department (INRM). Only after doing that, and if they are still dissatisfied, they could approach the Accountability Mechanism. The complaint can be submitted in any of the official languages of ADB's developing member countries. The ADB Accountability Mechanism information will be included in the project-relevant information to be distributed to the affected communities, as part of the project GRM.

29. **Recordkeeping.** Records of all grievances received, including contact details of complainant, date the complaint was received, nature of grievance, agreed corrective actions and the date these were effected and final outcome will be kept by PMU. The number of grievances recorded and resolved and the outcomes will be displayed/disclosed in the PMU office, the ward/borough office and on the web, as well as reported in the semi-annual environmental monitoring reports to be submitted to ADB.

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

31. **Costs.** All costs involved in resolving the complaints (meetings, consultations, communication and reporting/information dissemination) will be borne by the PMU. Cost estimates for grievance redress are included in resettlement cost estimates. The grievance redress process is shown in Figure 2.

Figure 2: KEIP Grievance Redress Mechanism



DSC = Design, Supervision Consultants, GRC = Grievance Redressal Committee; PMU = Program Management Unit.

32. The GRC will continue to function throughout the project duration.

## VI. POLICY AND LEGAL FRAMEWORK

33. The policy framework and entitlements for the project are based on applicable laws and regulations of the national and state government, ADB's Safeguards Policy Statement (SPS) 2009; and the agreed Resettlement Framework.

34. **ADB SPS (2009)** are (i) compensation to replace lost assets, livelihood, and income; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to achieve at least the same standard of living with the project as without it. In addition, the absence of legal title to land should not be a bar to compensation. ADB SPS requires payment of compensation prior to actual loss.

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

- (i) **West Bengal Land Acquisition Manual 1991**, which provides guidelines on determination of market price for compensation, but has not been revised post passage of Land Acquisition, Rehabilitation and Resettlement Act 2013. GoWB

- has now taken a policy decision to adopt negotiated purchase and not land acquisition as the mode of procurement of land for public purpose;
- (ii) **Memorandum for direct (negotiated) purchase of land for public purpose:** provides for constitution of a Purchase Committee, process of determination of value of land, buildings, and structures. It provides an incentive on the price of land finally determined if land registration is accomplished within defined time frames. GoWB has also exempted the stamp duty for such purchase of land.<sup>11</sup>
  - (iii) **The West Bengal Land and Land Reforms Manual, 1991** deals with management of lands owned by GoWB. Chapter XV of the Manual provides the principles and procedures for settlement of lands for non-agricultural purposes (which include urban development work). In case of long-term settlement, it provides in detail the process of determining the market value of land from the records of recent sales of similar categories of land in the vicinity, using figures from the Sub-registration offices and carefully checking the same against the valuation in land acquisition cases in the locality.<sup>12</sup>
  - (iv) **The West Bengal Estates Acquisition Act, 1953 and the West Bengal Land Reforms Act of 1955 and amendments** are important land-related laws of the State regulating land holding (ceiling) for various purposes including change in character and ownership and use of the land and the rights of sharecroppers. There are, however, no specific provisions in the Acts that will have a direct bearing on involuntary resettlement under the Project.

36. The Resettlement Framework specifies that in case of discrepancy between the policies of ADB and the government, ADB policy will prevail.

37. Based on these, the core involuntary resettlement principles applicable are: (i) land acquisition, and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative subproject designs; (ii) where unavoidable, time-bound Resettlement Plans will be prepared and affected persons will be assisted in improving or at least regaining their pre-program standard of living; (iii) consultation with affected persons on compensation, disclosure of resettlement information to affected persons, and participation of affected persons in planning and implementing subprojects will be ensured; (iv) vulnerable groups will be provided special assistance; (v) payment of compensation to affected persons including non-titled persons (e.g., informal dwellers/squatters, and encroachers) for acquired assets at replacement rates; (vi) payment of compensation and resettlement assistance prior to the contractor taking physical acquisition of the land and prior to the commencement of any construction activities; (vii) provision of income restoration and rehabilitation; and (viii) establishment of appropriate grievance redress mechanisms.

38. Policy framework and entitlements are discussed in detail in the Resettlement Framework. The Resettlement Framework addresses gaps in present policies.

<sup>11</sup> Memorandum No. 3145-LP/1A-03/14 dated 24 November, 2014.

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

## VII. ENTITLEMENTS, ASSISTANCE AND BENEFITS

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

39. Only 40% of identified shops with potential temporary income loss could be surveyed. Based on this, the potential losses under KEIIP Project 2 package WS16 comprise potential temporary income loss to 165 persons. The income loss to affected persons will be loss of daily income for the period of disruption, estimated as 10 days.<sup>13</sup>

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

41. Detailed Measurement Surveys (DMS) and Census Survey of affected businesses will be conducted for transmission mains alignments, once the detailed design is finalised. These surveys remain to be conducted before implementation at each stretch of pipeline when the exact alignment is known and will determine the total number of temporarily affected persons along the alignment.<sup>14</sup> Eligibility for compensation will be the date of start of the DMS prior to commencement of civil works in sections ready for construction. The DSC resettlement expert, assisted by the field analysts in the safeguard monitoring unit of KEIIP PMU will conduct DMS and inventory of loss survey of affected persons along the relevant sections where transect walks reveal any impacts (**Appendix 3**). The date of DMS survey will serve as the **cut-off date** for eligibility. Hawkers or businesses who settle in the affected areas after the cut-off date will not be eligible for compensation. They will, however be given sufficient advance notice (at least 30 days), and assisted to vacate premises and dismantle affected structures prior to project implementation. Contractors will provide shifting assistance to hawkers and vendors requiring help. Information regarding the cut-off date for eligibility to all types of compensation will be documented and disseminated throughout the project area.

### B. Entitlements

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

<sup>13</sup> Stringent monitoring and adherence to the EMP provisions will help minimize losses. If losses can be avoided during construction through careful planning and implementation of mitigation measures, no compensation payment will be necessary. In case the DMS Survey and Census Survey reveal impacts to vulnerable persons, the EM in the Resettlement Framework will be followed.

<sup>14</sup> The Detailed Measurement Survey (DMS) will establish the number of affected persons/ businesses along each proposed pipe /road stretch with potential impacts. It will collect only essential information for determining entitlements. A rapid survey will be conducted using an instrument similar to the one used for business surveys during transect walks for this Resettlement Plan (refer Appendix 3 for a survey form template for the DMS). The DMS will gather personal information on the affected person, type of business, type of structure, number of persons employed, income and profits per day of owner and employees, vulnerability, if any of the owner or employees, and will record the type of distress likely.

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

### **C. Relocation**

44. No relocation impact is anticipated.

### **D. Livelihood protection and Income Restoration**

45. **Affected Persons facing temporary income loss.** The Resettlement Plan envisages the following steps:

- Step 1:** Conduct public awareness and information dissemination prior to construction works (through SMU PMU and DSC)
- Step 2:** DSC field personnel, SMU and the contractor(s) to jointly confirm exact alignments/mark the extent of excavation on each road section, and the traffic diversion plan.
- Step 3:** The DSC safeguards specialist will (i) conduct a transect walk jointly with the SMU staff of PMU and contractor; to determine the extent and nature of impacts. Such walks will establish the need for DMS on each road stretch; (ii) conduct a detailed measurement and inventory of losses survey to establish the number of affected persons and businesses along each proposed waste water pipe alignment/road stretch/sites and potential impacts and enable an inventory of losses; (iii) update the Resettlement Plan (identifying potential losses); and (iv) send the updated Resettlement Plan to ADB for review and approval after detailed designs and surveys are complete.
- Step 4:** The SMU personnel of PMU will distribute identity cards to affected persons: those facing income losses and those requiring assistance, and vulnerable affected persons. The SMU will collect details of bank accounts of affected persons, and assist those without bank accounts to open the same.
- Step 5:** Affected persons can then access the compensation/assistance/allowances provided from the project.
- Step 6:** KEIIP PMU to pay compensation/assistance/allowances prior to displacement in sections ready for construction (as required). The SSO of PMU to closely monitor compensation payment, which can be through cheques or direct transfer to beneficiary accounts.
- Step 7:** KEIIP PMU to give formal clearance to the contractor to proceed with civil works, through a certification.
- Step 8:** PMU to keep accounts, record of affected persons, amounts paid, and receipts record for accounting purposes and submit copies of records in the periodic Social Monitoring Report to ADB.

