

Resettlement Plan

July 2015

IND: Uttar Pradesh Major District Roads
Improvement Project

Nanau-Dadau Road

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
ASF	--	Assistant Safeguards Focal
APs	-	Affected Persons
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	-	Right to Fair Compensation and Transparency in Land
LARR	-	Acquisition, Rehabilitation and Resettlement Act
RFCT in	-	Right to Fair Compensation and Transparency in Land
LARR	-	Acquisition, Rehabilitation and Resettlement (Amendment)
(Ordinance)	-	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 (UPMDIRP) 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 (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 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 Nanau-Dadau Road (MDR-82W), of a total length of 30 km. The sub-project road will have minor resettlement impact on 177 households, representing 1337 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 from 12 mtrs to 42 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, there will be impacts on 177 households (148 non-titleholder owners identified as encroachers¹ and 29 tenants), representing a total of 1337 persons. A summary of the impacts from the survey carried out from 15th March to 18th March 2015 is provided in Table 1 below.

Table 1: Summary of key impacts

Type of Impact	No.
Total Persons Affected	1337
Total Households Affected including Tenants	177
Vulnerable Households Affected	10
Severely Affected Households	0
Households Affected by Land Acquisition	0
Households Affected by Impact on Structures	148
Households Fully Displaced	0
Households Affected by loss of income	157
Households losing trees/crops	0
Structures fully affected	0
Structures partially affected (private)	148
Total properties affected	184
CPR affected	36
Religious structures affected	2

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 December 2014 to April 2015, 2 public consultation meetings and 5 Focus Group Discussions (FGDs) were conducted involving the participation of more than 215 people. 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 the affected people by the Executing Agency (EA). Electronic version of the RPs will be placed 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

¹ 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.

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 (18 March 2015).

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 157 households, 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 2.89 Crores or USD 0.54 million. 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, Aligarh) 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 full-time Social Safeguards Project Officer (SPO), reporting to the CE, will be responsible for ensuring compliance with social safeguards of all subproject roads. The SPO will be allocated by the EA and supported by a Resettlement

Consultant outsourced for the implementation of the UPMDRIP. The field-level project implementation unit (PIU) will be UPPWD Aligarh Division responsible for RP implementation at the project road level. The PIU will be headed by a Divisional Manager (Tech.) and will have one Assistant Safeguards Focal (ASF). The RP will be implemented by an experienced firm or NGO and monitored by the Construction Supervision Consultant (CSC).

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

18. 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 Nanau-Dadau subproject road which is the object of this Resettlement Plan, it is estimated that 177 households will be affected.

19. This resettlement plan (RP) has been prepared for the Nanau-Dadau Road, 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

20. The project road (figure -1) Nanau to Dadau section of MDR82W starts near Nanau village forming a T intersection with NH-91 at Km. 0.000 and end at Km. 30.00 near Dadau. The project passes through the district of Aligarh for a total length of 30.000 Km.

Figure 1 – Nanau-Dadau Road Project Location Map



21. The entire length of 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.

22. The existing carriageway configuration is single lane with earthen shoulders with a carriageway width varying between 3.50 m and 4.00 m along the entire length of the project road. The road geometry and existing pavement condition is very poor.

23. The major settlements/ towns along the project road are Nanau, Pilkhana, Sikanderpur, Tikta, Datavalli, Chharra and Dadau of Aligarh district. Out of these Chharra & Dadau are the major towns.

C. Proposed improvements

24. 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.

25. 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, the urban area will have covered drainage, while rural area will have earthen drainage.

D. Minimizing Resettlement

26. 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.

27. 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.

28. In order to minimize resettlement impacts, the RoW has been minimized to the corridor of impact of 12 in urban areas and 14 meters in rural areas. In some very congested areas such as Chharra and Dadau, the COI has been restricted to up to 8 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 1 and a narrative of the impact minimization process is presented in Annex 2

29. 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 the structure's frontage strip will be affected, which generally refers to compound walls, fences, yards, verandahs, stairs. However, mobile kiosks present in some sections of the corridor will have to be fully relocated out of COI. They will be able to relocate in other less congested sections.

30. In some instance, the alignment has been modified to avoid certain sensitive structures. One key example is the Tikta mosque and madrassa (km 14+900), which initially would have been impacted by the project. However, by widening the alignment within available RoW, impact on the mosque was avoided.

E. METHODOLOGY FOR IMPACT ASSESSMENT

31. 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:

- (1) **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.
- (2) **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 **Annex- 3**.

- (3) **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.
- (4) **Consultation with Stakeholders :** To ensure peoples '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 December 2014 and 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

32. 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 was 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 4**. From this verification process, it was determined that UPPWD's RoW ownership varies between **12 meters to 47.60 meters** along the corridor. The details of the RoW width per 500 meter chainage along the entire corridor are presented in the same Annex (**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

33. The verification process confirms that the project does not involve private land acquisition. However, there will impact on 177 non-titleholder households, including 29 tenants, representing 1337 affected persons. The structures' owners have been identified as encroachers.² 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 minimizing impacts to the extent possible (see Annexes 1 and 2). This exercise was carried out from 15th March to 18th March 2015. The findings are discussed in the following sections.

B. Eligibility Criteria

34. 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.

35. 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 March 18, 2015. This was communicated to the affected people during the survey and public consultation processes. 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

² 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.

36. After considering the mitigation measures, 184 assets including CPRs are to be affected, which exists within the existing ROW of 12 mtrs. Out of 184 affected properties, 148 (80.43%) are private structures owned by 148 non-titleholder households, while 34 structures are community property resources (CPRs), most of which (29) are hand pumps (see Section H below) and 2 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	Number of properties	Number of Households (including Tenants)	%
1	Private Structures	148	177	80.43
2	Government Structures	2	0	1.09
3	Community Structures (CPRs)	34	0	18.48
	Total	184	177	100

Source- Census Survey, DPR Consultant, 2015

D. Impacts on Private Structures

37. 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 in **Table 3** below.

Table 3: Impact on Private Structure

Sl. No.	Type of Private Property	Non-Titled Holders	Total No. of Structures	No. of Affected HHs (including Tenants)	No. of Affected Persons	% Age
1	Residential	20	20	20	132	9.87
2	Commercial	71	71	100	755	56.47
3	Res-cum-commercial	57	57	57	450	33.66
	Total	148	148	177	1337	100

Source- Census Survey, DPR Consultant, 2015

E. Severity of Impact on Households losing structures

38. 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 be less than 20% and that the remaining portion of the structures will still be viable. These 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	Severity of Impact %	No. of Household	Percentage
1	Physical Displacement	0.00	0	0
2	Partial Impacts	(Less than 20%)	148	100
Total			148	100

Source- Census Survey, DPR Consultant, 2015

F. Type of Construction and Affected Areas of Private Structures

39. 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 in **Table 5**.

Table 5: Type of Construction of Affected Structure

Sl. No.	Type of Construction	No. of affected properties	Percentage	Area (in sq. mtrs)
		Private		
1	Permanent	145	97.97	1396.53
2	Semi-Permanent	0	0.00	0
3	Temporary	3	2.03	7.75
Total		148	100%	1404.28

G. Loss of Livelihoods

40. A total of 157 households, whose commercial and resi-cum-commercial structures are partially affected, will experience temporary disruption of business during the demolition/reconstruction process of the external section of their commercial structure. As per the Entitlement Matrix, they will be eligible to three weeks' income (see Section E, Chapter VIII). Households who are affected economically are in most part the owners who are also self-employed and conducting commercial activities in these structures (82%) but some of them are commercial tenants who have hired the premises for commercial purposes (18%). 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	Households	%
1	Owners of Shop	128	81.53
2	Tenants (Commercial)	29	18.47
Total		157	100

Source- Census Survey, DPR Consultant, 2015

H. Loss of CPRs and government

41. Within 34 CPRs and 2 government properties affected are the following: 29 hand pump, 2 temple boundaries, 1 well, the boundary walls of 1 clinic and 1 hospital, and 2 government properties are partially affected (one police chowki and one bus stop). The list of CPRs affected in the sub-project is presented in the table below and in **Annex 7**.

42. It is important to note that originally as per the initial design, part of a mosque and madrassa in the village of Tikta would have been demolished. However, after close

consultation between community members and UPPWD, the design was revised to avoid the mosque and madrasa.

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

SI.No.	Types of Properties	Items	Total	%
1	A. The Other Community Properties (CPRs)	Well	1	2.78
		Clinic	1	2.78
		Hospital	1	2.78
		Hand pumps	29	80.56
2	B. Religious Properties	Temple (Boundary Wall)	2	5.56
3	C. Government Properties	Police Chwoki	1	2.78
		Bus Stop	1	2.78
Total			36	100.00

Source- Census Survey, DPR Consultant, 2015

I. Loss of crops and Trees

43. 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

44. The project road crosses Aligarh district in Uttar Pradesh. According to the 2011 census, the total population of Aligarh district is 3.7 million people. The majority of the population (66.87%) 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

45. As per the census survey of all of the 177 affected households, the social stratification of the sub-project area shows that 85 households (48.02%) are from general category, 82 households (46.33) are from other backward caste (OBC). The others (2.82%) are from scheduled caste (SC) and rest 2.82% of households not responded as enumerated during the census survey. The detail of social grouping in the sub-project area is presented in **Table 8**. All the affected households are of Hindu and Muslim religion.

Table 8: Social Categories of the APs

Sl. No.	Description of the Caste ³	No. of Households	% age
1	General	85	48.02
2	Other Backward Caste	82	46.33
3	Scheduled Caste	5	2.82
4	NA	5	2.82
	Total	177	100

Source- Census and Socio-economic Survey, ICT and DPR Consultant, 2015

C. Number of APs

46. There are 1337 APs in total being affected by the project, which includes 705 (52.69%) males and 632 (47.23%) females. The average household size is 7.6 and the sex ratio among APs is 896. The details of APs being affected in the project are summarized in **Table 9**.

Table 9: Number of APs

Sl. No.	Categories of APs	No. of APs	% Age
1	Male	705	52.69
2	Female	632	47.23
	Total	1337	100

Source- Census and Socio-economic Survey, ICT and DPR Consultant, 2015

D. Annual Income Level of the Affected Households

47. The census data revealed that all the affected households are above the poverty level.

³ 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.

