

# Resettlement Plan

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July 2015

## IND: Uttar Pradesh Major District Roads Improvement Project

Kaptanganj-Hata-Gouribazar & Kaptanganj-Naurangia Sub-project

Prepared by Uttar Pradesh Public Works Department, Government of India for the Asian Development Bank.

## CURRENCY EQUIVALENTS

(as of 19 March 2015)

Current unit	-	Indian rupee (Rs.)
Rs1.00	=	\$0.0181438810
\$1.00	=	Rs.62.41

## ABBREVIATIONS

ADB	–	Asian Development Bank
AE	–	Assistant Engineer
APs	–	Affected Persons
ASF	--	Assistant Safeguards Focal
BPL	–	below poverty line
BSR	–	Basic Schedule of Rates
CPR	–	common property resources
CSC	–	construction supervision consultant
DC	–	district collector
DPR	–	detailed project report
EA	–	executing agency
EE	–	executive engineer
FGD	–	focus group discussion
GOI	–	Government of India
GRC	–	Grievance Redress Committee
IA	–	implementing agency
IP	–	indigenous peoples
IR	–	involuntary resettlement
LAA	–	Land Acquisition Act
LAP	–	land acquisition plan
NGO	–	nongovernment organization
RFCT in LARR	–	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCT in LARR), 2013
RFCT in LARR (Ordinance)	–	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Ordinance. 2014
OBC	–	other backward castes
RP	–	Resettlement Plan
PD	–	Project Director
PAP	–	Project Affected Person
PAF	–	Project Affected Family
PDF	–	Project Displaced Family
PDP	–	Project Displaced Person
PIU	–	project implementation unit
R&R	–	resettlement and rehabilitation
RF	–	resettlement framework
RO	–	resettlement officer
ROW	–	right-of-way
RP	–	resettlement plan
SC	–	scheduled caste
SPS	–	ADB Safeguard Policy Statement, 2009
ST	–	scheduled tribe

TOR	–	Terms of Reference
UPPWD	–	Uttar Pradesh Public Works Department
VLC	–	Village Level Committee

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## EXECUTIVE SUMMARY

### A. Project Description

1. Uttar Pradesh is India's most populous state with population of about 200 million. The state also has the largest rural population in the country. While the dependence on agriculture is high, the road network is not very well developed: the state has a road network density of about 72 km per 100 sq. km, as against the national average of 107. Uttar Pradesh Major District Roads Improvement Project (UPMDRP) seeks to upgrade and rehabilitate about eight (8) major district roads (MDR) for a total of 431 km, thereby improving connectivity and fostering inclusive economic growth. The estimated cost of the project is about \$428 million, of which \$300 million would be financed by ADB as a project loan. The list of project roads and widening option has been outlined in **Annex 1**. The project's Executing Agency (EA) is Uttar Pradesh Public Works Department (UPPWD). The project is expected to improve connectivity, which in turn will contribute towards economic growth and reduce interstate disparities within India.

2. The project is categorized as 'A' for involuntary resettlement (IR). The project will mainly remain confined within the existing right of way (RoW) that is owned by UPPWD. The Right of Way (RoW) ownership of UPPWD for all road corridors has been verified with the local Land Revenue Records Department and the project does not require private land acquisition. Within the RoW, the corridor of impact (Col) has been adjusted to ensure that resettlement impacts are minimized. However, the project will still trigger resettlement impacts, mainly resulting from the demolition of external sections of structures (residential and commercial), as well as auxiliary structures. The improvements will be conducted on the current road alignment, accommodating in the process the standard designs to fit civil works within the existing width, and there will be very limited impact on permanent structures (i.e. pucca) other than external features (i.e. verandahs, stairs and balconies) without affecting the latter's viability. It is estimated that 976 non-titled households will be affected by the project, for a total number of 7103 affected persons. Only 27 private structures will be fully affected, leading to the physical relocation of its owners. The owners will receive appropriate compensation and relocation assistance as per the standard entitlement matrix prepared for UPMDRIP. A total of 8 social safeguards documents were prepared during the processing of UPMDRIP, including 7 Resettlement Plans and 1 Due Diligence Report (DDR).

3. This document is the Resettlement Plan (RP) for one of these project roads, the Kaptanganj-Hata-Gouribazar and Kaptanganj-Naurangia, of a total length of 84 km. The sub-project road will have minor resettlement impact on 105 households, representing 918 persons. No household will be physically relocated.

### B. Efforts to Minimize Resettlement Impacts

4. Technical and engineering constraints as well as social impacts were major concerns during the exploration of various alternative alignments. Overall, the project is designed to limit civil works in congested areas to pavement improvement and avoid impacting sensitive sites altogether. In some sections, the road passes through narrow and congested urban markets, where any alignment improvement would have involved significant resettlement impacts on structures and likely entailed private land acquisition. In these cases, the Executing Agency has opted for limiting the works to improvement of pavement and drains on an as-is land width, in order to minimize impacts. As a result, private land acquisition has been avoided and impacts on assets minimized to a great extent.

### C. Scope of Land Acquisition and Resettlement

5. The Right of Way (RoW) is owned by the State Government and administered by UPPWD. Overall, the RoW varies between 18.89 mtrs to 42.00 mtrs (for details see Annex-3). The confirmation of the ownership of the ROW was obtained by verifying the boundaries of the legal RoW and private properties within and in the vicinity of the Corridor of Impact (Col) with UPPWD's records and the land revenue's department's maps. The census survey and land records verification confirm that the project does not involve private land acquisition. However, in the Kaptanganj-Hata-Gouribazar road, there will be impacts on 75 households (65 non-titleholder owners all of whom identified as encroachers<sup>1</sup> and 10 tenants), representing a total of 714 persons where as in Kaptanganj-Naurangia road, there will be impacts on 30 households representing a total of 204 persons. A summary of the impacts from the survey carried out from 22th April to 26th April 2015 and updated on 11<sup>th</sup> July 2015 provided in Table 1 below.

**Table 1: Summary of key impacts**

Type of Impact	Kaptanganj-Hata-Gouribazar Road	Kaptanganj-Naurangia Road	Total
Total Households Affected including Tenants	75	30	105
Total Persons Affected	714	204	918
Vulnerable Households Affected	7	3	10
Severely Affected Households	0	0	0
Households Affected by Land Acquisition	0	0	0
Impact on Total Properties/ Structures	97	53	150
Impact on Private Structures	65	30	95
Households Fully Displaced	0	0	0
Households Affected by loss of income	16	6	22
Households losing trees/crops	0	0	0
Structures fully affected	0	0	0
Structures partially affected (private/public) excluding Hand Pump	71	35	106
CPRs / Govt. properties affected including Hand pumps (religious-5 in road-1 and 2 in road-2)	32	23	55

### D. Consultation, Participation and Disclosure

6. During the RP preparation, consultations were held with affected household and commercial establishment owners along the project corridor, as well as other members of the community. Moreover, officials of the district administration, land revenue department and elected members of the local panchayat were consulted. Between 22 April to 26 April 2014 2015, 4 public consultation meetings and 8 Focus Group Discussions (FGDs) were conducted involving the participation of more than 294 people on the both road. The discussions focused on the presentation of the project's features, risks and perceived benefits. The views of the consulted groups were integrated into the project design to the extent possible.

7. The resettlement principles and entitlements matrix and a summary of the RP will be translated in Hindi and both the versions will be made available to the public and in particular to

<sup>1</sup> Encroachers: Encroachers are those who build a structure which is in whole or is part of an adjacent property to which he/she has no title.



the affected people by the Executing Agency (EA). Electronic version of the RPs will be disclosed on the respective State Government and ADB official websites. A summarized version of the RP will be distributed in a leaflet format upon the start of RP implementation.

## **E. Policy and Legal Framework**

8. The resettlement principles adopted for this project is in line with the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013, Uttar Pradesh's Policy on Direct Land Negotiation (2015), UPPWD/ADB's Resettlement Framework (2015), and the Asian Development Bank's Safeguards Policy Statement, 2009.

## **F. Entitlements, Assistance and Benefits**

9. All Affected households are entitled to receive compensation for losses and assets affected, on the principle of replacement value. All compensation and assistance will be paid as per the entitlement matrix included in this RP. Special assistance will be provided to vulnerable and severely affected households. Reconstruction assistance is also included in the entitlement matrix. Compensation and other assistances will be paid to APs prior to any physical or economic impacts on assets of affected households and commencement of civil work. There are no titleholders in the RP, so the cut-off-date will be the date of the completion of the census survey for Kaptanganj-Hata-Gouribazar and Kaptanganj-Naurangia road is 24 April 2015 and 26 April 2015 respectively.

## **G. Relocation of Housing and Settlement**

10. No household in this project will require relocation. The EA will provide compensation at replacement cost for structure in accordance with the entitlement matrix.

## **H. Income Restoration and Rehabilitation**

11. The project will temporarily impact the livelihood of 14 households (12 households in Kaptanganj-Hata-Gouribazar road and 2 in Kaptanganj-Naurangiya road), as their commercial establishment will be partially damaged. They will be eligible to livelihood compensation equivalent to 3 weeks' income.

## **I. Resettlement Budget and Financing Plan**

12. The resettlement cost estimate for this RP includes compensation for structure at replacement cost without depreciation, compensation for livelihood loss, resettlement assistances and cost of RP implementation. The total resettlement cost for the project is **INR 0.96 Crores or USD 150,000**. The EA for this sub-project will provide the necessary funds for compensation for land and structure. The EA will ensure timely availability of funds for smooth implementation of the RP.

## **J. Grievance Redress Mechanism**

13. The EA will establish a mechanism to receive and facilitate the resolution of affected persons' concerns and grievances. The grievance redress mechanism will address APs concerns and complaints promptly and be readily accessible to the affected persons at no costs. This mechanism will include a grievance officer at PIU level (the Safeguards Project Officer, Lucknow)) who will be easily accessible to concerned individuals. The phone number and

location of the grievance officer will be put on signboards in strategic places along the corridor. The Grievance Redress Committee will be established as soon as the project is approved by the government.

#### **K. Institutional Arrangement**

14. Uttar Pradesh Public Works Department (UPPWD) will be the Executing Agency for this Project. A Chief Engineer (CE) at UPPWD headquarters based in Lucknow will be designated as person in charge for project implementation. A dedicated Social Safeguards Focal Officer (SPO), reporting to the CE, will be responsible for ensuring compliance with social safeguards of all project roads. He/She will be supported by a resettlement consultant outsourced for the implementation of UPMDRIP. The field project implementation unit will be the UPPWD Lucknow Division responsible for RP implementation at the project road level. The field PIU will be headed by a Divisional Manager (Tech.) and will have one Assistant Safeguards Focal (ASF), responsible for the implementation of environmental and social safeguards activities and receiving and addressing complaints at the subproject road level. The RP will be implemented by an experienced firm or NGO and monitored by the Construction Supervision Consultant (CSC) resettlement expert.

#### **L. Implementation Schedule**

15. The RP implementation is divided into three sets of activities which are project preparation activities, RP implementation activities, and monitoring and reporting activities. The RP will be implemented over a period of 12-18 months.

#### **M. Monitoring and Reporting**

16. The monitoring mechanism for the RP shall comprise of both internal and external monitoring. While internal monitoring as a mechanism will be carried out in parallel to project implementation and at different stages respectively by the NGO and PIU, external monitoring will be carried out by the CSC.

17. Semi-annual social monitoring reports describing the implementation of the RP will be disclosed on ADB's website as well as on the EA's.

## I. PROJECT DESCRIPTION

### A. Introduction

1. UPMDRIP is categorized as 'A' for involuntary resettlement (IR). The project will mainly remain confined within the existing right of way (RoW) that is owned by UPPWD. The Right of Way (RoW) ownership of UPPWD for all road corridors has been verified with the local Land Revenue Records Department and the project does not require private land acquisition. Within the RoW, the corridor of impact (CoI) has been adjusted to ensure that resettlement impacts are minimized. However, the project will still trigger resettlement impacts, mainly resulting from the demolition of external sections of structures (residential and commercial), as well as auxiliary structures. The improvements will be conducted on the current road alignment, accommodating in the process the standard designs to fit civil works within the existing width, and there will be very limited impact on permanent structures (i.e. pucca) other than external features (i.e. verandahs, stairs and balconies) without affecting the latter's viability. It is estimated that 976 non-titled households will be affected by UPMDRIP, for a total number of 7103 affected persons. Only 27 private structures will be fully affected, leading to the physical relocation of its owners. As for the Kaptanganj-Naurangia subproject road which is the object of this Resettlement Plan, it is estimated that 105 households will be affected.

2. This resettlement plan (RP) has been prepared for the Naurangiya to Kaptanganj to Varhaaj Marg, which will be financed under the project loan Uttar Pradesh Major District Road Improvement Project (UPMDRIP). It is based on the Resettlement Framework that has been approved by ADB and the Uttar Pradesh Public Works Department (UPPWD) to guide the resettlement rehabilitation and assistance process during the implementation of UPMDRIP. This RP is a live document and will be updated as and when necessary.

### B. Existing Road Description

3. The project road (figure -1) Naurangiya to Kaptanganj to Varhaaj Marg falls under the districts of Deoria and Kushinagar and combination of 2 roads MDR-025 E and ODR -031. The total length of both the road section is 84.000 km.

**Figure 1: Kaptanganj-Hata-Gouribazar & Naurangia Project Location Map**



4. The entire length of both the project road passes through plain/rolling terrain cutting across several agricultural land, villages and towns. The land use along the corridor road is predominantly agricultural comprising of a variety of crops.

5. The existing carriageway configuration is single lane with earthen shoulders having the width of carriageway varies between 3.75 m and 4.00 m for ODR, while it is double lane for MDR part along the entire length of the project road. The road geometry and existing pavement of ODR part of the project road is very poor.

6. The major settlements/ towns along the kaptanganj-Hata-Gouribazar road are Kaptanganj, Semra, Narayanpur, Pakdi Madraha, Hata, Gouri Bazar, Indupur comes under kushinagar and Deoria districts and nine villages such as Bandeliganj, Bicholi, Misrauli, Khotahi, Parsiya, Kervania, Nirbhaya, Rambagh, Bodh Chapra, Sovraha Khurd, Khairtiya sitlapur & Naurangia comes under Kaptanganj-Naurangia road in Kushinagar district only.

### **C. Proposed improvements**

7. The upgrading and rehabilitating works will consist of raising the formation level, widening to a full two lanes from the existing single and intermediate lane widths, and pavement rehabilitation/strengthening. Road sections with high volumes of non-motorized traffic will be widened to 2-lane black top carriageway of 7.0 m width with 1.5m shoulders on either side covering a total width of 10m.

8. More specifically, the following major components are proposed for the project.

- (i) *Lane Width:* The width of a basic traffic lane is proposed to be 3.50m. Thus, for 2-lane the carriageway, the width will be 7.0m. in both settlement (urban) and rural road sections.
- (ii) *Earthen Shoulders:* Earthen shoulders are proposed to be 1.5m wide on either side of the proposed main carriageway in rural or open road sections and no shoulders has been proposed in urban area.
- (iii) *Drainage:* 1.0m clear opening RCC drain is proposed on both side of the carriageway. Moreover; covered drainage will be built in urban areas, while rural areas will have earthen drainage.

### **D. Minimizing Resettlement**

9. Detailed studies undertaken to prepare this RP show extensive occupancy along the corridor, including densely settled village and urban communities containing numerous residential and commercial structures, businesses, and public facilities. Road widening and the other improvements proposed will impact roadside residences, businesses, religious shrines and structures, public buildings, and infrastructure.

10. Technical and engineering constraints as well as social impacts were major concerns during the exploration of various alternative alignments. Overall, the project is designed to limit civil works in congested areas to pavement improvement and avoid impacting sensitive sites altogether. In some sections, the road passes through narrow and congested urban markets, where any alignment improvement would have involved significant resettlement impacts on structures and likely entailed private land acquisition. In these cases, the Executing Agency has opted for limiting the works to improvement of pavement and drains on an as-is land width, in

order to minimize impacts. As a result, private land acquisition has been avoided and impacts on assets minimized to a great extent. More specifically, the methodology used to minimize impacts was to:

- (i) Follow the existing alignment as much as feasible from an engineering design point of view.
- (ii) Narrow the RoW to the Corridor of Impact (CoI).
- (iii) Avoid impact on religious/sensitive structures to the extent possible.
- (iv) Make changes to the alignment to avoid impacts.

11. In order to minimize resettlement impacts, the RoW has been minimized to the corridor of impact of 12 meters in urban areas and 14 meters in rural areas. In some congested areas, the COI has been limited to 9 meters. Given that the work proposed requires an average of 10 meters width, it is believed that the proposed COI provides a sufficient width to ensure overlaps for construction activities and safety buffers. The social impact survey initially covered all affected persons within a 14 meter COI, but was updated according to the various COIs mentioned above. However, after the identification of hot spots, the widening scheme was revised further to minimize resettlement impacts by reducing the COI to 12 meters in urban/congested areas (varied as per congestion). The final widening scheme after all minimization of resettlement impacts at COI 12 meters (varied as per congestion) is presented in **Annex 2** and a narrative of the impact minimization process is presented in **Annex 3**.

12. The project will not require complete demolition of any structures, and therefore will not lead to physical displacement, be it residential or commercial. In most cases, only structure's frontage strip will be affected, which generally refers to compound walls, fences, yards, verandahs, stairs. These are likely to be affected during construction activities. However, kiosks (mobile structures) will have to be fully relocated out of COI though they may remain within the ROW. However; kiosks (mobile structures) will have to be fully relocated out of COI at congested area though they may remain within the ROW near close vicinity of present location.

13. In some instance, the alignment has been modified to avoid certain sensitive structures. One key example is the Mishrouli Temple (Km. 3.200), which initially would have been impacted by the project. However, by widening the alignment within available RoW, impact on the temple was avoided.

## **E. Methodology for Impact Assessment**

14. The project followed both quantitative and qualitative approach for data collection. The Detailed Project Report (DPR) Consultant included a social team, who carried the social impact assessment, which was supported and reviewed by the Project Preparation Technical Assistance (PPTA) consultant. The key activities undertaken during the social impact assessment are detailed below:

- (i) **Resettlement Screening:** A social screening exercise was performed through a reconnaissance survey to gather first-hand information on impact on land acquisition and resettlement with specific attention on land use, presence of legal and/or illegal housing, traffic patterns, cultural resources, urban settlements and other sensitive areas. The aim of the reconnaissance survey was to assess the scope of land acquisition and resettlement study for the preparation of the resettlement plan.

- (ii) **Confirmation of the ownership of the RoW (RoW):** Once the alignment was finalized in the detailed engineering design, the DPR consultant validated UPPWD's Right of Way (ROW) ownership with the Land Revenue department and affected people. The survey was carried and confirmed that no Land Acquisition Plan (LAP) was required for this particular project. More information about this is provided in section-A in Chapter II and **Annexes- 4**.
- (iii) **Census Survey and Inventory of Assets:** Following the finalization of the road alignment, cross-sections design and land acquisition requirements, a census of affected persons (APs) was carried on a 12-14 meter Col (restricted to 12 mtrs in congested area). The objective was to identify all APs and to make an inventory of the assets that are likely to be affected by the project, as well as project-related losses of income. These would be the basis for the calculation of compensation and assistance budget. The census included data on household characteristics, including social, economic and demographic profile.
- (iv) **Consultation with Stakeholders:** To ensure people's participation in the planning phase and public understanding of the project and associated developmental problems (i.e. local needs of road users, problem and prospects of resettlement), various sections of affected persons (APs) and other stakeholders were consulted through focus group discussions, individual interviews and public meetings between 22-26 April 2015. Vulnerable and women members of the community were also included in this process.

## II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

### A. Ownership of Right of Way and Corridor of Impact

15. The Right of Way (RoW) is owned by the State Government and administered by UPPWD. Overall, This was verified through the following steps:

- (i) **Verification by detailed project report (DPR) consultant with the Land Revenue Record:** The boundaries of the legal right of way and private properties within and in the vicinity of the Col were confirmed with UPPWD's records and the revenue's department's maps. More information on the methodology and a sample of cadastral maps both signed and stamped by the Revenue Department and UPPWD are provided in **Annex 3**. From this verification process, it was determined that UPPWD's RoW ownership varies between **18.89 meters to 42.00 meters** along the corridor. The details of a sample of cadastral maps both signed by the Revenue Department and UPPWD and the RoW width per 500 meter chainage along the entire corridor are presented in a Table in **Annex 4**.
- (ii) **Verification with Affected Persons:** The findings from the Land Revenue Records were confirmed during the census survey process, where titles were either not provided or affected persons recognized not having title documentation.

16. The verification process confirms that the project does not involve private land acquisition. However, there will impact on 65 non-titleholder households as well as 10 tenants, representing 714 affected persons on the Kaptanganj-Hata-Gouribazar road and on the Kaptanganj-Naurangia road there will impact on 30 non-titleholder households, representing 204 affected persons. The structures' owners have been identified as encroachers.<sup>2</sup>

17. The census survey and inventory of lost assets was initially based on a 14 meter Corridor of Impact but revised to 12 meters in congested areas, considering the option of minimization of impacts as part of mitigation measures (see Annex 3). This exercise was carried out from 22nd April to 26th April 2015 and updated on 11<sup>th</sup> July 2015. The findings are discussed in the following sections.

### B. Eligibility Criteria

18. Affected Persons considered eligible to resettlement compensation and assistance are (i) APs who lose land, structures, trees, crops and livelihood with title to the land; (ii) APs who lose land, structures, trees, crops and livelihood without title to the land (squatters and encroachers) who have been surveyed prior to the cut-off date. Non titled-holders will not be eligible for compensation for land.

19. In the case of this project road, given that there is no land acquisition, the cut-off date has been set as the completion date of the survey, or 24 April, 2015 for Kaptanganj-Hata-Gouribazar road and 26 April 2015 for Kaptanganj-Naurangia road respectively. This was communicated to the affected people during the survey and public consultation processes.

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<sup>2</sup> Encroachers: Encroachers are those who build a structure which is in whole or is part of an adjacent property to which he/she has no title.

People moving into the project area after the cut-off date will not be entitled to assistance. However, concessions should be made for enumerator errors and omissions on a case-by-case basis. Moreover, if there is a significant time lag between the completion of the census and implementation of the RP, resettlement planners should make provision for population movements as well as natural population increase and expansion of households, which may include a repeat census.

### C. Impacts on Structure in the project

20. After considering the mitigation measures on the Kaptanganj-Hata-Gouribazar road section, 97 assets including CPRs are to be affected, which exists within the existing ROW of 12 mtrs. Out of 97 affected properties, 65 (67.01%) are private structures owned by 65 non-titleholder households, while 31 structures are community property resources (CPRs), most of which (26) are hand pumps (see Section H below) and 1 structure is government property. Similarly, on the Kaptanganj-Naurangia road section, 53 assets including CPRs are to be affected, which exists within the existing ROW of 12 mtrs. Out of 53 affected properties, 30 (56.60%) are private structures owned by 30 non-titleholder households, while 20 structures are community property resources (CPRs), most of which (18) are hand pumps (see Section H below) and 3 structures are government properties. The details of loss of properties are presented in the **Table 2** below.