### **E. Vendor Assistance.**

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

**Table 4: Entitlement Matrix**

S. No	Type of loss	Application	Definition of entitled person	Compensation policy	Implementation issues	Responsible agency
1	Temporary disruption of livelihood	Commercial and agricultural activities	Self-employed persons, business / farm owners / operators, and their employees	<ol style="list-style-type: none"> <li>30 days advance notice regarding construction activities, including duration and type of disruption.</li> <li>Cash assistance based on the net average income from each type of affected business or minimum wage for the loss of income/livelihood for the period of disruption</li> <li>For construction activities involving disruption for a period of more than a month, provision of alternative sites for hawkers and vendors for continued economic activities. If not possible, allowance based on the net average income of the type of affected business/employment or minimum wage rate up to 3 months or the actual period of disruption whichever is more.</li> <li>Additional 25% cash assistance for vulnerable affected persons over and above item 2 or 3, whichever is applicable.</li> </ol>	<ul style="list-style-type: none"> <li>A business/income survey prior to construction will serve as the cut-off date.</li> <li>During construction, the PMU will identify alternative temporary sites to the extent possible, for vendors and hawkers to continue economic activity.</li> <li>PMU will ensure civil works will be phased to minimize disruption through construction scheduling in co-ordination with the contractors and the DSC</li> </ul>	Alternative locations, if any will be identified for the said duration of disruption. Assistance mechanism will be part of the construction contract.
2	Any other loss not identified	-	-	<ol style="list-style-type: none"> <li>Any unanticipated impacts of the project will be documented and mitigated based on the spirit of the principles agreed upon in this Resettlement Framework and the RFCTLARRA</li> <li>Unanticipated involuntary impacts will be documented and mitigated based on the principles provided in the ADB Involuntary Resettlement Policy.</li> </ol>	-	The SMU/DSC will ascertain the nature and extent of such loss. The SSO PMU will finalize the entitlements in line with ADB Involuntary Resettlement policy. The Resettlement Plan will be updated and sent to ADB for review and approval.

ADB = Asian Development Bank; DSC = Design and Supervision Consultants; PMU = project management unit; RFCTLARRA = Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act; SMU = Safeguard Management Unit; SSO = social safeguard officer.

Note: The Minimum Wage Rate for unskilled industrial workers published by Department and Directorate of Labour, GoWB in July 2015 for KMC area is Rs. 268 per day. <http://wb.gov.in/portal/WBLabour/LabourDir/>. The applicable minimum wage rate for unskilled industrial workers in KMC area at the time of project implementation will be payable against temporary income loss.

## VIII. COMPENSATION MECHANISM

### A. Temporary Income Loss

47. Assistance for temporary loss of income and livelihood will be paid to the displaced persons as per Entitlement Matrix. The computation of loss will be based on the prevalent minimum wage rate for unskilled industrial workers in KMC area as published by the Department and Directorate of Labour, GoWB.<sup>15</sup> As per the Entitlement Matrix, all categories of affected persons (e.g. business owners and employees); all shops and businesses whether titled or non-titled will be eligible for compensation against temporary income loss. All compensation and resettlement assistances will be paid to the entitled displaced persons prior to commencement of civil works.

## IX. RESETTLEMENT BUDGET AND FINANCING PLAN

### A. Resettlement Costs

48. The resettlement cost estimate (Table 5) includes compensation for temporary income loss to shopkeepers, DMS survey costs for Resettlement Plan updation, satisfaction survey costs, and consultation, grievance redress and awareness generation cost. The government will bear all Resettlement Plan costs related to compensation and mitigation and will be responsible for releasing the funds for resettlement in a timely manner. The estimated total resettlement cost for the subproject is INR 1.14 million. The resettlement cost items and estimates are outlined in Table 5.

**Table 5: Resettlement Cost**

S. No.	Details	Number		Unit cost	Total cost (INR)
1	DMS Survey for RP updation, satisfaction survey post-implementation		LS		100000
2	Consultation, grievance redress		LS		250000
3	Awareness Generation		LS		250000
4	Provisional sum for compensation of temporary income loss @ minimum wage rate# \$	165	10 days	268	442200
	<b>Sub-total</b>				<b>1042200</b>
	<b>Contingency @ 10%</b>				<b>104220</b>
	<b>Grand Total (INR)</b>				<b>1146420</b>

APs = affected persons; DMS = Detailed Measurement Surveys; RP = resettlement plan.

Note:

\*It is assumed that surveys will be undertaken by SMU PMU personnel (14 staff members), hence only out-of-pocket expenses are considered under survey costs.

#Provisional sum for compensation of temporary income loss is provided for, in the event that such impacts cannot be avoided during implementation. The prevalent minimum wage rate is higher than the reported profits per day by the surveyed shopkeepers, and as per EM, is the basis for computation of compensation. The latest applicable minimum wage rate in KMC area will be used in the updated Resettlement Plan.

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

## **X. IMPLEMENTATION ARRANGEMENTS**

### **A. Institutional Arrangements**

49. The existing institutional arrangement for implementation of the KEIP Tranche 1 will be strengthened.<sup>16</sup> The Administrative Officer, supported by the Social Safeguard Officer (SSO) will coordinate social monitoring including resettlement plan implementation. The Social Development Unit will be renamed Safeguard Monitoring Unit (SMU), and will in addition to social development, public awareness and social safeguard responsibilities, be now responsible for monitoring environmental and social safeguard implementation and the gender action plan. This will require capacity building and hands-on training in field level monitoring and database management, of the field level staff of the SMU, in a big way.

50. The above arrangement will ensure that
- (i) social safeguard issues are addressed;
  - (ii) resettlement framework is followed in all resettlement issues;
  - (iii) approved resettlement plans are implemented;
  - (iv) implementation of resettlement plan is monitored;
  - (v) periodic monitoring reports are prepared in time and submitted to Project Director, Kolkata Environment Improvement Project for onward transmission to ADB upon approval; and
  - (vi) database on resettlement monitoring and due diligence is updated and maintained.

51. The monitoring report will focus on the progress of implementation of the resettlement plan and resettlement framework, issues encountered and measures adopted, follow-up actions required, if any, as well as the status of compliance with ADB SPS 2009, and relevant loan covenants.

### **B. Implementation**

52. The SMU will be responsible for implementation and monitoring of the resettlement plans. The SSO will undertake surveys and record observations throughout the construction period to ensure that safeguards and mitigation measures are provided as intended. The PMU, through the SMU, will arrange for delivery of entitlements to affected persons, implementation and monitoring of safeguards compliance activities, public relations activities, gender mainstreaming activities and community participation activities. It will also arrange for obtaining statutory clearances and obtaining no objection certificates from government agencies and/or other entities, if required. It will also coordinate for obtaining RoW clearances with related state and national agencies. The DSC Resettlement Specialist will train the field level staff of SMU in data collection for resettlement plan and due diligence report (DDR) updating, preparation and implementation and prepare progress reports with respect to resettlement plan implementation. They will be trained to record involuntary resettlement impacts at field level during implementation, need to update Resettlement Plans and DDRs and need to prepare Resettlement Plans where earlier no impacts were envisaged and only DDRs prepared.

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<sup>16</sup> The social development unit (SDU) created in the PMU, worked very well for KEIP (Phase I). The PMU has a strong social unit, with 16 field workers having the capacity to work in close coordination with the engineering team, contractors and the public. Monitoring was not undertaken by the SDU, which is recently renamed Safeguard Monitoring Unit and given the additional responsibility of monitoring at field level. With adequate capacity building support, the SMU shall be able to discharge safeguard monitoring responsibilities.



53. The PMU will finalize entitlements in consultation with affected persons, which will be examined and approved by the KMC. The PMU through the SMU will arrange for delivery of entitlements to affected persons. Organizational procedures/institutional roles and responsibilities for resettlement plan implementation and steps and/or activities involved in delivery of entitlements are described in **Table 6**.

