

Resettlement and Indigenous Peoples Plan

February 2013

IND: North Eastern State Roads Investment Program

Serchhip–Buarpui Subproject (MZ02)

Prepared by Ministry of Development of North Eastern Region for the Asian Development Bank.

CURRENCY EQUIVALENTS

(as of 21 February 2013)

Currency unit	–	Indian rupee (Rs)
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\$1.00	=	Rs 54.305000

ABBREVIATIONS

ADB	–	Asian Development Bank
BPL	–	Below poverty line
CHC	–	community health center
DC	–	District Collector
DHH	–	displaced household
DP	–	Displaced person
DPMC	–	Design and Project Management Consultants
DPR	–	Detailed Project Report
EA	–	Executing Agency
GOI	–	Government of India
GOM	–	Government of Mizoram
GRC	–	Grievance Redressal Committee
HH	–	Household
IA	–	Implementing Agency
IPP	–	Indigenous Peoples Plan
IR	–	involuntary resettlement
LA	–	land acquisition
LAA	–	Land Acquisition Act, 1894
LAP	–	Land acquisition plan
LVC	–	Land Valuation Committee
MDONER	–	Ministry of Development of North Eastern Region
MDR	–	Major district road
NE	–	north east
NESRIP	–	North Eastern State Roads Investment Program
NGO	–	nongovernment organization
NH	–	national highway
NRRP	–	National Rehabilitation and Resettlement Policy, 2007
PD	–	Project Director
PIU	–	Project implementation unit
PWD	–	Public Works Department
R&R	–	resettlement and rehabilitation
RO	–	resettlement officer
ROW	–	right-of-way
RP	–	resettlement plan
RTI	–	right to information
RU	–	resettlement unit
SC	–	scheduled caste
SDP	–	state domestic product
SH	–	state highway
SOR	–	Schedule of Rates
SPS	–	Safeguard Policy Statement
ST	–	scheduled tribe
TOR	–	terms of reference
WHH	–	women-headed household

WEIGHTS AND MEASURES

Km	–	Kilometer
m	–	Meter

NOTE

In this report, "\$" refers to US dollars.

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CONTENTS

EXECUTIVE SUMMARY	vi
I. PROJECT DESCRIPTION	1
A. Project Description	1
B. Sub Project Description	1
C. Project Benefits and Impacts	2
D. Measures to Minimize the Impact	2
E. Scope and Objectives of the Resettlement and Indigenous Peoples Development Plan	3
II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT	4
A. Involuntary Resettlement Impacts	4
B. LA and IR impacts in Project	4
III. FINDINGS OF THE CENSUS SURVEY	5
A. Objective of the Census Survey	5
B. Scope of Project Impacts	5
C. Type of Project Impacts	6
D. Impact on Agricultural Land	7
E. Impact on Structures	9
F. Impact on Other Assets	12
G. Impact on Trees	12
H. Impact on Community Property Resources (CPR)	13
IV. SOCIO-ECONOMIC PROFILE OF THE AFFECTED POPULATION	14
A. Profile of the Subproject Districts	14
B. Population Distribution of the Subproject District by Caste/Ethnicity	15
C. Profile of the Displaced households	15
V. IMPACT ON INDIGENOUS POPULATION	20
VI. GENDER IMPACTS OF THE PROJECT	23
VII. OBJECTIVES, POLICY FRAMEWORK AND ENTITLEMENTS	25
A. Policy Framework - Review of Resettlement Policies and Legal Framework	25
B. National Legislation and Policies	25
C. ADB's Safeguard Policy Statement (SPS), 2009	28
D. Comparison of Government and ADB Policies	29
E. Involuntary Resettlement Safeguard Principles for the Project	30
F. Entitlement Matrix	31
VIII. COMPENSATION, INCOME RESTORATION, AND RELOCATION	39
A. Valuation of Lost and Affected Assets	39
B. Income Restoration	41
IX. CONSULTATION, PARTICIPATION AND DISCLOSURE	42
A. Summary of the Consultation Findings	45
B. Disclosure of Resettlement Plan	46
X. GRIEVANCE REDRESS MECHANISM	47
XI. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION	49
A. Key Institutions	49
B. Project Implementation Unit (PIU)	49
C. Non- Government Organization (NGO)/ field staff	49
D. Institutional Capacity Development Program	51
E. Implementation Schedule	52
XII. RESETTLEMENT BUDGET	54
A. Resettlement Budget	54
B. Resettlement Financing	55
XIII. MONITORING AND EVALUATION	57