The State of Uttar Pradesh defines BPL category as INR 39,312 a year. Most households (57.63%) earn above Rs.39312 and below Rs.50000 annually, while 22.03% are earning between Rs.50000 to 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.)	No. of Households	% Age
1	Below Poverty Line (Up to 39312)	0	0
2	Above 39312 and Below 50000	102	57.63
3	Above 50000 and up to 100000	39	22.03
4	Above 100000	32	18.08
5	NA	4	2.26
	Total	177	100.00

Source- Census and Socio-economic Survey, ICT and DPR Consultant, 2015

E. Impact on Indigenous and Vulnerable Households

48. **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.

49. The findings of the social impact assessment indicate that no BPL or indigenous households 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.

50. Five (5) scheduled caste (SC) households, two (2) women headed households (WHHs), one (1) physically handicap (PH) and two (2) aged person 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	No. of Households	% Age
1	SC Households	5	2.82
2	WHH Households	2	1.13
3	Physically Handicap (PH)	1	0.56
4	Aged Person (Above 65 age)	2	1.13
5	BPL Households	0	0.00
	Vulnerable	10	5.65
	Non-vulnerable	167	94.35
	Total affected Households	177	100

Source- Census and Socio-economic Survey, ICT and DPR Consultant, 2015

51. 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

52. 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

53. A significant percentage of the affected persons (19.77 %) are illiterate, 22.03% are up to middle, 20.34% are below matric, 18.64% APs are Matric (10th standard), 12.99% are graduate and limited percentage (2.82%) are above graduate.

Table 12: Educational Status of APs

Sl. No.	Type of Educational Category	No. of Household	Percentage
1	Illiterate	35	19.77
2	Up to middle (7 th standard)	39	22.03
3	Below Matric (Below 10 th standard)	36	20.34
4	Matric (10th standard)	33	18.64
5	Graduate	23	12.99
6	Above	5	2.82
7	NA	6	3.39
Total		177	100

Source- Census and Socio-economic Survey, ICT and DPR Consultant, 2015

H. Occupational Status of APs

54. The finding of census survey revealed that out of 177 APs, 6 (3.39%) 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 79.10% APs are doing businesses as their main occupation, 7.34% are engaged in agriculture work, 1.69% are employed in service sector while other 1.13% are working as self-employed and rural artisan. The details of occupational status of APs are summarized in **Table 13**.

Table 13: Occupational Status of APs

Sl. No.	Occupation	No. of Household	Percentage
1	Labor	6	3.39
2	Business	140	79.10
3	Agriculture	13	7.34
4	Service	3	1.69
5	Professional	1	0.56
6	Self Employed	2	1.13
7	Rural Artisan	2	1.13
8	NA	10	5.65
Total		177	100

Source- Census and Socio-economic Survey, ICT and DPR Consultant, 2015

IV. STAKEHOLDERS CONSULTATION AND PARTICIPATION

A. Key stakeholders consulted

55. 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 over 215 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
1	Pilkhana	25/12/2014 & 15/3/2015	Aligarh	20	General Consultation (PC)
2	Sikanderpur	26/12/2014 & 16/3/2015	Aligarh	50+	General Consultation (PC)
3	Tikta	26/12/2014 & 3/04/2015	Aligarh	40	Farmer & Women Group (FGD)
4	Datavalli	27/12/2014 & 17/3/2015	Aligarh	25	Business Group and Women Group (FGD)
5	Chharra	26/12/2014 & 3/04/2015	Aligarh	25	Business Group (FGD)
6	Dadau	27/12/2014 & 18/3/2015	Aligarh	30	Business Group (FGD)
7	Adarsh nagar	27/12/2014 & 3/4/2015	Aligarh	25	Farmer & Women Group (FGD)

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

56. 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

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

- Ascertain the views of the APs, with reference to the project, road alignment and resettlement impacts.
- Understand views of the community on resettlement rehabilitation options;
- Identify and assess the major socio-economic characteristics of the villages to enable effective planning and implementation;

- Obtain opinion of the community on issues related to the impacts on community property and relocation of the same;
- Examine APs' opinion on problems and prospects of road related issues;
- Understand concerns and expectations specific to women, vulnerable groups, the business community and farmers;
- Identify the overall developmental goals and benefits of the project.
- Disseminate the cut-off date

C. Consultations Findings

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

1. Concerns of community members

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

- A wider road shall mean more and faster vehicles that could lead to more accidents.
- Loss of fertile and residual land, residential structures and commercial assets.
- Deforestation and construction work would lead to pollution & ecological imbalance.
- 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

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

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

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

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

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

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

62. 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:

- 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.
- Disclosure of the RP on ADB and the Executing Agency (EA)'s websites
- 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.
- Setting-up posters with contact information of local UPPWD safeguards officer and local grievance redress in key locations.
- APs will be informed of any change in alignment and consulted to minimize resettlement impacts.
- Information dissemination sessions will be conducted
- Public meetings will be organized at different stages of implementation to appraise the communities about the civil works and compensation and assistance progress.
- Consultation and focus group discussions with vulnerable groups like women, SC, ST, and OBC's will be conducted to ensure their needs are taken into consideration.

63. A Public Consultation and Disclosure Plan will be prepared by UPPWD/implementing Consultant/NGO. A template for this is provided in **Annex 9**.

V. GENDER ASSESSMENT

64. The consultation process included the participation of 35 women. The census survey and discussion with women in the project area showed that close to 51% of them spends time in supporting their male partner for the business activities. Most of the women reported that they look after their reproductive and productive roles simultaneously by working in shops 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**.

65. 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.

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

- Improved access to social facilities like health, education
- Increase in income generating activities
- Facilitate access to frequent and affordable transport
- Management of emergency situation
- Increased frequency of health workers, extension workers visits
- Improved access to market
- Reduced time spent on firewood collection
- Less flooding
- Side pavements will make walking easy

67. 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.

68. Although not specific to the Resettlement Plan for Nanau-Dadau, 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

69. 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

70. 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.

71. 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.

72. 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.

73. 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.

74. 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

75. 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. A summary of the Government Order translated in English is included in Annex 4. More information about the Government Order(s) in Hindi can be found on the following link: <http://shasanadesh.up.nic.in>.

76. 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

77. 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).

78. 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

79. Overall, the new Act now bridges the gaps between the Gol 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.

80. 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 polices (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.

81. 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.

82. 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

84. 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

- All affected persons losing physical and economical assets as a result of the project and identified prior to the cut-off-date.
- **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 18 March 2015
- 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;
- vulnerable and severely affected households will be provided special assistance;
- Persons losing income as a result of the project will be provided with income restoration and rehabilitation;
- land acquisition, and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative sub-project designs;
- 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;

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

B. Compensations and resettlement assistance

86. 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:

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

C. Livelihood Improvement and Skills Development Program

87. 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.

88. 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 this road, only 10 affected households, belonging to the vulnerable category are eligible to this training.

89. 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 16: 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
1	Structures			
1.a	Loss of residential, commercial structures and other assets	Legal titleholders Encroachers and squatters	<p>If partially affected⁴: 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. ⁵</p> <p>If Residential / Commercial structure fully affected:</p> <ul style="list-style-type: none"> • Replacement Cost of the structure • If relocating outside RoW, Resettlement Allowance of Rs. 	<p>NGO/Consultant will confirm titleholder's eligibility</p> <p>IA/ CSC will ensure provision of notice.</p>

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

⁵ 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.

Type of Loss		Definition of Entitled Person	Compensation Policy	Responsible Agency
			<p>50,000 per family as per LARR Act 2013.⁶</p> <ul style="list-style-type: none"> • 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 2013.⁷ • Shifting allowance of 10% of replacement cost of structure up to a maximum of Rs 50,000, as per the LARR Act 2013 • Right to salvage materials from structure and other assets with no deductions from replacement cost. • 90 day notice to vacate structure. 	
1.b	Loss of residential/commercial structure and other assets	Tenants (without documentation) and leaseholders	<ul style="list-style-type: none"> • Replacement cost of part/whole of structure – if latter has been constructed by the tenant/leaseholder with right to salvage material • 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. • Lump-sum equivalent to two month lease to support search of alternative housing. 	<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"> • Replacement or restoration of the affected community facilities • 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 	<p>IA/ CSC will assess how to avoid sensitive sites</p> <p>NGO/Consultant will conduct additional consultations</p>

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

⁷ Households losing commercial structures are not eligible

Type of Loss		Definition of Entitled Person	Compensation Policy	Responsible Agency
			ensure proper process	
2	Loss of crops and trees			
2.a	Loss of trees and crops	Legal titleholder/ tenant/leaseholder/sharecropper/non-titled AP	<ul style="list-style-type: none"> • 60 days advance notice to harvest standing seasonal crops prior to damage, fruits and timber • Compensation for standing crops (or share of crop for sharecroppers) based on an annual crop cycle at market value. • 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. 	NGO/Consultant will confirm affected household eligibility IA/ CSC will ensure notice is provided.
3	Loss of livelihood			
3.1	Loss of livelihood income	Legal Titleholder/ tenant/leaseholder/non-titled holder of fully affected commercial structure ⁸ Employee of affected commercial structure. Farmer/ agricultural worker of land acquired.	<ul style="list-style-type: none"> • Loss of business income/wages: One time financial assistance based on three month income⁹ or Rs. 25,000 as per RFCLARRA 2013, whichever is higher 	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"> • 90 days advance notice regarding construction activities, including duration and type of disruption. • Economic Disruption Grant of Rs. 3,000/week when commercial structure is partially affected and owner loses income to 	IA/ CSC will ensure notice is provided.

⁸ 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.