54. The SMU will assist the PMU in implementing and monitoring the resettlement plan (duly approved by KMC and reviewed/cleared by ADB prior to implementation). The SMU currently has staff fully conversant with public awareness generation activities, consultations and field surveys and an understanding of data entry and quality control.

**Table 6: Institutional Roles and Responsibilities**

<b>Activities</b>	<b>Agency Responsible</b>
<b>Sub-project Initiation Stage</b>	
Finalization of alignments for sub-project (on ground)	PMU
Disclosure of proposed land acquisition and sub-project details by issuing Public Notice	SSO SMU and PMU
Meetings at community/ household level with APs	SMU
<b>Resettlement Plan Preparation/ Updating Stage</b>	
Conducting DMS Survey / Census of all APs	PMU/SSO and SMU field staff
Conducting FGDs/ meetings / workshops during census surveys	PMU/SSO and SMU field staff
Computation of compensation	SSO SMU/DSC
Conducting discussions/ meetings/ workshops with all APs and other stakeholders	SSE
Finalizing entitlements	SSO SMU
Disclosure of final entitlements and compensation packages	SSO SMU
Approval of Final Resettlement Plan	ADB
<b>Resettlement Plan Implementation Stage</b>	
Payment of compensation against temporary impacts	SSO SMU
Consultations with APs during rehabilitation activities	SSO SMU
Grievances Redressal	SMU/PMU/GRC
Internal Monitoring	SSO SMU

APs=affected persons; DMS = Detailed Measurement Surveys; FGD=focus group discussions; GRC = Grievance Redress Committee; PMU = program management unit; RP = resettlement plan; SMU = Safeguard Monitoring Unit; SSE=social safeguard expert; SSO = social safeguard officer.

55. The role of the SMU in resettlement plan implementation and monitoring is that of a facilitator of the resettlement process. The SMU works as a link between the Project and the affected community. They educate the affected persons on the need to implement each project and subproject under the investment program, on aspects relating to resettlement measures and ensure proper utilization of compensation paid to the affected persons under the entitlement package. After the approval of the micro plans, the SMU will issue identity cards to the entitled persons. The envisaged responsibilities of SMU field staff include:

- (i) Environmental and social safeguard monitoring and gender action plan monitoring at field level;
- (ii) Surveys to update safeguard documents, collection of information for preparation of monitoring reports

- (iii) Rapport-building and information dissemination to the public; educating affected persons on their rights, entitlements, and obligations under the resettlement plan
  - (iv) Grievance redress
  - (v) Database management: on safeguard monitoring, grievances
56. The SMU field staff will report to the SSO at PMU, who will:
- (i) Coordinate implementation of resettlement and rehabilitation activities with the assistance of SMU field staff;
  - (ii) Coordinate training for the SMU field staff/contractors/community-based organizations (CBOs) for capacity building to implement the Resettlement Plan and project GRM;
  - (iii) Coordinate database management for social safeguards implementation and monitoring;
  - (iv) Organize public awareness campaigns including resettlement provisions with the help of print and electronic media;
  - (v) to identify training needs of SMU staff/contractors/community members/vulnerable groups, and organise training activities
  - (vi) Facilitate and coordinate joint verification survey of affected persons with the elected representatives as appropriate, finalize list of affected persons and inform them about tentative schedule of land acquisition and occupation;
  - (vii) Coordinate valuation of assets, such as land, trees of various species, etc. facilitating a joint process involving elected representatives, community members and affected persons;
  - (viii) Based on proper due diligence and assessment, finalize compensation packages;
  - (ix) Facilitate the land acquisition and compensation processes in consultation with the Land Officer of KEIP PMU;
  - (x) Inform affected persons about entitlement matrix and compensation packages against different categories of loss;
  - (xi) Liaise with the District Administration and line departments for dovetailing Government's schemes for income generation and development programs for affected persons, as and when required;
  - (xii) Make budgetary provisions for resettlement and rehabilitation activities;
  - (xiii) Coordinate, supervise and monitor disbursement of compensation;
  - (xiv) Coordinate monitoring activities to be taken up for assessing progress in implementing the Resettlement Plan;
  - (xv) In case of any Category A project, facilitate the appointment of the external agency for impact evaluation and coordinate evaluation activities to be taken up by the agency, as required;
  - (xvi) Prepare Terms of Reference (ToR) for procuring the external agency, as required, with the assistance of the DSC Resettlement Specialist;
  - (xvii) Facilitate appointment of consultant to carry out the studies and coordinate these;
  - (xviii) Prepare semiannual monitoring reports on the progress of Resettlement Plan implementation, and gender action plan; and
  - (xix) Assist the Administrative Officer PMU in grievance redress, including putting forth grievances received to the PMU Complaints Cell/GRC, maintenance of records, information dissemination, communication with the complainant.
57. The DSC Resettlement Specialist will assist the SSO in training, social safeguard supervision, monitoring, record keeping and report preparation activities.

### **C. Institutional Capacity**

58. Capacity to handle environmental and involuntary resettlement impacts, gender and vulnerability issues, etc., needs to be built in the Project. Training of SMU staff on aspects such as environmental planning, resettlement planning, and implementation, social protection and gender, including the specific recording, reporting, and disclosure requirements therefore need to be planned separately.

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

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

## **XI. IMPLEMENTATION SCHEDULE**

61. All the compensation and assistance as per Entitlement Matrix will be completed prior to the start of the civil work at each specific site and/or stretch. Written confirmation is required to be sent by the PMU to ADB stating that all compensation has been paid to affected persons. Construction work can begin only in sites and sections where compensation has been paid. The Resettlement Plan implementation schedule is presented in Table 7.

## **XII. MONITORING AND REPORTING**

62. Resettlement Plan implementation will be closely monitored to provide effective basis for assessing resettlement progress and identifying potential difficulties and problems. Monitoring will be undertaken by the PMU SSO assisted by DSC. Monitoring will involve administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis; socio-economic monitoring during and after any resettlement impact utilizing baseline information established through the detailed measurement/census survey of affected persons proposed during Resettlement Plan updation, and overall monitoring. Monthly progress reports reporting status of Resettlement Plan implementation will be prepared by SSO PMU assisted by DSC SSE. The PMU will submit semi-annual monitoring reports to ADB for review and post all safeguard monitoring reports on ADB and Ministry of Urban Development website. A sample monitoring template is given in **Appendix 6**.

**Table 7: Implementation Schedule**

	2016			2017				2018
	Q2	Q3	Q4	Q1	Q2	Q3	Q4	
Setting up of Apex level GRC								
Obtain NOC from PWD, Alipore Division								
Awareness generation among affected persons on entitlements, impact avoidance and mitigation measures to be implemented by the contractor								
Conduct/complete detailed measurement surveys, census surveys and issuance of ID cards								
Identify Vulnerable affected persons, if any*								
Update Due Diligence Report to Resettlement Plan								
Update draft RP to reflect surveys, consultations, design changes, and due diligence results								
Consultations and disclosure								
Review and approval of updated Resettlement Plan (ADB)								
Training/capacity building of PMU safeguards officers, SMU staff and engineers, DSC supervision staff and contractor's staff								
Payment of compensation								
Handover of alignment to contractors								
Start of civil works								
Internal monitoring, including surveys of affected persons on entitlements, satisfaction surveys								
Repair/reconstruction of affected facilities, structures, utilities, if any				Immediately, in consultation with other departments, as required				

ADB = Asian Development Bank; AP = affected person; DDR = due diligence report; DSC = design supervision consultant; GRC = Grievance Redress Committee; NOC = no objection certificate; PMU = project management unit; PWD = Public Works Department; RP = Resettlement Plan; SMU = safeguard management unit.