Annexures:

1.	Location Map of the Project Area and Project Road	59
2.	Typical Cross-section of the Road	60
3.	Census Survey Questionnaire	62
4.	No Objection Certificate by Gram Sabha/Village Councils	69
5.	Comparison between LA Act, NRRP and ADB Involuntary Resettlement Safeguards	76
6.	TOR for RP Implementation NGO	81
7.	TOR for Expert/Agency to Monitor RP Implementation	87

EXECUTIVE SUMMARY

Project Description

1. The proposed North Eastern State Roads Investment Program (NESRIP) is a part of Ministry of Development of North Eastern Region's (MDONER) initiative to bring the North Eastern Region into the mainstream of development. The project will assist the eight states in the region to develop their road network and establish reliable road connectivity to the national and sub-regional road networks. It will also build the capacity of road sector institutions at state level and contribute to effective and efficient management of the road assets.

2. The proposed road improvement project (henceforth mentioned as 'The project') has been divided into two sections. These are Part I: Serchhip to Thenzawl (15 km) and Part II: Thenzawl to Buarpui (40 km). In total, the project entails improvement and upgradation of 55 km of existing road. The project passes through hilly areas and the proposed Right of Way taken for the same is 8.7 mtr (from the hill side) and at curves, this is increased by 1 mtr.

Objectives of Resettlement Plan

3. The objective of this Resettlement Plan (RP) is to mitigate all unavoidable negative social and resettlement impacts arising out of the up-grade of the Project. Further it aims to restore livelihoods of displaced households by provision of compensation to the Affected Persons at replacement cost and other assistances as per agreed entitlement framework. It also lays additional emphasis on support to the vulnerable displaced households.

Resettlement Impacts

4. A detailed census was carried out all along the road in September-October 2012 with the objective of identifying the displaced persons and generates an inventory of social and economic impacts on the project displaced persons, the structures affected, socio-economic profile of the project displaced people, their perceptions about the project and rehabilitation and resettlement options.

5. The project road passes through five villages namely: Serchhip, Sailam, Thenzawl, New Khawlek and Buarpui. 228 households (HHs) comprising of 1379 persons would be affected as a result of the project. Of these 29 HH were absent during the census. The average family size in the project area is 6 persons. The main type of project impacts include impact on agriculture land, residential, commercial, residential cum commercial assets, other losses and impact on trees. Table A below presents the type of losses incurred by the displaced households (DHH.)

Table A: Village Wise Distribution of Type of Losses

Name of Village	Type of Loss	In Number	In %
Buarpui	Agriculture	41	17.98%
	Agriculture+ Residential	14	6.14%
	Agriculture+ Residential cum Commercial	1	0.44%
	Agriculture+ Tree	31	13.60%
	Residential cum Commercial	1	0.44%
	Residential	1	0.44%
Buarpui Total		89	39%

Name of Village	Type of Loss	In Number	In %
New Khawlek	Agriculture	2	0.88%
	Agriculture+ Residential	1	0.44%
	Agriculture+ Residential +Trees	2	0.88%
	Agriculture+ Residential cum Commercial	1	0.44%
	Agriculture+ Tree	2	0.88%
	Others	3	1.32%
	Residential	2	0.88%
New Khawlek Total		13	6%
Sailam	Agriculture	1	0.44%
	Agriculture+ Tree	3	1.32%
Sailam Total		4	2%
Serchhip	Agriculture	21	9.21%
	Agriculture+ Tree	22	9.65%
Serchhip Total		43	19%
Thenzawl	Agriculture	56	24.56%
	Agriculture+ Commercial	1	0.44%
	Agriculture+ Residential	1	0.44%
	Agriculture +Tree	20	8.77%
	Residential	1	0.44%
Thenzawl Total		79	35%
Grand Total		228	100%