⁹ Based on income tax return

Type of Loss		Definition of Entitled Person	Compensation Policy	Responsible Agency
			rebuild part of structure or because of construction activities. <ul style="list-style-type: none"> Assistance¹⁰ to mobile vendors/hawkers to temporarily shift for continued economic activity during construction activities. 	
4	Special assistance to Vulnerable Households			
4.1	Impacts on Vulnerable Households (VAHs) and Severely Affected Households (SAHs) ¹¹	Vulnerable Households Severely Affected Households	<ul style="list-style-type: none"> Participation of one member of household in Livelihood Improvement and Skills Development Training Priority of employment under the project during construction and implementation for one family member to extent possible. 	NGO/Consultant to confirm VAH/SAH list NGO/Consultant to conduct assessment of skills development
5	Other losses			
5.1	Temporary loss of land	Legal titleholders	<ul style="list-style-type: none"> Rent at market value for the period of occupation. Restoration of land to previous or better quality Location of construction camps will be fixed by contractors in consultation with Government and local community. 	Contractor negotiates amount with landowner – supervised by CSC. IA/CSC ensures compensation paid prior to take-over. Contractor responsible for site restoration.
5.2	Any other loss not identified		<ul style="list-style-type: none"> Unanticipated involuntary impacts will be documented and mitigated based on ADB's Safeguard Policy (SPS), 2009. 	NGO/Consultant to identify other potential losses

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

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

VIII. RESETTLEMENT BUDGET AND FINANCING PLAN

A. Introduction

90. 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

91. 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

92. According to the survey, 148 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 1396.53 sqm of permanent structure and 7.75 sqm of temporary structure will be affected by the project.

93. 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/m², semi-permanent structures at Rs. 12,000/m², and temporary structures at the rate of Rs. 3,500/m². 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

94. 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

95. The survey findings show that 157 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

96. According to the survey, 10 affected households belong to the vulnerable category. 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.

97. 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, 10 candidates have been identified.

G. Compensation for Community and Government Property

98. The survey indicates that 34 Community Property Resources (CPR) and 2 government properties will be affected by the project. Of these are 29 hand pumps, which will be replaced by contractors at Rs. 45,000 per hand pump. The impact on 1 well built hospital may cost INR 50000.00. The rest will be calculated according to the valuation rate mentioned in section-C above.

H. Cost towards implementation arrangement:

99. 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.

100. Implementation costs also include an amount of Rs.300000, representing a share of overall amount of Rs. 2400000, estimated for the recruitment of the Independent Monitor for all 8 project roads.

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

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

I. Source of Funding and Fund Flow Management

103. 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

104. The budget for RP implementation comesto Rs. 2.84 Crores. The detailed budget is presented below.

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

Ref No.	Component	Unit	Unit Rate	Quantity (Sq. Mtrs.)	Amount INR
			(INR)		
A	Land & Building				
1	Land Cost	NA	0	0	0
2	Temporary	Sq.m	3500	7.75	27125

Ref No.	Component	Unit	Unit Rate	Quantity (Sq. Mtrs.)	Amount INR
			(INR)		
	Structures				
3	Semi-permanent Structures	Sq.m	12000	0	0
4	Permanent Structures	Sq.m	13000	1396.53	18154890
	Total sum (A)			1404.28	18182015
B	R&R Assistance				
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)	1404.28	1818201
2	Assistance for Loss of Income* (Owner-128 + 29 Tenants)		Rs. 9,000 (equivalent to Rs. 3,000 for 3 weeks)	157	1413000
3	Special Assistance for vulnerable households (Livelihood Improvement and Skills Development Training)	Households	4000	10	40000
	Total sum (B)			Total	3271201
C	Community Assets				
1	Well	Lumpsum	95000	1	95000
2	Clinic	Lumpsum	25000	1	25000
3	Hospital	Lumpsum	50000	1	50000
4	Bus Stop	Lumpsum	95000	1	95000
5	Hand pump	Lumpsum	45000	29	1305000
6	Police Check Post	Lumpsum	50000	1	50000
7	Temple Boundary Wall (Small)	In Running meters	2000	40.5	81000
	Total sum (C)			Total	1701000
D	Implementation Arrangement				
1	RP Implementation Agency	Lump sum	2000000		2000000
2	External Monitor	As part of CSC contract	-	-	-
3	Independent evaluation consultant	Lump sum	300,000		300,000
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	Lump sum	Internal		0

Ref No.	Component	Unit	Unit Rate	Quantity (Sq. Mtrs.)	Amount INR
			(INR)		
	the PIU/EA		Arrangement		
	Total Sum (D)			Total	2600000
TOTAL (A +B+C +D)					25754216
Contingency 10%					2575422
Grand Total					28329638
In crores					2.84

**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

105. 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.

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

107. The Field level GRC will comprise of the:

- (i) Executive Engineer, Field PIU, Aligarh
- (ii) Assistant Safeguards Focal (ASF), PIU, Aligarh
- (iii) Resettlement Expert from the CSC
- (iv) Environmental Expert from CSC
- (v) A representative from AP community.

108. 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

109. **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 Focal (ASF) **in Aligarh**, 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 ASF 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. All complaints oral or written will be recorded. The Assistant Safeguards Focal will consolidate all grievances, categorize and prioritize them and report any serious cases to the State-Level GRC (see below). The ASF 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.

110. **State-Level GRC:** Level 2 GRC will meet every month (if 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. Assitant Safeguards Focal) 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).¹²

111. It will be acknowledged to the complainants that the complaints have been received. All resolutions and updates on pending grievances will also be recorded.

112. **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.

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

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

X. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION

115. 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.

116. **Staffing at the EA 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 Aligarh 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 will provide training to the newly appointed staff in the Environment and Social Cell and PIU focal points.

117. **Construction Supervision Consultant (CSC):** UPPWD will engage a Resettlement Specialist with Construction Supervision Consultants (CSC) for the specified sub-projects. The Resettlement Specialist will ensure guide and monitor the implementation of the RP and prepare the semi-annual social monitoring reports to submit to UPPWD/ADB. He/she will be responsible for guiding and monitoring the implementation of all RPs under the UPMDRIP, including the Nanau-Dadau subproject road.

118. **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**.

119. **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 UPMDRIP¹³ have followed a fair and transparent process and was agreed

¹³ 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

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

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

XII. MONITORING AND EVALUATION

A. Internal Monitoring

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

- **Administrative monitoring:** daily planning, implementation, feedback and trouble shooting, individual AP database maintenance, and progress reports
- **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
- **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.

125. The EA, with the support of the RP implementing NGO/Consultant 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.

B. External Monitoring

126. 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**.

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

C. Independent Monitor

128. 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.

ANNEX 1- LIST OF PROJECT ROADS

S. No.	Road No	Name of the Project Road	District name	Length (Km)
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	Sultanpur	96
5	MDR O31	Kaptanganj-Hata- Gouribazar & Kaptanganj-Naurangiya	Deoria and Kushinagar	84
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
Total Road Length				431

ANNEX 2 – WIDENING SCHEME NANAU- DADAU ROAD

Definitions:

Concentric widening: widening on both sides of the road corridor.

Acentric widening: widening on one side of the road corridor.

TCS SCHEDULE FOR MDR-82 (NANAU - DADAU)						
Sl. No	Design Chainage		Type of C/S	Type of Widening	Length in km	
	From	To				
1	0.000	6.100	TYPE-1	Concentric Widening Rural	6.100	
2	6.100	6.600	TYPE-4	Concentric Widening Urban	0.500	
3	6.600	6.700	TYPE-2	Eccentric Widening RHS Rural	0.100	
4	6.700	6.893	TYPE-1	Concentric Widening Rural	0.193	
5	6.893	6.957	Major Bridge Section			0.064
6	6.957	7.080	TYPE-1	Concentric Widening Rural	0.123	
7	7.080	7.300	TYPE-3	New Construction Rural	0.220	
8	7.300	12.100	TYPE-1	Concentric Widening Rural	4.800	
9	12.100	12.700	TYPE-4	Concentric Widening Urban	0.600	
10	12.700	14.650	TYPE-1	Concentric Widening Rural	1.950	
11	14.650	15.300	TYPE-4	Concentric Widening Urban	0.650	
12	15.300	17.100	TYPE-1	Concentric Widening Rural	1.800	
13	17.100	17.700	TYPE-4	Concentric Widening Urban	0.600	
14	17.700	19.100	TYPE-1	Concentric Widening Rural	1.400	
15	19.100	21.800	TYPE-4	Concentric Widening Urban	2.700	
16	21.800	27.000	TYPE-1	Concentric Widening Rural	5.200	
17	27.000	27.550	TYPE-4	Concentric Widening Urban	0.550	
18	27.550	27.750	TYPE-1	Concentric Widening Rural	0.200	
19	27.750	28.950	TYPE-4	Concentric Widening Urban	1.200	
20	28.950	29.650	TYPE-1	Concentric Widening Rural	0.700	
21	29.650	30.000	TYPE-4	Concentric Widening Urban	0.350	

Source: Detailed Design Report (DPR Consultant)

ANNEX 3 – HOT SPOTS AND SUGGESTED ADDITIONAL MITIGATION MEASURES

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 (CoI) be further reduced to 12 meters in these congested areas, the resettlement impacts would reduce significantly. The CoI has been kept at 14m for now to ensure sufficient width for traffic and safety purposes. However, the EA will assess the option of minimizing further to 12 meters during implementation. The summary of the impacts are represented in Table A below.

Table A: Location wise impact on properties

Total Nos of Affected Structures (Private, CPRs & Govt)			
on comparative basis for all 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)
1	Nanau	2	5
2	Pilkhana	3	5
3	Sikandarpur	6	11
4	Tikta	1	4
5	Azadpur	1	2
6	Khargupura	0	2
7	Datawali	5	7
8	Shiwali	1	3
9	Chharra	111	133
10	Ata	3	4
11	Dadau	33	48
12	Nangla Bhur	6	11
13	Adarsh Nagar	12	13
Total		184	248

Table B 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.