**PROPOSED COMPONENTS UNDER PACKAGE TR-2/WS16 OF KEIP PROJECT 2 AND  
THEIR POTENTIAL INVOLUNTARY RESETTLEMENT IMPACTS**

Component wise Summary of Package WS-16			Involuntary Resettlement Impacts
Package Details		Length (m)	
Laying of Transmission Main from existing Daspara PS to UGRs at Prantik Ph III and KMC Land on Julpia Road; and transmission main from UGRs to 8 ESRs (6 proposed + 2 existing) of diameter 250-1400 mm Dia		<b>17500</b>	
Breakup of the Job			
<b>1</b>	<b>Transmission main From Existing Daspara PS to UGRs at Prantik &amp; KMC Land on Julpia Road.</b>		Potential temporary income loss to 160 shopowners and 5 employees were identified through transect walk and business survey. Estimated temporary income loss to 10 female shopowners among the 165 affected persons is identified. None of the surveyed shopowners/employees were found to be vulnerable.
A	1400 mm dia	2870	
B	1200 mm dia	460	
C	800 mm dia	3170	
	<b>Total</b>	<b>6500</b>	
<b>2</b>	<b>Transmission main From Prantik PS to ESRs of Zone A</b>		No involuntary resettlement impacts anticipated.
A	800 mm dia	150	
B	700 mm dia	500	
C	600 mm dia	2000	
D	450 mm dia	80	
E	350 mm dia	2540	
F	250 mm dia	130	
	<b>Total</b>	<b>5400</b>	
<b>3</b>	<b>Transmission main From Prantik PS to ESRs of Zone C</b>		No involuntary resettlement impacts anticipated.
A	800 mm dia	2700	
B	500 mm dia	2300	
C	400 mm dia	200	
D	350 mm dia	400	
	<b>Total</b>	<b>5600</b>	

ESR = elevated service reservoirs; KMC = Kolkata Municipal Corporation; mm = millimeter; PS = pumping station; UGR = underground reservoirs.

**SAMPLE GRIEVANCE REDRESS FORM**

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

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

**FOR OFFICIAL USE ONLY**

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

## **ESTIMATION OF TEMPORARY IMPACTS**

### **A. Methodology for estimation of temporary impacts**

1. Transect walks will be undertaken for estimation of temporary impacts in road sections ready for implementation of pipe laying work, jointly by project engineer, Design and Supervision Consultants (DSC) engineer, DSC social safeguard expert, Project Management Unit (PMU) Social Safeguard Officer, PMU Safeguard Management Unit (SMU) personnel and contractor's personnel. The exact pipe alignment and exact location of excavated trench along a road (whether in the centre or on one side of road), keeping in mind other utilities, needs to be known. The transect walk will help determine sections where impacts are likely. In such sections, Detailed Measurement Surveys (DMS) and business surveys are to be undertaken and the Resettlement Plan updated for impacts. Care will be taken to record all details, such as names of employees of affected businesses and their vulnerability status.

2. For the purpose of this Resettlement Plan, transect walks and business surveys were undertaken jointly by the SMU team, DSC Social Safeguard Expert and engineer along 500 meter (m) of proposed pipe alignments under package TR-2/WS16. Based on this, impacts to 32 shops (including 32 shopowners and 1 employee) were identified. Only 16 (50%) of the affected businesses could be surveyed in the 500 m stretch, as the remaining shops were closed during survey. Two of the 16 surveyed shopowners were female. None of the surveyed shopowners were identified as vulnerable persons. Business surveys indicated profits to business owners ranging between Rs. 130-250 per day, with average profit of Rs. 187 per day. Projections using the transect walk results for the stretch of 2.5 kilometer (km) of alignment where impacts are likely, helped identify potential impacts to 160 shopowners (including 10 women shopowners) and 5 employees. Results of the transect walk are summarized in Table 3 of this Resettlement Plan.

3. Hence, for DMS to be conducted for Resettlement Plan updation prior to implementation, this exercise will have to be undertaken again for 100% of the affected shops, taking into account the detailed design, design changes if any, utility locations and exact alignment and location of pipe alignment along each road, jointly by the PMU, DSC and contractor. Resettlement Plan will be updated and approved by the Asian Development Bank and payment of compensation made, prior to implementation in each stretch.



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

**(A) CHECKLIST FOR TRANSECT WALKS-SOCIO-ECONOMIC SURVEY OF AFFECTED BUSINESSES/SAMPLE FORM FOR SURVEY OF BUSINESSES UNDER DETAILED MEASUREMENT SURVEY**


<b>Date of Survey</b>	<b>Serial No.</b>				
Name of road	Address/Location:				
Name of affected person					
Father/Mother's name					
Type of business/hawker					
Status	Owner	Tenant			
	If owner: Titled	Non-titled			
	Mobile	Permanent			
Description of structure					
Since when operating in that location					
Frequency of operation in a week	Daily	2-3 days/ week	1 day/week	Half day	Full day
Hours of operation in a day					
Person(s) employed if any	No.				
Maintenance / Rent	Rs. Per annum or month, specify				
Investment (recurring)	Rs./ month				
Average profit per day	Rs.				
Salaries paid to employees(total/month)	Rs./month				
Highest profits recorded in	Hours(AM/PM) _____ Weekend/Weekd ay (specify days) _____ Festival _____				
Will employee(s) be affected	Yes/No				
Whether any affected person is	BPL/WHH/disabled/backward community/IP/elderly/child worker Worker				
No. of dependents of owner					
No. of dependents of employees					
Whether road RoW used for	Parking/Display of wares/Storage/Other purpose, specify				
Type(s) of distress likely					
Views/Concerns					


Note: BPL= below poverty line; WHH= woman headed household/Chief Wage Earner is a woman; IP= indigenous peoples; RoW= right of way.






S. No.	Name of respondent	Type of business	Male/ Female vendor	No .of employees	BPL/ Vulnerable	Daily income	Monthly Income	No .of dependents	Per capita income / month	Description of structure	Type of impact	Photograph
1	Madhab Mondal	Meat Shop	Male	NIL	No	200	5200	3	1733	Temporary	Temporary income loss	
2	Malati Mondal	Tea Stall	Female	NIL	No	250	6500	3	2167	Temporary	Temporary income loss	


S. No.	Name of respondent	Type of business	Male/ Female vendor	No .of employees	BPL/ Vulnerable	Daily income	Monthly Income	No .of dependents	Per capita income / month	Description of structure	Type of impact	Photograph
3	Shanti Mondal	Tea Stall	Female	NIL	No	150	3900	2	1950	Temporary	Temporary income loss	
4	K.Mondal	Stationary	Male	NIL	No	130	3380	2	1690	Temporary	Temporary income loss	
5	Closed Shop	Not identified								Temporary		


S. No.	Name of respondent	Type of business	Male/ Female vendor	No .of employees	BPL/ Vulnerable	Daily income	Monthly Income	No .of dependents	Per capita income / month	Description of structure	Type of impact	Photograph
6	Sujit Hr. Shaw	Moori Shop	Male	NIL	No	140	3640	2	1820	Temporary	Temporary income loss	
7	Pintu Mondal	Stationary	Male	NIL	No	180	4680	2	2340	Temporary	Temporary income loss	
8	Closed Shop									Temporary		

S. No.	Name of respondent	Type of business	Male/ Female vendor	No .of employees	BPL/ Vulnerable	Daily income	Monthly Income	No .of dependents	Per capita income / month	Description of structure	Type of impact	Photograph
9	Closed Shop									Temporary		
10	Closed Shop									Temporary		
11	Closed Shop									Temporary		
12	Closed Shop	I								Temporary		
13	Closed Shop	Tea Stall								Temporary		
14	Somenath Mondal	Tea Stall	Male	NIL	No	190	4940	3	1647	Temporary	Temporary income loss	
15	Closed Shop									Temporary		
16	Closed Shop	Shop								Temporary		
17	Closed Shop	Grocery								Temporary		



S. No.	Name of respondent	Type of business	Male/ Female vendor	No .of employees	BPL/ Vulnerable	Daily income	Monthly Income	No .of dependents	Per capita income / month	Description of structure	Type of impact	Photograph
18	Manoj Mondal	Tea Stall	Male	NIL	No	200	5200	3	1733	Temporary	Temporary income loss	
19	Closed Shop	Shop								Temporary		
20	Sanjoy Stores ( Closed Shop )	Shop								Temporary		
21	Closed Shop	Shop								Temporary		
22	Closed Shop	Shop								Temporary		