6. The census survey brought forth that majority of the Project impact would be on agricultural land. A total of 19.3 ha of land will be affected in a linear fashion as a result of the project construction thereby affecting a total of 220 households. Of this 19.3 ha of land, 1.14 ha land belongs to the Land Settlement Certificate holders (titleholders), which would be acquired under the Project. 15.51 ha of the total affected land, is being used by Periodic patta holders (4.97 ha) and by Village Council Pass holders (10.54 ha) which are temporary ownership titles awarded to people by the Revenue Department. The remaining 2.65 ha of land is being used by 29 absentee households who were not present at the time of the census survey. The census survey identified that only 10 of the total displaced households incurring impact on land would experience loss of more than 10% of their overall land holding thereby significantly affecting their income and livelihoods. Appropriate provisions have been included in the RP to mitigate their losses.

7. Of the 228 affected HHs, 26 HH would be bear an impact on their structures. These include 22 DHH incurring impact on their residential assets, 3 on residential cum commercial assets and one HH on commercial structure. Of the 26 affected structures, 5 structures would be physically displaced thereby requiring relocation. During the course of the census survey, detailed interactions were undertaken with these 5 households to discuss their relocation preferences. All five households have expressed preference to relocate within the same village on their own for which they would require adequate compensation from the Project.

8. A total of 1437 trees belonging to 78 DHH would also be affected as a result of the project. Of these, 11 HH would lose only fruit bearing trees, 52 HH would lose furniture trees and 15 would lose both fruit bearing and furniture trees.

9. In addition to individual and private losses, Common Property resources and assets would also be affected due to Project improvements. A total of 32 CPR would be affected along the project corridor. These include church assets (mainly land) (7 no.'s), community hall (1 no.'s), government land/assets (5 no.'s), graveyard (3 no.'s), public hand pump (3 no.'s), government schools (8 no.'s) and public toilets (5 no.'s). Appropriate provisions have been included in this RP for their relocation and rehabilitation.

Socio-Economic Profile of DHH

10. All DHH were found to be Christians and belonging to the Scheduled Tribe group of Mizo's. The census also brought forth that 45 DHH comprise of women-headed households. With regards to the vulnerability status of the DHH, it was found that among the 199 DHH, 53% of them suffer from only one type of vulnerability (since all are STs) while the remaining 47% suffer from more than one type of vulnerability.

11. 59% of the DHH live in extended families while 37% live in joint families. Only 4% of the displaced household live in nuclear families. None of the head of HH were found to be illiterate. The highest educational attainment among the respondents was till Middle Class (VI to VII).

12. Agriculture is the predominant source of income for the majority of the displaced households with 74% of the DHH dependent solely on agriculture. 15% of the DHH households considered income earned from government service and the rest from various other sources.

13. The respondents were found supportive of the project and the positive impacts perceived included mainly increase in mobility and transportation services for them. On the other hand, the DHH have also said that despite the positive impacts of the project, they would have to suffer the loss of assets, shift their belongings and in some cases relocate.

Impact on Indigenous People (IP)

14. This Project, located entirely in Mizo tribal areas, has benefited from an extensive baseline survey covering 100 percent of the displaced households comprising of IP households. The surveys undertaken during Project preparation involved participation of the village councils and facilitated subsequent consultations at the village and individual level (100 percent coverage). The participants in these consultations identified the positive and negative impacts of the project.