Table B: Location identified as critical areas & Mitigation Measures

Sl. No.	Village Name	Reasons for being Hot spot	Suggested Mitigation Measures	Approved by EA
1.	Tikta (Km.14.900)	<ul style="list-style-type: none"> Tikta is a rural village which is famous for its 70 years old Mosque and Madrassa, where more than 1000 people use to gather to offer their pray daily. Mosque and Madrassa are situated just 5 meters away from the Centreline of either side of the road. So both Mosque and Madrassa would be demolished in this case as 	It is suggested to widen the alignment with in available RoW. A discussion was held during the course of Census and Socio-economic survey with the mosque and madrassa committee members, Village Pradhan along with the design team (DPR Consultant) regarding avoiding the demolition of Mosque and	Yes

Sl. No.	Village Name	Reasons for being Hot spot	Suggested Mitigation Measures	Approved by EA
		per design guideline of 12 meters.	Madarsa on either side of the road. After discussion with the UPPWD, it was decided to widen the alignment with in available RoW.	
2.	Chharra (Km. 20.500)	<ul style="list-style-type: none"> Chharra town is located very close to the road. Nearly 111 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 133 residential, commercial and other structures will also be partially affected. Most of them are depend upon business and shall be losing the livelihood directly 	<p>It is suggested to design so meticulously with in available ROW (9-10 mtrs). This will help in avoiding the total structures affected as well as loss of livelihood of the Chharra business men. It will also help in minimising the negative impact to a greater extent.</p> <p>Again the boundary wall of a temple will be saved from being demolished.</p> <p>Also restricting traffic speed in built up areas and providing design to accommodate and avoiding unnecessary displacement</p>	Yes
3.	Dadau (Km. 28.500)	<ul style="list-style-type: none"> Dadau town is also located very close to the road. As many as 48 commercial and residential structures will be partially affected if we could go for widening the road up to 14 meters and if we are going for 12 meters 33 residential and commercial structures will also be partially affected. 	Widening up to 12 mtrs is recommended, which could avoided the impact on population from 48 structures to 33.	Yes
4.	Adarsh Nagar (Km. 29.500)	<ul style="list-style-type: none"> Village Adarsh Nagar is located very close to the road. Nearly 12 residential and commercial structures are located along the road that shall be partially affected up to 12 meters and if we are going for 14 meters 13 residential and commercial structures will be partially affected. Most of them are agricultural labour and non-agricultural labours. 	It is suggested to design with in available ROW (9-10 mtrs). This will help in avoiding the total structures affected as well as loss of livelihood of the Adarsh Nagar village.	Yes

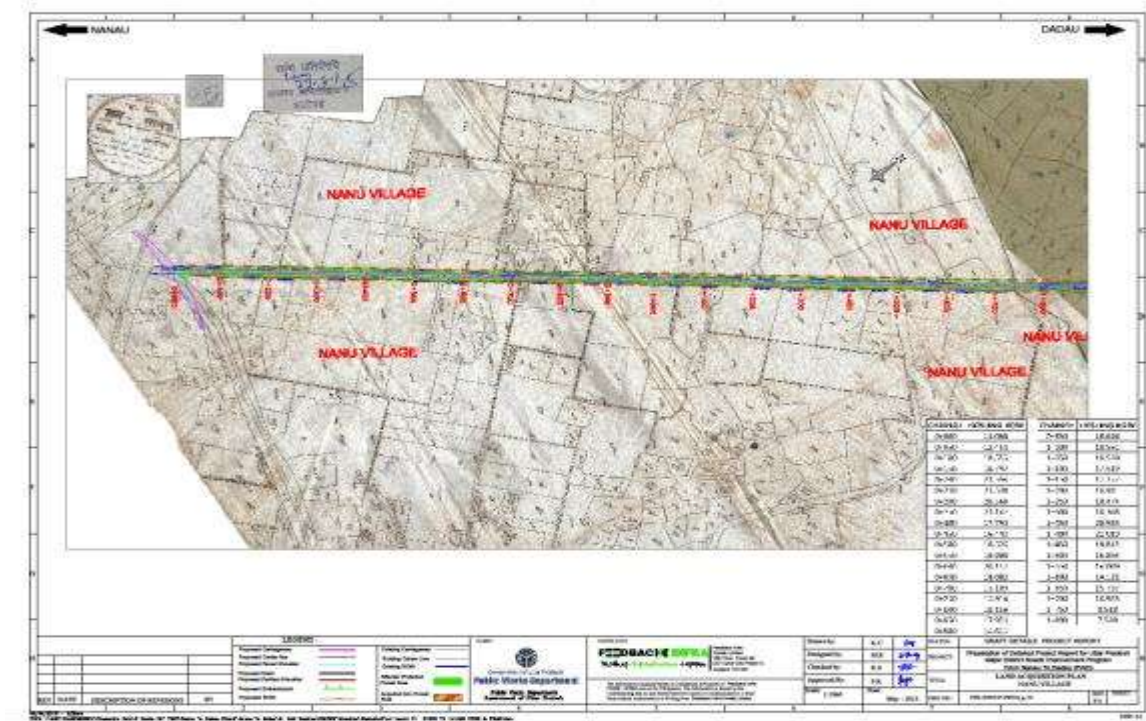
ANNEX 4 - DESCRIPTION OF METHODOLOGY TO ASSESS THE RIGHT OF WAY (ROW)

Approach taken to substantiate Right of Way (RoW) records

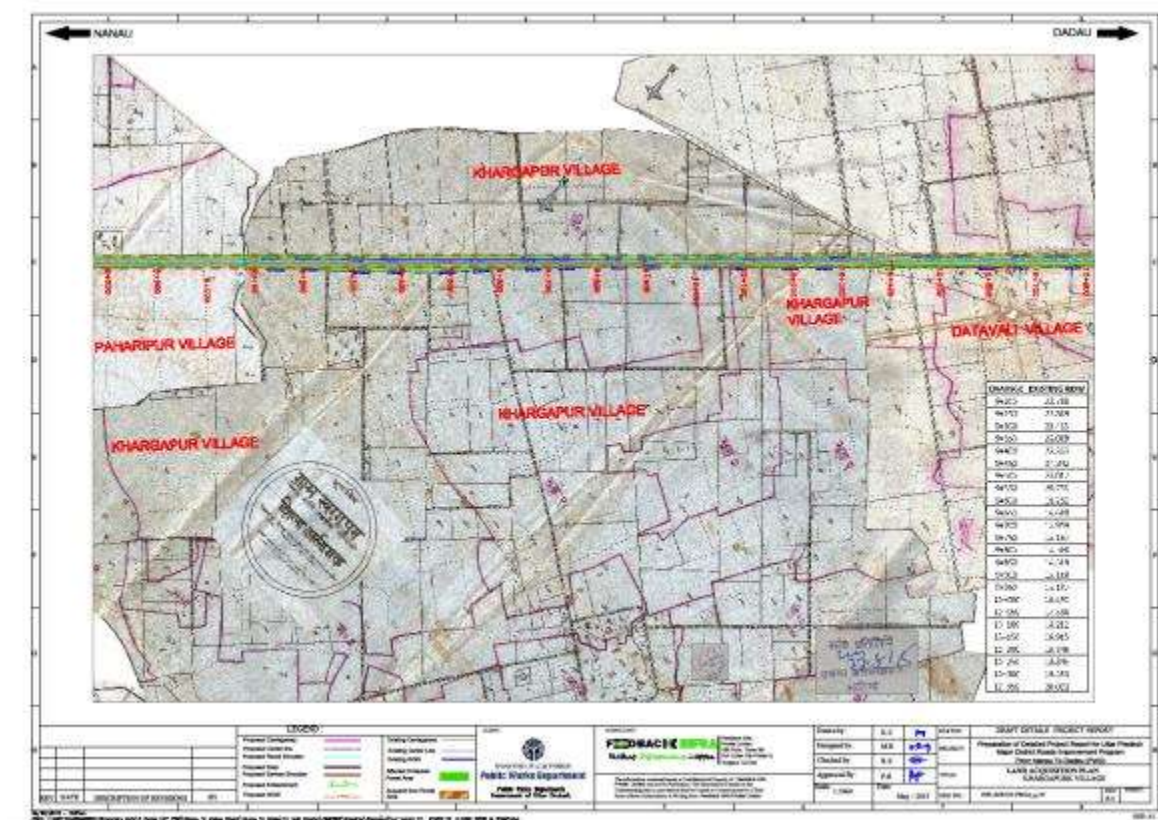
1. In the process to collect the information on ROW for the sub-project road, first local PWD office was contacted and received an official confirmation of ROW from the office. Moreover, an authentication of ROW from the Revenue department was also important in the process, however, collection of information 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%)