S. No.	Name of respondent	Type of business	Male/ Female vendor	No .of employees	BPL/ Vulnerable	Daily income	Monthly Income	No .of dependents	Per capita income / month	Description of structure	Type of impact	Photograph
23	Remeo Das	TV Repairing	Male	NIL	No	225	5850	3	1950	Temporary	Temporary income loss	
24	Raja Mondal	Grocery	Male	NIL	No	200	5200	3	1733	Temporary	Temporary income loss	

S. No.	Name of respondent	Type of business	Male/ Female vendor	No .of employees	BPL/ Vulnerable	Daily income	Monthly Income	No .of dependents	Per capita income / month	Description of structure	Type of impact	Photograph
25	Mondal Snack ( Closed Shop )									Temporary		
26	Closed Shop	Fruit Vendor	Female							Temporary		
27	Nitya Manna	Flower Vendor	Male	NIL	No	250	6500	3	2167	Temporary	Temporary income loss	

S. No.	Name of respondent	Type of business	Male/ Female vendor	No .of employees	BPL/ Vulnerable	Daily income	Monthly Income	No .of dependents	Per capita income / month	Description of structure	Type of impact	Photograph
28	Gour Purkait	Fruit Shop	Male	NIL	No	240	6240	3	2080	Temporary	Temporary income loss	Not available
29	Jaykiran Lal Das	Pan & Statioanary Shop	Male	NIL	No	150	3900	2	1950	Semi-Pucca	Temporary income loss	



S. No.	Name of respondent	Type of business	Male/ Female vendor	No .of employees	BPL/ Vulnerable	Daily income	Monthly Income	No .of dependents	Per capita income / month	Description of structure	Type of impact	Photograph
30	Sanat K. Samanta	Snacks Stall	Male	NIL	No	150	3900	2	1950	Semi-Pucca	Temporary income loss	
31	Dipankar Shee	Pan & Stationary Shop	Male	NIL	No	150	3900	2	1950	Temporary	Temporary income loss	

S. No.	Name of respondent	Type of business	Male/ Female vendor	No .of employees	BPL/ Vulnerable	Daily income	Monthly Income	No .of dependents	Per capita income / month	Description of structure	Type of impact	Photograph
32	Ashish Kumar	Stationary Shop	Male	NIL	No	150	3900	2	1950	Temporary	Temporary income loss	

## **DRAFT PROJECT INFORMATION DISCLOSURE LEAFLET**

### **A. Background**

1. The Asian Development Bank (ADB)-financed Kolkata Environmental Improvement Investment Program (KEIIP) aims to achieve improved water supply, sewerage and drainage service quality and operational sustainability in selected areas of Kolkata Municipal Corporation (KMC). ADB has approved loans under a multitranche financing facility (MFF) for KEIIP. On completion of Project 1 under Tranche 1 of KEIIP, KMC is now seeking assistance for Project 2, supported by the proposed tranche 2 of KEIIP. Project 2 will include physical and non-physical investments in water supply and sanitation improvement, with six contract packages under water supply and nine contract packages under sewerage, respectively. This project information leaflet contains information related to water supply package TR-2/WS16 under project 2 of KEIIP.

### **B. Subproject Description**

2. Proposed components of package TR2/WS16 include laying of laying of 17,500 meter (m) transmission main of dia ranging from 250 millimeter (mm) to 1,400 mm, from existing Daspara pumping station to underground reservoirs at Prantik Phase III and KMC Land on Julpia Road; and transmission main from the underground reservoirs to eight elevated service reservoirs.

### **C. Resettlement Plan: Policy and Principles**

3. The subproject 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. A resettlement plan is prepared for water supply package TR-2/WS16 under Project 2 of KEIIP, proposed for ADB funding using its MFF. The Resettlement Plan is based on ADB's SPS 2009, and applicable Government of India and Government of West Bengal (GoWB) laws. The subproject is proposed for funding by ADB using its MFF. A copy of the Resettlement Plan (full text) is available at KEIIP PMU, KMC main office - at the office of Public Relations Officer, and at the concerned ward offices of KMC.

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

5. All identified alignments for subproject components are owned by government (Public Works Department (PWD) or KMC), hence no land acquisition is envisaged for proposed alignments. Efforts have been made to avoid or minimize resettlement impact through careful design of the major portion of pipe alignments for transmission mains, pumping mains and distribution network through existing public road right of way (RoW), avoidance of impact through selection of alignment alternatives with none/less resettlement impact. The Resettlement Plan for the subproject identifies temporary income loss to shops and businesses for a period of 10 days each, on the basis of transect walks.

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

6. The Resettlement Plan proposes compensation to affected persons based on the entitlement matrix prepared for the project. Potential losses that can be avoided and/or

mitigated through proper scheduling of work, avoidance of impact to businesses where possible, assistance to mobile vendors to shift to nearby places, provision of planks for access to shops and businesses and traffic management plans to avoid disruption have been proposed. As per the entitlement matrix in the Resettlement Framework for KEIIP, persons facing temporary income loss are entitled to compensation at the prevalent minimum wage rate for unskilled industrial workers declared by GoWB, for the period of disruption. Vulnerable persons among the affected persons (below poverty line and women-headed households) are entitled to preferential appointment to project-related construction jobs, if so desired by them. Affected persons including titled and non-titled will be eligible for compensation as defined in the Entitlement Matrix for the project. A budgetary provision of INR.1.14 million for Resettlement Plan implementation is made.

## **F. Institutional Arrangements**

7. A project management unit (PMU) created under KMC is implementing KEIIP. The PMU is supported by project management consultants and design supervision consultants (DSC) in planning and implementation of KEIIP. The PMU has a Safeguard Monitoring Unit (SMU), with a Social Safeguard Officer and 14 field analysts, who are envisaged to play a key role in awareness generation, consultation, grievance redress and safeguard and gender monitoring.

## **G. Grievance Redress Mechanism**

8. Grievances of affected persons will first resolved at field level by the contractor, DSC supervision personnel and SMU field staff of the PMU. Grievances not redressed at field level will be escalated to the PMU level Grievance Redress Unit (GRU) headed by the Administrative Officer of KEIIP PMU; the Deputy Chief Engineer -1 of KEIIP PMU is a key member of the Unit. In case any grievance remains unresolved by the GRU, it will be escalated to the Grievance Redress Committee (GRC), being set up under the Chairmanship of the Commissioner, KMC. The GRC will determine the merit of each grievance, and resolve grievances. The DSC will assist PMU to keep records of all grievances received including: contact details of complainant, date that the complaint was received, nature of grievance, agreed corrective actions and the date these were effected, and final outcome. The social safeguards officer of PMU SMU will be the focal person for facilitating the grievance redress. The GRC will continue to function throughout the project duration.

## **H. Contact details**

Organisation	Name	Position	Phone number	Email Id
Contractor				
KEIIP SMU Field Worker				
DSC Supervision Staff				
KEIIP SSO PMU				
KEIIP AO				
KEIIP DCE-1				
GR Hotline				

### COMPARISON BETWEEN LARR ACT 2013<sup>1</sup> AND ADB SPS 2009

	ADB SPS Policy Principles	LARR	Remarks	Compliance of proposed Resettlement Framework with ADB's Safeguards Policy Statement
1.	Involuntary resettlement should be avoided where feasible.	✓	Both LARR and SPS emphasis on avoiding involuntary resettlement	This is addressed in the Resettlement Framework. The locations for project components have been identified in such a manner that involuntary resettlement is avoided to the extent possible. These involuntary resettlement impacts shall be further minimized during detailed designs.
2.	Where population displacement is unavoidable, it should be minimized by exploring viable project options.	✓	LARR also suggests to take all possible options in to consideration and preparation of SIA/SIMP that confirms that all viable options were explored before proposing the final land acquisition for the public purpose.	This is addressed in the Resettlement Framework. The locations for project components have been identified in such a manner that involuntary resettlement is avoided to the extent possible. These involuntary resettlement impacts shall be further minimized during detailed designs.
3.	If individuals or a community must lose their land, means of livelihood, social support systems, or way of life in order that a project might proceed, they should be compensated and assisted so that their economic and social future will generally be at least as favorable with the project as without it. Appropriate land, housing, infrastructure, and other compensation, comparable to the without project situation, should be provided to the adversely affected population, including indigenous groups, ethnic minorities, and pastoralists who may have usufruct or customary rights to the land or other resources taken for the project.	✓	According to the ADB's SPS 2009 a Resettlement Plan will be prepared that is commensurate with the extent and degree of the impacts. Impacts are considered significant when 200 or more people will experience major impacts. According to the NPRR, Resettlement Plan should be prepared when it involves resettlement of more than 500 families (roughly about 2,500 persons) in plain areas and 250 families (roughly about 1,250 people) in hilly areas, Desert Development Programme (DDP) blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India. The new LARR also suggest preparation of IPP.	The Resettlement Framework addresses the involuntary resettlement impacts. The entitlements to the affected persons are outlined in the Entitlement Matrix.