15. The Project entails upgradation of an existing road and would not lead to extensive acquisition of land and assets. A total of 1.14 ha of private land would be acquired for this Project resulting in largely strip acquisition of cultivable land resulting in non-significant impact on the affected HHs. Apart from land, a total of five structures would be severely affected as a result of the Project necessitating their relocation. These include 2 Residential structures, 2 Residential cum commercial structure and 1 commercial structure. These affected structures are temporary or semi-permanent type in terms of material used. All of these structures are situated along the corridor of existing alignment and likely to be completely impacted. However, the affected IP households may not require to be relocated to other places due to acquisition impacts and will have alternate land available for relocation. In this sense, the displaced IP households themselves have available options for

shifting their affected structures either in the remaining portion of their affected private land or their land parcel in the same area.

16. In other words, the project construction will only entail linear strip acquisition along the existing road and therefore is not anticipated to lead to any adverse impacts on the identity, culture and customary livelihoods of the IPs. The displaced IP households also have sufficient land available in the same location.

17. On the socio-economic front, the high level of literacy in the state as well in the Project area has ensured a high level of awareness amongst the Indigenous households as well as their participation in Project preparation. Based on the socioeconomic information (literacy, degree of education attainment, occupational pattern and land holding status) of the displaced households, ensuing Project impacts and consultations undertaken with the affected IP communities, the Project is not likely to adversely affect the culture, lifestyle, and existing identity of the IP population.

18. The Community consultations were undertaken with all the affected IP households as well as the village heads confirmed the need and support for the project. The extensive communication and participation process in project planning has ensured broad support for the road and commitment among affected people to continue their positive participation throughout project implementation. A No Objection Certificate (NoC) was also issued by the respective Gram Sabha/Village Council's of the affected villages confirming that they have no objection to diversion of land for the Project Road.

19. As a result, no separate Indigenous People Plan (IPP) for the physical and socio-economic rehabilitation of the affected IP households is being prepared for this Project. The specific measures for resettlement and rehabilitation of IP households have been integrated in this plan itself.

Gender Impacts of the Project

20. Women were found to be involved largely in household work as well as in agriculture, piggery, running small enterprises etc. Surveys in the project showed that women were working for between 14 -16 hours a day on an average. Many women were also found to be gainfully employed as teachers within the project area. A majority of women revealed that they had decision making powers on issues related to financial matters, health, property, purchase of assets and children's education.

21. However, poor road condition in the area has adversely hindered their mobility to access services like health and job opportunities. Hence women were found supportive of the project as it would enhance their mobility and increase access to services. With good roads, they would be able to sell their produce in bigger markets thereby increasing their incomes. It is expected that women will experience socio-economic impacts in infrastructure development projects. Apart from enhanced mobility and improved access to socio-economic facilities, 45 women headed households will be affected due to the project. Female-headed households are considered a vulnerable group as per this RP. Any negative impacts of a subproject on female-headed households will be treated on a priority basis.

Community Consultation and Participation

22. The affected persons and communities were consulted to understand their concerns and suggestions on the types of mitigation measures that should be considered to address their concerns. All relevant aspects of project planning and development were discussed with the affected communities. Consultations were held with village community and Village Council Members at 4 affected villages namely Buarpui, New Khawlek, Thenzawl and

Serchhip. A total of 73 persons participated in these meetings. It was found that the persons were generally enthusiastic towards the proposed project. They believe that project will provide better accessibility to education, health facilities, market places and other facilities available in nearby towns and lead to overall socio-economic development. Some persons raised the concern that a good quality road free of potholes and with good drainage should be built and crossings for pedestrians be provided.

Policy Framework

23. The resettlement principles adopted in this RP reflect the national and State Land Acquisition (LA) Act, the entitlement benefits as listed in the National R&R Policy, (Government of India) 2007, the various legislation, which provide for the land settlement system in Mizoram and Asian Development Bank's (ADB) Safeguards Policy Statement (SPS, 2009). The RP outlines the objectives, policy principles and procedures for land acquisition, compensation and other assistance measures for Affected persons (APs).