**Table 2: Loss of Structure**

Sl. No.	Structure/properties in the Affected Area	Kaptanganj-Gouribazar Road Sections			Kaptanganj-Naurangia Road Sections			Total number of properties affected
		No. of Affected Properties	%	No. of Households (including Tenants)	No. of Affected Properties	%	No. of Households (including Tenants)	
1	Private Structures	65	67.01	75	30	56.60	30	95
2	Government Structures	1	1.03	0	3	5.66	0	4
3	Community Structures (CPRs) including Handpump	31	31.96	0	20	37.74	0	51
	<b>Total</b>	97	100	75	53	100	30	

### D. Impacts on Private Structures

21. In both the project road sections, private structures will only be partially affected and all will remain viable for use. They are all owned by non-titled holders. Details on the loss of private assets are given for both the road in **Table 3** below.



**Table 3: Impact on Private Structure**

Sl. No	Type of Private Property	Kaptanganj-Gouribazar Road Sections				Kaptanganj-Naurangia Road Sections			
		NTHs Owner only	No. of Affected HHs (including Tenants)	No. of Affected Persons	%	NTHs Owner only	No. of Affected HHs (including Tenants)	No. of Affected Persons	%
1	Residential	40	40	433	<b>53.33</b>	15	15	101	<b>50.00</b>
2	Commercial	9	19	154	<b>25.33</b>	5	5	34	<b>16.67</b>
3	Res-cum-commercial	7	7	45	<b>9.33</b>	1	1	12	<b>3.33</b>
4	Others (Toilet, Cattle Shed & Boundary Wall)	9	9	82	<b>12.00</b>	9	9	57	<b>30.00</b>
	<b>Total</b>	<b>65</b>	<b>75</b>	<b>714</b>	<b>100</b>	<b>30</b>	<b>30</b>	<b>204</b>	<b>100</b>

**E. Severity of Impact on Households losing structures**

22. In both the project road sections, the impact on structures will not lead to the physical relocation of any affected person. Overall, impacts on structure are minor, and limited to the frontage of the building, front gate, front wall, etc. constructed upon the encroached land. The intensity of impacts is further delineated in **Table 4**. The analysis of data on the impacts of affected structures reveals that the impact on structure will not lead to displacement and that the remaining portion of the structures will still be viable for use. Partial impacts are defined in this RP as impacts that do not affect a permanent structure's main walls, thus the quality of the structure remains intact. When main walls are affected, the structure is considered fully affected. Moreover, during the survey it has been assessed that impact of 20% or less of the structure does not result in 10% or more of productive assets.

**Table 4: Intensity of Impact on Structures**

Sl. No.	Scale of Impact	Kaptanganj-Gouribazar Road Sections			Kaptanganj-Naurangia Road Sections			Total
		Severity of Impact %	No. of HHs	%	Severity of Impact %	No. of HHs	%	(%)
1	Physical Displacement	0	0	0	0	0	0	0
2	Partial Impacts (No Displacement)	(Less than 20%)	65	100	(Less than 20%)	30	100	100
	<b>Total</b>		<b>65</b>	<b>100</b>		<b>30</b>	<b>100</b>	<b>100</b>

**F. Type of Construction and Affected Areas of Private Structures**

23. The private structures affected are of various types, mainly made out of permanent, semi-permanent and temporary materials. The details of type of constructions of the affected properties are summarized for both the road in **Table 5**.

**Table 5: Type of Construction of Affected Structure**

Sl. No.	Type of Construction	Kaptanganj-Gouribazar Road Sections			Kaptanganj-Naurangia Road Sections		
		No of Affected Properties	%	Area (in sq.mtrs)	No of Affected Properties	%	Area (in sq.mtrs)
1	Permanent	22	33.85	68.95	9	30.00	58.82
2	Semi-Permanent	8	12.31	19.22	5	16.67	27.17
3	Temporary	35	53.85	135.77	16	53.33	40.5
	<b>Total</b>	<b>65</b>	<b>100</b>	<b>223.94</b>	<b>30</b>	<b>100</b>	<b>126.49</b>

**G. Loss of Livelihoods**

24. A total of 22 (16 households on Kaptanganj-Hata-Gouribazar road and 6 households on Kaptanganj-Naurangia road) whose commercial and resi-cum-commercial structures are partially affected, will experience temporary disruption of business during the demolition/reconstruction process. As per the Entitlement Matrix, they will be eligible to three weeks' income (see Section E, Chapter VIII). 10 households who are affected economically are in most part the owners who are also self-employed and conducting commercial activities in these structures (38.49%) but 10 nos of tenants who are renting the premises for commercial purposes. The details of economic impact per category of affected household are presented in **Table 6**.

**Table 6: Loss of Livelihoods in the Sub-project**

Sl. No.	Loss	Kaptanganj-Gouribazar Road Sections		Kaptanganj-Naurangia Road Sections	
		No of Affected Properties	%	No of Affected Properties	%
1	Owners of Shops	16	61.54	6	100
2	Tenants	10	38.46	0	0
	<b>Total</b>	<b>26</b>	<b>100</b>	<b>6</b>	<b>100</b>

**H. Loss of CPRs and government**

25. A total of 55 CPRs are to be affected due to road improvement in which 44 are Hand pumps. In the first section of road a total of 32 CPRs including govt properties are to be affected in which 31 are CPRs and 1 government properties. Within 32 CPRs, 26 are hand pump and 5 are small temples, which boundaries will be affected. 1 Govt properties are partially affected (school boundary wall). Similarly, out of 23 CPRs and 18 community properties, affected on the Kaptanganj-Naurangia road, are hand pump, 2 are religious properties (1 small temple and 1 temple boundary wall) and 3 government properties, which are partially affected (1 gram panchayat and 2 school boundary wall). The list of CPRs affected in the sub-project is presented in the table below and in **Annex 7**.

26. It is important to note that originally, as per the initial design; the part of a temple in the village of Mishrouli (Km. 3.200) on Kaptanganj-Naurangia road would have been demolished. However, after close consultation with community by UPPWD the design was revised to avoid the impact on temple.

**Table 7: Types of CPRs and Government Properties likely to be affected**

Sl. No.	Type of properties	Kaptanganj-Gouribazar Road Sections			Kaptanganj-Naurangia Road Sections			Status of Impacts
		Items	Total	%	Items	Total	%	
1	The Other Community Properties (CPRs)	Hand Pump	26	81.25	Hand Pump	18	78.26	Fully Affected
2	Religious Properties	Small Temple	5	15.63	Small Temple (not the main structures)	1	4.34	Temporary shed & Boundary
		(not the main structures)			Temple Boundary Wall	1	4.34	
3	Government Properties	School Boundary Wall	1	3.12	Gram Panchayat	1	4.34	Boundary Wall
					School Boundary Wall	2	8.69	
	<b>Total</b>		<b>32</b>	<b>100</b>		<b>23</b>	<b>100</b>	

**I. Loss of crops and Trees**

27. The entitlement framework has provisions for the compensation of standing crops and trees (fruit-bearing or non-fruit-bearing) planted by private individuals - even if these are on the govt. land. During the Census, and Socio-economic survey, this type of impact was screened and no impact was identified. The alignment is not entering at any point agricultural fields, which could have led to such impacts.

### III. SOCIO-ECONOMIC INFORMATION AND PROFILE

#### A. General Socio-economic Profile of Project Districts

28. The project road crosses Kushinagar and Deoria districts in Uttar Pradesh. According to the 2011 census, the total population of Kushinagar and Deoria districts are 3.5 and 3.1 million people respectively. The majority of the population 95.28% in Kushinagar and 89.78% in Deoria district lives in rural areas. The socio-economic information of APs has been collected from the census survey of 100% of Affected Persons and the key findings are presented in this section.

#### B. Social Categories of the APs

29. As per the census survey of all the 65 affected households in the sub-project road, the social stratification shows that 38 households (49.35%) are from other backward caste (OBC)<sup>3</sup>, 33 households (42.86 %) are from general category and Scheduled Caste (5.19%) respectively. The detail of social grouping in the sub-project area is presented in **Table 8**.

**Table 8: Social Categories of the APs**

Sl. No.	Description of Caste	Kaptanganj-Gouribazar Road Sections		Kaptanganj-Naurangia Road Sections		Total	Total (%)
		No. of Households	%	No. of Households	%		
1	General	33	42.86	10	33.33	43	40.19
2	Other Backward Caste	38	49.35	15	50.00	53	49.53
3	Scheduled Caste	4	5.19	5	16.67	9	8.41
4	Female Headed	2	2.60	0	0.00	2	1.87
	<b>Total</b>	<b>77</b>	<b>100</b>	<b>30</b>	<b>100</b>	<b>107</b>	<b>100</b>

#### C. Number of APs

30. There are 918 APs in total being affected by the project which includes 493 (53.70%) males and 425 (46.30%) female on the sub-project road and the average household size is 10.56 and the sex ratio among APs is 863. The details of APs being affected in the project are summarized in **Table 9**.

**Table 9: Number of APs**

Sl.No.	Category of APs	Kaptanganj-Gouribazar Road Sections		Kaptanganj-Naurangia Road Sections		Total	
		No. of APs	%	No. of APs	%	Number	%
1	Male	388	54.34	105	51.47	493	53.70
2	Female	326	45.66	99	48.53	425	46.30
	<b>Total</b>	<b>714</b>	<b>100</b>	<b>204</b>	<b>100</b>	<b>918</b>	<b>100</b>

<sup>3</sup> Other Backward Caste Scheduled Caste is a collective term used by the Government of India to classify castes which are socially and educationally disadvantaged. Among these, Scheduled Caste are considered in orthodox Hindu scriptures and also known in the latter as "untouchable" or "dalit" as being at the bottom of the caste hierarchy. They are officially regarded as socially disadvantaged and are now protected by government and object of affirmative action practices under article 341 of the Indian Constitution.

#### D. Annual Income Level of the Affected Households

31. On the sub-project road, the census data revealed that 23.81 % affected households are below the poverty level. The State of Uttar Pradesh defines BPL category as INR 39,312 a year. Most households (21.90%) earn above Rs.39312 and below Rs.50000 annually, 40.95% are earning between Rs.50000 to 100000 while 13.33% are earning above 100000. The average income level of households is summarized in **Table 10**.

**Table 10: Annual Income Level of the Affected Households**

Sl. No.	Annual Income Categories (Rs.)	Kaptanganj-Gouribazar Road Sections		Kaptanganj-Naurangia Road Sections		Total	
		No. of HHs	%	No. of HHs	%	No.	%
1	Below Poverty Line (Up to 39312)	21	28.00	4	13.33	25	23.81
2	Above 39312 and Below 50000	13	17.33	10	33.33	23	21.90
3	Above 50000 and up to 100000	28	37.33	15	50.00	43	40.95
4	Above 100000	13	17.33	1	3.33	14	13.33
	<b>Total</b>	<b>75</b>	<b>100</b>	<b>30</b>	<b>100</b>	<b>105</b>	<b>100</b>

#### E. Impact on Indigenous and Vulnerable Households

32. **Vulnerable Affected Households:** Vulnerable Households are defined as affected families who are: (i) below the poverty level as defined as Rs. 39312 annual family income by the state of Uttar Pradesh; (ii) headed by women and below the average income of affected households; (iii) headed by disabled or elderly and below the average income of affected households; (iv) scheduled tribes and marginalized scheduled castes.

33. The findings of the social impact assessment indicate that 25 BPL households of both the roads are affected by the project. Moreover, there are no adverse impact on the tribal groups or indigenous people within the area of influence of the project road, and the project area does not fall within the defined Scheduled Area where specific actions like preparation of Tribal development Plan (TDP) as per the national/ state policy and legislation are concerned.

34. Thirteen (25) below poverty level (BPL) households, two (2) women headed households (WHHs) in sub-project road and four (8) scheduled caste (SC) households have been identified to be affected by the project. They will be treated as vulnerable households and special assistance will be provided as per the provisions of this RP.

**Table 11: Categories of APs**

Sl. No.	Vulnerable Categories	Kaptanganj-Gouribazar Road Sections		Kaptanganj-Naurangia Road Sections		Total	
		No. of Households	%	No. of Households	%	No.	%
1	SC Households	3	4.00	5	16.67	8	7.62
2	WHH Households	2	2.67	0	0.00	2	2.11
3	BPL Households	4	5.33	0	0.00	4	4.21
	<b>Vulnerable</b>	9	12.00	0	16.67	9	13.93
	<b>Non-vulnerable</b>	66	88.00	25	83.33	91	85.27
	<b>Total affected Households</b>	<b>75</b>	<b>100</b>	<b>30</b>	<b>100</b>	<b>105</b>	<b>99</b>

35. As per the 2011 census, Uttar Pradesh stands first with 20.5% of the total scheduled caste (SC) population of the country's Dalit population. Its share of Scheduled Tribe (ST) population is significantly lower, with 1.1% of the total ST population of the country. The peripheral regions of Uttar Pradesh, are home to a number of tribal communities such as Agaria, Baiga, Bhar, Bhoksa, Bind, Chero, Gond, Kol and Korwa. The project impact zone does not have any ST population that could fall within the ambit of the IP population.

#### **F. Severely Affected Households**

36. This RP defines as Severely Affected Households any household, who, as a result of the project loses 10% or more of its productive assets or is physically displaced. The survey revealed that no AP will be physically displaced as a result of the project and none will lose 10% or more of total productive asset. The impact on the structure is partial leaving is viable (see section E Chapter II) and the impact on income is temporary (see section G in Chapter II).

#### **G. Educational Status of APs**

37. Twelve (35) nos. of affected households (33.33%) are illiterate, 12.38% are up to middle, 23.81% are below matric, 15.24% are matric (10<sup>th</sup> Standard), 5.71% are graduate.

**Table 12: Educational Status of APs**

Sl. No.	Type of Educational Category	Kaptanganj-Gouribazar Road Sections		Kaptanganj-Naurangia Road Sections		Total	
		No. of HHs	%	No. of HHs	%	No.	%
1	Illiterate	17	22.67	18	60.00	35	33.33
2	Up to middle (7 <sup>th</sup> standard)	4	5.33	9	30.00	13	12.38
3	Below Matric (Below 10 <sup>th</sup> standard)	23	30.67	2	6.67	25	23.81
4	Matric (10 <sup>th</sup> standard)	15	20.00	1	3.33	16	15.24
5	Intermediate (12 <sup>th</sup> standard)	10	13.33	0	0.00	10	9.52
6	Graduate	6	8.00	0	0.00	6	5.71
	<b>Total</b>	<b>75</b>	<b>100</b>	<b>30</b>	<b>100</b>	<b>105</b>	<b>100</b>

#### **H. Occupational Status of APs**

38. The finding of census survey revealed that out of 105 APs, 16(15.24%) APs are working as laborer. It is understood from the occupational pattern of APs (excluding the non-working sections such as children and students and household workers) that 41.90% APs are doing businesses as their main occupation, 27.62% are engaged in agriculture work etc. The details of occupational status of APs are summarized in **Table 13**.

**Table 13: Occupational Status of APs**

Sl. No.	Occupation	Kaptanganj-Gouribazar Road Sections		Kaptanganj-Naurangia Road Sections		Total	
		No. of HHs	%	No. of HHs	%	No.	%
1	Labor	9	12.00	7	23.33	16	15.24
2	Business	35	46.67	9	30.00	44	41.90
3	Agriculture	15	20.00	14	46.67	29	27.62
4	Service	8	10.67	0	0	8	7.62
5	Professional	1	1.33	0	0	1	0.95
6	Self Employed	3	4.00	0	0	3	2.86

Sl. No.	Occupation	Kaptanganj-Gouribazar Road Sections		Kaptanganj-Naurangia Road Sections		Total	
		No. of HHs	%	No. of HHs	%	No.	%
7	Unemployed	4	5.33	0	0	4	3.81
	<b>Total</b>	<b>75</b>	<b>100</b>	<b>30</b>	<b>100</b>	<b>105</b>	<b>100</b>

## IV. STAKEHOLDERS CONSULTATION AND PARTICIPATION

### A. Key stakeholders consulted

39. Consultations with various stakeholders were carried out at various levels in the project area by UPPWD, and the PPTA and DPR Consultants. Key stakeholders consulted included affected people as well as other community members living along the project road, and community-based organization and business communities in the area. Moreover, district magistrates, revenue officials, village heads, head of Gram Panchayat, and village administrative officers were also consulted. The consultation methods included general public consultation meetings, focus group discussions (FGDs) with special groups (women, businessmen and farmers), and one-on-one interviews with a total of 294 community members. The key activities of the consultation process is summarized in **Table 14** below:

**Table 14: Village wise Scheduled Public Consultations and FGD**

Sl. No.	Village Name	Date	District	No. of Participants	Types of PC/FGD
<b>Kaptanganj-Hata-Gouribazar Road</b>					
1	Semra (Km.3.000)	24/04/2015	Kushinagar	20 + 21 =41	Public Consultation (PC) & Women Consultation
2	Narayanpur (Km. 6.500)	25/04/2015	Kushinagar	28 + 21 =49	Farmer & Women Group (FGD)
3	Pakdi Madraha (Km.12.500)	25/04/2015	Kushinagar	21 + 12 =33	Farmer & Women Group (FGD)
4	Indupur (Km.44.000)	25/04/2015	Deoria	11	Business Group (FGD)
5	Chhapauli (Km.54.700)	25/04/2015	Deoria	36 +21 =57	Public Consultation (PC) & Women Consultation
<b>Kaptanganj-Naurangia Road</b>					
6	Mishrouli (Km.3.500)	26/04/2015	Kushinagar	20	Public Consultation (PC)
7	Kirounia (Km.6.000)	26/04/2015	Kushinagar	40 + 18=58	Public Consultation & SC Women Group (FGD)
8	Badal Chhapra (Km. 10.000)	26/04/2015	Kushinagar	13	Farmer & Women Group (FGD)
9	Pakriya Bazar (Km.15.650)	27/04/2015	Kushinagar	12	SC Women Group (Rural Artisan)

Note: FGDs- Focus Group Discussions, PC- Public Consultation

40. Overall, male members dominated the whole proceedings of the consultation process. They tended not to allow women to take part of these undertakings and limit their participation to public consultation meetings. As a result, hardly any specific issues related to women were discussed during these activities. In order to ensure their views are incorporated in the project and RP designs, separate FGDs with women were conducted (see **Annex 8** and **Gender Analysis** in **Chapter V**).

### B. Scope of Consultation

41. The following objectives were met during the consultation process:

- (i) Ascertain the views of the APs, with reference to the project, road alignment and resettlement impacts.
- (ii) Understand views of the community on resettlement rehabilitation options;
- (iii) Identify and assess the major socio-economic characteristics of the villages to



- enable effective planning and implementation;
- (iv) Obtain opinion of the community on issues related to the impacts on community property and relocation of the same;
- (v) Examine APs' opinion on problems and prospects of road related issues;
- (vi) Understand concerns and expectations specific to women, vulnerable groups, the business community and farmers;
- (vii) Identify the overall developmental goals and benefits of the project.
- (viii) Disseminate the cut-off date

### **C. Consultations Findings**

42. Both affected persons and local residents of the villages participated to the consultations process.

#### **1. Concerns of community members**

43. Overall Some of the key concerns by the community were the following:

- (i) A wider road shall mean more and faster vehicles that could lead to more accidents.
- (ii) Loss of fertile and residual land, residential structures and commercial assets.
- (iii) Deforestation and construction work would lead to pollution & ecological imbalance.
- (iv) Dismantling of commercial and residential cum commercial enterprises would lead to loss of major source of income of not only the owners of the property but also the employees.

#### **2. Suggestions from community members**

44. A few suggestions were provided by the affected community during the time of the consultation as described below:

- (i) Proper road safety measures
- (ii) Adequate support should be provided to the affected households for the restoration of their livelihood.
- (iii) Dismantling of the houses and commercial structures should be minimized.
- (iv) Covered drains, bus stops and toilets should be provided

#### **3. Responses to concerns and integration of suggestions from the community**

45. Based on the above suggestions, the following issues have been addressed in this RP and detailed designs:

- (i) Proper road safety measures have been integrated into the road design.
- (ii) Adequate support provisions for livelihood restoration have been integrated into the RP Entitlement Matrix.
- (iii) Covered drains and bus stops has been integrated into the detailed designs

### **D. Plan for information disclosure and dissemination and consultation during implementation**

46. The effectiveness and success of the RP will depend to a large extent on the consultation and communication measures undertaken during implementation. Several additional rounds of consultations with APs will form part of project implementation, which will be conducted by UPPWD and facilitated by the RP implementing Consultant/NGO. These include but are not limited to the following:

- (i) Translation of the entitlement matrix and a summarized version of the RP into leaflet format into the local language. Key information to use in the summarized version includes: key project impacts, eligibility and cut-off date, entitlement matrix and valuation process, indicative timeline for disbursement of compensation/assistance and relocation, contact number and location of local Grievance Committee.
- (ii) Disclosure of the RP on ADB and the Executing Agency (EA)'s websites
- (iii) Information dissemination, through public meetings, dissemination of leaflets, public announcements, disclosure in the local media and made RPs made available in relevant Panchayat, government agencies (including the DC's office) in each town, near affected area, and PIU and PMU offices.
- (iv) Setting-up posters with contact information of local UPPWD safeguards officer and local grievance redress in key locations.
- (v) APs will be informed of any change in alignment and consulted to minimize resettlement impacts.
- (vi) Information dissemination sessions will be conducted
- (vii) Public meetings will be organized at different stages of implementation to appraise the communities about the civil works and compensation and assistance progress.
- (viii) Consultation and focus group discussions with vulnerable groups like women, SC, ST, and OBC"s will be conducted to ensure that their needs are taken into consideration during implementation.

47. A Public Consultation and Disclosure Plan will be prepared by UPPWD/implementing Consultant/NGO. A template for this is provided in **Annex-11**.

## V. GENDER ASSESSMENT

48. The consultation process included the participation of 118 women. The census survey and discussion with women in the project area showed that close to 62% of them spends time in supporting their male partner for the agricultural activities. Most of the women reported that they look after their reproductive and productive roles simultaneously by working in agriculture as well as taking care of household tasks, such as cooking, washing, cleaning, nursing, bearing and looking after children, fetching water and fuel, etc. Any activity that can generate cash income is preferred to be done at home, or near home. Details on the data collected during the census survey can be found in **Annex-10**.

49. The gender assessment also highlights a lack of basic facility and transportation in the project area. Accessibility to amenities and facilities affects women's daily lives. During the survey process, the accessibility to services and facilities has been assessed, the most important of which was the finding that it could take 2 to 3 hours to access a health facility. The FGDs revealed that women reported having limited mobility and therefore expressed preference to work near their homes.