<sup>1</sup> The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

	<b>ADB SPS Policy Principles</b>	<b>LARR</b>	<b>Remarks</b>	<b>Compliance of proposed Resettlement Framework with ADB's Safeguards Policy Statement</b>
4.	Any involuntary resettlement should, as far as possible, be conceived and executed as a part of a development project or program and resettlement plans should be prepared with appropriate time bound actions and budgets. Resettlers should be provided sufficient resources and opportunities to reestablish their homes and livelihoods as soon as possible.	✓	According to the ADB's SPS 2009 a Resettlement Plan will be prepared that is commensurate with the extent and degree of the impacts. Both NPRR and LARR have laid down detailed guidelines and preparation of similar plans like Resettlement Plan.	The Resettlement Framework addresses the IR impacts. The entitlements to the affected persons are outlined in the Entitlement Matrix.  A time-bound action plan and implementation schedule for the involuntary resettlement activities is outlined. The key Resettlement Plan activities are identified and the responsibilities for the same outlined.
5.	The affected people should be fully informed and closely consulted on resettlement and compensation options. Where adversely affected people are particularly vulnerable, resettlement and compensation decisions should be preceded by a social preparation phase to build up the capacity of the vulnerable people to deal with the issues.	✓	LARR recognizes all affected people/families irrespective of their titles. Inventory of all affected people will be recorded as a part of SIA/SIMP.	Consultations have been carried out with affected persons. This will be further consolidated by the Resettlement Plan assigned NGO. The plan for information disclosure in the project, including the Resettlement Framework.
6.	Appropriate patterns of social organization should be promoted, and existing social and cultural institutions of resettlers and their hosts should be supported and used to the greatest extent possible. Resettlers should be integrated economically and socially into host communities so that adverse impacts on host communities are minimized. One of the effective ways of achieving this integration may be by extending development benefits to host communities.	✓	All policies, SPS, LARR and NPRR adequately address this.	This is addressed in the Entitlement Matrix.
7.	The absence of formal legal title to land some affected groups should not be a bar to compensation. Affected persons entitled to compensation and rehabilitation should be identified and recorded as early as possible, preferably at the project identification stage, in order to prevent an influx of illegal encroachers, squatters, and other nonresidents who wish to take advantage of such benefits. Particular attention should be paid to the needs of the poorest affected persons including those without legal title to assets, female-headed households and other	✓	All policies, SPS, LARR and NPRR adequately address this	The process for verification of impacts and establishing the eligibility of the affected persons is outlined in the Resettlement Framework.

	<b>ADB SPS Policy Principles</b>	<b>LARR</b>	<b>Remarks</b>	<b>Compliance of proposed Resettlement Framework with ADB's Safeguards Policy Statement</b>
	vulnerable groups, such as indigenous peoples, and appropriate assistance provided to help them improve their status.			
8.	The full costs of resettlement and compensation, including the costs of social preparation and livelihood programs as well as the incremental benefits over the "without project" situation, should be included in the presentation of Project costs and benefits.	✓	<p>According to the ADB's SPS 2009 a Resettlement Plan will be prepared that is commensurate with the extent and degree of the impacts. Impacts are considered significant when 200 or more people will experience major impacts.</p> <p>LARR provide detailed guidelines for preparation rehabilitation and resettlement scheme involving all land acquisition and resettlement losses which forms a part of project cost. SIA also outlines project benefits Vs. impacts.</p> <p>According to the NPRR, Resettlement Plan should be prepared when it involves resettlement of more than 500 families (roughly about 2,500 persons) in plain areas and 250 families (roughly about 1,250 people) in hilly areas, DDP blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India.</p>	<p>The Resettlement Framework addresses the involuntary resettlement impacts. The entitlements to the affected persons are outlined in the Entitlement Matrix.</p> <p>This is addressed in the Entitlement Matrix</p>
9.	To better assure timely availability of required resources and to ensure compliance with involuntary resettlement procedures during implementation, eligible costs of resettlement and compensation may be considered for inclusion in Bank loan financing for the project, if requested.	-	LARR initiate land acquisition only if the required money is deposited with the DC.	The impacts have been assessed and Resettlement Plan costs according to the entitlement matrix have been worked out. These costs are included in the Project Costs.

ADB = Asian Development Bank; DDP = Desert Development Programme; LARR = Land Acquisition, Rehabilitation and Resettlement; NGO = nongovernment organization; NPRR = National Policy on Resettlement and Rehabilitation SIA = social impact assessment; SPS = Safeguard Policy Statement;

### SAMPLE MONITORING TEMPLATE

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

S. N.	Resettlement Plan Activities	Completed Y/N	Remarks
<b>A. Pre-Construction Activities and Resettlement Plan Activities</b>			
1	Approval of final Resettlement Plan by ADB prior to contract award		
2	Disclosure of final Resettlement Plan on ADB and EA websites		
3	Circulation of summary Resettlement Plan in two local languages to all stakeholders		
<b>A. Resettlement Plan Implementation</b>			
1	Apex Grievance Redress Committee established		
2	Entitlements and grievance redress procedure disclosed		
3	Finalization of list of APs, vulnerable APs and compensation due		
4	Finalization of list of roads for full or partial closure; mitigation measures proposed and implemented (with photographic documentation)		
5	Affected persons received entitlements as per EM in Resettlement Plan		
6	Payment of compensation, allowances and assistance (No. of APs)		
7	Additional assistance (project-related construction jobs, if willing and able) for vulnerable households given (No. of vulnerable APs assisted)		
8	Grievances No. of grievances registered No. of grievances redressed Outstanding complaints Disclosure of grievance redress statistics		
9	Consultation, participation and disclosure as per Plan		
<b>C. Monitoring</b>			
10	Survey on satisfaction levels of APs with Resettlement Plan implementation completed		
<b>D. Labor</b>			
11	Implementation of all statutory provisions on labor like health, safety, welfare, sanitation, and working conditions by Contractors. Ensuring no child labour used		
12	Equal pay for equal work for men and women		

APs = affected persons; ADB = Asian Development Bank; EA = executing agency; EM = entitlement matrix.

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



## DUE DILIGENCE REPORT AND DETAILS OF CONSULTATIONS

### A. Background

1. On 26 September 2013, the Asian Development Bank (ADB) approved the provision of loans under a multitranche financing facility (MFF) for the Kolkata Environmental Improvement Investment Program (KEIIP or the Investment Program) for an aggregate amount not to exceed \$400 million. The impact of the Investment Program will be improved access to water supply and sanitation in Kolkata Municipal Corporation (KMC). The outcome will be improved water supply, sewerage and drainage service quality and operational sustainability in selected areas of KMC. KEIIP has three outputs: (i) inefficient water supply assets rehabilitated; (ii) sewerage extension to peripheral areas continued;<sup>1</sup> and (iii) financial and project management capacity further developed. KMC is KEIIP's executing agency. A project management unit (PMU) created under KMC is implementing KEIIP.

2. The first loan under it, Tranche 1 or Loan 3053-IND, amounting to \$100 million, was approved by ADB on 22 October 2013, signed on 3 March 2014 and made effective on 30 May 2014. Project 1, supported by tranche 1, included subprojects for improvement of infrastructure, operations and sustainability in sewerage, drainage and water supply in KMC.