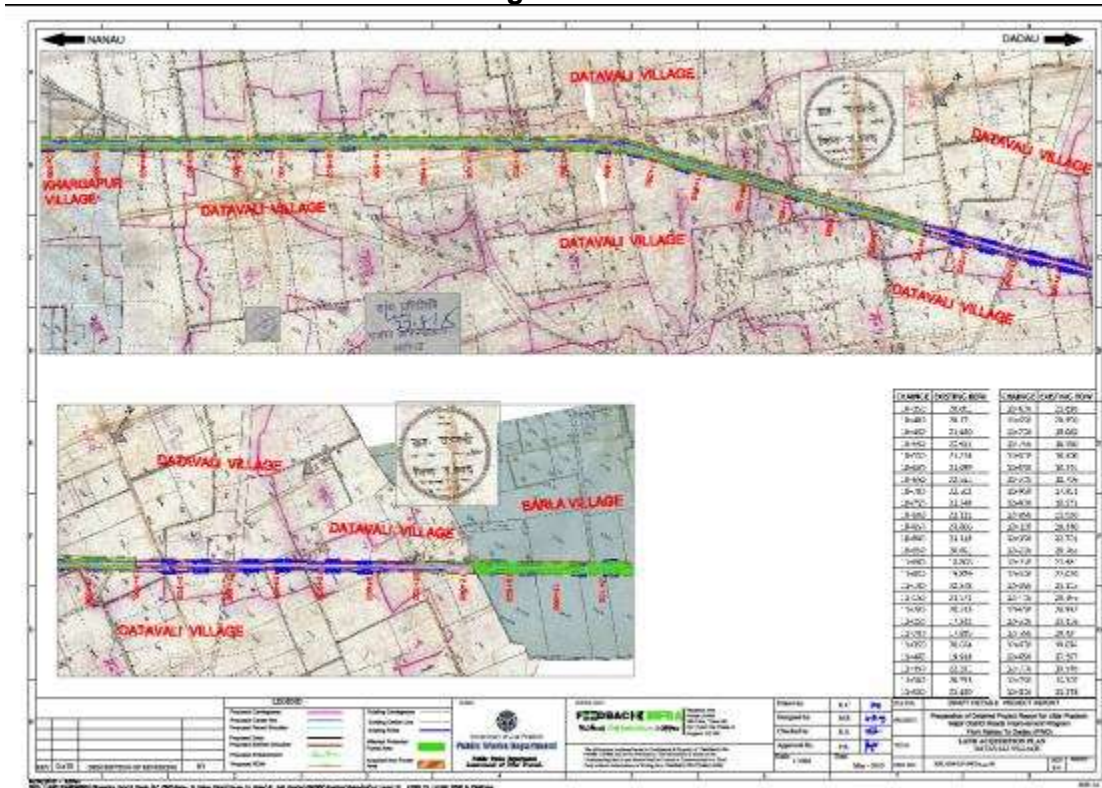
Village: Nanau



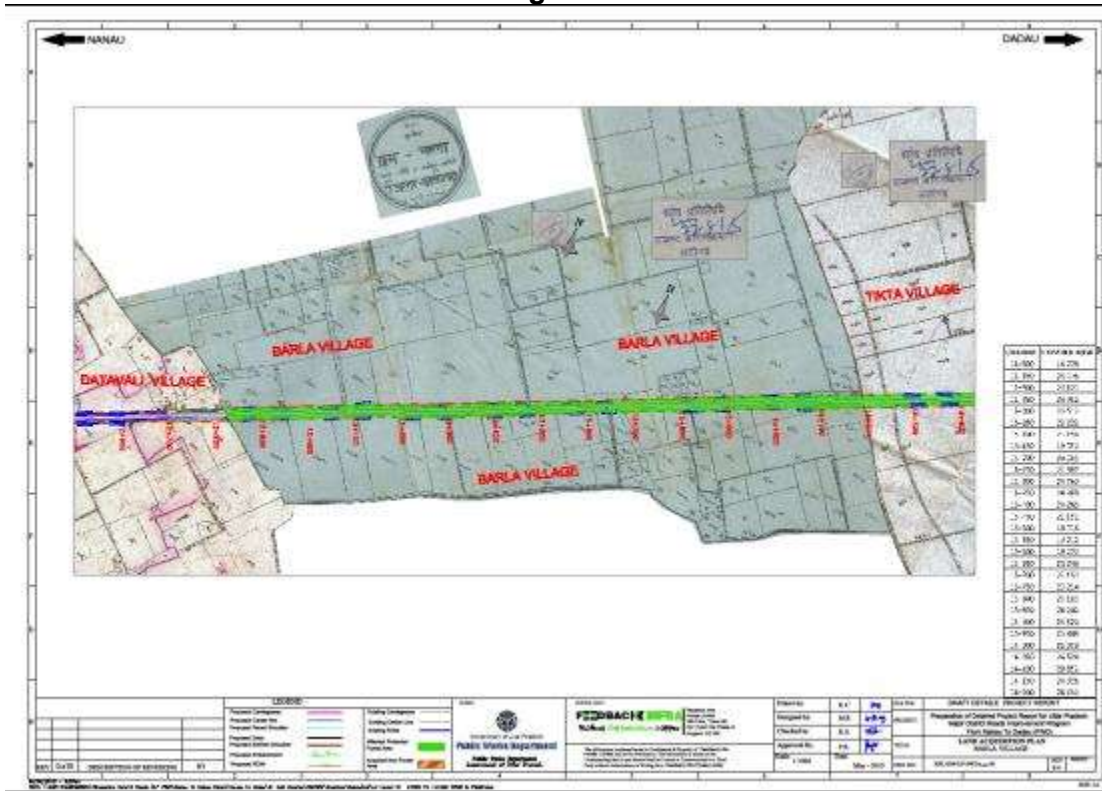
Village: Khargapur



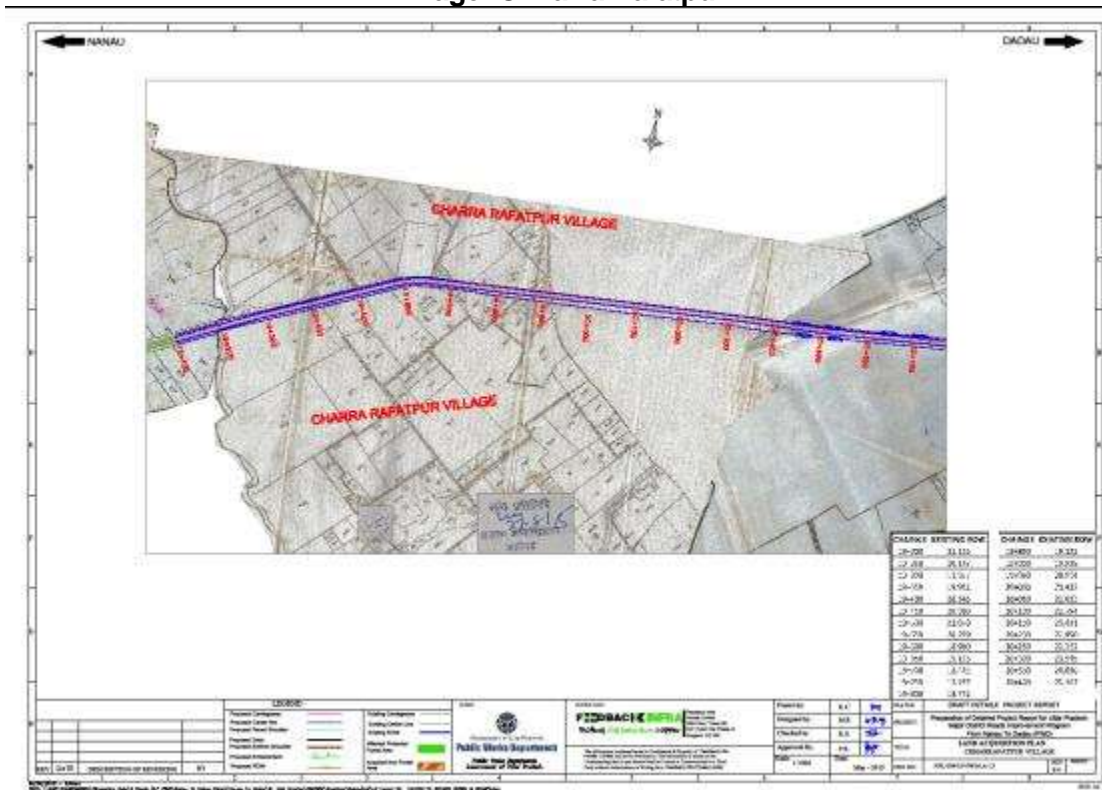
Village: Datawali



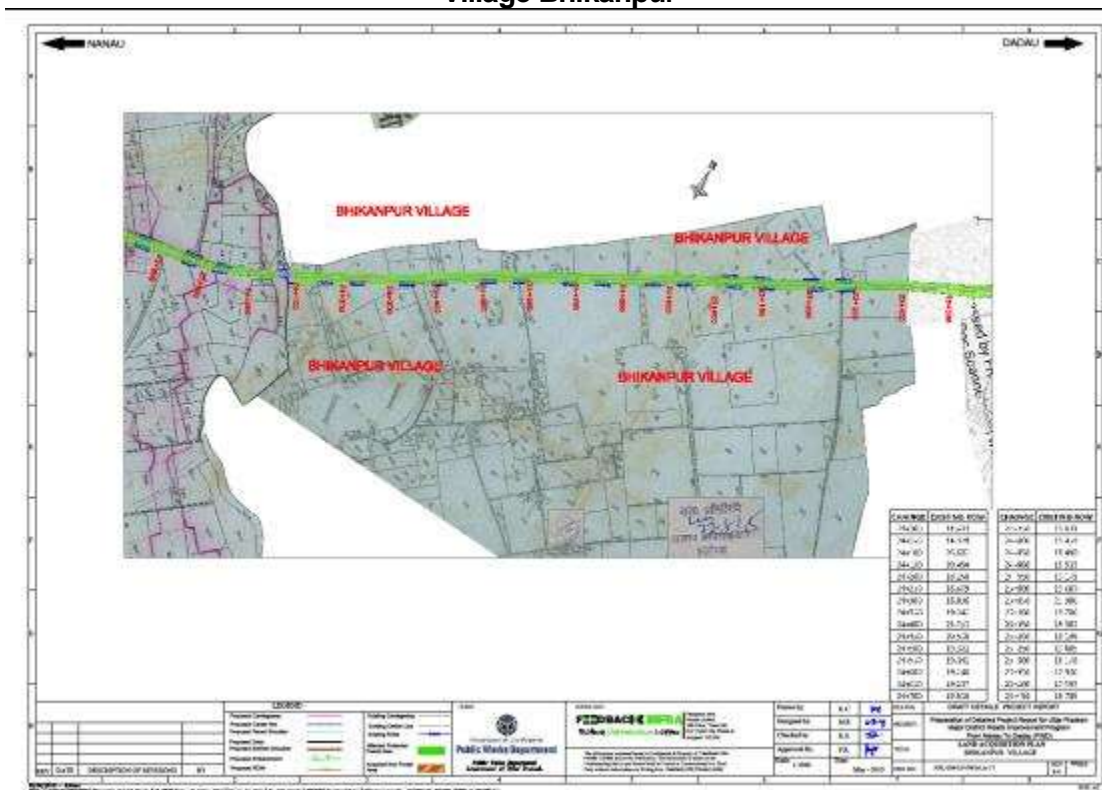
Village: Barla



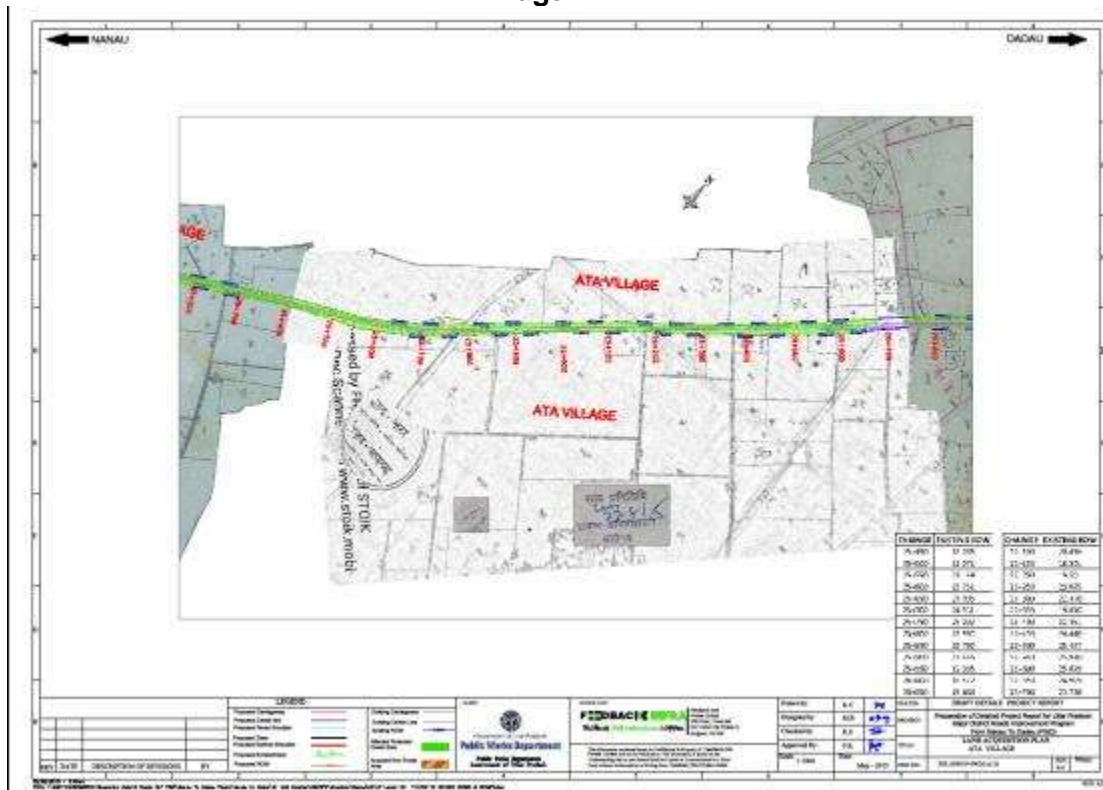
Village: Chharra Rafatpur



Village Bhikanpur



Village: ATA



Width of the Existing RoW as confirmed with Revenue Department

Table 2: Width of the Existing RoW

Source/Basis- Sajra Map of affected Villages

District	Name of the village	Design Chainage	Existing ROW (m)
Aligarh	Nanau	0.000	26
Aligarh	Nanau	1000	28
Aligarh	Nanau	2000	25
Aligarh	Nanau	3000	13
Aligarh	Pilkhana	4000	14
Aligarh	Pilkhana/Jalali	5000	15
Aligarh	Sikanderpur/Jalali	6000	19
Aligarh	Sikanderpur/Azadpur	7000	29
Aligarh	Azadpur/Paharipur	8000	25
Aligarh	Paharipur/Khargupura	9000	39
Aligarh	Khargupura	10000	42
Aligarh	Khargupura/Datavali	11000	40
Aligarh	Datavali	12000	30
Aligarh	Datavali/Barla	13000	25
Aligarh	Barla/Tikta	14000	26
Aligarh	Tikta	15000	25
Aligarh	Tikta	16000	24
Aligarh	Tikta/Sihavali	17000	21
Aligarh	Sihavali/Satarapur	18000	36
Aligarh	Satarapur/Chharra Raftpur	19000	34

District	Name of the village	Design Chainage	Existing ROW (m)
Aligarh	Chharra Raftpur	20000	25
Aligarh	Chharra Raftpur	21000	21
Aligarh	Chharra Raftpur	22000	14
Aligarh	Chharra Raftpur/BhamoriBuzurg	23000	12
Aligarh	Dhansari/Bhikanpur	24000	33
Aligarh	Bhikanpur	25000	28
Aligarh	Ata	26000	20
Aligarh	AudhaKhera/Dadau	27000	12
Aligarh	Dadau	28000	12
Aligarh	Dadau	29000	21
Aligarh	Dadau	30000	18

ANNEX 5- DETAILS OF CENSUS AND SOCIO-ECONOMIC SURVEY

ANNEX 6- LIST OF AFFECTED PERSONS/EXTENT OF IMPACT

ANNEX 7 - LIST OF AFFECTED CPRS/ GOVT. PROPERTIES
IND: UTTAR PRADESH MAJOR DISTRICT ROAD INVESTMENT PROGRAM (43574-022)
Project Road: Nanau-Dadau Road
List of Religious/ Community / Common Property Resources (CPRs) of the Project Road

Sl.No	Chainage (in Km)	Side	State	District	Village / Hamlet	Type of Properties	Distance from PCL	Total Area (in Sq.M)			Types of construc tion
								Length	Width	No. of Floors	
1	5.650	RHS	UP	Aligarh	Sikanderpur	Temple Boundary wall	5.00	12	3	1	Pucca
2	29.900	RHS	UP	Aligarh	Dado	Temple Boundary wall	3.00	1.5	3	1	Pucca