50. The perceived benefits of the project from were also discussed and included the following:

- (i) Improved access to social facilities like health, education
- (ii) Increase in income generating activities
- (iii) Frequent and affordable transport
- (iv) Management of emergency situation
- (v) Increased frequency of health workers, extension workers visits
- (vi) Improved access to market
- (vii) Reduced time spent on firewood collection
- (viii) Less flooding
- (ix) Side pavements will make walking easy

51. The women consulted perceived little negative impacts of the road improvement besides for the loss of assets and road safety concerns. Road safety awareness campaigns for road residents will be conducted by the RP implementing NGO/Consultant. The INGO/Consultant will also inform residents of the safety designs of the road as well as other road safety capacity-building interventions financed by the project.

52. Although not specific to the Resettlement Plan for Kaptanganj-Naurangia, UPMDRIP includes the following gender-sensitive features: (i) constructing 344 bus shelters across the 8 subproject roads; (ii) including safety and elderly-women-children-disabled (EWCD) friendly features into road design such as proper signage, marked crossings, pedestrian paths and bus stops; (iii) ensuring and monitoring the participation of women in community awareness activities and consultations; (vi) monitoring female participation in the construction and maintenance workforce.

## **VI. LEGAL FRAMEWORK**

53. The policy framework and entitlements for the project are based on the national law The Right to Fair Compensation and Transference in Land Acquisition, Rehabilitation and Resettlement Act, 2013, (LARR 2013) its 2014 Ordinance and ADB SPS, 2009.

### **A. The Right to Fair Compensation and Transparence in Land Acquisition, Rehabilitation and Resettlement Act, 2013**

54. The Right to Fair Compensation and Transparence in Land Acquisition, Rehabilitation and Resettlement Act, 2013 has been effective from January 1, 2014 after receiving the assent of the President of Republic of India. This Act extends to the whole of India except the state of Jammu and Kashmir. The Act replaced the Land Acquisition Act, 1894. The Act has since late December 2014 been amended by the 2014 First Amendment Ordinance to make it more flexible.. The Amendment Ordinance, which is yet to be approved by the Parliament, has entered into force since January 2015 and been re-promulgated twice by executive order. It is summarized below.

55. The aims and objectives of the Act is to ensure, in consultation with institutions of local self-government and Gram Sabhas established under the Constitution of India, a humane, participative, informed and transparent process for land acquisition for industrialization, development of essential infrastructural facilities and urbanization with the least disturbance to the owners of the land and other affected families. It provides for compensation and resettlement assistance to the affected families whose land or other assets are affected by the project. A few of key features that are revised from the old Act include the recognition of non-title holders to compensations if they have lived in the area proposed to be acquired in the past three years as well as compensations for loss of livelihood.

56. Section 26 of the Act defines the method by which market value of the land shall be computed under the proposed law. Schedule I outlines the proposed minimum compensation based on a multiple of market value. Schedule II through VI outline the resettlement and rehabilitation entitlements to land owners and livelihood losers, which shall be in addition to the minimum compensation per Schedule I.

57. An Amendment Ordinance to the Act was promulgated on December 31, 2014. The Ordinance provides exemptions for five categories of projects from certain requirements: (i) Defense; (ii) Rural infrastructure; (iii) Affordable housing; (iv) Industrial corridors; (v) Infrastructure projects including Public Private Partnership (PPP) projects where the central government owns the land. These 5 categories of projects are exempted from the requirement of consent of 80% of land owners to be obtained for private projects and that the consent of 70% of land owners be obtained for PPP projects as well as from conducting the Social Impact Assessment through a notification.

58. In the context of this project, should it have involved private land acquisition, it would have fallen in the infrastructure category, which is exempted from the Social Impact Assessment. An SIA will still be conducted as it is required by the ADB SPS, but without following the LARR guidelines.

### **B. Government of Uttar Pradesh (GoUP) Direct Land Purchase Policy 2015**

59. The Government of UP has issued a Government Order no. N0. 2/2015/215EK-13-2015-

20(48)/2011, dated March 19, 2015 to allow land purchase directly from the land owners through private negotiation. According to the Government Order, the land rates and the total land cost are determined by a valuation committee composed of representatives from the DM, Stamps and Registration Department and UPPWD. The land rates will be based on the LARR Act 2013, with a multiplying factor of 2 for land purchased in rural areas. The evaluation methodology is laid out in the Government Order No 797/1-13-2014-5Ka (25)/2013 T.C. dated October 22, 2014. More information about the Government Order(s) in Hindi can be found on the following link: <http://shasanadesh.up.nic.in>.

60. The ADB SPS encourages acquisition of land and other assets through a negotiated settlement wherever possible, based on meaningful consultation with affected persons, including those without title to assets. A negotiated settlement will offer adequate and fair price at market cost for land and/or other assets. All negotiated settlement will be validated by an independent external part engaged by the IA to document the negotiation processes. If negotiation fails, the EA will acquire land following the national legislation and ADB SPS.

### **C. ADB's Safeguard Policy Statement (SPS), 2009**

61. The objectives of ADB's SPS (2009) with regard to involuntary resettlement are: (i) to avoid involuntary resettlement wherever possible; (ii) to minimize involuntary resettlement by exploring project and design alternatives; (iii) to enhance, or at least restore, the livelihoods of all affected persons in real terms relative to pre-project levels; and (iv) to improve the standards of living of the affected poor and other vulnerable groups. ADB's SPS (2009) covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods).

62. The three important elements of ADB's SPS (2009) are: (i) compensation at replacement cost for lost assets, livelihood, and income prior to displacement; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to enhance, or at least restore, the livelihoods of all affected persons relative to pre-project levels and to improve the standard of living of affected poor and other vulnerable groups; and (iv) meaningful consultations with affected persons.

### **D. Comparison of National with ADB Policy**

63. Overall, the new Act now bridges the gaps between the GoI policy and ADB's SPS, 2009. In particular, the Act require social impact assessments for projects involving land acquisition, although it sets a minimum threshold of people affected for this provision to apply, while this is not required in the SPS. The Act also expands compensation coverage by a solatium of 100 percent of all compensation amounts. Overall, the LARR 2013 brings the value of compensations for land and structures higher than replacement cost, which is the principle on which compensations are calculated under SPS. The Act furthermore is in line with ADB requirement that compensation be paid prior to project taking possession of any land.

64. The outstanding differences between the government and ADB policy is the establishment of a cut-off date for non-titled holders. The RFCT in LARR, 2013 specifies that only non-titleholders residing on any land for the preceding three years or more will be entitled for compensation and assistance as per this Act. A comparison of Government policies (RFCT in LARR, 2013) with ADB's involuntary resettlement policy is presented in the Resettlement Framework. To bridge the gap with SPS, the Entitlement Matrix included in this RP and approved in the Resettlement Framework does not distinguish between non-titled holders being

established for three years and longer from others who settled in the project Col more recently: all non-titled holders will be compensated for any loss of assets and income besides for loss of land.

65. Overall, the GoUP's Direct Land purchase policy is compliant with ADB's SPS as long as the titled owners are not forced into selling their land. To ensure due process in these transactions, when these take place for a specific subproject road under this project, an independent third party will be hired to verify the process has been taken place without coercion and following the evaluation methodology stipulated in the Government Order(s) referred to in paragraph 20.

66. The ADB and UPPWD approved a Resettlement Framework to guide the preparation process of the Resettlement Plans under the UPMDRIP. The RF is currently being reviewed by UP's Cabinet. The entitlement matrix, institutional arrangements and grievance redress mechanism proposed under this RP follow the guidelines of this Resettlement Framework.

## VII. COMPENSATIONS, RESETTLEMENT ASSISTANCE AND ENTITLEMENT MATRIX

67. Based on the above analysis of government provisions and ADB policy as well as on the Resettlement Framework approved between UPPWD and ADB the following key resettlement principles, definitions and Entitlement Matrix have been adopted for the Project.

### A. Eligibility and key principles

- (i) All affected persons losing physical and economical assets as a result of the project and identified prior to the cut-off-date.
- (ii) **Cut-off dates:** For Titled-Holders, the cut-off date will be the date of publication of preliminary notification for acquisition under Section 4(1) of the RFCT in LARR Act, 2013. For non-titleholders such as squatters, the cut-off date will be the start date of the project census survey as per the final detailed design or updated census survey during RP implementation. Given that this RP does not have affected titleholders, the cut-off date will be the date of the completion of the census of 24 April 2015 for Kaptanganj-Hata-Gouribazar road and 26 April 2015 for Kaptanganj-Naurangia road.
- (iii) Affected Persons are eligible to resettlement assistance and compensation, for the loss of assets at full replacement costs. Non-titled holders (e.g., informal dwellers/squatters, and encroachers) are eligible to the loss of assets other than land, such as dwellings, and also for other improvements to the land, at full replacement cost;
- (iv) vulnerable and severely affected households will be provided special assistance;
- (v) Persons losing income as a result of the project will be provided with income restoration and rehabilitation;
- (vi) land acquisition, and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative sub-project designs;
- (vii) compensation and/or assistance will be paid prior to the contractor taking physical acquisition of the land and prior to the commencement of any construction activities;

68. Note: All APs will be given three (3) months notice before any destruction of assets.

### B. Compensations and resettlement assistance

69. All persons affected by the project and meeting the cut-off date requirements will be entitled to a combination of compensation packages and resettlement assistance depending on the nature of ownership rights on lost assets and scope of the impacts:

- (i) Compensation for the loss of land, crops/ trees at their replacement cost;
- (ii) Compensation for structures (residential/ commercial) and other immovable assets at their replacement cost;
- (iii) Restoration grant equivalent to 10% of the replacement grant
- (iv) Assistance in lieu of the loss of business/ wage income and income restoration assistance; assistance for temporary disruption of economic activities
- (v) Assistance for shifting and provision for the relocation site (if required), and
- (vi) Rebuilding and/ or restoration of community resources/facilities.
- (vii) Additional Support to Vulnerable and Severely Affected Families

### C. Livelihood Improvement and Skills Development Program

70. The project is not expected to lead to long-term negative impacts on livelihood, as it will not lead to the permanent relocation of affected business owners. On the contrary, the improvement of road connectivity will improve opportunities for trade and business growth. Temporary disruption of business is expected during the demolition and reconstruction of partially affected structure. In these instances, a temporary economic disruption grant of Rs 9,000 (equivalent to loss of income for 3 weeks) will be provided. On a case by case basis, affected business owners who can demonstrate that his/her business has suffered losses for over 3 weeks will be eligible to apply for additional assistance for the length of time he/she endured business losses (at Rs 3,000/week). Moreover, it is not expected that construction activities will have a negative impact on business activities as UPPWD has a policy of doing construction activities at night in commercial and market areas.

71. A livelihood improvement and skill development program will be provided to affected persons eligible as per the entitlement matrix. A member of any AP belonging to the vulnerable or severely affected category will be eligible for participating in the training. The training will consist of skill development training along with a seed grant of Rs. 4,000. A needs assessment will be conducted by the RP implementing NGO/Consultant to define the type of skills that could be provided in the training. For Kaptanganj-Hata-Gouribazar road, 11 affected households, and for Kaptanganj-Naurangia road 8 affected households belonging to the vulnerable category are eligible to this training.

72. An **Entitlement Matrix**, delineated in **Table 15** has been developed to summarize entitlements. The full entitlement matrix outlined in the Resettlement Framework and which includes provisions for land acquisition is included in Annex 11.



**Table 15: Entitlement Matrix**

*All awards below shall be exempt from income tax, stamp duty and fees.*

Type of Loss		Definition of Entitled Person	Compensation Policy	Responsible Agency
<b>1</b>	<b>Structures</b>			
1.a	Loss of residential, commercial structures and other assets	Legal titleholders Encroachers and squatters	<p><b>If partially affected<sup>4</sup>:</b> Replacement cost of the affected part or assets with right to salvage materials. If remainder of the structure is unviable, the owner has the option to claim compensation for entire structure (see below). Restoration grant of 10% of replacement cost of structure.<sup>5</sup></p> <p><b>If Residential / Commercial structure fully affected:</b></p> <ul style="list-style-type: none"> <li>• Replacement Cost of the structure</li> <li>• If relocating outside RoW, Resettlement Allowance of Rs. 50,000 per family as per LARR Act 2013.<sup>6</sup></li> <li>• Monthly Subsistence Allowance of Rs. 3,000 for one year (total Rs. 36,000) for families having to relocate their homesteads as per LARR Act 2013.<sup>7</sup></li> <li>• Shifting allowance of 10% of replacement cost of structure up to a maximum of Rs 50,000, as per the LARR Act 2013</li> <li>• Right to salvage materials from structure and other assets with no deductions from replacement cost.</li> <li>• 90 day notice to vacate structure.</li> </ul>	<p>NGO/Consultant will confirm titleholder's eligibility</p> <p>IA/ CSC will ensure provision of notice.</p>

<sup>4</sup> External to the living/commercial areas (i.e. verandahs, stairs)

<sup>5</sup> This have been added given that in the context of this RP, the concentration of impacts relate to structures being partially affected and as such it is a needed additional assistance measure.

<sup>6</sup> Not cumulative if Resettlement Allowance has been given for loss of land (Entitlement 1.a)

<sup>7</sup> Households losing commercial structures are not eligible

Type of Loss		Definition of Entitled Person	Compensation Policy	Responsible Agency
1.b	Loss of residential/commercial structure and other assets	Tenants (without documentation) and leaseholders	<ul style="list-style-type: none"> <li>Replacement cost of part/whole of structure – if latter has been constructed by the tenant/leaseholder with right to salvage material</li> <li>Compensation for rental deposit or unexpired lease (only for AP with legitimate lease documentation). This will be deducted from the compensation amount of the structure owner.</li> <li>Lump-sum equivalent to two month lease to support search of alternative housing.</li> </ul>	<p>NGO/Consultant will confirm tenants' eligibility</p> <p>IA/ CSC will ensure provision of notice.</p>
1.c	Loss and temporary impacts on common property resources	Titled and non-titled owners/communities	<ul style="list-style-type: none"> <li>Replacement or restoration of the affected community facilities</li> <li>Best efforts need to be made to avoid impacts on sensitive sites (i.e. religious, sacred). If these need to be relocated or rehabilitated additional level of consultation with community is required to ensure proper process</li> </ul>	<p>IA/ CSC will assess how to avoid sensitive sites</p> <p>NGO/Consultant will conduct additional consultations</p>
<b>2 Loss of crops and trees</b>				
2.a	Loss of trees and crops	Legal titleholder/tenant/leaseholder/sharecropper/non-titled AP	<ul style="list-style-type: none"> <li>60 days advance notice to harvest standing seasonal crops prior to damage, fruits and timber</li> <li>Compensation for standing crops (or share of crop for sharecroppers) based on an annual crop cycle at market value.</li> <li>Compensation for trees based on timber value at market price, and compensation for perennial crops and fruit trees at annual net product market value multiplied by remaining productive years; to be determined in consultation with the Forest Department for timber trees and the Horticulture Department for other trees/crops.</li> </ul>	<p>NGO/Consultant will confirm affected household eligibility</p> <p>IA/ CSC will ensure notice is provided.</p>

Type of Loss		Definition of Entitled Person	Compensation Policy	Responsible Agency
<b>3</b>	<b>Loss of livelihood</b>			
3.1	Loss of livelihood income	Legal Titleholder/tenant/leaseholder/non-titled holder of fully affected commercial structure <sup>8</sup>  Employee of affected commercial structure.  Farmer/ agricultural worker of land acquired.	<ul style="list-style-type: none"> <li>• <b>Loss of business income/wages:</b> One time financial assistance based on three month income<sup>9</sup> or Rs. 25,000 as per RFCLARRA 2013, whichever is higher</li> </ul>	NGO/Consultant will confirm affected household eligibility
3.2	Temporary disruption of livelihood	Legal titleholders, non-titled Ahs, tenants	<ul style="list-style-type: none"> <li>• 90 days advance notice regarding construction activities, including duration and type of disruption.</li> <li>• Economic Disruption Grant of Rs. 3,000/week when commercial structure is partially affected and owner loses income to rebuild part of structure or because of construction activities.</li> <li>• Assistance<sup>10</sup> to mobile vendors/hawkers to temporarily shift for continued economic activity during construction activities.</li> </ul>	IA/ CSC will ensure notice is provided.
<b>4</b>	<b>Special assistance to Vulnerable Households</b>			
4.1	Impacts on Vulnerable Households (VAHs) and Severely Affected Households (SAHs) <sup>11</sup>	Vulnerable Households Severely Affected Households	<ul style="list-style-type: none"> <li>• Participation of one member of household in Livelihood Improvement and Skills Development Training</li> <li>• Priority of employment under the project during construction and implementation for one family member to extent possible.</li> </ul>	NGO/Consultant to confirm VAH/SAH list  NGO/Consultant to conduct assessment of skills development

<sup>8</sup> When core commercial space is affected – when external sections of the structures such as verandahs, stairs, balcony are affected the owner will not be eligible to this entitlement.

<sup>9</sup> Based on income tax return

<sup>10</sup> Assistance will be provided in accommodating a temporary space for commercial activities during construction, dismantling and reassembling mobile structure and in physically relocating structure

<sup>11</sup> Severely Affected Households (SAHs): defined as losing 10% or more of their total productive assets and/or physical displacement

Type of Loss		Definition of Entitled Person	Compensation Policy	Responsible Agency
5	<b>Other losses</b>			
5.1	Temporary loss of land	Legal titleholders	<ul style="list-style-type: none"> <li>• Rent at market value for the period of occupation.</li> <li>• Restoration of land to previous or better quality</li> <li>• Location of construction camps will be fixed by contractors in consultation with Government and local community.</li> </ul>	<p>Contractor negotiates amount with landowner – supervised by CSC.</p> <p>IA/CSC ensures compensation paid prior to take-over.</p> <p>Contractor responsible for site restoration.</p>
5.2	Any other loss not identified		<ul style="list-style-type: none"> <li>• Unanticipated involuntary impacts will be documented and mitigated based on ADB's Safeguard Policy (SPS), 2009.</li> </ul>	NGO/Consultant to identify other potential losses

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

### **A. Introduction**

73. The budget proposed below gives an overview of the estimated costs for the entire package of resettlement implementation, including compensation, assistance, administrative expense, monitoring and evaluation and contingencies. The values for compensation amounts and other support mechanism will be adjusted, based on annual inflation factor.

### **B. Compensation for loss of land**

74. Given that there is no private land acquisition in this project, there is no budgetary provision for compensation for land.

### **C. Compensation for partial loss of structures**

75. According to the survey of both road sections, total 53 private structures will be partially affected by the project. The amount of compensation will be equivalent to the replacement cost for the structure (see below) and labor costs (i.e. an additional restoration grant equivalent to 10% of the RC of the affected section of the structure will be provided to provide for labor cost). It is estimated that 197.64 sqm of permanent structure, 4.5 sqm of semi-permanent and 12.7 sqm of temporary structure will be affected in the Kaptanganj-Hata-Gouribazar where as in Kaptanganj-Naurangia road 51.015 sqm of permanent structure and 17.67 sqm of semi-permanent structure will be affected by the project.

76. The estimated budget for the compensation of partially affected structures is based on the rates of various types as described in Basic Schedule Rates (BSR), PWD, Govt. of Uttar Pradesh, 2014. The rate for permanent structures without land has been designed at Rs. 13,000/m<sup>2</sup>, semi-permanent structures at Rs. 12,000/m<sup>2</sup>, and temporary structures at the rate of Rs. 3,500/m<sup>2</sup>. If there is delay in project implementation, the Valuation committee will determine the replacement cost at the BSR's updated rate.

### **D. Resettlement & Rehabilitation (R&R) assistance**

77. Given that no affected persons will be physically displaced by the project, there are no provisions for relocation assistance grant and resettlement grant in this budget.

### **E. Assistance for Loss of Income**

78. The survey findings show that in both the road sections 14 households will be experiencing disruption of commercial activities related to the impact and reconstruction of their partially affected shop. As per the entitlement matrix, an Economic Disruption Grant will be provided for the temporary disruption of livelihood. An average grant of Rs. 9,000 (equivalent to Rs. 3,000 for 3 weeks) will be provided. The grant can be increased on an individual case basis, should the affected individual demonstrate to the EA that it is not possible to restore the affected structure within 3 weeks. Any extension of this assistance will have to be approved by the EA.

### **F. Assistance to Vulnerable Households and Skills Development Program**

79. According to the survey of both road sections, 19 affected households belong to the vulnerable category will be affected. Given that they will not be physically displaced by the

project, they are not entitled to the resettlement grant. However, one member of their family will be eligible to the Skills Development Program as well as to priority employment in construction activities.

80. The budget for the Skills Development Program for all project roads, requiring a RP under the ADB-financed Uttar Pradesh Major District Road Project (UPMDRP), will be based on actual impact on vulnerable and severely affected households. A provision of Rs. 4,000 as seed grant will be provided for each eligible candidate. In the case of this RP, 19 candidates have been identified.

## **G. Compensation for Community and Government Property**

81. The survey indicates that 24 Community Property Resources (CPR) and 1 government properties on Kaptanganj-Hata-Naurangia road and 22 Community Property Resources (CPR) and 3 government properties on Kaptanganj-Naurangia road will be affected by the project. Of these are 40 hand pumps for both roads, which will be replaced at Rs. 45,000 per hand pump. The rest will be calculated according to the valuation rate mentioned in section-C above.

## **H. Cost towards implementation arrangement:**

82. Similarly to the budget for the Skills Development Program mentioned in section F, the budget for implementation arrangement will be estimated as per sub-projects in specified PIU, requiring a RP under the ADB-financed Uttar Pradesh Major District Road Project. The cost for the RP implementing Consultant/NGO, who will be involved in implementing the provision of RP including conducting the Skills Development Program, awareness campaign on road safety, gender issues, HIV/AIDs and other social development issues; independent or external monitoring, and the grievance redress process etc. is estimated to Rs. 2600000.

83. Implementation costs also include an amount of Rs.300000, representing a share of overall amount of Rs. 2400000, estimated for the recruitment of the External monitor for all 8 project roads, which requires RP preparation.

84. A 10% contingency has been added in order to adjust any escalation.

85. The cost of External Monitoring is included in the CSC contract.

## **I. Source of Funding and Fund Flow Management**

86. The cost resettlement will be borne by the EA. The EA will ensure sufficient fund is allocated for the implementation of this RP and will initiate the approval for the R&R budget as per provision of the Resettlement Framework. The EA will directly pay the money or any other assistance as stated in the RP to APs. The implementing NGO will be involved in facilitating the disbursement process.