24. The Entitlement Matrix (Table 23 in the main RP) outlines the types of measures (e.g., compensation at replacement value, assistance, etc.) required to mitigate the resettlement impacts in line with the Government and ADB policies. The method for determining unit rates and replacement values for land and assets are also detailed in the resettlement plan.

Institutional Arrangements

25. For resettlement activities, the Executing Agency i.e. MDONER will do the overall coordination, planning, implementation, and financing. The MDONER will create a Resettlement Cell to ensure timely and effective implementation of RPs. The MDONER will coordinate with State PWDs/PIUs for project level RP related activities. The Project Director at PIU will be responsible for overall implementation of R&R activities according to the Plan. The PIU will have a Resettlement Unit with at least one full-time Resettlement Officer for the duration of resettlement activities. A well-qualified NGO / or trained field staff from PWD in this field will be engaged to assist the PIU in the implementation of the RP. The Grievance Redressal Committee (GRC) will be constituted at PIU level in order to assist the DPs in resolving queries and complaints. The committee will comprise of Project Director, Resettlement Officer, representative from local NGOs, Village Council representatives, representatives of Affected Persons including vulnerable groups and women in the committee. The GRC will meet at least once in three weeks to resolve the pending grievances.

Implementation Schedule

26. The period for implementation of RP has been taken from Jan 2013 to August 2014. Typical RP related activities that require to be performed shall include: planning, verification of DPs, consultations with DPs, payment of entitlements and implementation besides monitoring that shall be carried concurrently and will continue beyond the period of RP implementation and culminate with a post-implementation evaluation. However, the sequence of activities might require changes and may be delayed due to circumstances.

Cost Estimate

27. The R&R cost estimate for this Project road includes compensation for lost assets and resettlement assistance etc as per applicability of the policy. It also includes the contingency charges and the cost of hiring NGO, Independent Monitoring Consultant and grievance redressal cost etc. The replacement cost is determined in terms of the market

rate. The total estimated LA and R&R cost of the project is **Rs. 32,077,558 (Rupees Thirty two million seventy seven thousand five hundred fifty eight only).**

Monitoring and Evaluation

28. Internal monitoring will be the responsibility of the PIUs / RU and NGO / field staff. An independent External Monitor will be engaged by PIU for verification of the monitoring information collected by the PIU. The External Monitor will carry out regular monitoring and evaluation, and report on a quarterly basis to the ADB

I. PROJECT DESCRIPTION

A. Project Description

1. The total geographical area of the North Eastern region is 2,62,179 sq. km. which is nearly 8% of the total area of the country. In terms of population, the region has 39 million which is approximately 3.8 % of the total population. The region, though rich in natural resources, remains one of the most economically backward regions in the country. The overall growth rate in the region has remained low over the past and has been characterised by lack of infrastructure facilities and basic amenities. In India, around 260 million people are living below the poverty line. In the north east region, around 13 million people live below the poverty line according to NSSO's 55th Round Survey.

2. The proposed North Eastern State Roads Investment Program (NESRIP) is a part of Ministry of Development of North Eastern Region's (MDONER)¹ initiative to bring the North Eastern Region into the mainstream of development. The project will assist the eight states of the region to develop their road network and establish reliable road connectivity to the national and sub-regional road networks and thus facilitate regional integration and trade flows. The project will also support capacity building of road sector institutions at the state level and contribute to effective and efficient management of the road assets.

B. Sub Project Description

3. The proposed Project road section (MZ02) (henceforth mentioned as the project) between Serchhip to Buarpui, proposed for improvement and upgradation has been divided into two sections. These are Part I: Serchhip to Thenzawl (15 km) and Part II: Thenzawl to Buarpui (40 km). In total, the project included improvement and upgradation of 55 km of existing road section.

4. The project road takes off from NH54 at Sailankawn intersection (Km 114.200 near Serchhip) and end at Sialsuk junction on state highway (length 15.2 km). The second part of the road takes off from km 82 of Aizawl-Lunglei state highway at Thenzawl and ends at Buarpui (length 39.8 km). The project would pass through five villages namely: Serchhip, Sailam, Thenzawl, New Khawlek and Buarpui. The location map of the road is enclosed as **Annexure – 1**.