3	2.200	RHS	UP	Aligarh	Nanau	Well	5.00	NA	NA	NA	Pucca
4	3.900	LHS	UP	Aligarh	Nanau	HP	5.00	NA	NA	NA	NA
5	4.000	LHS	UP	Aligarh	Pilkhana	HP	5.00	NA	NA	NA	NA
6	4.200	LHS	UP	Aligarh	Pilkhana	HP	5.00	NA	NA	NA	NA
7	5.000	RHS	UP	Aligarh	Pilkhana	HP	4.00	NA	NA	NA	NA
8	5.994	LHS	UP	Aligarh	Sikanderpur	HP	5.00	NA	NA	NA	NA
9	6.280	LHS	UP	Aligarh	Sikanderpur	HP	4.00	NA	NA	NA	NA
10	6.550	RHS	UP	Aligarh	Sikanderpur	HP	4.00	NA	NA	NA	NA
11	11.100	LHS	UP	Aligarh	Datavali	HP	5.00	NA	NA	NA	NA
12	11.770	RHS	UP	Aligarh	Datavali	HP	5.00	NA	NA	NA	NA
13	12.250	LHS	UP	Aligarh	Datavali	HP	5.00	NA	NA	NA	NA
14	12.350	LHS	UP	Aligarh	Datavali	HP	4.00	NA	NA	NA	NA
15	13.695	LHS	UP	Aligarh	Datavali	HP	5.00	NA	NA	NA	NA
16	14.850	LHS	UP	Aligarh	Tikta	Clinic	5.70	10	14	2	
17	17.400	RHS	UP	Aligarh	Sihavali	HP	5.00	NA	NA	NA	NA
18	19.650	LHS	UP	Aligarh	Chharra Rafatpur	HP	5.00	NA	NA	NA	NA
19	20.010	RHS	UP	Aligarh	Chharra Rafatpur	HP	4.50	NA	NA	NA	NA
20	20.150	LHS	UP	Aligarh	Chharra Rafatpur	HP	5.00	NA	NA	NA	NA
21	20.220	RHS	UP	Aligarh	Chharra Rafatpur	HP	4.00	NA	NA	NA	NA
22	20.320	LHS	UP	Aligarh	Chharra Rafatpur	HP	4.00	NA	NA	NA	NA
23	20.410	LHS	UP	Aligarh	Chharra Rafatpur	HP	5.00	NA	NA	NA	NA
24	20.635	LHS	UP	Aligarh	Chharra Rafatpur	HP	4.00	NA	NA	NA	NA
25	20.710	RHS	UP	Aligarh	Chharra Rafatpur	HP	5.00	NA	NA	NA	NA
26	21.010	RHS	UP	Aligarh	Chharra Rafatpur	Hospital	5.80	20	50	2	Pucca
27	21.600	RHS	UP	Aligarh	Chharra Rafatpur	HP	5.00	NA	NA	NA	NA
28	25.090	LHS	UP	Aligarh	Ata	HP	5.00	NA	NA	NA	NA

SI.No	Chainage	ଓଡ଼ା	ଉପ	ଘାଟ	Village / Hamlet	Type of	Distance	Total Area (in Sq.M)			Types of
29	26.050	RHS	UP	Aligarh	Ata	HP	5.00	NA	NA	NA	NA
30	26.100	RHS	UP	Aligarh	Ata	HP	4.00	NA	NA	NA	NA
31	28.200	RHS	UP	Aligarh	Dado	HP	4.00	NA	NA	NA	NA
32	28.300	RHS	UP	Aligarh	Dado	HP	5.00	NA	NA	NA	NA
33	28.380	LHS	UP	Aligarh	Dado	HP	4.00	NA	NA	NA	NA
34	28.960	RHS	UP	Aligarh	Dado	HP	5	NA	NA	NA	NA
List of Govt properties affected of the Project Road											
35	5.400	RHS	UP	Aligarh	Sikanderpur	Police Chowki	4.00	10	18	Pucca	
36	7.430	RHS	UP	Aligarh	Azadpur	Bus stop	6.00	4.00	2.00	Pucca	

ANNEX 8 – DESCRIPTION OF THE CONSULTATION PROCESS

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:

Table A 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 road.