## **J. Budget**

87. The budget for RP implementation comes to Rs. 0.96 Crores. The detailed budget is presented below.

**Table 16: Estimated Cost of R&R Budget based on R&R Policy**

Ref. No.	Component	Unit	Kaptanganj-Hata-Gouribazar Road			Kaptanganj-Naurangia Road			Grand Total for both road
			Unit Rate (INR)	Quantity (Sq. Mtrs.)	Amount Rs	Unit Rate (INR)	Quantity (Sq. Mtrs.)	Amount Rs	Amount Rs
<b>A</b>	<b>Land &amp; Building</b>								
1	Land Cost	NA	0	0	0	0	0	0	0
2	Permanent	Sq.m	13000	68.95	896350	13000	58.82	764660	1661010
3	Semi-Permanent	Sq.m	12000	19.22	230640	12000	27.17	326040	556680
4	Temporary	Sq.m	3500	135.77	475195	3500	40.5	141750	616945
	<b>Total sum (A)</b>			<b>223.94</b>	<b>1602185</b>		<b>126.49</b>	<b>1232450</b>	<b>2834635</b>
<b>B</b>	<b>R&amp;R Assistance</b>								
1	Building restoration grant for partially affected structures	Sq.m	10% of total compensation of structure (As per EM of RF in Sl.No. B(2) e)	223.94	160218	10% of total compensation of structure (As per EM of RF in Sl.No. B(2) e)	126.49	123245	283463
2	Assistance for loss of income		Rs. 9,000 (equivalent to Rs. 3,000 for 3 weeks)	26	234000	Rs. 9,000 (equivalent to Rs. 3,000 for 3 weeks)	6	54000	288000
3	Special Assistance for Vulnerable Households(Livelihood Improvement and Skills Development Training)	Households	4000	9	36000	4000	9	36000	72000
	<b>Total sum (B)</b>			<b>Total</b>	<b>430218</b>		<b>Total</b>	<b>213245</b>	<b>643463</b>
<b>C</b>	<b>Community Assets</b>								
1	Gram Panchayat	Sq.Mtr	13000	0	0	13000	1.4	18200	18200
2	School Boundary Wall (1)	Running Metre	4500	38.5	173250	4500	21	94500	267750
3	Hand pump (Govt)	Unit	45000	26	1170000	45000	18	810000	1980000
4	Temple (small) - Boundary Wall	Unit	50000	5	250000	50000	2	100000	350000
	<b>Total sum (C)</b>			<b>Total</b>	<b>1593250</b>		<b>Total</b>	<b>1022700</b>	<b>2615950</b>
<b>D</b>	Implementation Arrangement (Common for Both Road)								

Ref. No.	Component	Unit	Kaptanganj-Hata-Gouribazar Road			Kaptanganj-Naurangia Road			Grand Total for both road
			Unit Rate (INR)	Quantity (Sq. Mtrs.)	Amount Rs	Unit Rate (INR)	Quantity (Sq. Mtrs.)	Amount Rs	Amount Rs
1	RP Implementation Agency	Lump sum	2000000						2000000
2	Independent evaluation consultan	Lump sum	300000						300000
3	External Monitor	Part of CSC contract	-	-	-	-	-	-	
4	Administrative expenses (GRM, field trips, arrangement of meetings etc.)	Lump sum	150000						150000
5	Dissemination of Entitlement matrix, RP, etc.	Lump sum	150000						150000
6	Capacity-building to the PIU/EA	Lump sum	Internal Arrangement						0
	<b>Total Sum (D)</b>		<b>2600000</b>						<b>2600000</b>
<b>TOTAL (A+B+C+D)</b>									<b>8694048</b>
<b>Contingency 10%</b>									<b>869404.8</b>
<b>Grand Total</b>									<b>9563452.8</b>
<b>In Lakhs</b>									<b>95.63</b>
									<b>Say</b>
									<b>0.96 Crores</b>

*\*The grant can be increased on an individual case basis, if the affected individual demonstrates to the EA that it is not possible to restore the affected structure within 3 weeks. Any extension of this assistance will have to be approved by the EA.*



## IX. GRIEVANCE REDRESS MECHANISM

88. A project-specific grievance redress mechanism (GRM) will be established to receive, evaluate and facilitate the resolution of affected people's concerns, complaints and grievances about the social and environmental performance at the level 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 project-specific GRM is not intended to bypass the government's own redress process, rather it is intended to address affected people's concerns and complaints promptly, making it readily accessible to all segments of the affected people and is scaled to the risks and impacts of the project. The APs are free to access the court system at any time.

89. The GRM will consist of 2 levels a Field-level GRC and State-level GRC.

90. The Field level GRC will comprise of the:

- (i) Executive Engineer, field PIU, Lucknow
- (ii) Assistant Safeguards Officer (ASO ), field PIU, Lucknow
- (iii) Resettlement Expert from the CSC
- (iv) Environmental Expert from CSC
- (v) A representative from AP community.

91. The State level GRC will comprise of the:

- (i) Executive Engineer, UPPWD
- (ii) Social Safeguards Project Officer, UPPWD Central
- (iii) Resettlement Expert Consultant supporting UPPWD
- (iv) Resettlement Expert from the CSC
- (v) Environmental Consultant supporting UPPWD
- (vi) Environmental Expert from the CSC

92. **Field level GRC:** APs will have the flexibility of conveying grievances/suggestions in person to the PIU/PWD's local office (Level 1 GRC), orally by calling the GRC's local number of the PIU's Assistant Safeguards Officer (ASO) **in Lucknow**, which will be posted on signboards at different points of the project site, or in writing by submitting their grievances to the local PIU/PWD's office and contractor's site. The contact information of the ASF will be included in the leaflets to be distributed to the communities at the onset of project implementation as well as posted on signboard in key subproject location. A complaint register will be maintained by the ASO at the PIU's office and by the contractor's environmental officer at the construction sites to record the details related to the date of complaint, type of complaint, date of personal hearing, action taken and date of communication sent to complainant will be recorded. Complaints, oral or written will be formally acknowledge in writing to the complainant, recorded and dated, and the complainant will be requested to sign an acknowledgement of complaint submission. The Assistant Safeguards Officer will consolidate all grievances, categorize and prioritize them and report any serious cases to the State-Level GRC (see below). The ASO will investigate grievances through site visits and consultation with relevant parties like affected persons, contractors etc... with the support of the CSC's Resettlement Expert. If grievances are not resolved at this stage they will be sent to the State-level GRC.

93. **State-Level GRC:** Level 2 GRC will meet every month (if unresolved grievances are brought to the Committee), determine the merit of each grievance, and resolve grievances within a month of receiving the complaint—failing which the grievance will be referred to

appropriate court of Law for redressal. Records will be kept 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. The GRCs will continue to function during the life of the Project. The CSC and UPPWD Central Resettlement Expert (i.e. Safeguards Project Officer) will offer guidance in resolving grievances and report on the efficiency of the GRM in the semi-annual social monitoring reports. If complaints cannot be resolved by the grievance redress mechanism in spite of all necessary and documented efforts and the complaint has been submitted to the relevant ADB department and cannot be resolved at that level either, the affected person can submit complaints to the ADB's accountability mechanism (2012).<sup>12</sup>

94. All resolutions and updates on pending grievances will also be recorded.

95. Indicative timeframe for resolution: The GRCs are expected to resolve grievances of the eligible persons within a stipulated time of 3 weeks at the field level and one month at the state level.

96. **Costs:** All costs involved in resolving the complaints (meetings, consultations, communication and reporting / information dissemination) will be borne by the Project.

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<sup>12</sup> The website is: <http://compliance.adb.org/>.

## X. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION

97. The Executing Agency for the project will be the Government of Uttar Pradesh through UPPWD. UPPWD is already familiar in implementing resettlement plans that comply with MDB requirements, as they were responsible for the implementation of the RPs for the World Bank-financed Uttar Pradesh State Road Project (2002-2010). The implementation of these RPs, which involved 4,681 affected families, succeeded in restoring and improving the living conditions of 70% of the APs, in spite of facing several challenges (e.g. delays in land acquisition, poor consultations and delays in the disbursement of compensation and assistance). Moreover, although the EA gained experience in MDB safeguards policy and requirements, the lack of staff fully dedicated to safeguards limited their efficient implementation. This project will build on UPPWD's experience and strengthen its implementation capacity by including a full-time UPPWD officer dedicated to social safeguards at the central level. He/she will be supported by a resettlement consultant. Moreover each subproject road project implementation unit (PIU) will have a safeguards focal point. In addition, the CSC resettlement expert will guide the EA in implementing the RP and lead the monitoring of their implementation.

98. **Staffing at the EA/IA level:** A Chief Engineer (CE) at UPPWD headquarters based in Lucknow has been designated as person in charge for project implementation. A dedicated Social Safeguards Project Officer (SPO), reporting to the CE, will be responsible for ensuring compliance with social safeguards of all project roads. The SPO will be allocated by the EA. He/she will be supported by an outsourced Resettlement Consultant. The project implementation unit (PIU) will be UPPWD Lucknow Division responsible for the RP implementation at the subproject road level. The PIU will be headed by a Divisional Manager (Tech.) and will have one Assistant Safeguards Focal (ASF), responsible for the management of both environmental and social safeguards at the road level. During inception mission, the ADB and CSC Resettlement and environmental experts will provide training to the newly appointed safeguards staff and PIU focal points.

99. **Construction Supervision Consultant (CSC):** The Construction Supervision Consultants (CSC) team will include a Resettlement Specialist who will act as advisor on resettlement activities, GRM member and external monitor of resettlement activities for all project roads. He/she will be responsible for guiding and monitoring the implementation of all RPs under the UPMDRIP, including the Kaptanjang-Naraungia subproject road.

100. **RP Implementing Consultant/NGO:** A qualified and experienced firm, RP implementing Consultant/NGO will be recruited by the EA to assist in the implementation of all RPs under the UPMDIP. The RP INGO/Consultant will act as facilitator and be a link between the PIU and the affected community. The EA shall ensure that adequate resources are allocated to the RP implementing Consultant and a detailed work plan will need to be submitted by the RP implementing Consultant in the Inception Report. An indicative TOR for the RP implementing Consultant is included as **Annex 12**.

101. **Independent Monitor:** An independent monitor will be recruited for the entire UPMDRIP. The role of this individual consultant will be to (i) certify all negotiated settlement taking place under UPMDRIP<sup>13</sup> have followed a fair and transparent process and was agreed by

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<sup>13</sup> Although no private land acquisition is envisaged for this road, we cannot exclude the possibility of design modification during implementation. Moreover, the independent monitor will oversee all RPs to be implemented under

both parties and (ii) provide an independent assessment of the compliance of resettlement activities with the RPs and RF approved under the UPMDRIP.

102. **Annex 13** provides details on the key agencies involved and their main responsibilities regarding social safeguard implementation.





## XII. MONITORING AND EVALUATION

### A. Internal Monitoring

105. Internal monitoring will be the responsibility of the PIUs, which will include:

- (i) **Administrative monitoring:** daily planning, implementation, feedback and trouble shooting, individual AP database maintenance, and progress reports
- (ii) **Socio-economic monitoring:** case studies, using baseline information for comparing AP socio-economic conditions, evacuation, demolition, salvaging materials, morbidity and mortality, community relationships, dates for consultations, and number of appeals placed; and
- (iii) **Impact evaluation monitoring:** Income standards restored/improved, and socioeconomic conditions of the affected persons. Monitoring and evaluation reports documenting progress on resettlement implementation and RP completion reports will be provided by the PIUs to EA for review and approval from ADB.

106. The EA, with the support of the RP implementing NGO/Consultant and CSC will be responsible for overall internal monitoring and evaluation of the project progress for resettlement implementation. The INGO will prepare monthly monitoring reports of RP implementation, which will be checked by CSC and field PIU and submitted to Social Safeguards Officer at UPPWD central level. The internal monitor will monitor and verify RP implementation to determine whether resettlement goals have been achieved, livelihood and living standards have been restored, and provide recommendations for improvement.

107. Preparation of the semi-annual social monitoring report and completion report. These reports will be disclosed on ADB's and the EA's websites.

### B. External Monitoring

108. The CSC Resettlement Specialist will act as external monitor for the project. An important function of external monitoring is to advise the EA on safeguard compliance issues. If significant non-compliance issues are identified, the EA is required to prepare a corrective action plan to address such issues. The EA will document monitoring results, identify the necessary corrective actions, and reflect them in a corrective action plan. The EA, in each quarter, will study the compliance with the action plan developed in the previous quarter. Compliance with loan covenants will be screened by the EA. Monitoring will also ensure recording of AP's views on resettlement issues and grievances. The external monitor will prepare biannual monitoring reports during the R&R implementation period for submission to the EA and ADB. A completion report will be sent to ADB at the end of resettlement activities. Suggested monitoring indicators can be found in **Annex 14**.

109. The CSC will support the preparation of the semi-annual monitoring reports and completion report. These will be disclosed on ADB and the EA's websites.

### C. Independent Monitor

110. The Independent Monitor will be recruited to evaluate the implementation of all RPs under UPMDRIP upon completion of their implementation. He/she will also have a role in certifying the fairness of the negotiated settlement should private land acquisition be required.

However for this subproject road, no private land acquisition is required. Should there be design changes during implementation and private land acquisition through negotiated settlement become relevant in the future, the Independent Monitor will certify the transparency and fairness of the process

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**Annex 1: List of Project Roads**

<b>S. No.</b>	<b>Road No</b>	<b>Name of the Project Road</b>	<b>District name</b>	<b>Length (Km)</b>
1	MDR 81C	Hussainganj- Hathgaon- Auraiya-Alipur	Fatehpur	36
2	MDR 82W	Nanau to Dadau	Aligarh	30
3	MDR13W	Muzaffarnagar to Baraut	Muzaffarnagar and Baghpat	59
4	MDR 66E	Haliyapur to Kurebhar	Sulltanpur	96
<b>5</b>	<b>MDR O31</b>	<b>Kaptanganj-Hata-Gouribazar &amp; Kaptanganj-Naurangiya</b>	<b>Deoria and Kushinagar</b>	<b>84</b>
6	MDR 58W	Bulandshahar to Anoopshahar	Bulandshahar	36
7	MDR 52C	Mohanlalganj – Morava- Unnao Marg	Unnao	54
8	MDR 45W	Aliganj-Suron Marg	Etah and Kanshiram Nagar	36
<b>Total Road Length</b>				<b>431</b>

**Annex 2: Widening Scheme Kaptanganj-Hata-Gouribazar & Kaptanganj-Naurangia Road**

Design Chainage		Design Length	Revised TCS	Description of Widening
From	To			
Kaptanganj-Naurangia Road				
	0.20	0.20	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
0.20	2.70	2.50	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
2.70	3.60	0.90	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
3.60	4.15	0.55	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
4.15	4.60	0.45	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
4.60	5.30	0.70	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
5.30	5.85	0.55	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
5.85	6.10	0.25	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
6.10	6.60	0.50	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
6.60	7.25	0.65	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
7.25	7.65	0.40	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
7.65	7.99	0.34	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
7.99	8.10	0.11	TCS-5A	ECCENTRIC WIDENING LHS RURAL RECONSTRUCTION
8.10	9.07	0.97	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
9.07	9.24	0.17	TCS-5A	ECCENTRIC WIDENING LHS RURAL RECONSTRUCTION
9.24	9.34	0.10	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
9.34	9.41	0.07	TCS-6A	ECCENTRIC WIDENING RHS RURAL RECONSTRUCTION
9.41	9.45	0.04	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
9.45	9.65	0.20	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
9.65	10.59	0.94	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
10.59	10.68	0.09	TCS-6A	ECCENTRIC WIDENING RHS RURAL RECONSTRUCTION
10.68	10.75	0.07	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
10.75	11.50	0.75	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
11.50	11.80	0.30	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
11.80	12.10	0.30	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
12.10	12.20	0.10	TCS-3A	ECCENTRIC WIDENING LHS URBAN RECONSTRUCTION
12.20	12.42	0.22	TCS-5A	ECCENTRIC WIDENING LHS RURAL RECONSTRUCTION
12.42	12.80	0.38	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
12.80	13.30	0.50	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
13.30	13.60	0.30	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
13.60	13.90	0.30	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
13.90	14.59	0.69	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
14.59	14.81	0.22	TCS-7A	NEW RHS BRIDGE APPROACH
14.81	15.40	0.59	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
15.40	15.80	0.40	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
15.80	16.55	0.75	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
16.55	16.90	0.35	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
16.90	17.70	0.80	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION

Design Chainage		Design	Revised	Description of Widening
17.70	18.14	0.44	TCS-7	NEW LHS BRIDGE APPROACH
18.14	19.00	0.86	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
19.00	19.50	0.50	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
19.50	19.90	0.40	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
19.90	21.38	1.48	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
21.38	21.49	0.11	TCS-6	ECCENTRIC WIDENING RHS RURAL OVERLAY
21.49	21.71	0.22	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
21.71	21.82	0.11	TCS-5	ECCENTRIC WIDENING LHS RURAL OVERLAY
21.82	22.75	0.93	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
22.75	23.00	0.25	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
23.00	23.55	0.55	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
23.55	23.72	0.17	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
23.72	23.79	0.07	TCS-4	ECCENTRIC WIDENING RHS URBAN RECONSTRUCTION
23.79	24.04	0.25	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
<b>Kaptanganj-Hata-Gouribazar Road</b>				
<b>0.00</b>	1.50	1.5	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
1.50	2.30	0.8	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
2.30	2.85	0.6	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
2.85	3.70	0.9	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
3.70	4.00	0.3	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
4.00	5.15	1.2	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
5.15	5.60	0.4	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
5.60	6.15	0.6	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
6.15	6.47	0.3	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
6.47	7.40	0.9	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
7.40	7.90	0.5	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
7.90	9.30	1.4	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
9.30	9.85	0.5	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
9.85	14.50	4.7	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
14.50	15.25	0.8	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
15.25	18.20	3.0	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
18.20	19.10	0.9	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
19.10	22.20	3.1	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
22.00	23.15	1.15	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
23.15	23.80	0.65	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
23.80	24.25	0.45	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
24.25	28.25	4	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
28.25	28.60	0.35	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
28.60	30.00	1.4	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
30.00	31.00	1	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
31.00	32.55	1.55	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
32.55	33.80	1.25	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION

Design Chainage		Design	Revised	Description of Widening
33.80	35.00	1.2	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
35.00	36.25	1.25	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
36.25	36.65	0.4	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
36.65	37.50	0.85	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
37.50	38.05	0.55	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
38.05	39.00	0.95	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
39.00	42.10	3.1	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
42.10	42.70	0.6	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
42.70	44.40	1.7	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
44.40	45.40	1	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
45.40	46.30	0.9	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
46.30	47.00	0.7	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
47.00	47.83	0.83	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
47.83	48.70	0.87	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
48.70	49.00	0.3	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
49.00	49.15	0.15	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
49.15	49.50	0.35	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
49.50	49.80	0.3	TCS-2	CONCENTRIC WIDENING RURAL OVERLAY
49.80	52.30	2.5	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
52.30	52.80	0.5	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
52.80	53.48	0.68	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
53.48	53.95	0.47	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
53.95	54.50	0.55	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
54.50	55.00	0.5	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
55.00	55.40	0.4	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
55.40	55.80	0.4	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
55.80	56.35	0.55	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
56.35	56.55	0.2	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
56.55	57.10	0.55	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
57.10	58.80	1.7	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
58.80	59.20	0.4	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION
59.20	60.90	1.7	TCS-3	CONCENTRIC WIDENING RURAL RECONSTRUCTION
60.90	61.15	0.25	TCS-1	CONCENTRIC WIDENING URBAN RECONSTRUCTION

Source: Detailed Design Report (DPR Consultant)

### Annex 3: Hot Spots and suggested Additional Mitigation Measures

1. The survey was conducted within a 14 meters corridor of impact (i.e. 7 meters each side from the centerline of the existing carriageway), and the data was analyzed to identify the congested areas and the stretches, which requires special consideration. If the Corridor of Impacts (Col) be further reduced to 12 meters in these congested areas, the resettlement impacts would reduce significantly. The Col has been reviewed and restricted to 12 mtrs for now, which could meet the minimum width for traffic and safety purposes. Moreover, the EA has also given the consent to minimize the COI up to 12 meters during implementation. The summary of the impacts are represented in Table 18 below:

**Table 18: Location wise impact on properties**

Total Nos of Affected Structures (Private, CPRs & Govt)			
on comparative basis for Hot Spot affected villages			
Sl. No	Name of the Settlement	No. of Structures	
		After Mitigation Measure (Up to 12 Meters)	Before Mitigation Measure (Up to 14 Meters)
	Kaptanganj-Hata-Gouribazar Road		
1	Kaptanganj	6	12
2	Sudama Chowk	1	1
3	Balua	2	2
4	Laxmipur	4	2
5	Chhapauli	29	47
Total		42	64
	Kaptanganj-Naurangia Road		
1	Mishrouli	1	1
2	Charigarwa	7	10
Total		8	11

2. Table 19 below provides more details on the reasons for which the place has been identified as a hot spot, along with suggestions to mitigate negative impacts. The measures proposed below were discussed with affected people/ community during the public consultations in detail. The decisions for all these suggestions have not been taken yet besides for avoiding the temple.