5. Existing Project road, between Serchhip to Buarpui, is a single lane bituminous road and passes through hilly terrain and dense forest area. In order to simplify the design procedure and improve road construction and minimise impacts, it is proposed for intermediate lane road, the cross section will be constant as under:

- Pavement width of 6.9m (5.5 m + 0.5 m widening at curves less than 300m radius + 0.9m paved shoulder on hill side.)
- Formation width 7.8m (6.9m pavement + 0.9m unpaved shoulder on valley side)
- Formation cut will be 8.7m (7.8m. formation width + 0.9 m drain)

6. If there shall be any straight section of road or curves with radius more than 300 m. or combination of both for sections longer than 100m, the pavement, formation width and cutting width shall be reduced by 0.5m(i.e. curve widening) in such sections. The typical cross section of the road is provided in **Annexure 2**.

¹ Ministry of Development of North Eastern Region (MDONER) was set up in September 2001 to act as the nodal department of the Central Government to deal with matters pertaining to socio-economic development of the eight States of North East India.

7. The proposed road improvement works will be limited to this available width in order to minimize the impacts. The proposed Right of Way taken for the same is 8.7 meter (from the hill side) and at curves, this is increased by 1 meter. During the field survey, consent were given by the Village Council Members stating that improvement of the Project road would not be a problem and land width of about 10-12 m is reserved in open areas and 9-10 m in built-up areas for road construction activities. The land acquisition and related impacts will thus be on this Project.

C. Project Benefits and Impacts

8. The key project benefit would be the increased mobility for the local people along the road corridor. At present, the road passes through hilly terrains and is in poor condition. A picture of the road condition is in box below. This has led to limited transportation facilities for the villages to access any kind of services. The transportation largely includes private cabs or vehicles plying at fixed times and they charge high prices for the service.



9. Thus the project would foremost facilitate the accessibility and mobility of the local people. It would connect them to Aizawl via Thenzawl (along the World Bank road) and to Lunglei which is deemed as the second capital of the State. This in turn would translate to other benefits such as increase in income levels through diversification of economic opportunities, access to more and bigger markets to buy and sell produces, increased educational opportunities, flow of information and knowledge and access to medical services.

10. In terms of adverse impacts, 228 households (HHs) would incur impacts on agricultural land, residential and commercial assets, trees as well as common property resources. However, due to the poor condition of the existing road and transport service, the displaced households (DHH) and general community members were found to be supportive of the project even though it meant loss of their assets.

D. Measures to Minimize the Impact

11. Resettlement impacts of linear projects are often less adverse than those of large area projects as linear projects can be usually re-routed to avoid large scale resettlement. Road widening projects invariably impact assets. Measures were taken to minimize adverse involuntary resettlement impacts due to up-gradation of this road section. The key measures are as follows:

- Widening the road within ROW as far as possible subject to technical limitations;
- Planning for widening of road in such a manner as to avoid the impact on built-up properties

E. Scope and Objectives of the Resettlement and Indigenous Peoples Development Plan

12. The Resettlement and Indigenous Peoples Development Plan for the project has been prepared based on detailed road improvements proposed and as part of DPR study. The aim of this document is to mitigate all unavoidable negative social and resettlement impacts caused due to the up-grade of the Project road by provision of commensurate measures to resettle the Displaced Persons and restore their livelihoods. Since the entire population in the project area comprises of Indigenous Population groups, the R&R issues in the project would involve those of the IP households. Therefore to address R&R and associated issues related to Indigenous People a Resettlement and Indigenous People's Development Plan has been prepared.