Name of the Village	Issues Raised	Suggestions of DPs (Response)	Mitigation Measures / Design Approach
VILLAGE- PILKHANA DISTT- Aligarh (25/12/2014 & 15/3/2015) VENUE- HOUSE OF CHAIRMAN MD. ARIF XXXXXXXXXX No. of Participants: 20	Encroachment	DPs said that they are well outside of RoW 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
VILLAGE- SIKANDARABAD DISTT- ALIGARH (26/12/2014 & 16/3/2015) VENUE- HOUSE OF PRADHAN XXXXXXXXXX No. of Participants: 50	Encroachment	DPs agreed that they are encroachers. Clear space of 10-12 m is available.	Assistance to encroachers and squatters as per R&R policy
	Widening option	Concentric Widening	Concentric Widening
	Shifting of religions structure	Village community should be consulted. Relocation site and process will be finalized by the Community.	It will be tried not to relocate the religious structures, however, if required it will be relocated in consultation with the village community
	Drainage	Provide drain along with road to reduce water logging	Covered Drainage facility in every urban area and earthen drainage in rural area
	Compensation	Cash compensation at replacement value	As per the policy, compensation will be provided at replacement value

Name of the Village	Issues Raised	Suggestions of DPs (Response)	Mitigation Measures / Design Approach
	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.
VILLAGE- TIKTA DISTT- GANGIRI (26 /12/2014 & 03/04/2015) VENUE-HOUSE OF PRADHAN XXXXXXXXXX No. of Participants: 20	Widening Option	Concentric Widening as per the clear space available	Concentric Widening
	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
	Shifting of religions structure	Relocation of Mosque and Madrassa should be carried out in consultation with village community	Discussed with UPPWD officials and DPR design team regarding avoiding the demolition of Mosque and finalized that construction of road will be within available RoW without being demolished to both the structures
	Compensati on	Cash compensation at replacement value	Compensation will be provided at replacement value as per the Entitlement Matrix
	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
VILLAGE- DATAVALI DISTT- ALIGARH (27 /12/2014 & 17/3/2015) VENUE-DATAWALI MARKET XXXXXXXXX No. of	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

Name of the Village	Issues Raised	Suggestions of DPs (Response)	Mitigation Measures / Design Approach
Participants: 25	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
VILLAGE-CHHARRA MUNICIPALITY – CHHARRA DISTT- ALIGARH (26 /12/2014 & 3/4/2015) VENUE-HOUSE OF CHAIRMAN MAZAR KHAN No. of Participants: 25	Encroachment	DPs agreed that they are encroachers. Clear space of 8-10m is available. Suggested road construction within available RoW	Assistance to encroachers and squatters as per R&R policy
	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
	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	Road widening will be with in available RoW
	Demolition of commercial structures	New structures be provided before demolition of existing one.	Cash compensation at replacement cost will be provided if partially affected
VILLAGE DADAU DISTT- ALIGARH (17 /12/2014 & 18/3/2015) VENUE-PANCHYAT BHAWAN No. of Participants: 30	Drainage	Drains should be provided	Covered Drainage facility in every urban area and earthen drainage in rural area
	Shifting of religions structure	Village community should be consulted. Relocation site and process will be finalized by the Community	It will be tried not to relocate the religious structures, however, if required it will be relocated in consultation with the village community
	Compensation	Should be provided at replacement value	Compensation at replacement value as per Entitlement Matrix
	Safety	Speed breaker and median should be provided,	Footpath and safety railing in every urban area. Project has a separate component on

Name of the Village	Issues Raised	Suggestions of DPs (Response)	Mitigation Measures / Design Approach
	Encroachment	DPs agreed that they are encroachers. Clear space of 9-10m is available. Suggested road construction within available RoW	Assistance to encroachers and squatters as per R&R policy
	Widening Option	Road should be widened on either side	Concentric Widening
	Demolition of commercial structures	New structures be provided before demolition of existing one	Cash compensation at replacement cost will be provided if partially affected

B. Focus Group Discussions with Specific Groups

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

Women focus groups were conducted in Tikta, datawali and Adarsh Nagar. 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 35 women in several places. Key concerns raised related to property acquisition during road construction, safety concerns with the road impact on existing public infrastructure.

Table B: Women FGDs

Participants	Issues raised by Women	Observations and Suggestions
FGDs for Women participants Village- Datawali Village- Tikta Village-Adarsh Nagar (7+18+10)= 35	<ul style="list-style-type: none"> Women are not sure about the exact road alignment as no centre line pillars nor are any other benchmarks marked. 	<ul style="list-style-type: none"> Women were made apprised about the project and road alignment.
	<ul style="list-style-type: none"> Women of the affected structures/land requested to realign the road, so that their structures/land may not be affected. 	<ul style="list-style-type: none"> 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.
	<ul style="list-style-type: none"> Women enquired about the compensation that shall be provided to them. 	<ul style="list-style-type: none"> 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
	<ul style="list-style-type: none"> Road safety measures should be provided. 	<ul style="list-style-type: none"> Road safety signs would be provided at various locations to avoid accidents
	<ul style="list-style-type: none"> Provision of a bus stop and public conveniences should be made 	<ul style="list-style-type: none"> The Technical Design team will be apprised by this requirement. And they will provide the Bus Stop at appropriate Place.

Participants	Issues raised by Women	Observations and Suggestions
	<ul style="list-style-type: none"> • Employment 	<ul style="list-style-type: none"> • The eligible women will be given preference in employment during construction of the road
	<ul style="list-style-type: none"> • Equal wage for equal task 	<ul style="list-style-type: none"> • The women were ensured that the women, who will be working for the project will be given equal wage for equal work
	<ul style="list-style-type: none"> • Skill up-gradation Training 	<ul style="list-style-type: none"> • Skill up gradation training will be given to affected women within project preview
	<ul style="list-style-type: none"> • Human Trafficking/ Child labour/ Health (HIV/AIDS) 	<ul style="list-style-type: none"> • The women group were made aware on human trafficking, child labour, road safety and road related diseases
	<ul style="list-style-type: none"> • Impact on drinking water (i.e. hand pump) should be shifted in another place for villagers. 	<ul style="list-style-type: none"> • The relocation of affected source of water will be properly shifted

2. FGDs with the business community

FGDs were conducted in the market towns of Chhara and Dadau located at chainages km 20.500 and 28.500, respectively. They are the most urbanized settlements along the corridor, with 90% people depend on business activities and where many of the structures likely to be impacted are commercial in nature. Chharra in particular is an important market where local people around the project influence area visits to buy and sell their commodities. FGDs were organized in these two market towns to inform the business community about the project and to voice their concerns and suggestions. A total of 75 business owners participated. Their key concerns related to land and property acquisition, the need for parking spaces and public facilities such as toilets.

Table C: Business community FGDs

Participants	Issues raised by Businessman	Observations and Suggestions
FGDs for with Business Communities At Chharra and Dadau	<ul style="list-style-type: none"> • Awareness about the project and project features 	<ul style="list-style-type: none"> • The participants were made apprised about the project and road alignment.
	<ul style="list-style-type: none"> • Avoid acquisition of main building, being used as commercial purposes 	<ul style="list-style-type: none"> • 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 Row will be dismantled to facilitate the road construction
	<ul style="list-style-type: none"> • Compensation/ Assistance for temporary disruption in business 	<ul style="list-style-type: none"> • The business communities were told that there is provision of EDA assistance in the entitlement matrix and they will be adequately assisted
	<ul style="list-style-type: none"> • Provision of Service lanes on both sides of the existing road 	<ul style="list-style-type: none"> • If technically feasible the service lane will be provided
	<ul style="list-style-type: none"> • Parking space for vehicle 	<ul style="list-style-type: none"> • There is no provision for providing parking space along the road in market area within the project preview
	<ul style="list-style-type: none"> • Provision for drainage system as water logging is a major problem during the rainy season 	<ul style="list-style-type: none"> • Covered Drainage system will be constructed in both side of the road, which will be used as footpath in the

Participants	Issues raised by Businessman	Observations and Suggestions
		urban area
	<ul style="list-style-type: none"> Wayside facilities such as parks, toilet 	<ul style="list-style-type: none"> No provision within the project preview
	<ul style="list-style-type: none"> Safe access to cross the road 	<ul style="list-style-type: none"> 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
	<ul style="list-style-type: none"> A significant number of business men were tenants, they requested for assistance if displaced 	<ul style="list-style-type: none"> A provision for assistance to tenants is there in Entitlement Matrix, if displaced, they will be assisted as per provision

3. Consultation with Farmers group along the Project Road

To understand the concern of farmers group, a consultation with them has been initiated by the consultant team in Tikta and Adarsh Nagar Village at chainage km 14.500 and 29.500 respectively in the district of Aligarh. The farmers of this region largely depend upon agriculture and sugarcane is the main crop of the project area followed by wheat. A total of 30 farmers participated. Their key concerns related to land acquisition and fair compensations.

Table D: Farmers community FGDs

Participants	Issues raised by Businessman	Observations and Suggestions
<ul style="list-style-type: none"> FGDs for with Farmer Communities at Tikta and Adarsh Nagar 	<ul style="list-style-type: none"> Awareness about the project and project features 	<ul style="list-style-type: none"> The participants were made apprised about the project and road alignment.
	<ul style="list-style-type: none"> Avoid acquisition of land 	<ul style="list-style-type: none"> 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 & R act 2013.
	<ul style="list-style-type: none"> Adequate Compensation/ of land 	<ul style="list-style-type: none"> The project is not interested in acquiring the private land as existing ROW 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 & R act 2013 or GO of U. P state on new policy

Participants	Issues raised by Businessman	Observations and Suggestions
	<ul style="list-style-type: none"> Facilitation in transporting the agricultural product to main market 	<ul style="list-style-type: none"> The farmers were very happy to know about the project. They opined that the improvement will certainly increase their income and social status.
<ul style="list-style-type: none"> FGDs for with Farmers Communities at Bharal 	<ul style="list-style-type: none"> Awareness about the project and project features 	<ul style="list-style-type: none"> The participants were made apprised about the project and road alignment.
	<ul style="list-style-type: none"> Avoid acquisition of land 	<ul style="list-style-type: none"> 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 &R act 2013.
	<ul style="list-style-type: none"> Adequate Compensation/ of land 	<ul style="list-style-type: none"> The project is not interested in acquiring the private land as existing ROW 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 &R act 2013 or GO of U. P state on new policy

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 information	Post contact number/location of local PIU Grievance Officer in strategic locations	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 sub-project 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.

B. Gender Issues

2. Discussion with women in the project area shows that women work both for the labour market mostly as agricultural labour and for the household. Some of this work is recognized and remunerated, while most of it is not enumerated and remains unpaid. 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.

C. Gender Disparity in Sex

3. 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 good in the project road where sex ratio is 911 as compared to 912 in the state and 943 in the country. With regards to Sex Ratio in Aligarh, it stood at 882 per 1000 male compared to 2001 census figure of 862. The average national sex ratio in India is 943 as per latest reports of Census 2011

Table 1: Sex Ratio

Location	Sex Ratio	
	2011	2001
Project road	911	
Aligarh	882	862
Uttar Pradesh	912	898
India	943	934

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

D. Female Literacy Rate

4. 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 2: Female Literacy and Gender Gap in Literacy

Location	Female Literacy in %	Rank	Gap in Literacy in %	Rank
Project road	59.76		15.28	
Aligarh	55.68		22.29	
Uttar Pradesh	42.98	4	27.25	3
India	54.16		21.69	

Source: Census of India, 2011 and Primary Survey

E. Women's Health

5. 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.