**Table 19: Location identified as critical areas & Mitigation Measures  
(Kaptanganj-Hata-Gouribazar Road)**

<b>Sl. No.</b>	<b>Village Name</b>	<b>Reasons for being Hot spot</b>	<b>Suggested Mitigation Measures</b>	<b>Considered in Design and approved by EA (Y/N)</b>
1.	Kaptanganj (Km.0.000)	<ul style="list-style-type: none"> <li>Kaptanganj town is a congested market area and located very close to the road. Nearly 6 residential, commercial and other community structures are located along the road that shall be partially affected up to 12 meters and if we are</li> </ul>	<p>It is suggested to design with in available width (9-10 mtrs). This will help in avoiding the total structures affected as well as loss of livelihood of the Kaptanganj town.</p> <p>Also restricting traffic speed in built up areas and providing</p>	Yes

Sl. No.	Village Name	Reasons for being Hot spot	Suggested Mitigation Measures	Considered in Design and approved by EA (Y/N)
		<p>going for 14 meters 12 residential, commercial and other community structures will be partially affected.</p> <ul style="list-style-type: none"> <li>• Most of them are depend upon business and shall be losing the livelihood directly</li> </ul>	design to accommodate and avoiding unnecessary displacement	
2.	Sudama Chowk (Km. 17.480)	<ul style="list-style-type: none"> <li>• Sudama Chowk is a very sensitive location because of the presence of a old temple adjacent with banayan tree and a pond situated just either side of the road. The temple is situated just 4.6 meters away from centreline of the road. So the temple would be partially affected in this case as per design guideline of 12 meters.</li> </ul>	<p>It is suggested to widen the alignment with in available COI.</p> <p><b>A discussion was held during the course of Census and Socio-economic survey with the Temple priest along with the design team (DPR Consultant) regarding avoiding the demolition of old temple. After discussion with the UPPWD, it was decided to widen the alignment within available Width.</b></p>	Yes
3.	Chhapuli (Km. 54.500)	<ul style="list-style-type: none"> <li>• Chhapuli village is located very close to the road. Nearly 29 residential, commercial and other structures are located along the road that shall be partially affected up to 12 meters and if we are going for 14 meters 47 residential, commercial and other structures will also be partially affected.</li> <li>• Most of them are depend upon business and shall be losing the livelihood directly</li> </ul>	It is suggested to design so meticulously with in available WIDTH (9-10 mtrs). This will help in avoiding the total structures affected as well as loss of livelihood of the Chhapuli business men. It will also help in minimising the negative impact to a greater extent.	Yes

Sl. No.	Village Name	Reasons for being Hot spot	Suggested Mitigation Measures	Considered in Design and approved by EA (Y/N)
4.	Balua (Km. 28.250)	<ul style="list-style-type: none"> <li>Balua is a rural village most of the people are depend upon agriculture. This village is known for its two small temples which are situated just 5.50 and 5.90 meters away from the Centreline of the road. So both the temple would be partially affected in this case as per design guideline of 12 meters.</li> </ul>	It is suggested to widen the alignment with in available Width. This will help in avoiding the total structures affected	Yes
5.	Laxmipur (Km. 53.300)	<ul style="list-style-type: none"> <li>Laxmipur is famous for its Hanuman temple. The boundary wall is situated just 4.00 meters away from the Centreline of the road. So the temple would be partially affected in this case as per design guideline of 12 meters.</li> </ul>	It is suggested to widen the alignment with in available Width. This will help in avoiding the affected Boundary Wall of temple.	Yes
<b>Kaptanganj-Naurangia Road</b>				
6.	Mishrouli (Km. 3.500)	<ul style="list-style-type: none"> <li>Village Mishrouli is famous for its Durga Temple situated very close to road that shall be affected if we are going up to 12 meters. Also</li> </ul>	<p>It is suggested to shift the alignment (Eccentric widening) to the left hand side as ample of vacant land is available.</p> <p>A discussion was held during the course of the Census and Socio-economic survey with the temple committee members, Village Pradhan along with the design team (DPR Consultant) regarding avoiding the demolition of Durga Maa Temple. After discussion with the UPPWD, it was decided to shift alignment to the left side of the road to avoid the temple.</p>	Temple has been saved
7.	Charigharwa (Km.16.500)	<ul style="list-style-type: none"> <li>Village Charigarwa is located very close to the road. Nearly 7 residential structures are located along the road that shall be affected up to 12 meters and if we are going for 14 meters 10 residential structures will be affected.</li> </ul>	It is suggested to limit the works within 9-10 mtrs. This will help avoid the impact on residential structures.	Yes

<b>Sl. No.</b>	<b>Village Name</b>	<b>Reasons for being Hot spot</b>	<b>Suggested Mitigation Measures</b>	<b>Considered in Design and approved by EA (Y/N)</b>
		<ul style="list-style-type: none"><li>• Most of them are agricultural labour and non-agricultural labours.</li></ul>		



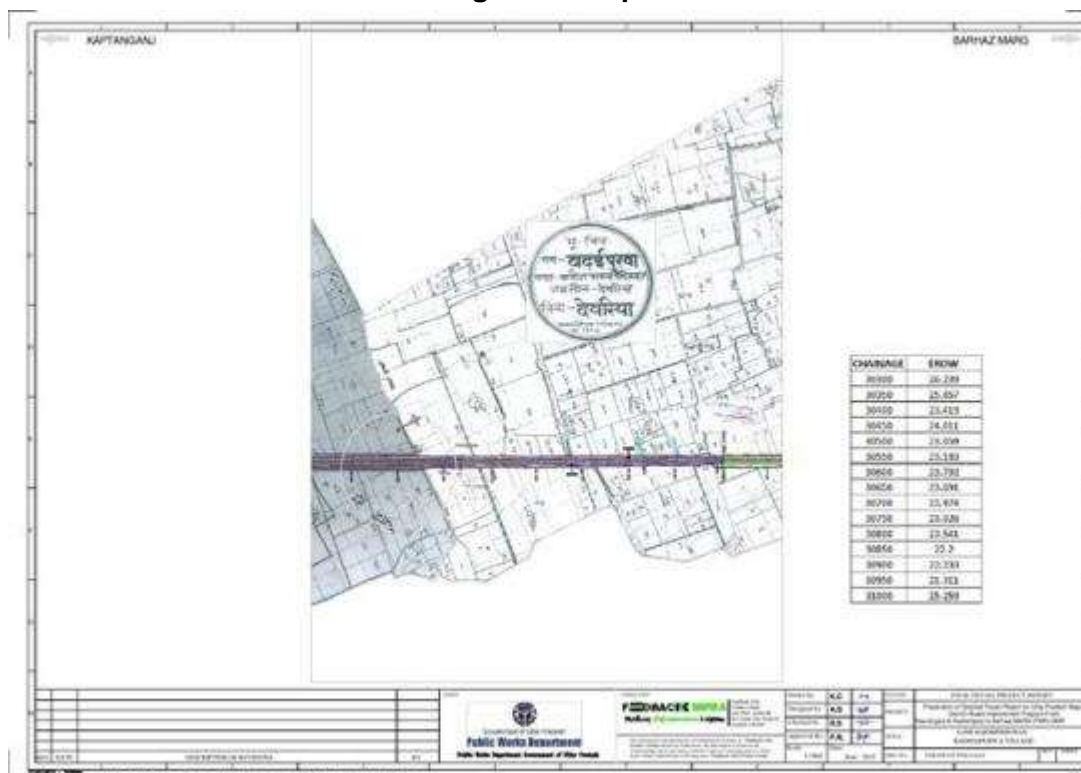
## **Annex 4: Description of Methodology to Assess the Right of way (ROW)**

### **Approach taken to substantiate Right of Way (RoW) records**

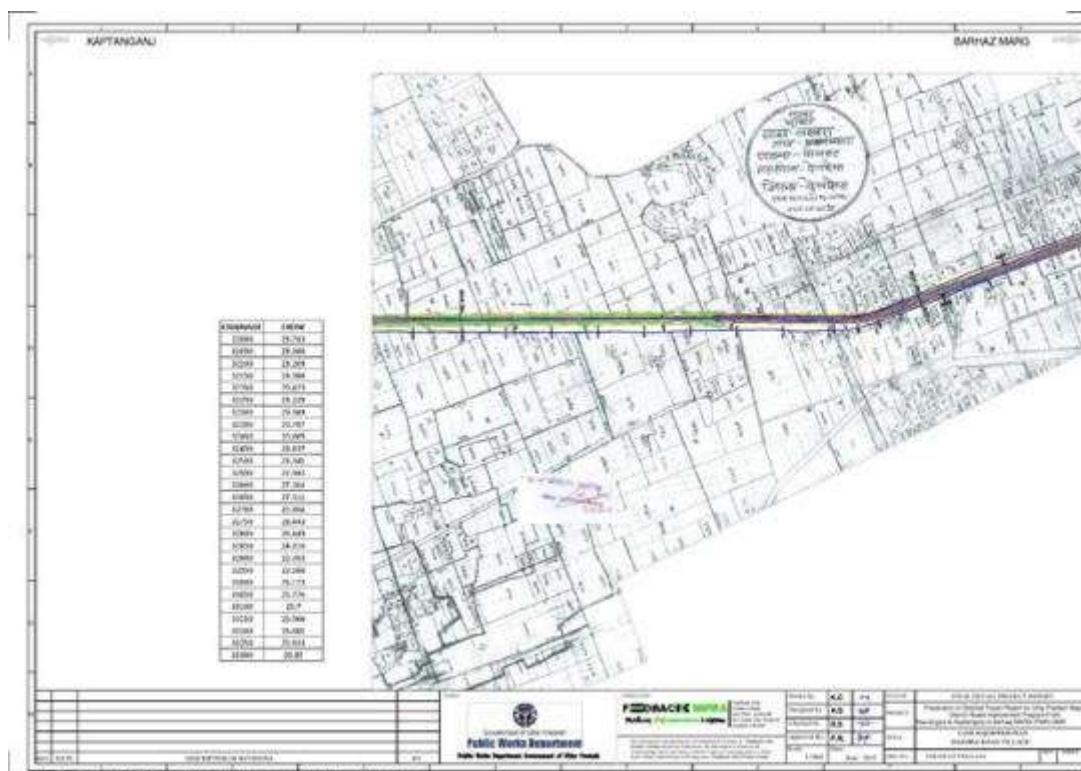
1. In the process to collect the information on ROW for the sub-project road, first local PWD office was contacted and received an official confirmation of ROW from the office. Moreover, an authentication of ROW from the Revenue department was also important in the process, however, collection of information from the revenue department within a limited timeframe was a phenomenal task.
2. Reverting the concern on documentary evidence, a serious discussion with UPPWD was held on 15th May 2015 at Chief Engineer's office, Lucknow. In response, a letter has been written by the chief Engineer's office to all the concerned district magistrate to instruct and direct their local revenue office to provide ROW details for all the concerned sub-project roads (Refer letter no.-431/2-02/UPADB/CEWB/2013, dated 15th May 2015). But this process itself was not so easy as about 14 districts were identified as affected by the project and within all the concerned districts a number of revenue offices at Tehsil and Panchayat level were required to be contacted to get the information, once the local revenue office get the instruction from DM office.
3. This process, itself was taking so much of time to collect the required information within limited resources as it was very difficult to approach/contact the DM for obtaining maps individually, as he is the key officer in the district and look after district administration and allied tasks. In addition, getting certification on each map is a huge task because the Lekhpals of Panchayats, who are significant in number (about 32), are available in their office on 1-2 days in a week to share details of maps.
4. Keeping in mind all the endorsed constraints, it has been finalized to collect the Sajra Map of sub-project road from local Lekhpal (revenue official at panchayat level) and analyze the ROW details chainage wise and prepare a table of ROW for different locations. However, given the timeframe following action was taken to collect the ROW details for complying with ADB requirements:
  - (i) Given the time constraints, 10 - 15% of Sajra Map on sample basis, spread over entire alignment has been collected. However, within that sample, special care was taken to collect all maps of very congested and habitation area, where resettlement impacts are most severe.
  - (ii) The copy of Sajra Map of all the significant area, with respect to resettlement, was collected from the local Lekhpal showing the ROW
  - (iii) The PWD staff verified the ROW by signing on the respective map.
  - (iv) On the basis of collected Sajra Map, the ROW was marked and calculated by CADD Expert and a Table was prepared on excel sheets, delineating the ROW details at different locations.