3. The proposed Project 2, supported by the proposed tranche 2 of KEIIP, will include physical and non-physical investments in water supply and sanitation improvement in KMC. Project 2 is aligned with improved access to water supply and sanitation in KMC as defined by the Investment Program. A total of six subprojects prioritizing sewerage and drainage work are prioritized under Project 2.

### B. Scope of this Report

4. This land acquisition and resettlement due diligence report is prepared for the proposed Sewerage and Drainage Work in James Long Sarani and Mahatma Gandhi Road Catchment (Ward 123 & 124) in Borough XVI along with its outfalls under Project 2 of KEIIP. The subproject is proposed to develop sewerage and drainage network in the said area within Churial Canal Sub basin.

5. A due diligence process was conducted to examine the land acquisition and resettlement issues in detail, in line with ADB SPS 2009. This report describes the findings and provides copies of relevant documents, resolutions, minutes of meetings and photographs. This land acquisition and resettlement due diligence report needs to be read along with the Resettlement Framework prepared for KEIIP.

6. Upon project implementation, the Social Safeguards Officer at PMU will be required to undertake a review of this due diligence, prepare a confirmation letter or report documenting any modifications for the subproject and submit to ADB; and receive a 'no objection' confirmation from ADB prior to start of construction in the subproject.

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<sup>1</sup> The 1899 Calcutta Municipal Act defined the administrative domain of the municipal authority as covering 25 wards and having an areal extent of 48.5 square kilometers. Many boundary changes followed, the latest one in January 1984 when Boroughs XI, XII, XIII, XIV and XV were annexed to KMC. These boroughs in the peripheral areas, are popularly known as "added areas".

## II. SUBPROJECT DESCRIPTION

7. Proposed components of water supply package TR-2/WS16 include laying of laying of 17,500 m transmission main of dia ranging from 250 mm to 1400 mm, from existing Daspara pumping station (PS) to underground reservoirs (UGR) at Prantik Phase III and KMC Land on Julpia Road; and transmission main from the UGRs to 8 elevated service reservoirs. A summary of proposed subproject components is provided in the table below.

**Table A7.1: Summary of Proposed Components under Package TR-2/WS16**

Package Details	Length (m)
<b>Laying of Transmission Main from existing Daspara PS to UGRs at Pratik Ph III and KMC Land on Julpia Road; and transmission main from UGRs to 8 ESRs (6 proposed + 2 existing).</b>	
250 mm Dia	130
350 mm Dia	2940
400 mm Dia	200
450 mm Dia	80
500 mm Dia	2300
600 mm Dia	2000
700 mm Dia	500
800 mm Dia	6020
1200 mm Dia	460
1400 mm Dia	2870
<b>Total</b>	<b>17500</b>

## III. FIELD WORK AND PUBLIC CONSULTATION

### A. Outline of Field Work

8. In December, 2015 and January 2016, field inspections were carried out along the proposed alignment for water supply transmission mains, and stakeholder consultations conducted. Transect walk and field inspections were carried out along the stretch of proposed transmission main from existing Daspara PS to UGRs at Prantik Ph III and KMC Land on Julpia Road; and transmission main from UGRs to 8 ESRs.

### B. Public Consultation

9. Consultations were undertaken with key stakeholders in line with ADB's requirements pertaining to environment and social considerations. These consultations helped identify the felt needs/concerns and apprehensions of the communities related to the project and their priorities.

Discussions were held with people residing at/near and/or having businesses at/near the proposed subproject locations. Consultations revealed that people are aware of the existing water supply issues; they shared that some of the areas have inadequate supply, while others are heavily dependent on ground water, which is hard/of poor quality. People were apprehensive about affordability of water connection charges and tariffs. The community is willing to cooperate for the proposed project; summary of discussions is given in Table A7.2.

**Table A7.2: Summary of Stakeholder Consultation Meeting for Water Supply under Tranche 2 Packages WS-16 to WS-18**

DATE	LOCATION	NO. OF PARTICIPANTS				EMPLOYMENT STATUS OF PARTICIPANTS	TOPICS DISCUSSED	ISSUES RAISED
		MALE	FEMALE	% of Female	TOTAL			
18.12.15	Indira Udyan, Julpia Road, Ward No 142	19	41	68.33%	60	<b>MALE:</b> Employees in private sector/ government, and businessmen,  <b>FEMALE:</b> Housewives	1. Relevant information about the upcoming project (technical information on proposed facilities in the ward; and environmental health issues expected to be addressed).  2. KMC's future plan to supply drinking water in the adjoining area of Joka, Behala under Borough- XVI.  3. Water supply improvements to be taken up at ward no. 142 as a part of the subproject under packages WS-15 to WS-18 of Tranche – II.  4. The plan and design has been prepared to supply drinking water house-to-house for 24 hrs. a day to cover 100% area of the ward, on completion of the distribution network.  5. Need for public participation and awareness.	1. Likely date of commencement of project work  2. Date of commissioning of the project.  3. Scarcity of drinking water in areas like Jiardar Ghat.  3. Water supply network coverage in remote parts of the ward/tail end.  4. Policy regarding connection charge.  5. Quality and quantity of the water to be supplied after completion of the project.  6. Whether connection charge and tariff will be affordable

#### IV. LAND AVAILABILITY AND RESETTLEMENT IMPACTS

##### A. Laying of Water Supply Transmission Mains

10. No land acquisition or permanent resettlement impacts are anticipated for the proposed laying of water supply transmission mains under the subproject WS16. All civil works for proposed pipelaying will be within the ROW of public roads. However, potential temporary income loss to 165 persons, including 160 owners of shops/businesses and 5 employees for a period of 10 days each is anticipated. Potential temporary income loss to 10 female affected persons among them are anticipated. One of the roads, Mahatma Gandhi (MG) Road, belongs to Public Works Department (PWD), Alipore Division, and the remaining roads belong to KMC. For the proposed pipelaying activity on MG Road, KEIIP will seek a no objection certificate (NOC) from PWD, Alipore Division.

11. Only pipe laying under available ROWs of government roads is proposed; no additional land will be required for the proposed civil works. No structures are present on the proposed pipe right of way, which is under the black-topped portion of roads. Hence, private land acquisition, structure loss and relocation impacts are not involved / required in case of this package (TR-2/WS 16). Laying of pipelines in the area has been carefully planned to minimize disturbance to pedestrians and traffic. In most road/pipe sections, it will be possible to completely avoid temporary income loss to businesses, as road width is adequate and will not require closure. However, some potential temporary impacts<sup>1</sup> to traffic and access to shops and residences due to excavation for pipe laying are possible during construction. Such impacts will be mitigated by ensuring access to properties through provision of pedestrian planks, adequate signage, and careful traffic management. Mitigation measures (maintaining at minimum, pedestrian access, providing assistance to mobile hawkers to shift, minimizing construction/disruption period and night work) will be part of the construction contract for the package.

12. Despite all the impact avoidance and mitigation measures proposed above, some potential economic impacts to shops and businesses were identified. A walk-through was conducted by the KEIIP PMU Safeguard Monitoring Unit (SMU) staff, under the guidance of design supervision consultant's safeguard specialist. The transect walks helped identify road sections (2.5 km), where potential temporary income losses are possible.

13. The transect walks helped estimate potential impacts (temporary income loss) to 165 persons (para 10), for a period of 10 days each. Mobile vendors are not anticipated to suffer income loss as quick shifting to a nearby location will be possible, which will enable them to continue their livelihood activities.

14. The contractor will make every effort to minimize the period of disruption. Traffic diversions will be made based on proper traffic planning and management by the contractors in consultation with the local authorities including traffic police and community, to minimize potential impacts. Prior notice will be given to the community before start of civil work. No tree cutting and minimal utility shifting is anticipated as a result of proposed works under the package TR-2/WS 16.

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<sup>1</sup> Potential temporary impacts were assessed on the basis of transect walks through roads in proposed sewer laying area under the subproject.