6. Public Hospitals are available in the district headquarters of Aligarh for the people. However, PHC (public health centre) exists at several locations like Chharra, Datawali and Dadau etc.

F. Women's Role in Household Economy

7. 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 business activities. Women also participate in the cultivation and spent time for livelihood in agricultural and non-agricultural laborers. Details of the activities of women are given in **Table 6:**

Table 3: Usual Activity of Affected Women

Usual Activity	N=148	%
Cultivation	7	4.73
Allied Activities*	11	7.43
Collection of fuel fodders	11	7.43
Trade & Business	75	50.68
Agricultural Labour	11	7.43
Non Agricultural Labour	5	3.38
HH Industries	0	0.00
Service	0	0.00
Households Work	148	100.00
Relaxation & Entertainment	25	16.89

Source: ICT Socio-economic Survey, 2015

G. Decision Making Power among Women DPs

8. 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 4: Decision Making Power among Women

Activities	Number of Women Respondents	Percent of Women Saying Yes	Percent of Women Saying No
Financial matter	37	15.62	84.38
Child's education	37	100.00	0.00
Healthcare of child	37	100.00	0.00
Purchase of assets	37	25.00	75.00
Day-to-day activities	37	31.25	68.75
Social functions	37	15.62	84.38
Others			

Source: ICT Socio-economic Survey, 2015

H. Accessibility to Infrastructures facilities/ Amenities

9. 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 5: 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	1-2trips/ 1 hours	
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

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

10. 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:

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

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

- Improved access to social facilities like health, education
- Increase in income generating activities
- Frequent and affordable transport
- Management of emergency situation
- Improved community relations
- Increased frequency of health workers, extension workers visits
- Improved access to market
- Reduced time spent on firewood collection
- Less flooding
- Side pavements will make walking easy

12. 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:

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

13. 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.30-40 per person. The most common destination of the villagers is the district town or nearby Block/town

J. Human Trafficking

14. 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
Land				
1.a	Loss of private land - agricultural land, ¹⁴ - homestead/ commercial land - vacant plot	Legal titleholders/ traditional titleholders ¹⁵	<ul style="list-style-type: none"> • Land for land if available.¹⁶ LA by private negotiation promulgated by GoUP through G.O. dated March 19th, 2015.¹⁷ Compensation at replacement cost or as calculated under section 26 of LARR Act 2013 • If according to the landowner, the residual land is economically unviable, option to be compensated for entire parcel. • One time 50,000 Resettlement Allowance as per LARR Act 2013 if family needs to physically relocate to different area • 90 days advance notice to relocate 	IA/CSC will ensure sufficient provision of notice NGO/Consultant will validate and verify AP list jointly with IA.
1.b	Loss of rented private land and government land	Tenants, leaseholders and Sharecroppers (with lease documents)	<ul style="list-style-type: none"> • Assistance for rental deposit or unexpired lease deducted from the land owner's compensation. • 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). 	NGO/Consultant will confirm tenants' eligibility IA/ CSC will ensure provision of notice.
1.c	Loss of Government land	Non-titled holders (i.e. Squatters ¹⁸ , Encroachers ¹⁹)	<ul style="list-style-type: none"> • Compensation for assets lost at replacement cost (see EM 2.a). • 90 days advance notice to shift • 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 	IA/ CSC will ensure provision of notice. NGO/Consultant will confirm affected household's eligibility

¹⁴ 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.

¹⁵ Traditional land rights refer to households with customary rights to land, and shall be treated equivalent to titleholders

¹⁶ 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

¹⁷ 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)

¹⁸ Squatters are those who have no recognizable legal rights on the land they are occupying

¹⁹ 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	entitlement No. 3.a). <ul style="list-style-type: none"> • Rent at market value for the period of occupation. • Restoration of land to previous or better quality • Location of construction camps will be fixed by contractors in consultation with Government and local community. 	Contractor negotiates amount with landowner – supervised by CSC. IA/CSC ensures compensation paid prior to take-over. Contractor responsible for site restoration.
2	Structures			
2.a	Loss of residential, commercial structures and other assets	Legal titleholders Encroachers and squatters	<p>If partially affected²⁰: 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.²¹</p> <p>If Residential / Commercial structure fully affected:</p> <ul style="list-style-type: none"> • Replacement Cost of the structure • If relocating outside RoW, Resettlement Allowance of Rs. 50,000 per family as per LARR Act 2013.²² • 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 2013.²³ • Shifting allowance of 10% of replacement cost of structure up to a maximum of Rs 50,000, as per the LARR Act 2013 • Right to salvage materials from structure and other assets with no deductions from replacement cost. 	NGO/Consultant will confirm titleholder's eligibility IA/ CSC will ensure provision of notice.

²⁰ External to the living/commercial areas (i.e. verandahs, stairs)

²¹ 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.

²² Not cumulative if Resettlement Allowance has been given for loss of land (Entitlement 1.a)

²³ Households losing commercial structures are not eligible

Type of Loss		Definition of Entitled Person	Compensation Policy	Responsible Agency
			<ul style="list-style-type: none"> • 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"> • Replacement cost of part/whole of structure – if latter has been constructed by the tenant/leaseholder with right to salvage material • 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. • Lump-sum equivalent to two month lease to support search of alternative housing. 	<p>NGO/Consultant will confirm tenants' eligibility</p> <p>IA/ CSC will ensure provision of notice.</p>

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 1: 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 safety²⁴ 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.

²⁴ 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.

- (v) **Quarterly Progress Reports.** To be submitted to UPPWD at the end of each quarter. Shall include progress on implementation, livelihood restoration 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
Key Personnel			
1	Team Leader		
2	Field Coordinator 1		
3	Field Coordinator 2		
Non-key Personnel			
4	Field Support Staff		
5	MIS Officer		
Total			

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"> Provide overall technical and operational management of NGO/CONSULTANT team. Act as main counterpart when communicating with UPPWD and relevant government agencies. Draft work plan and ensure work plan is followed. Ensure deliverables and activities are completed in a timely and transparent fashion. Review documentation and reports to verify accuracy.
2	Field Coordinator	<ul style="list-style-type: none"> Responsible for assigned section of alignment Provide guidance to Field Staff and verify information collected. Ensure deliverables and activities are completed in a timely

No.	Particulars	
		and transparent fashion. <ul style="list-style-type: none"> • Provide support to Grievance Redressal Mechanism
4	Field Support Staff	<ul style="list-style-type: none"> • Responsible for assigned section of alignment. • Establish rapport with relevant APs. • Responsible collecting field level information. • Undertake continued information disclosure and consultation.
5	MIS Officer	<ul style="list-style-type: none"> • Perform all computer/database related needs for the assignment.

3. Qualification

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

No.	Particulars	
1	Team Leader	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 10 years of minimum professional experience 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
2	Field Coordinator	Minimum: Bachelor's degree in any discipline Post graduate degree in social science is preferred 10 years of minimum professional experience 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.
4	Field Support Staff	Minimum: Bachelor's degree in any discipline civil Post graduate degree in social science is added qualification 3 years of minimum professional experience Previous experience in working rural communities required. Proficiency in local language is required. Previous experience in land acquisition activities is strongly preferred.

No.	Particulars	
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.

Sl. No.	Indicative Payment Milestone	Indicative Payment (% of contract Value)
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%

Sl. No.	Indicative Payment Milestone	Indicative Payment (% of contract Value)
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%
	Total	100%

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

Key Agency	Responsibility
	<ul style="list-style-type: none"> - Disseminate project information to APs in an ongoing manner; - Assist the APs in redressing their grievances (through the grievance redress committee set up for the project); - Conduct awareness program for HIV/AIDs, health and hygiene, and human trafficking in affected villages; - Collect data and submit progress reports on a monthly and quarterly basis for EA to monitor the progress of RP implementation; and • Collect data and submit progress reports on a monthly and quarterly basis for EA and PIU to monitor the progress of RP implementation • Support the EA in the legalization process of the RoW if required. • Assist and provide all information and data to External Monitor • Assist the PIU with the project's social responsibilities, in particular the STI-HIV/AIDS and road safety awareness activities with the communities.
Construction Supervision Consultants (CSC)	<ul style="list-style-type: none"> • Act as External Monitor • Guide and advise the implementation of the RPs • Document and advise for addressing complaints and grievances Provide technical advice and on the job training to the contractors as necessary • Prepare Semi-annual and annual monitoring reports based on the monitoring checklists and submission to UPPWD for further submission to ADB
Contractor	<ul style="list-style-type: none"> • Consult community and PIU regarding location of construction camps • Sign agreement with titleholder for temporary use and restore land to equal or better condition upon completion • Commence construction only when alignment is free of encumbrance • Respond in a timely fashion to recommendations from GRCs • Implement Social Safeguards measures during project implementation • Awareness campaign on Road Safety, Gender Issues, HIV/AIDS, Human Trafficking and child labor at camp and identified locations • Ensure Women's participation in Construction Activities during implementation of the project
District level officials	<ul style="list-style-type: none"> • Provide any existing socio-economic information, maps and other related information to DPR Consultant prior to the field data/information collection activities. • Act as the local focal point of information dissemination • Execute land acquisition process
Community Based Organizations	<ul style="list-style-type: none"> • Ensure the community participation at various stages of the project • Coordination with stakeholder organizations • Assist in Monitoring of the project • Providing indigenous knowledge as required
Village key persons	<ul style="list-style-type: none"> • Provide correct and accurate data and information from project formulation stage • Assist the project team to implement the project smoothly • Arrange proper community participation
ADB	<ul style="list-style-type: none"> • Review RF /RP and endorse or modify the project classification • Review planning documents and disclose the draft and final reports

Key Agency	Responsibility
	<p>on the ADB's website as required</p> <ul style="list-style-type: none"> • Monitor implementation through review missions • Provide assistance to the EA and IA of sub-projects, if required, in carrying out its responsibilities and for building capacity for safeguard compliance • Monitor overall compliance of the project to ADB SPS

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

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 plan.
- Affected businesses receiving entitlements, including payments for income losses resulting from lost business.

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.

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.

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.

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)

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.
- Benefiting from the project by the affected persons.