## Certified Sajra Map on sample basis (10-15%)

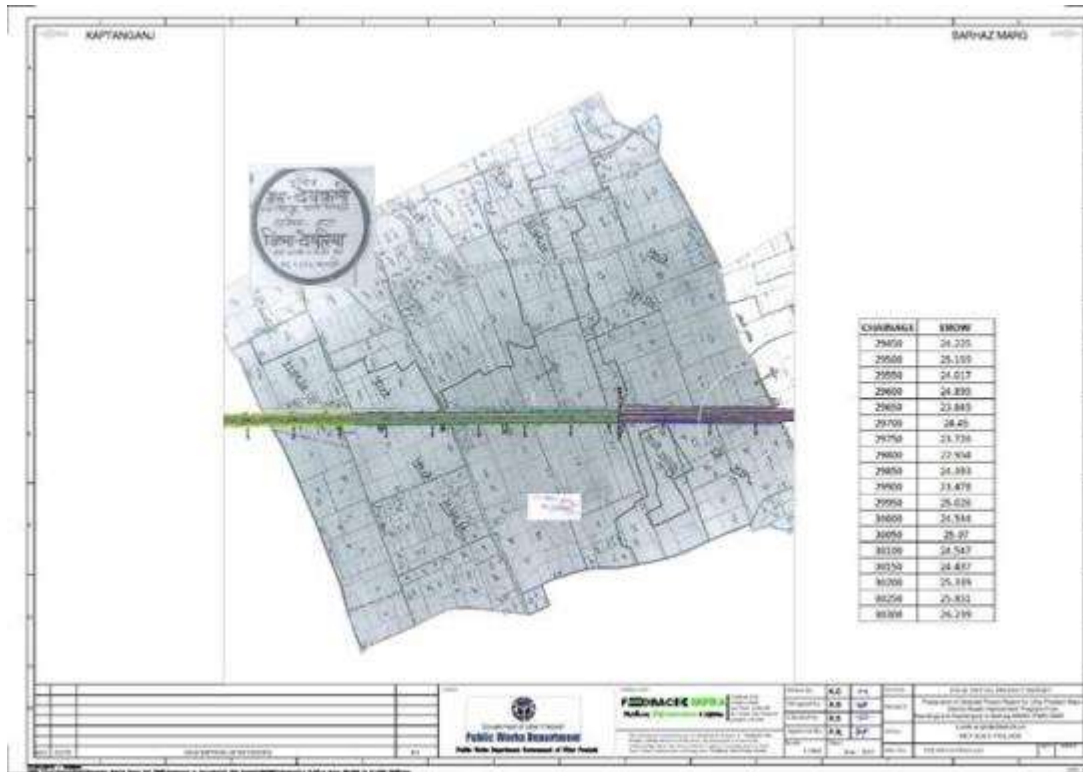
### Village- Badhaipurwa



### Village- Bakhra



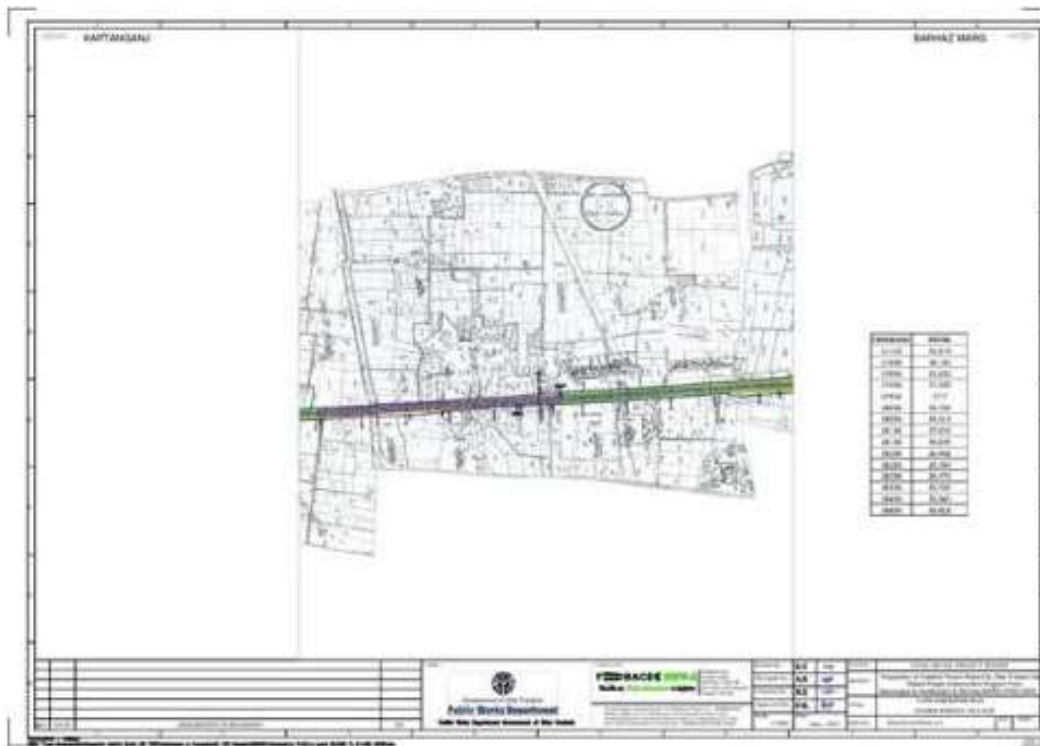
## Village- Dev Kali



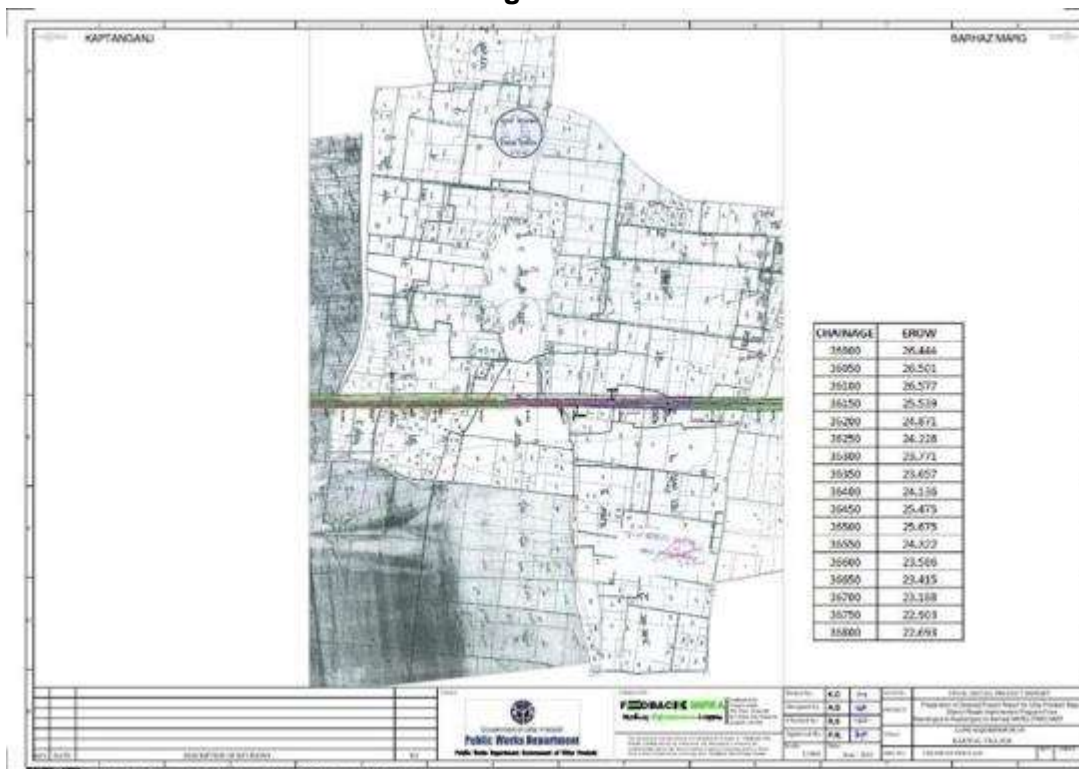
## Village- Dumri



### Village- Dumar



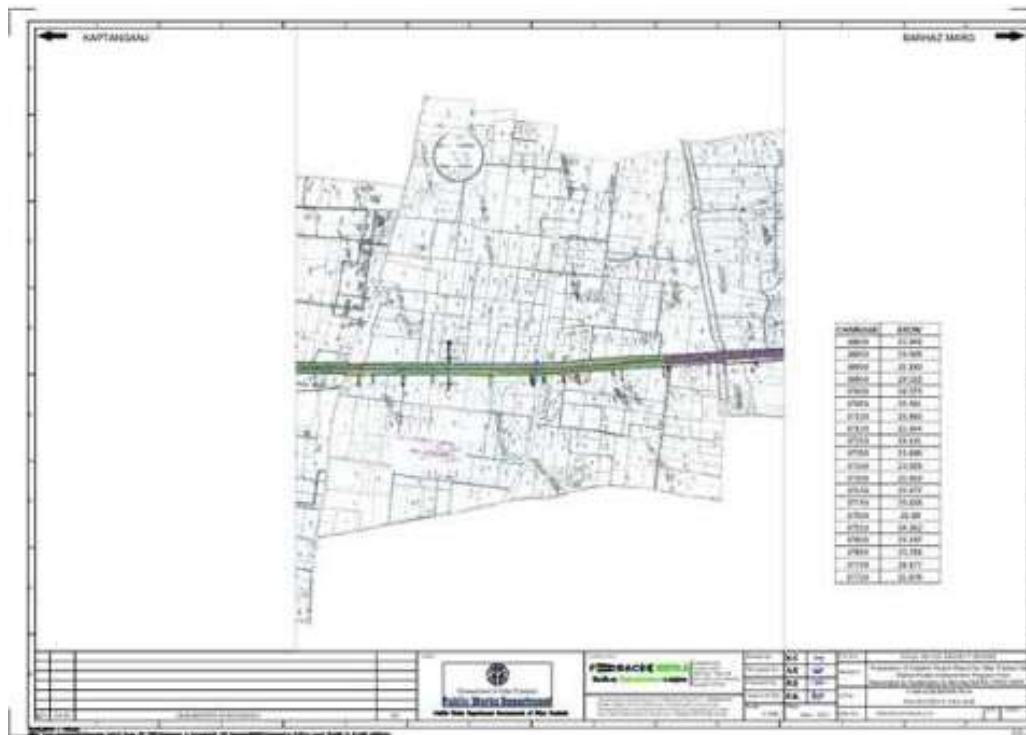
### Village- Kakwal







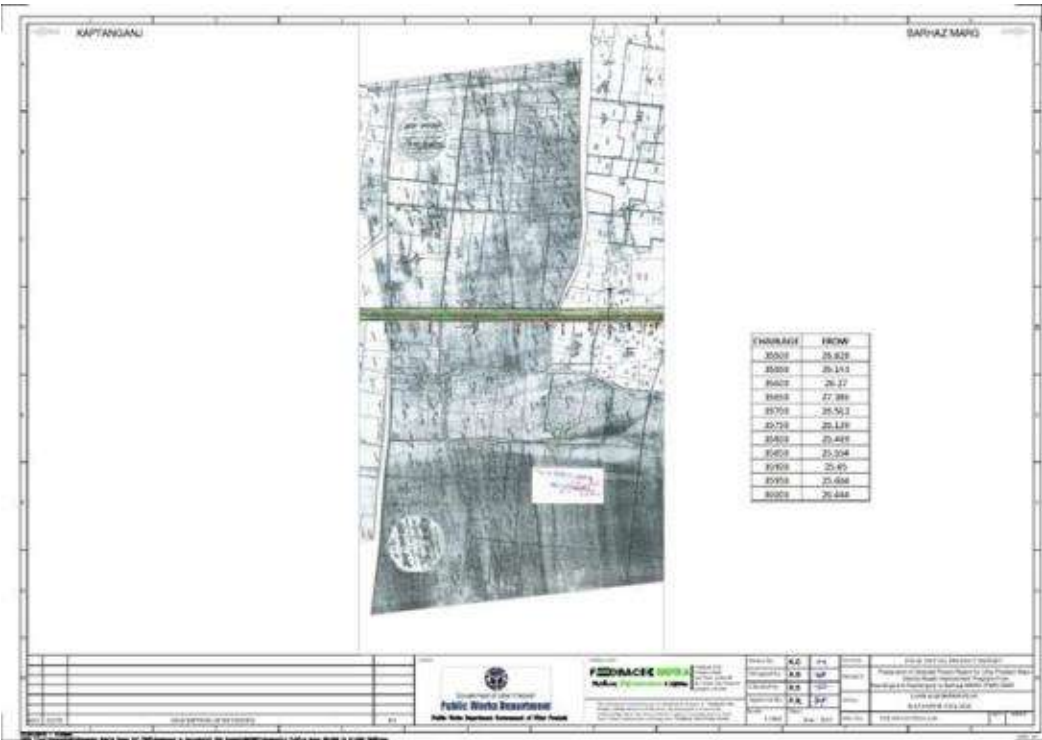
**Village- Pachauhiya**



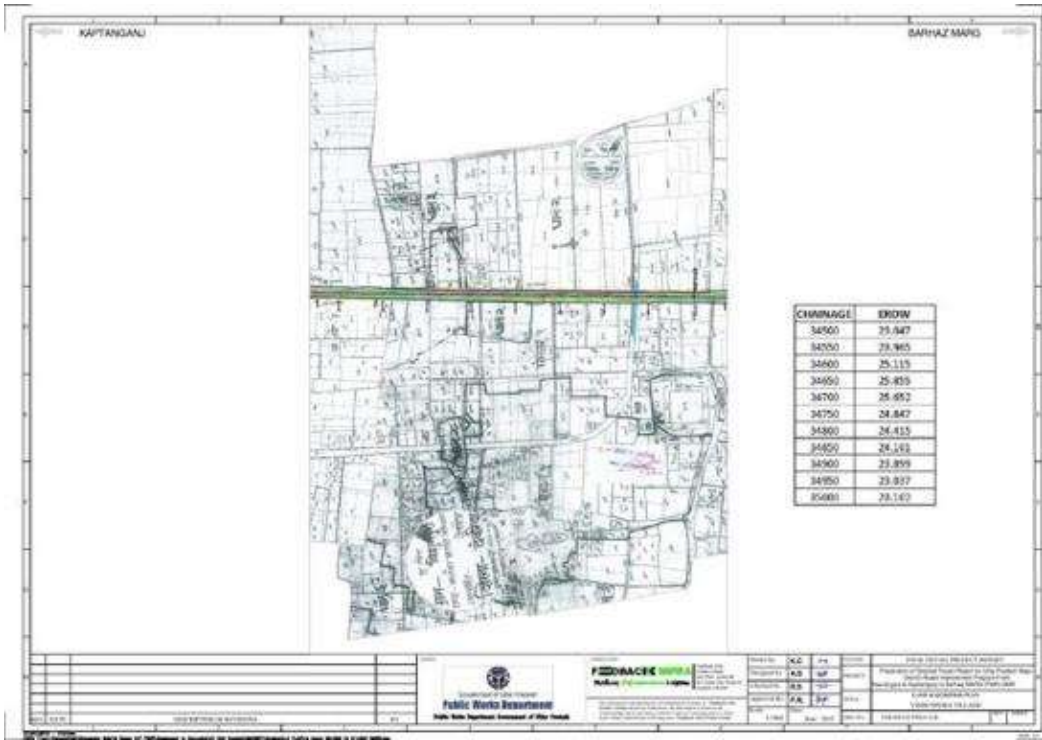
**Village- Rampur**



Village- Ratanpur



Village- Vishunpura



**Table 20: Table on ROW (Kaptanganj- Naurangia and Kaptanganj- Gauri Bazar)**

Sl. No.	Chainage		EROW	
	From	To	Min. Limit	Max. Limit
1	29450	30000	22.95	25.16
2	30000	30500	23.42	26.24
3	30500	31000	21.31	25.26
4	31000	31500	22.66	31.86
5	31500	32000	28.74	31.46
6	32000	32500	28.21	30.67
7	32500	33000	22.30	28.44
8	33000	33500	22.60	26.97
9	33500	34000	18.89	25.63
10	34000	34500	22.84	25.03
11	34500	35000	23.04	25.86
12	35000	35500	23.48	27.87
13	35500	36000	25.05	27.39
14	36000	36500	23.66	26.58
15	36500	37000	22.69	25.18
16	37000	37500	23.06	26.86
17	37500	38000	22.59	29.26
18	38000	38500	25.48	36.02
19	38500	39000	34.18	42.00
20	39000	39500	35.95	39.34
21	39500	40000	32.55	37.32
22	40000	40200	24.79	32.42



**Annex 5: Details of Census and Socio-Economic Survey  
(Kaptanganj-Hata-Gouribazar Road)  
[Confidential/Available upon request]**

**Annex 6: List of Affected Persons and Extent of Impact  
[Confidential/Available upon request]**

### Annex 7: List of Affected CPRs/ Govt. Properties

**Project Road: Kaptanganj-Hata-Gouribazar Road**

Sl. No.	Side	Existing Chainage (Km)	Village	District	Type of Properties	Distance from C/L	Total Area in (in sq.m.)			Extent of Impacts
							Length	Width	No. of Floors/Stories	
1	RHS	0+850	Kaptanganj	Kusinagar	HP	6.00	NA	NA	NA	Fully relocated
2	RHS	0+950	Kaptanganj	Kusinagar	HP	5.00	NA	NA	NA	Fully relocated
3	LHS	1+980	Kaptanganj	Kusinagar	HP	6.00	NA	NA	NA	Fully relocated
4	RHS	1+200	Kaptanganj	Kusinagar	HP	6.00	NA	NA	NA	Fully relocated
5	RHS	1+210	Kaptanganj	Kusinagar	HP	6.00	NA	NA	NA	Fully relocated
6	RHS	1+350	Kaptanganj	Kusinagar	HP	6.00	NA	NA	NA	Fully relocated
8	LHS	4+450	Semra	Kusinagar	HP	5.00	NA	NA	NA	Fully relocated
9	LHS	4+700	Malukahi	Kusinagar	School	5.50	35.5	15	1	Boundary wall
10	LHS	5+990	Malukahi	Kusinagar	HP	5.10	NA	NA	NA	Fully relocated
12	LHS	9+300	Pakadi madaraha	Kusinagar	HP	6.00	NA	NA	NA	Fully relocated
14	RHS	12+610	Pakadi madaraha	Kusinagar	HP	6.00	NA	NA	NA	Fully relocated
15	RHS	12+910	Pakadi madaraha	Kusinagar	HP	5.40	NA	NA	NA	Fully relocated
16	RHS	13+750	Pacheda	Kusinagar	HP	6.00	NA	NA	NA	Fully relocated
17	RHS	14+280	Pacheda	Kusinagar	HP	5.80	NA	NA	NA	Fully relocated
18	LHS	14+550	Pacheda	Kusinagar	HP	5.90	NA	NA	NA	Fully relocated
21	RHS	14+895	Pacheda	Kusinagar	HP	6.00	NA	NA	NA	Fully relocated
23	RHS	15+100	Charigarwa	Kusinagar	HP	6.00	NA	NA	NA	Fully relocated
25	RHS	17+480	Kalwari pati	Kusinagar	Temple	4.40	13.8	8.4		Temporary shed / Boundary wall
26	RHS	17+485	Kalwari pati	Kusinagar	HP	4.50	NA	NA	NA	Fully relocated
27	LHS	18+150	jhanga	Kusinagar	HP	5.00	NA	NA	NA	Fully relocated
28	RHS	18+200	jhanga	Kusinagar	HP	6.00	NA	NA	NA	Fully relocated
31	RHS	21+810	Hata	Kusinagar	HP	6.00	NA	NA	NA	Fully relocated
34	RHS	23+700	Hata	Kusinagar	HP	6.00	NA	NA	NA	Fully relocated
35	LHS	28+296	Hata	Kusinagar	Temple	5.50	2.6	4.2		Temporary shed / Boundary wall
36	LHS	28+300	Hata	Kusinagar	Temple	5.90	3.9	5.5		Temporary shed /Boundary wall
43	RHS	41+980	Gauri bazar	Deoria	Temple	4.50	1.5	9.4	G	Temporary shed /Boundary wall
44	LHS	44+990	Dinapur	Deoria	HP	6.00	NA	NA	NA	Fully relocated
45	LHS	45+460	Dinapur	Deoria	HP	6.00	NA	NA	NA	Fully relocated
47	RHS	49+700	Dinapur	Deoria	HP	6.00	NA	NA	NA	Fully relocated

Sl. No.	Side	Existing Chainage (Km)	Village	District	Type of Properties	Distance from C/L	Total Area in (in sq.m.)			Extent of Impacts
							Length	Width	No. of Floors/Stories	
49	RHS	52+000	Luxmipur	Deoria	HP	6.00	NA	NA	NA	Fully relocated
50	RHS	53+300	Luxmipur	Deoria	Temple	4.00	5.2	8.6	G	Temporary shed /Boundary wall
51	LHS	53+500	Chhapauli	Deoria	HP	5.00	NA	NA	NA	Fully relocated

**Project Road: Kaptanganj-Naurangia Road**

Sl. No.	Side	Existing Chainage (Km)	Village	District	Type of Properties	Distance from C/L	Total Area in (in sq.m.)			Extent of Impacts
							Length	Width	No. of Floors/Stories	
1	RHS	0+300	Chilman	Kusinagar	HP	6.00	NA	NA	NA	Fully relocated
2	LHS	0+650	Chilman	Kusinagar	HP	5.80	NA	NA	NA	
3	RHS	3+200	Misbul Pagar	Kusinagar	Temple	5.70	2	2.1	1	Frontage/ shed
4	LHS	4+400	Misbul Pagar	Kusinagar	HP	5.00	NA	NA	NA	Fully relocated
5	LHS	4+590	Misbul Pagar	Kusinagar	HP	5.90	NA	NA	NA	Fully relocated
6	RHS	5+410	Parisiya	Kusinagar	HP	5.00	NA	NA	NA	Fully relocated
7	RHS	5+450	Parisiya	Kusinagar	HP	5.00	NA	NA	NA	Fully relocated
8	RHS	5+600	Parisiya	Kusinagar	HP	5.00	NA	NA	NA	Fully relocated
9	RHS	5+600	Parisiya	Kusinagar	HP	5.00	NA	NA	NA	Fully relocated
10	RHS	5+900	Parisiya	Kusinagar	School	6.00	20	25	1	<b>Boundary wall</b>
11	RHS	6+100	Kerwania	Kusinagar	HP	5.70	NA	NA	NA	Fully relocated
12	RHS	6+100	Kerwania	Kusinagar	Gram Sachivalya	5.80	7	15	1	<b>Boundary wall</b>
13	RHS	6+600	Kerwania	Kusinagar	HP	6.00	NA	NA	NA	Fully relocated
14	RHS	7+450	Kerwania	Kusinagar	HP	6.00	NA	NA	NA	Fully relocated
15	RHS	8+100	Kerwania	Kusinagar	HP	4.00	NA	NA	NA	Fully relocated
16	RHS	9+500	Bhibhuti chaptia	Kusinagar	HP	3.00	NA	NA	NA	Fully relocated
17	RHS	10+400	Bhibhuti chaptia	Kusinagar	HP	3.00	NA	NA	NA	Fully relocated
18	LHS	10+700	Bhibhuti chaptia	Kusinagar	HP	3.00	NA	NA	NA	Fully relocated
19	RHS	13+180	Pachpedwa	Kusinagar	HP	6.00	NA	NA	NA	Fully relocated
20	RHS	13+300	Khanupur	Kusinagar	School (Pratmik Vidaylaya Gate)	5.80	20	30	1	<b>Boundary wall</b>

Sl. No.	Side	Existing Chainage (Km)	Village	District	Type of Properties	Distance from C/L	Total Area in (in sq.m.)			Extent of Impacts
							Length	Width	No. of Floors/Stories	
21	RHS	13+800	Khanupur	Kusinagar	HP	5.90	NA	NA	NA	Fully relocated
22	LHS	13+800	Pakriyar Bazar	Kusinagar	Temple	5.70	2	3	1	Temporary shed
23	RHS	22+400	Naurangia	Kusinagar	HP	6.00	NA	NA	NA	Fully relocated

### Annex 8: Description of the Consultation Process

1. This Annex provides a summary of the key findings from the different consultation methods undertaken during the consultation process (i.e. public consultation meetings, FGDs, etc...).

#### A. Public Consultation Meetings/Individual interviews

2. **Table 21** below relates to the public consultation meetings, where a significant number of persons participated in the consultations, undertaken during the process at different sections of the Kaptanganj-Hata-Gouribazar and Kaptanganj-Naurangia road.

**Table 21: Public Consultation Meetings**

Name of the Village	Issues Raised	Suggestions of DPs (Response)	Mitigation Measures / Design Approach
<b>VILLAGE- SEMRA DISTT- KUSHINAGR (24/04/2015) VENUE- HOUSE OF PRADHAN (Ms. Arti Devi) xxxxx</b>  <b>No. of Participants: 41</b>	Encroachment	DPs said that they are well outside of Width and clear space of 12 m is available.	Assistance to all encroachers and squatters as per Entitlement Matrix
	Widening option	Should be widened according to the land availability on either side of the road	Concentric Widening
	Employment	Would prefer permanent employment either with PWD or contractor. Temporary employment with contractor was also agreed upon.	As per the policy, contractor to give preference to local population
	Drainage	Provide drains on the both side of the road and internal road of the village	Covered Drainage facility in every urban area and earthen drainage in rural area
	Compensation	Cash compensation at replacement value	As per entitlement matrix, compensation will be provided at replacement value
<b>VILLAGE- NARAYANPUR DISTT- KUSHINAGAR (25/04/2015) VENUE- HOUSE OF PRADHAN (MR. Rubel Hussain) xxxxx</b>  <b>No. of Participants: 49</b>	Widening option	Concentric Widening	Concentric Widening
	Compensation	Cash compensation at replacement value	As per the policy, compensation will be provided at replacement value
	Safety	Speed breakers be provided at the both ed of the village	Various safety signage will be provided. Footpath and safety railing in every urban area. Project has a separate component on road safety.
	Employment	Permanent employment either with the government or private	As per the policy, contractor to give preference to local population. RP implementing Consultant/NGO will provide training for self-employment for eligible DPs
	Drainage	Provide drains on both side of the road	Covered Drainage facility in every urban area and earthen drainage in rural area

Name of the Village	Issues Raised	Suggestions of DPs (Response)	Mitigation Measures / Design Approach
<b>VILLAGE- PAKDI MADRAHA DISTT- KUSHINAGAR (25 /04/2015)</b> <b>VENUE-HOUSE OF PRADHAN (Mr. Balwant Singh)</b> xxxxx <b>No. of Participants: 33</b>	Safety	Speed breakers should be provided at both the ends of the village	Safety signage will be provided. Footpath and safety railing in every urban area. Project has a separate component on road safety
	Employment	DPs demand for Employment opportunities	As per the policy, contractor to give preference to local population
	Drainage	Provision of drainage system should be facilitated	Covered Drainage facility in every urban area and earthen drainage in rural area
	Compensation	Cash compensation at replacement value	As per the Entitlement Matrix, compensation will be provided at replacement value
	Widening Option	Road should be widened on both side as per the clear space available	Concentric Widening
	Encroachment	DPs agreed that they are encroachers. Clear space of 8-10m is available. Suggested road construction within available Width	Assistance to encroachers and squatters as per R&R policy
<b>VILLAGE- INDUPUR DISTT- DEORIA (25 /04/2015)</b> <b>VENUE-INDUPUR MARKET (MRS. Bhanumati Devi)</b> xxxxxx <b>No. of Participants: 11</b>	Drainage	Drains should be provided	Covered Drainage facility in every urban area and earthen drainage in rural area
	Compensation	Should be provided at replacement value	Compensation at replacement value as per the entitlement matrix
	Demolition of commercial structures	New structures be provided before demolition of existing one.	Cash compensation at replacement cost will be provided if partially affected
	Safety	Speed breaker and median should be provided,	Footpath and safety railing in every urban area
	Widening Option	Road should be widened in such a way that impact on commercial and residential structures would be minimized	Road widening will be with in available Width
<b>VILLAGE- CHHAPOULI DISTT- DEORIA (25 /04/2015)</b> <b>VENUE-HOUSE OF PRADHAN (Tarkeswar Gupta)</b> xxxxx <b>No. of Participants: 57</b>	Encroachment	DPs said that they are encroacher but suggested road widened within available Width and minimization of residential impact	Assistance to all encroachers and squatters as per Entitlement Matrix
	Demolition of commercial structures	New structures be provided before demolition of existing one.	Cash compensation at replacement cost will be provided if partially affected
	Drainage	Drains should be provided	Covered Drainage facility in every urban area and earthen drainage in rural area
	Compensation	Should be provided at replacement value	Compensation at replacement value as per

Name of the Village	Issues Raised	Suggestions of DPs (Response)	Mitigation Measures / Design Approach
			Entitlement Matrix
	Safety	Speed breaker and median should be provided,	Footpath and safety railing in every urban area. Project has a separate component on road safety
	Encroachment	DPs agreed that they are encroachers. Clear space of 9-10m is available. Suggested road construction within available Width	Assistance to encroachers and squatters as per R&R policy
	Widening Option	Road should be widened on either side	Concentric Widening

### KAPTANGANJ-NAURANGI ROAD

Name of the Village	Issues Raised	Suggestions of DPs (Response)	Mitigation Measures / Design Approach
<b>VILLAGE MISHROULI DISTT- KUSHINAGAR (26 /04/2015 VENUE-BUS STAND Sudhabati Devi CONT.NO. 09956903428 No. of Participants: 20</b>	Employment	Permanent employment either with the government or private	As per the policy, contractor to give preference to local population. RP implementing Consultant/NGO will provide training for self-employment for eligible DPs
	Avoid the impact on religions structure	To avoid the demolition of Maa Durga temple, Alignment should be shifted to the left side	It is suggested to shift the alignment (Eccentric widening) to the left hand side as ample of vacant land is available. A discussion was held during the course of the Census and Socio-economic survey with the temple committee members, Village Pradhan along with the design team (DPR Consultant) regarding avoiding the demolition of Durga Maa Temple. After discussion with the UPPWD, it was decided to shift alignment to the left side of the road to avoid the temple.
	Compensation	Should be provided at replacement value	Compensation at replacement value as per Entitlement Matrix
	Widening Option	Road should be widened on either side	Concentric Widening
<b>VILLAGE KIROUNIA DISTT- KUSHINAGAR (26 /04/2015) VENUE-</b>	Safety	Speed breakers should be provided at both the ends of the village	Safety signage will be provided. Footpath and safety railing in every urban area. Project has a separate component on road safety



Name of the Village	Issues Raised	Suggestions of DPs (Response)	Mitigation Measures / Design Approach
<b>PRADHAN HOUSE</b> <b>Ram Praksh</b> <b>xxxx</b> <b>No. of Participants: 5</b>	Employment	DPs demand for Employment opportunities	As per the policy, contractor to give preference to local population
	Drainage	Provision of drainage system should be facilitated	Covered Drainage facility in every urban area and earthen drainage in rural area
	Compensation	Cash compensation at replacement value	As per the Entitlement Matrix, compensation will be provided at replacement value
	Widening Option	Road should be widened on both side as per the clear space available	Concentric Widening
<b>VILLAGE BADAL CHHAPRA DISTT-KUSHINAGAR (26/04/2015)</b> <b>VENUE-PRADHAN HOUSE Ramprit Prasad x xxx</b> <b>No. of Participants: 13</b>	Widening option	Concentric Widening	Concentric Widening
	Compensation	Cash compensation at replacement value	As per the policy, compensation will be provided at replacement value
	Safety	Speed breakers be provided at the both ed of the village	Various safety signage will be provided. Footpath and safety railing in every urban area. Project has a separate component on road safety.
	Employment	Permanent employment either with the government or private	As per the policy, contractor to give preference to local population. RP implementing Consultant/NGO will provide training for self-employment for eligible APs
<b>VILLAGE PAKRIYA BAZAR DISTT-KUSHINAGAR (27/04/2015)</b> <b>VENUE-RURAL ARTISAN COMMUNITY VILLAGE</b> <b>No. of Participants: 12</b>	Drainage	Provide drains on both side of the road	Covered Drainage facility in every urban area and earthen drainage in rural area
	Employment	DPs demand for Employment opportunities	As per the policy, contractor to give preference to local population
	Compensation	Cash compensation at replacement value	As per the Entitlement Matrix, compensation will be provided at replacement value
	Widening Option	Road should be widened on both side as per the clear space available	Concentric Widening

## B. Focus Group Discussions with Specific Groups

3. Focus groups provide more in-depth insights on people's views about the project and specific needs. Focus groups can reveal a wealth of detailed and in-depth information on the issue of a particular group. Focus groups were held for women, business men and farmers, all three of these groups are considered as special stakeholders of this project whose views were particularly important to include in the design of this RP.

### 1. FGDs with Women along the Project Road

4. Women focus groups were conducted in Semra, Narayanpur, Pakdi Madraha and Chhapouli on Kaptanganj-Hata-Gouri Bazar road and Kirounia, Badal chhapra and Pakriya Bazar on Kaptanganj-Naurangia road. It is important to mention that in spite of these efforts to involve women, many were not willing to participate in the FGDs and participation was limited to 118 women. Key concerns raised related to property acquisition during road construction, safety concerns with the road impact on existing public infrastructure.

**Table 22: Women FGDs**

Participants	Issues raised by Women	Observations and Suggestions
<b>FGDs for Women participants</b>  <b>Village - Semra</b> <b>Village - Narayanpur</b> <b>Village - Pakdi Madraha</b> <b>Village - Chhapouli</b> <b>Village - Kirounia</b> <b>Village - Badal Chhapra</b> <b>Village - Pakriya Bazar</b>	<ul style="list-style-type: none"> <li>Women are not sure about the exact road alignment as no centre line pillars nor are any other benchmarks marked.</li> </ul>	<ul style="list-style-type: none"> <li>Women were made apprised about the project and road alignment.</li> </ul>
	<ul style="list-style-type: none"> <li>Women of the affected structures/land requested to realign the road, so that their structures/land may not be affected.</li> </ul>	<ul style="list-style-type: none"> <li>They were told that the project is not going to acquire the private land, however, the structures within corridor of the impact, will be adequately compensated.</li> </ul>
	<ul style="list-style-type: none"> <li>Women enquired about the compensation that shall be provided to them.</li> </ul>	<ul style="list-style-type: none"> <li>Compensation will be paid as per Basic Schedule rate of PWD, which will be equivalent to replacement cost of the structures. There will be no depreciation of cost estimation.</li> </ul>
	<ul style="list-style-type: none"> <li>Road safety measures should be provided.</li> </ul>	<ul style="list-style-type: none"> <li>Road safety signs would be provided at various locations to avoid accidents.</li> </ul>
	<ul style="list-style-type: none"> <li>Provision of a bus stop and public conveniences should be made</li> </ul>	<ul style="list-style-type: none"> <li>The Technical Design team will be apprised by this requirement. And they will provide the Bus Stop at appropriate Place.</li> </ul>
	<ul style="list-style-type: none"> <li>Employment</li> </ul>	<ul style="list-style-type: none"> <li>The eligible women will be given preference in employment during construction of the road.</li> </ul>
	<ul style="list-style-type: none"> <li>Equal wage for equal task</li> </ul>	<ul style="list-style-type: none"> <li>The women were ensured that the women, who will be working for the project will be given equal wage for equal work.</li> </ul>
	<ul style="list-style-type: none"> <li>Skill up-gradation Training</li> </ul>	<ul style="list-style-type: none"> <li>Skill up gradation training will be given to affected women within project preview.</li> </ul>
	<ul style="list-style-type: none"> <li>Human Trafficking/ Child labour/ Health (HIV/AIDS)</li> </ul>	<ul style="list-style-type: none"> <li>The women group were made aware on human trafficking, child labour, road safety and road related diseases.</li> </ul>

Participants	Issues raised by Women	Observations and Suggestions
	<ul style="list-style-type: none"> <li>Impact on drinking water (i.e. hand pump) should be shifted in another place for villagers.</li> </ul>	<ul style="list-style-type: none"> <li>The relocation of affected source of water will be properly shifted.</li> </ul>

## 2. FGDs with the business community

5. FGDs were conducted in the market towns of Indupur located at chainages km 44.000. They are the most urbanized settlements along the corridor, with 75% people depend on business activities and where many of the structures likely to be impacted are commercial in nature. It is an important market where local people around the project influence area visits to buy and sell their commodities. FGD was organized in this market town to inform the business community about the project and to voice their concerns and suggestions. A total of 11 business owners participated. Their key concerns related to land and property acquisition, the need for parking spaces and public facilities such as toilets.