15. A final assessment of temporary impacts will be undertaken post detailed design along each road section ready for implementation, all affected persons identified and interviewed, and the Resettlement Plan updated accordingly, with robust data on potential impacts to each AP. Any shop that has been closed for a period of >3 months before DMS survey for Resettlement Plan updation will not be eligible for compensation against temporary income loss. Rigour in data collection and consultations with local people will be required to ensure that all affected persons eligible for compensation are identified.

## **V. CONCLUSIONS**

### **A. Summary and Conclusions**

16. No significant involuntary resettlement impacts are assessed at identified sites for sub-project components under package TR-2/WS 16, as implementation will be within the ROW of government roads. Laying of water supply transmission pipeline network is anticipated to cause temporary income loss to 160 shop/business owners including 10 female business owners; and 5 employees. All affected persons facing temporary livelihood disruption are eligible for compensation against lost income as per the approved EM. None of the surveyed affected persons were identified as vulnerable. In case any vulnerable persons are identified during 100% DMS and Census Survey, they will be eligible for assistances proposed in the EM.

17. Disruptions to road users, pedestrians and community members are possible and will be avoided by using proper mitigation measures. The contractor will use simple avoidance/mitigation measures such as information to community before start of work, night work where possible in commercial stretches, provision of planks for pedestrian access to shops and traffic management, disclosure of contact details of project authorities and contractor personnel, assistance to mobile hawkers if any, to shift and continue with livelihood activities.

### **B. Next Steps**

18. The DDR needs to be updated with the following information:

- No objection certificate (NOC) from PWD, Alipore Division for proposed works on MG Road. The same is to be appended to the due diligence report.
- DMS Survey and business survey results for sections ready for implementation of pipe-laying work, confirmation of impacts and furnishing of details of all (100%) affected persons
- Due diligence report to be updated from time to time by PMU, initiation/completion of due procedures reported, and ADB approval obtained prior to start of construction.

## ALIGNMENT PHOTOGRAPHS



## **Annex 1: Summary of Community Consultation Meeting**

### **Ward No. 142, Indira Udyan, Julpia Road**

A community consultation meeting was conducted on 18<sup>th</sup> December 2015 at Indira Udyan, Julpia Road for information dissemination and sharing of views and concerns, if any on the upcoming Water Supply project under Package WS-16 to WS-18 of Tranche – II, KEIIP.

The consultation meeting was organized by Shri. Raghunath Patra, the councilor of Ward No-142. The meeting was conducted in the presence of Social Safeguard Specialist (SSS), and staff of Safeguard Monitoring Unit, KEIIP. A total of 41 female and 19 male participants (total 60 participants) were present during the meeting, which continued for one hour. Information was exchanged regarding project work.

Among the female participants, all were housewives. The male participants were mainly businessmen and employees in government or private organisations.

#### **Information shared on following topics:**

- Introduction of KEIIP as an initiative of Kolkata Municipal Corporation with the financial support of Asian Development Bank for arresting the degradation of environment of Kolkata and adjoining areas.
- Need and scope of work of KEIIP.
- KMC is planning to undertake a water supply project in Joka and adjoining areas which are now at the planning stage. By virtue of this project the problem of scarcity of drinking water will be catered.
- Water supply project to be taken up at Ward No 142 as a part of the entire project under package WS-15 to WS-18 of Tranche – II.
- 4 ESR (Elevated Service Reservoir), 1 UGR cum PS (UGR- Underground Reservoir, PS-Pumping Station), has been proposed in the plan in this ward.
- Entire plan and design has been prepared to supply drinking water house-to-house for 24 hours in a day and cover 100% area of the ward after completion of entire distribution network.
- Availability of land for proposed 4 ESR at Ramkantapur, Malpara, Charakatala, Company Pukur and 1 UGR cum Ps at Company Pukur respectively. Company Pukur will be taken up first.
- There will be no adverse impact on structures, livelihood, transportation and other utilities like electricity, water supply etc.
- Importance of public participation and public awareness. In case of short term inconvenience during implementation phase of the project i.e. laying of distribution line, traffic diversion etc., cooperation of the public will be required.
- Long term benefits of the project.
- Phase wise implementation of the project.
- Impact of the project on environment, design elements aimed at reducing the chance of water contamination etc.
- Tentative date for commencement and commissioning of the project.
- Necessary arrangements will be made by the project authority before commencing the work, like public information dissemination, shifting of utilities etc.
- Cooperation is needed from the local residents during project implementation phase.



**Issues raised by the participants:**

- The time of commencement of the project work and its duration.
- Quality of the water that is being supplied at present by PHE (Public Health Engineering Department) through big dia and small dia tube wells is not up to the mark for drinking (quantity of iron is above than normal range and salinity is also present).
- Quantity of water supplied is inadequate to cater to the increasing demand.
- Certain areas of the ward experience acute water scarcity, e.g.
- Water supply pipes are broken in many places as a result wastage and contamination of water is common feature.
- Policy of house connection in case of joint properties recorded in Kolkata Municipal Corporation (erstwhile Joka gram panchayet).
- Network coverage in remote parts of the ward.
- Affordability of connection charges and water tariffs

## PHOTOGRAPHS OF COMMUNITY CONSULTATION



**Councilor of Ward 142 addressing the crowd during Community Consultation at Indira Udyan, Ward No. 142**



**Social Safeguard Officer, KEIP, Dr. Manjari De addressing the crowd during Community Consultation at Indira Udyan, Ward No. 142**



## Participants List

Name of place (Ward No) 142

Date 18/12/2015

SL/No	Name of Participants	Contact No, if any	Signature
11	Sankhi Basu		
12	Balataramanna	8820680224	
13	Santosh Das	8017576414	
14	ବିନୟ କୁମାର		T.S
15	Lopam Kony	8013575672	
16	ଉତ୍କଳୀ ପିକ୍ଟୁରା	8278360409	A. B
17	ଲୀଳା ସତ୍ତପାଠୀ	9331815428	ଲୀଳା ସତ୍ତପାଠୀ
18	Lakshmi Mal	7890616830	Lakshmi mal
19	Sina Mal		ସିନିଆ ମାଲ
20	Pravara Kanyal		Pravara Kanyal

Raghuvar Patra

2 of 6

Raghuvar Patra

1 of 6

## Participants List

Name of place (Ward No) 142

Date 18/12/2015

Sl.No	Name of Participants	Contact No, if any	Signature
21	Arati Makhai	9836597141	Arati Makhai
22	Kalyani Baichi	833497752	Baichi
23	Sulekha Bar	8013147191	S. Bar
24	Rajesh Singh	801345022	
25	Rajesh Singh	9051674638	R. Singh
26	Kokan Soli	9870487302	
27	Anurag Khan	9748613002	AK
28	Rajesh Mondal	8653385137	R. Sol
29	Rasudav Gajen		
30	Rajesh Singh		

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## Participants List

Name of place (Ward No) 142

Date 18/12/2015

Sl.No	Name of Participants	Contact No, if any	Signature
31	ଅମିତା ଅନୁରା	8584969303	
32	ଅମିତା ଅନୁରା		ଅମିତା ଅନୁରା
33			କାନ୍ତୀ ଲୀ
34			Champa Bof
35		7686877910	Munmun Barua
36			Jaya Monaal
37			ବିଜୟା ରାଜାହା
38	ସୋନାଲୀ -କ		ଅନିତା ଦାସ
39	ବିଜୟା ରାଜାହା		
40	ବିଜୟା ରାଜାହା	8013362441	

ଅମିତା

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## Participants List

Name of place (Ward No) 142

Date 18/12/2015

Sl.No	Name of Participants	Contact No, if any	Signature
51	মির্জা মক্কেল		
52	আবুল হাশিম		
53	কুশী মুন্সাজি		
54	বালু মন্ডল		
55	Ashoke kr. Jha	9062101897	Ashoke kr. Jha
56	Prashanto-	8981146023	Prashanto-
57	Krishna Pal	9741852523	Krishna Pal
58	Prakash Hazra	4330072354	Prakash Hazra
59	মির্জা নসর		দিল্লী রাস
60.	দুর্গা মন্ডল		

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