**Table 23: Business community FGDs**

Participants	Issues raised by Businessman	Observations and Suggestions
<b>FGDs for with Business Communities at Indupur</b>	<ul style="list-style-type: none"> <li>Awareness about the project and project features</li> </ul>	<ul style="list-style-type: none"> <li>The participants were made apprised about the project and road alignment.</li> </ul>
	<ul style="list-style-type: none"> <li>Avoid acquisition of main building, being used as commercial purposes</li> </ul>	<ul style="list-style-type: none"> <li>The business communities were told that all the efforts will be made to avoid the acquisition of main building. However, if required temporary structures within Width will be dismantled to facilitate the road construction.</li> </ul>
	<ul style="list-style-type: none"> <li>Compensation/ Assistance for temporary disruption in business</li> </ul>	<ul style="list-style-type: none"> <li>The business communities were told that there is provision of EDA assistance in the entitlement matrix and they will be adequately assisted.</li> </ul>
	<ul style="list-style-type: none"> <li>Provision of Service lanes on both sides of the existing road</li> </ul>	<ul style="list-style-type: none"> <li>If technically feasible the service lane will be provided.</li> </ul>
	<ul style="list-style-type: none"> <li>Parking space for vehicle</li> </ul>	<ul style="list-style-type: none"> <li>There is no provision for providing parking space along the road in market area within the project preview.</li> </ul>
	<ul style="list-style-type: none"> <li>Provision for drainage system as water logging is a major problem during the rainy season</li> </ul>	<ul style="list-style-type: none"> <li>Covered Drainage system will be constructed in both side of the road, which will be used as footpath in the urban area.</li> </ul>
	<ul style="list-style-type: none"> <li>Wayside facilities such as parks, toilet</li> </ul>	<ul style="list-style-type: none"> <li>No provision within the project preview.</li> </ul>
	<ul style="list-style-type: none"> <li>Safe access to cross the road</li> </ul>	<ul style="list-style-type: none"> <li>Though the sub-project is limited to up-gradation of existing road up to 2 lane. However, being Budhana as a big market area, provision for the Safe access to reach and cross the existing road like Zebra crossings etc. for pedestrians, school going children and women, shall be explored during designing.</li> </ul>
	<ul style="list-style-type: none"> <li>A significant number of business men were tenants, they requested for assistance if displaced</li> </ul>	<ul style="list-style-type: none"> <li>A provision for assistance to tenants is there in Entitlement Matrix, if displaced, they will be assisted as per provision.</li> </ul>

### 3. Consultation with Farmers group along the Project Road

6. To understand the concern of farmers group, a consultation with them has been initiated by the consultant team in Narayanpur, Pakdi Madraha at chainage km 6.500 and 12.500 respectively on Kaptanganj-Hata-Gouribazar road in the district of Kushinagar and in Badal Chhapra at chainage km 10.000 on Kaptanganj-Naurangia road in the district of Kushinagar. The farmers of this region largely depend upon agriculture and wheat is the main crop of the project area followed by rice. A total of 49 farmers participated. Their key concerns related to land acquisition and fair compensations.

**Table 24: Farmers community FGDs**

Participants	Issues raised by Businessman	Observations and Suggestions
<ul style="list-style-type: none"> <li>• FGDs for with Farmer Communities at Narayanpur, Pakdi Madraha and Badal Chhapra</li> </ul>	<ul style="list-style-type: none"> <li>• Awareness about the project and project features</li> </ul>	<ul style="list-style-type: none"> <li>• The participants were made apprised about the project and road alignment.</li> </ul>
	<ul style="list-style-type: none"> <li>• Avoid acquisition of land</li> </ul>	<ul style="list-style-type: none"> <li>• The Farmers were told that all the efforts is being made not to acquire the private land for up gradation of road. However, if required, the land will be acquired through private negotiations with affected farmers, following a GO (government Order) of Govt. of Uttar Pradesh. It will be prudent to mention here that the Govt. of U.P has recently issued a GO for direct purchase of the land from landowners through private negotiations. To acquire the land through this latest policy, LA will be easier and convenient not only for govt but also in the benefits of the farmers. If acquisition through this policy fails, the LA may be resorted as per RFCT LA R &amp;R act 2013.</li> </ul>
	<ul style="list-style-type: none"> <li>• Adequate compensation of land</li> </ul>	<ul style="list-style-type: none"> <li>• The project is not interested in acquiring the private land as existing WIDTH is sufficient to accommodate the improvement, however, if required, the compensation of the acquired land will be almost 4 times of the prevailing market rate in rural areas as as per RFCT LA R &amp;R act 2013 or GO of U. P state on new policy.</li> </ul>
	<ul style="list-style-type: none"> <li>• Facilitation in transporting the agricultural product to main market</li> </ul>	<ul style="list-style-type: none"> <li>• The farmers were very happy to know about the project. They opined that the improvement will certainly increase their income and social status.</li> </ul>

### Annex 9: Template Public Consultation and Disclosure Plan

Activity	Task	Agencies	Timing (Date/Period)	Completed/ still to be conducted	Remarks
RP Disclosure	Disclosure of the RP on ADB's and the EA's websites	ADB-EA			
RP information dissemination	Distribution of information leaflets in local language	PIU Field Office / Implementing NGO			
Dissemination local Grievance Officer contact	Post contact number/location of local PIU Grievance Officer in	PIU Field Office			
Consultative meetings with APs (ongoing)	Discuss potential impacts of the sub-project	PIU Field Office / Implementing NGO	Quarterly		

## **Annex 10: Details on the data collected for Gender Analysis during the census survey**

### **A. Women Headed Households**

1. There are only two women headed households affected in the Kaptanganj-Hata-Gouribazar road. Any negative impacts of the sub-project on female-headed households will be taken up on a case-to-case basis and assistance to these households will be treated on a priority basis. During disbursement of compensation and provision of assistance, priority will be given to female-headed households. Additionally, women headed households are considered as vulnerable and provision for additional assistance (lump sum amount at Rs.10,000/- per affected households) has been made in the entitlement of the RP. Provision for equal wage and health safety facilities during the construction will be ensured by the EA. Therefore, the sub-project activities will not have any negative impact on women.

2. Women's contribution to the household, economy and society goes unrecognized since most of the activities females are involved in do not enter the sphere of the market and remain non-monetized. Most of the work undertaken by women is often interspersed with other household chores, making it difficult to separate the various tasks performed. The perpetuation of gender stereotypes and the social division of labour that typecasts women mainly as workers in the domestic sphere has been the chief barrier to the recognition of women's economic work participation. Non-recognition of women's participation in economic activities is not only an outcome of (a) their work being intertwined with household activities; and (b) being unpaid, making it difficult for enumerators to identify women as workers, but also stems from flawed definitions and the limited scope of economic activity.

3. The role played by women in the care sector, predominantly their reproductive work (bearing, rearing, nurturing children and household maintenance), falls outside the accounting systems. Many of the tasks non-working women are involved in would be considered work if performed by a person hired for the purpose or unrelated to the household. Because women perform roles, which are not statistically counted as economic and hence not monetarily valued, women's roles and their contribution are assigned a lower status. The role fulfilled by women in household maintenance and care activities is often trivialized. Assigning monetary value to all the tasks undertaken by them, however, is not very easy.

### **1. Gender Disparity in Sex**

4. Uttar Pradesh has very low sex ratio reflecting the deteriorating situation of women in the state. In addition to the worsening mortality conditions, some of the reasons for this decline lie in increasing economic pressure for survival and sex selective migration. Uttar Pradesh has always recorded sex ratio below the all-India level and one primary reason is female infanticide and preference of son. The situation is also not good in the project road where sex ratio is 842 as compared to 912 in the state and 943 in the country. With regards to Sex Ratio in Kushinagar and Deoria districts, it stood at 961 and 1017 per 1000 male compared to 2001 census figure of 963 and 1002 respectively. The average national sex ratio in India is 943 as per latest reports of Census 2011

**Table 25: Sex Ratio**

Location	Sex Ratio	
	2011	2001
<b>Project road</b>	842	
Kushinagar	961	963
Deoria	1017	1002
<b>Uttar Pradesh</b>	912	898
<b>India</b>	<b>943</b>	<b>934</b>

Source: Census of India, 2011 and Field Survey results.

## 2. Education (Female Literacy Rate)

5. Will improvement in female literacy ensure greater gender equality can be stated with a certain degree of certainty that improving the education of women will lead to gender development; it is difficult to affirm that improvements reflected through this variable of female literacy alone will be sufficient to bring about women's equality.

**Table 26: Female Literacy and Gender Gap in Literacy**

Location	Female Literacy in %	Rank	Gap in Literacy in %	Rank
<b>Project road</b>	62.17		14.18	
Kushinagar	52.36		25.35	
Deoria	59.38		23.89	
<b>Uttar Pradesh</b>	42.98	4	27.25	3
<b>India</b>	<b>54.16</b>		<b>21.69</b>	

Source: Census of India, 2011 and Primary Survey

## 3. Women's Health

6. The NFHS III findings highlight that in U.P. 53 percent of the respondent women (between the age of 20-24) were married by the age of 18. While this figure was 30 percent in the urban area, it was a high 60.1 percent in the rural area. 14.3 percent women between the age of 14-19 were already mothers or pregnant at the time of the Survey. The situation in project corridor is no difference as mean age of marriage for girls is 17 years.

7. Public Hospitals are available in the district headquarters of Kushinagar and Deoria for the people. However, PHC (public health centre) exists at several locations like Kaptanganj, Hata, Gouribazar in Kaptanganj-Hata-Gouribazar road and Kirounia, Pakdiya Bazar and Naurangia in Kaptanganj-Naurangia road.

## 4. Women's Role in Household Economy

8. Socio-economic survey was conducted of 34 affected households in both the roads i.e. Kaptanganj-Hata-Gouribazar (24 No) and Kaptanganj-Naurangia (10 No.) road. The predominant activity of women is household work where they spend most of their time. Additionally, women spend time in supporting their male partner for the agricultural activities. Women also participate in the business and spent time for livelihood in agricultural and non-agricultural laborers. Details of the activities of women are given in **Table 27**.

**Table 27: Usual Activity of Affected Women for both Road**

Usual Activity	N= (24+10=34)	%
Cultivation	21	61.76
Allied Activities*	0	0.00
Collection of fuel fodders	20	58.82
Trade & Business	13	38.24
Agricultural Labour	11	32.35
Non Agricultural Labour	11	32.35
HH Industries	0	0.00
Service	0	0.00
Households Work	34	100.00
Relaxation & Entertainment	10	29.41

Source: ICT Socio-economic Survey, 2015

## 5. Decision Making Power among Women DPs

9. During the socio-economic survey of DPs and group discussion, various issues related to household matter were raised viz., their importance in financial matter, child's education, child's health care, purchase of assets, day to day activities, marriages and other functions, etc. As the table below shows women participation in socio-cultural activities is very low, therefore they lag behind men on almost all the socio-economic indices. Majority of women DPs have said that they do not have any decision making power at household level. But the women's are only able to take decision related to education and health of child. In the matters of financial, purchase of assets, day to day activities, social functions, marriages and local governance, only male member of the households give the final decisions.

**Table 28: Decision Making Power among Women**

Activities	Number of Women Respondents	Percent of Women Saying Yes	Percent of Women Saying No
Financial matter	34	5.88	94.12
Child's education	34	15	85.29
Healthcare of child	34	12	82
Purchase of assets	34	25	75
Day-to-day activities	34	31.25	68.75
Social functions	34	15.62	84.38
Others	NA	NA	NA

Source: ICT Socio-economic Survey, 2015

## 6. Accessibility to Infrastructures facilities/ Amenities

10. Amenities and facilities, which concerns women is very important in determining the status of the women in their daily life. During survey the availability of these facilities to women has been assessed. The result was as follows:



**Table 29: Accessibility to Infrastructures facilities/Amenities**

Description	Facility	Distance from home (average)	Number of trips/time spend	Remarks
From where you get drinking water?	Hand Pumps/ Public Well	0.100 m. to 0.200 m	1-2 trips/ 1 hours	Contaminated Water
From where you get health service	Village/block/ District	1-15 km	Around 1-2 hour	
What are the main problems with health services	PHC level/Sub Centre level/ civil hospital level	Distance, doctors not available sometimes, medicines also not available some times		
Do you have latrine	50% Households have no toilet facilities			lack of awareness for hygiene
Do you use community latrine	No			
Do you go for open defecation	Yes	Distance from home-0.5-1 Km	1 km, not safe	

Source: ICT Socio-economic survey, 2015

## **7. Key findings on Gender Specific issues during Socio-economic Survey and Focus Group Discussions**

11. With regard to the discussion on division of labor at work and at home, most of the women reported that they look after their reproductive and productive roles simultaneously by working in fields as well as taking care and maintenance work of the household, such as cooking, washing, cleaning, nursing, bearing and looking after children etc. The agriculture or non-agriculture related productive works that can generate cash income are therefore preferred to be done at home, or near home by the women. When such opportunities are not available entire family resorts to migrate to other village/ urban centers. Overall during the FGDs, the women reported to have limited mobility and therefore expressed their preference near their homes. In case of distant places they expressed their preference prefer to work either in groups or move in groups as this gives them confidence. The following reasons were cited by the women for their preference to work near their homes:

- (i) Lack of access and control over vehicle
- (ii) Walking long distance is tiring
- (iii) Cannot leave small children unattended
- (iv) Have never been trained on specific skills to take up skilled jobs
- (v) Fear of working in unknown environment
- (vi) Household work can be attended
- (vii) Mobility in group enables them to respond to the constraints related to security risks

12. As per the findings of FGD with women group the perceived benefits from the sub-projects are:

- (i) Improved access to social facilities like health, education

- (ii) Increase in income generating activities
- (iii) Frequent and affordable transport
- (iv) Management of emergency situation
- (v) Improved community relations
- (vi) Increased frequency of health workers, extension workers visits
- (vii) Improved access to market
- (viii) Reduced time spent on firewood collection
- (ix) Less flooding
- (x) Side pavements will make walking easy

13. The women group consulted could perceive little negative impacts of road improvement in their lives since the benefits perceived were far stronger. The negative impacts could not be easily articulated by the communities apart from loss of assets. However, along with the loss of assets the following negative impacts were also recorded:

- (i) Loss of assets as a result of the road construction
- (ii) Loss of assets especially in the case of Female Headed Households
- (iii) Discrimination in wage payment, if employed
- (iv) More dependence of mechanized techniques in road construction likely to have very little opportunity for labor for women

14. During the socio-economic survey and Focus Group Discussion, it has been observed that more than 75% women (weaker section) go to market on foot and 25% used public transport for market and other activities. The villagers use buses or private transport to reach the district headquarters. Average cost per trip to District Headquarter is Rs.25-45 per person. The most common destination of the villagers is the district town or nearby Block/town

## **8. Human Trafficking**

15. During the course of census, socio-economic survey and public consultations it was revealed that no cases of human trafficking are reported nor any records found from nearest police station. People are very much aware of this.

### Annex 11: Complete Entitlement Matrix of UPPWD/ADB Resettlement Framework for UPMDRIP

*All awards below shall be exempt from income tax, stamp duty and fees.*

Type of Loss		Definition of Entitled Person	Compensation Policy	Responsible Agency
<b>Land</b>				
1.a	Loss of private land - agricultural land, <sup>1</sup> - homestead/ commercial land - vacant plot	Legal titleholders/ traditional titleholders <sup>2</sup>	<ul style="list-style-type: none"> <li>Land for land if available.<sup>3</sup> LA by private negotiation promulgated by GoUP through G.O. dated March 19<sup>th</sup>, 2015.<sup>4</sup> Compensation at replacement cost or as calculated under section 26 of LARR Act 2013</li> <li>If according to the landowner, the residual land is economically unviable, option to be compensated for entire parcel.</li> <li>One time 50,000 Resettlement Allowance as per LARR Act 2013 if family needs to physically relocate to different area</li> <li>90 days advance notice to relocate</li> </ul>	<p>IA/CSC will ensure sufficient provision of notice</p> <p>NGO/Consultant will validate and verify AP list jointly with IA.</p>
1.b	Loss of rented private land and government land	Tenants, leaseholders and Sharecroppers (with lease documents)	<ul style="list-style-type: none"> <li>Assistance for rental deposit or unexpired lease deducted from the land owner's compensation.</li> <li>60 days advance notice to harvest standing seasonal crops prior to damage, if notice cannot be given, compensation for share of crops will be provided (see entitlement No. 3.a).</li> </ul>	<p>NGO/Consultant will confirm tenants' eligibility</p> <p>IA/ CSC will ensure provision of notice.</p>
1.c	Loss of Government land	Non-titled holders (i.e. Squatters <sup>5</sup> , Encroachers <sup>6</sup> )	<ul style="list-style-type: none"> <li>Compensation for assets lost at replacement cost (see EM 2.a).</li> <li>90 days advance notice to shift</li> <li>60 days advance notice to harvest standing seasonal crops prior to damage, if notice cannot be given, compensation for share of crops will be provided (see entitlement No. 3.a).</li> </ul>	<p>IA/ CSC will ensure provision of notice.</p> <p>NGO/Consultant will confirm affected household's eligibility</p>

<sup>1</sup> The RFCLARRA 2013 outlines that no irrigated multi-cropped land shall be acquired under this Act, except in exceptional circumstances, as demonstrable last resort. Wherever such land is acquired, an equivalent area of cultivable land shall be developed for agricultural purposes or an amount equivalent to the value of land acquired shall be deposited with the appropriate Government for investment in agriculture for enhancing food security. Such costs must be reflected in the resettlement budget.

<sup>2</sup> Traditional land rights refer to households with customary rights to land, and shall be treated equivalent to titleholders

<sup>3</sup> During the preparation of the Resettlement Plan for the subproject road, the availability of land will be assessed and this option will be retained/dropped depending on this assessment

<sup>4</sup> An independent third party will be hired to certify process whether process was fair and transparent and land cost reflects evaluation methodology stipulated in the Government Order(s)

<sup>5</sup> Squatters are those who have no recognizable legal rights on the land they are occupying

<sup>6</sup> Encroachers are those who use land or build structures which are in whole or in part of an adjacent property to which they have no titles.

Type of Loss		Definition of Entitled Person	Compensation Policy	Responsible Agency
1.d	Temporary loss of land	Legal titleholders	<ul style="list-style-type: none"> <li>• Rent at market value for the period of occupation.</li> <li>• Restoration of land to previous or better quality</li> <li>• Location of construction camps will be fixed by contractors in consultation with Government and local community.</li> </ul>	<p>Contractor negotiates amount with landowner – supervised by CSC.</p> <p>IA/CSC ensures compensation paid prior to take-over.</p> <p>Contractor responsible for site restoration.</p>
<b>2</b>	<b>Structures</b>			
2.a	Loss of residential, commercial structures and other assets	Legal titleholders Encroachers and squatters	<p><b>If partially affected<sup>7</sup>:</b> Replacement cost of the affected part or assets with right to salvage materials. If remainder of the structure is unviable, the owner has the option to claim compensation for entire structure (see below).</p> <p>Restoration grant of 10% of replacement cost of structure.<sup>8</sup></p> <p><b>If Residential / Commercial structure fully affected:</b></p> <ul style="list-style-type: none"> <li>• Replacement Cost of the structure</li> <li>• If relocating outside RoW, Resettlement Allowance of Rs. 50,000 per family as per LARR Act 2013.<sup>9</sup></li> <li>• Monthly Subsistence Allowance of Rs. 3,000 for one year (total Rs. 36,000) for families having to relocate their homesteads as per LARR Act 2013.<sup>10</sup></li> <li>• Shifting allowance of 10% of replacement cost of structure up to a maximum of Rs 50,000, as per the LARR Act 2013</li> <li>• Right to salvage materials from structure and other assets with</li> </ul>	<p>NGO/Consultant will confirm titleholder's eligibility</p> <p>IA/ CSC will ensure provision of notice.</p>

<sup>7</sup> External to the living/commercial areas (i.e. verandahs, stairs)

<sup>8</sup> This have been added given that in the context of this RP, the concentration of impacts relate to structures being partially affected and as such it is a needed additional assistance measure.

<sup>9</sup> Not cumulative if Resettlement Allowance has been given for loss of land (Entitlement 1.a)

<sup>10</sup> Households losing commercial structures are not eligible

Type of Loss		Definition of Entitled Person	Compensation Policy	Responsible Agency
			no deductions from replacement cost. • 90 day notice to vacate structure.	
2.b	Loss of residential/commercial structure and other assets	Tenants (without documentation) and leaseholders	<ul style="list-style-type: none"> <li>• Replacement cost of part/whole of structure – if latter has been constructed by the tenant/leaseholder with right to salvage material</li> <li>• Compensation for rental deposit or unexpired lease (only for AP with legitimate lease documentation). This will be deducted from the compensation amount of the structure owner.</li> <li>• Lump-sum equivalent to two month lease to support search of alternative housing.</li> </ul>	NGO/Consultant will confirm tenants' eligibility  IA/ CSC will ensure provision of notice.

## **Annex 12: Indicative Terms of Reference (TOR) for the RP implementation Agency (Consultant) to assist in Resettlement Plan Implementation**

### **A. Project Background**

1. Uttar Pradesh Major District Roads Improvement Project proposed for ADB's assistance seeks to upgrade and rehabilitate about ten (10) major district roads (MDR) for a total of 609 km, thereby improving connectivity and fostering inclusive economic growth. The estimated cost of the project is about \$428 million, of which \$300 million would be financed by the Asian Development Bank (ADB). The project's Executing Agency is Uttar Pradesh Public Works Department (UPPWD).
2. The project construction will entail damage of assets, impact on livelihoods, community property resources and potentially private land acquisition.
3. The overall implementation period for this assignment is XXX months from the commencement of contract.

**Table 30: Summary of Likely Impact**

Permanent Land Acquisition (ha)	XX
No. of Affected Private Structures	XX
No. of Affected Community Property Resources (CPRs)	XX
Total No. of Affected Households (HHs)	XX
No. Titled Households	XX
No. of Non-Titled Households	XX
No. Households losing homestead (physically displaced)	XX
No. of Severely Affected Households	XX
No. of Vulnerable Households	XX
No. Households losing income (whose commercial structure affected)	XX

### **B. Objectives of the Assignment**

4. The NGO/CONSULTANT shall be responsible for assisting UPPWD in facilitating land acquisition and Resettlement Plan (RP) implementation in an efficient and transparent manner for the project road. The implementation shall follow The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and the ADB's Safeguard Policy Statement 2009.
5. The overall tasks of the NGO/CONSULTANT are to:
  - (i) Coordinate the entire process from start to finish for disseminating assistance to relevant Affected Persons (APs);
  - (ii) Coordinate with, and provide support, where needed, to Revenue officials and other relevant line agencies in expediting the land acquisition and resettlement process;
  - (iii) Implement livelihood and income restoration program;
  - (iv) Disseminate project information to APs in an NGO/ Consultant manner;
  - (v) Assist the APs in redressing their grievances (through the grievance redress committee set up for the project);

- (vi) Conduct awareness program for HIV/AIDs, health and hygiene, and human trafficking in affected villages;
- (vii) Collect data and submit progress reports on a monthly and quarterly basis for UPPWD to monitor the progress of RP implementation; and
- (viii) Any other tasks as assigned by UPPWD.

### **C. Scope of Work**

6. The principal responsibilities of the NGO/CONSULTANT will include, but not limited to the following:

#### **1. Administrative Responsibilities of the NGO/CONSULTANT**

7. The NGO/CONSULTANT will work under the direction of the Member (Administration), or any person authorized by the Member (Administration). NGO/CONSULTANT shall assist UPPWD in carrying out the implementation of the RP for the project road.

8. The NGO/CONSULTANT shall assist UPPWD in conducting all public meetings, information campaigns at the commencement of the project and give full information to the affected villages. This includes translating the summarized RP into local language in a form of a Project Information Brochure for disclosure and dissemination to APs.

9. The NGO/CONSULTANT shall submit monthly and quarterly progress report to UPPWD. The report should cover implementation issues, grievances and summary of consultations

10. The NGO/CONSULTANT shall assist UPPWD in convening the GRC and keep the records of GRC at PIU and State level.

11. Assist UPPWD in the management of the database of the APs, and at the end of the assignment, ensure proper handover of all data and information to UPPWD.

#### **2. Responsibilities for Implementation of the RP**

12. The NGO/CONSULTANT shall verify the information already contained in the RP and the individual losses of the relevant APs. They should validate the data provided in the RP and make suitable changes if required and wherever changes are made it should be supported by documentary evidence. The NGO/CONSULTANT shall establish rapport with all APs, consult and provide information to them about the respective entitlements as proposed under the RP, and distribute entitlement cum Identity Cards to the eligible APs. The identity card should include a photograph of the DP, the extent of loss suffered due to the project, and the choice of the DP with regard to the mode of compensation and assistance.

13. The NGO/CONSULTANT shall develop rapport between the APs and the Project Authority. This will be achieved through regular meetings with both the PIU and the APs. Meetings with the PIU will be held at least fortnightly, and meetings with the APs will be held monthly, during the entire duration of the assignment. All meetings and decisions taken shall be documented by the NGO/CONSULTANT.

14. The NGO/CONSULTANT shall display the list of eligible APs in prominent public places like villages, Panchayat Offices, Block/Tehsil headquarters, and the District Headquarters.

15. During the verification of the eligible APs, the NGO/CONSULTANT shall ensure that each of the APs are contacted and consulted either in groups or individually. The NGO/CONSULTANT shall specially ensure consultation with women from the DP families especially women headed households.

16. Participatory methods should be adopted in assessing the needs of the APs, especially with regard to the vulnerable groups of APs. The methods of contact may include village level meetings, gender participation through group's interactions, and Individual meetings and interactions.

17. The NGO/CONSULTANT shall explain to the APs the provisions of the policy and the entitlements under the RP. This shall include communication to the roadside squatters and encroachers about the need for their eviction, the timeframe for their removal and their entitlements.

18. The NGO/CONSULTANT shall disseminate information to the APs on the possible consequences of the project on the communities' livelihood systems and the options available, so that they do not remain ignorant.

19. In all of these, the NGO/CONSULTANT shall consider women as a special focus group, and deal with them with care and sympathy.

20. The NGO/CONSULTANT shall assist the project authorities in ensuring a smooth transition (during the part or full relocation of the APs), helping the APs to take salvaged materials and shift. In close consultation with the APs, the NGO/CONSULTANT shall inform PIU about the shifting dates agreed with the APs in writing and the arrangements desired by the APs with respect to their entitlements.

21. The NGO/CONSULTANT shall assist the APs in opening bank accounts explaining the implications, the rules and the obligations of a bank account and how s/he can access the resources s/he is entitled to. The NGO/CONSULTANT shall recommend methods of disbursement for assistance to UPPWD for approval. The disbursement method should be transparent, efficient and meets government audit requirements.

22. The NGO/CONSULTANT shall implement the livelihood restoration program for those APs who qualify. The program should be based on a skill needs assessment of the eligible APs and trainings should be of duration of no less than 3 months. The NGO/CONSULTANT shall coordinate with relevant organization or mobilize its own short-term experts in carrying out the training activities. An evaluation of the program should be conducted 3 months after its completion. APs whose livelihood has not been restored to pre-project level should be provided with individualized counseling and linked to national and state-sponsored employment development and livelihood enhancement schemes.

23. The NGO/CONSULTANT shall ensure proper utilization of the R&R budget available for the subproject. The NGO/CONSULTANT shall counsel the APs in finding suitable economic investment options and help them in regaining the losses of land and other productive assets.

### **3. Accompanying and Representing the APs at the Grievance Committee Meetings**



24. The NGO/CONSULTANT shall make the APs aware of the existence of grievance redressal committees (GRCs).

25. The NGO/CONSULTANT shall help the APs in submitting their grievances and also in clearing their doubts about the procedure as well as the context of the GRC award.

26. The NGO/CONSULTANT shall record the grievance and bring it to the notice of the GRCs within seven days of receipt of the grievance from the APs.

27. To accompany the APs to the GRC meeting on the decided date, help the DP to express his/her grievance in a formal manner if requested by the GRC and again inform the APs of the decisions taken by the GRC within 3 days of receiving a decision from the GRC.

#### **4. Carry out Public Consultation**

28. In addition to counseling and providing information to APs, the NGO/CONSULTANT will carry out periodic and consultation with APs and other stakeholders.

#### **5. Assisting the PIU with the Project's Social Responsibilities**

29. The NGO/CONSULTANT shall assist the UPPWD to implement STI & HIV/AIDS, road safety<sup>1</sup> and human-trafficking awareness measures. The NGO/CONSULTANT shall coordinate with relevant organization or mobilize its own short-term experts in carrying out the activities.

#### **6. Monitoring and Reporting**

30. The NGO/CONSULTANT involved in the implementation of the RP will be required to supply all information, documents to the external monitor.

### **D. Documentation and Reporting by NGO/CONSULTANT**

31. The NGO/CONSULTANT shall submit all of the following reports, brochures and outputs in a format approved by UPPWD.

- (i) **Inception Report.** To be submitted within two weeks of mobilization which includes work plan for the whole contract period, staffing and personnel deployment plan, and a withdrawal plan at the end of the period of contract.
- (ii) **Project Information Brochure.** Summarize the RP, translate summary and produce Project Information Brochure in local language within 1 month of mobilization. For distribution to all affected households.
- (iii) **Microplans for relevant Non-titleholders.** Includes issuance of ID cards and other documents. To be completed at an agreed time with UPPWD.
- (iv) **Monthly Progress Reports.** To be submitted to UPPWD at the end of each month. Shall include weekly progress and work charts as against the scheduled timeframe of RP implementation.
- (v) **Quarterly Progress Reports.** To be submitted to UPPWD at the end of each quarter. Shall include progress on implementation, livelihood restoration

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<sup>1</sup> Road safety awareness campaigns will include informing road residents on safe driving and pedestrian practices, as well as discussing the safety design features of the road as well as other road safety capacity-building measures for the EA financed by the project.

program, GRC, STI & HIV/AIDS awareness program, issues and challenges, and etc.

- (vi) **Completion Report** at the end of the contract period summarizing the actions taken during the project, the methods and personnel used to carry out the assignment, and a summary of support/assistance given to the APs.
- (vii) All other reports/documentation as described in these terms of reference.
- (viii) Record minutes of all meetings.

## E. Staffing Schedule

32. The table below details the required staffing structure for the assignment. Key personnel will be evaluated during the proposal evaluation stage. The NGO/CONSULTANT is required to submit CVs for the key personnel positions. Non-key personnel will not be evaluated during proposal stage. At least one woman should be included as Field Support Staff.

### 1. Indicative Required Experts

No.	Particulars	No. Positions	Estimated Person-months
<b>Key Personnel</b>			
1	Team Leader		
2	Field Coordinator 1		
3	Field Coordinator 2		
<b>Non-key Personnel</b>			
4	Field Support Staff		
5	MIS Officer		
<b>Total</b>			

33. All staff should be mobilized within XXX days of actual commencement.

### 2. Key Indicative Tasks per Position

34. The position-based tasks specified for each of the positions is mentioned below. The tasks are indicative and the NGO/CONSULTANT needs to propose its own working arrangement as a team based on the overall requirements in the TOR.

No.	Particulars	
1	Team Leader	<ul style="list-style-type: none"> <li>• Provide overall technical and operational management of NGO/CONSULTANT team.</li> <li>• Act as main counterpart when communicating with UPPWD and relevant government agencies.</li> <li>• Draft work plan and ensure work plan is followed.</li> <li>• Ensure deliverables and activities are completed in a timely and transparent fashion.</li> <li>• Review documentation and reports to verify accuracy.</li> </ul>
2	Field Coordinator	<ul style="list-style-type: none"> <li>• Responsible for assigned section of alignment</li> <li>• Provide guidance to Field Staff and verify information collected.</li> <li>• Ensure deliverables and activities are completed in a timely and transparent fashion.</li> <li>• Provide support to Grievance Redressal Mechanism</li> </ul>
4	Field Support Staff	<ul style="list-style-type: none"> <li>• Responsible for assigned section of alignment.</li> <li>• Establish rapport with relevant APs.</li> <li>• Responsible collecting field level information.</li> </ul>

No.	Particulars	
		<ul style="list-style-type: none"> <li>Undertake continued information disclosure and consultation.</li> </ul>
5	MIS Officer	<ul style="list-style-type: none"> <li>Perform all computer/database related needs for the assignment.</li> </ul>

### 3. Qualification

35. Qualification and experience requirements for experts are listed below.

No.	Particulars	
1	Team Leader	<p>Minimum: Post graduate degree in social science is Sociology, Economics, Master in Social Work, Masters in Rural Development, Bachelors of law shall be added qualification</p> <p>10 years of minimum professional experience</p> <p>5 years of minimum relevant experience in implementing land acquisition and resettlement and rehabilitation activities. Previous experience in project funded by external donors. Good understanding of land acquisition process and The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.</p>
2	Field Coordinator	<p>Minimum: Bachelor's degree in any discipline Post graduate degree in social science is preferred</p> <p>10 years of minimum professional experience</p> <p>5 years of minimum relevant experience in implementing land acquisition and resettlement and rehabilitation activities. Previous experience in project funded by external donors strongly preferred. Good understanding of land acquisition process and The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Proficient in local language preferred.</p>
4	Field Support Staff	<p>Minimum: Bachelor's degree in any discipline civil Post graduate degree in social science is added qualification</p> <p>3 years of minimum professional experience</p> <p>Previous experience in working rural communities required. Proficiency in local language is required. Previous experience in land acquisition activities is strongly preferred.</p>
5	MIS Officer	<p>Minimum: Bachelor's degree in computer application or related fields.</p> <p>3 years of minimum professional experience</p> <p>Proficient in operating computer and Microsoft Word, and Excel. Ability to design and manage database. Proficient in English and local language.</p>

### 4. Condition of Services

36. The NGO/CONSULTANT shall ensure that the RP is implemented in an effective and proper manner. The prime responsibility of the NGO/CONSULTANT shall be to ensure that each and every eligible AP receives appropriate and due entitlement (within the Entitlement Framework) and that, at the end of the project R&R services, the eligible APs have improved (or

at least restored) their previous standard of living. Additionally the NGO/CONSULTANT shall help the UPPWD in all other matters deemed to be required to implement the RP in its spirit and entirely including activities involving some financial implications.

37. All documents created, generated or collected during the period of contract, in carrying out the services under this assignment will be the property of the UPPWD. No information gathered or generated during and in carrying out this assignment shall be disclosed by the NGO/CONSULTANT without explicit permission of the UPPWD.

## **5. Data, Services and Facilities to be provided by UPPWD**

38. The UPPWD will provide to the NGO/CONSULTANT the copies of all relevant documents required for the NGO/CONSULTANT to undertake its work. Documents will include the APs' Census, the RP, and technical drawings. The UPPWD will assist the NGO/CONSULTANT in collaborating with the Supervision Consultants. All facilities required in the performance of the assignment, including office space, office stationery, transportation and accommodation for staff of the NGO/CONSULTANT, etc., shall be arranged by the NGO/CONSULTANT.

## **6. Payment Schedule**

39. The following payment milestone is proposed for making the payment to the NGO/CONSULTANT. The payment will be made subject to the submission of a certificate from the UPPWD that the targets have been achieved in a satisfactory manner.

<b>Sl. No.</b>	<b>Indicative Payment Milestone</b>	<b>Indicative Payment (% of contract Value)</b>
1	On submission of the inception Report complete in all respects	10%
2	On completion of the identification, verification of APs and initial consultation sessions, and submission of updated data on APs (Identification and Verification report) and review of the same by the UPPWD.	20%
3	On submission and approval of first 30% of the Micro Plans of APs	6%
4	On submission and approval of second 30% of the Micro Plans of APs	7%
5	On submission and approval of final 40% of the Micro Plans of APs	7%
6	On completion of the rehabilitation process and implementation of Livelihood and Income Restoration Program and STI & HIV/AIDs, human trafficking in affected villages.	20%
7	On submission of the Final Completion Report	10%
8	On approval of the Final Completion Report	20%
	<b>Total</b>	<b>100%</b>

### Annex 13: Implementation Agencies and Key Responsibilities

Key Agency	Responsibility
Government of Uttar Pradesh through the UPPWD (EA)/PMU	<ul style="list-style-type: none"> <li>• Make final decision on roads to be included under the project</li> <li>• Facilitate access to documentation about Width</li> <li>• If required launch process for Width's ownership transfer under EA</li> <li>• Overall responsibility for project design, feasibility, construction and operation and guide PIUs</li> <li>• Ensure that sufficient funds are available to properly implement all agreed social safeguards measures</li> <li>• Ensure that all sub-projects comply with the provisions of ADB's SPS 2009 and Gol's policies and regulations</li> <li>• Submit semi-annual safeguards monitoring reports to ADB</li> </ul>
Project Implementation Units (PIU)	<p>(a) District Level</p> <ul style="list-style-type: none"> <li>• Facilitate access to documentation about Width</li> <li>• Disseminate project information to the project affected community with assistance from DPR Consultants</li> <li>• Disclosure of project information in public spaces and through relevant media.</li> <li>• Ensure establishment of Grievance Redress Committee at the PIU level for grievance redress with assistance from RP implementing Consultants</li> <li>• Facilitate the socio-economic survey and census</li> <li>• Facilitate consultation by the civil works contractor with community throughout implementation</li> <li>• Oversee land acquisition and coordinate with District Commissioner</li> <li>• Supervise the mitigation measures during implementation and its progress</li> <li>• Conduct internal monitoring and prepare reports</li> </ul>
Detailed Project Report (DPR) Consultants	<ul style="list-style-type: none"> <li>• Verify Width ownership documentation</li> <li>• Undertake consultations involving community and APs</li> <li>• Conduct baseline socio-economic survey</li> <li>• Conduct census of APs and prepare inventory of loss assets</li> <li>• Complete screening checklist</li> <li>• Prepare due diligence report if no land acquisition</li> <li>• Prepare Social Impact Assessment Report</li> <li>• Encourage community/ APs to voluntarily participate during the implementation</li> </ul>
Project Preparation Technical Assistance (PPTA) Consultant	<ul style="list-style-type: none"> <li>• Confirm Width ownership information</li> <li>• Verify screening checklist</li> <li>• Verify accuracy of AP census and inventory of loss assets</li> <li>• Provide support to DPR consultant in conducting consultations</li> <li>• Prepare Resettlement Plans/due diligence reports</li> <li>• Prepare Poverty and Social Analysis</li> </ul>
RP Implementing Consultant/NGO	<ul style="list-style-type: none"> <li>• Implement RP activities. This includes: <ul style="list-style-type: none"> <li>- Validate the data contained in the RP and make updates if required.</li> </ul> </li> </ul>

Key Agency	Responsibility
	<ul style="list-style-type: none"> <li>- Coordinate with, and provide support, where needed, to Revenue officials and other relevant line agencies in expediting the resettlement and rehabilitation process and land acquisition process;</li> <li>- Verify final AP list and provide ID/entitlement cards</li> <li>- Implement livelihood and income restoration program;</li> <li>- Disseminate project information to APs in an ongoing manner;</li> <li>- Assist the APs in redressing their grievances (through the grievance redress committee set up for the project);</li> <li>- Conduct awareness program for HIV/AIDs, health and hygiene, and human trafficking in affected villages;</li> <li>- Collect data and submit progress reports on a monthly and quarterly basis for EA to monitor the progress of RP implementation; and</li> </ul> <ul style="list-style-type: none"> <li>• Collect data and submit progress reports on a monthly and quarterly basis for EA and PIU to monitor the progress of RP implementation</li> <li>• Support the EA in the legalization process of the Width if required.</li> <li>• Assist and provide all information and data to External Monitor</li> <li>• Assist the PIU with the project's social responsibilities, in particular the STI-HIV/AIDS and road safety awareness activities with the communities.</li> </ul>
Construction Supervision Consultants (CSC)	<ul style="list-style-type: none"> <li>• Act as External Monitor</li> <li>• Guide and advise the implementation of the RPs</li> <li>• Document and advise for addressing complaints and grievances</li> <li>• Provide technical advice and on the job training to the contractors as necessary</li> <li>• Prepare Semi-annual and annual monitoring reports based on the monitoring checklists and submission to UPPWD for further submission to ADB</li> </ul>
Contractor	<ul style="list-style-type: none"> <li>• Consult community and PIU regarding location of construction camps</li> <li>• Sign agreement with titleholder for temporary use and restore land to equal or better condition upon completion</li> <li>• Commence construction only when alignment is free of encumbrance</li> <li>• Respond in a timely fashion to recommendations from GRCs</li> <li>• Implement Social Safeguards measures during project implementation</li> <li>• Awareness campaign on Road Safety, Gender Issues, HIV/AIDS, Human Trafficking and child labor at camp and identified locations</li> <li>• Ensure Women's participation in Construction Activities during implementation of the project</li> </ul>
District level officials	<ul style="list-style-type: none"> <li>• Provide any existing socio-economic information, maps and other related information to DPR Consultant prior to the field data/information collection activities.</li> <li>• Act as the local focal point of information dissemination</li> <li>• Execute land acquisition process</li> </ul>

Key Agency	Responsibility
Community Based Organizations	<ul style="list-style-type: none"> <li>• Ensure the community participation at various stages of the project</li> <li>• Coordination with stakeholder organizations</li> <li>• Assist in Monitoring of the project</li> <li>• Providing indigenous knowledge as required</li> </ul>
Village key persons	<ul style="list-style-type: none"> <li>• Provide correct and accurate data and information from project formulation stage</li> <li>• Assist the project team to implement the project smoothly</li> <li>• Arrange proper community participation</li> </ul>
ADB	<ul style="list-style-type: none"> <li>• Review RF /RP and endorse or modify the project classification</li> <li>• Review planning documents and disclose the draft and final reports on the ADB's website as required</li> <li>• Monitor implementation through review missions</li> <li>• Provide assistance to the EA and IA of sub-projects, if required, in carrying out its responsibilities and for building capacity for safeguard compliance</li> <li>• Monitor overall compliance of the project to ADB SPS</li> </ul>

Social Safeguard Specialist, FGD - focus group discussion, PIU - Project Implementation Unit, PMU - Project Management Unit, NGO/CONSULTANT, RP - resettlement plan, VC - Valuation Committee

## **Annex 14: Indicative Monitoring Indicators**

### **A. Delivery of Entitlements**

- Entitlements disbursed, compared with number and category of losses set out in the entitlement matrix.
- Disbursements against timelines.
- Identification of the affected persons losing land temporarily, e.g. through soil disposal, borrow pits, contractors' camps, been included.
- Timely disbursements of the agreed transport costs, relocation costs, income substitution support, and any resettlement allowances, according to schedule.
- Progress on income and livelihood restoration activities being implemented as set out in the income restoration.
- Affected businesses receiving entitlements, including payments for income losses resulting from lost business.

### **B. Consultation and Grievances**

- Consultations organized as scheduled including meetings, groups, and community activities.
- Knowledge of entitlements by the affected persons.
- Use of the grievance redress mechanism by the affected persons.
- Information on the resolution of the grievances.

### **C. Communications and Participation**

- Number of general meetings (for both men and women).
- Percentage of women out of total participants.
- Number of meetings exclusively with women.
- Number of meetings exclusively with vulnerable groups.
- Level of information communicated—adequate or inadequate.
- Information disclosure.
- Translation of information disclosure in the local languages.

### **D. Budget and Time Frame**

- Resettlement staff appointed and mobilized on schedule for the field and office work.
- Capacity building and training activities completed on schedule.
- Achieving resettlement implementation activities against the agreed implementation plan.
- Funds allocation for resettlement to resettlement agencies on time.
- Receipt of scheduled funds by resettlement offices.
- Funds disbursement according to the resettlement plan.

### **E. Livelihood and Income Restoration**

- Number of affected persons under the rehabilitation programs (women, men, and vulnerable groups).



- Number of affected persons who received vocational training (women, men, and vulnerable groups).
- Types of training and number of participants in each.
- Number and percentage of affected persons covered under livelihood programs (women, men, and vulnerable groups).
- Number of affected persons who have restored their income and livelihood patterns (women, men, and vulnerable groups).
- Number of new employment activities.
- Extent of participation in rehabilitation programs.
- Extent of participation in vocational training programs.
- Degree of satisfaction with support received for livelihood programs.
- Percentage of successful enterprises breaking even (women, men, and vulnerable groups).
- Percentage of affected persons who improved their income (women, men, and vulnerable groups)
- Percentage of affected persons who improved their standard of living (women, men, and vulnerable groups)

#### **F. Benefit Monitoring**

- Noticeable changes in patterns of occupation, production, and resource use compared to the pre-project situation.
- Noticeable changes in income and expenditure patterns compared to the pre-project situation.
- Changes in cost of living compared to the pre-project situation.
- Changes in key social and cultural parameters relating to living standards.
- Changes occurred for vulnerable groups.
- Benefitting from the project by the affected persons.