13. The Resettlement and Indigenous Peoples Plan details the approach, principles and measures adopted in minimizing the social impacts caused by the project. This plan has been prepared on the basis of survey findings and consultation with different stakeholders and complies with ADB's Safeguard Policy Statement, 2009 (SPS-2009) to protect the rights of the affected and Displaced Persons and communities. The issues / aspects identified and addressed in this RP are:

- Type and extent of non-land assets, loss of livelihood or income opportunities and collective losses such as common property resources and social infrastructure;
- Impacts on vulnerable groups specifically women;
- Consultation with stakeholders and scope of peoples participation in the Project;
- Existing legal and administrative framework;
- Entitlement matrix with provisions for relocation assistance and restoration of businesses/income;
- Estimation of cost for implementation of R&R activities;
- Institutional framework for the implementation of plan including monitoring and evaluation mechanism.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Involuntary Resettlement Impacts

14. The Land Acquisition Act, 1894 of India empowers the government to acquire the land for public purpose. The land revenue department located in the Tehsil Office and the District Collector office carries out the land acquisition. The Land Revenue Office (LRO) is headed by the District Collector (DC), followed by the Tehsildar, Revenue Inspectors and Village revenue officers. The LRO initiates the process of land acquisition based on Land Acquisition Plan.

15. Since the available RoW is limited and not sufficient to accommodate the proposed road improvement works, the road construction would entail land acquisition and adverse impacts on households. In order to assess the Project impacts and establish legality, the census survey was undertaken along the project road in the roadside villages.

16. The assessment of Tranche 2 subproject brought forth that this subproject would entail involuntary resettlement impacts that are deemed significant.²

B. LA and IR impacts in Project

17. A total of 19.3 ha of land will be affected as a result of the Project. Of this, 1.14 ha land belongs to the Land Settlement Certificate holders while 4.97 ha is used by Periodic Patta holders and 10.54 ha by Village Council Pass holders. Further 29 HH who were absent during the census were found to be losing 2.65 ha of agriculture land. The land ownership status of this land could not be ascertained during the census. The summary of additional land required for the project is presented in Table 2.1 below.

Table 2.1: Scope of Land Acquisition for the Project

Land Acquisition	Area (Ha)
Private Land	1.14 ha
Government Land	15.51
Homestead Land	0.0876 ha
Absentee Landlords	2.65 ha
Total Land	19.38 ha

Source: Census Survey

² The involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).

III. FINDINGS OF THE CENSUS SURVEY

A. Objective of the Census Survey

18. A detailed census was carried out along the road section in October 2012. The objective of the census was to identify the displaced persons and generate an inventory of social and economic impacts on the project displaced persons, the structures affected, socio-economic profile of the project displaced people, their perceptions about the project and rehabilitation and resettlement options. A Census Questionnaire was prepared to collect detailed information on the socio-economic status of the displaced persons and households as well as their ensuing losses. The Census Questionnaire is enclosed in **Annexure 3**. All the other impacts including Community Property Resources were also recorded in the Census survey.

19. Apart from providing appropriate compensation to the titleholders, the project policy framework also covers the non-titleholders who will be compensated for loss of structure and livelihood with additional assistance provision to the vulnerable households. Thus, the different categories of Displaced households shall include (1) persons affected due to only land acquisition, (2) persons affected due to loss of land and structure and (3) those who are squatting or encroaching on the government land and whose structure will be affected. The vulnerable displaced households and/or persons especially those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land will be entitled for additional assistance as per the entitlement matrix.

B. Scope of Project Impacts

20. A total of 228 households comprising of 1379 persons would be affected as a result of the road construction in the 5 villages located along the road. The village wise number of affected persons and households has been presented in Table 3.1 below.

Table 3.1: Village Wise Distribution of Number of Displaced households and Affected Persons

Name of Village	Displaced households (DHHs)		Affected Persons (APs)	
	In Number	In %	In Number	In %
Buarpui	89	39%	612	44
New Khawlek	13	6%	73	5
Sailam	4	2%	33	2
Serchhip	43	19%	189	14
Thenzawl	79	35%	472	34
Grand Total	228 DHHs	100%	1379	100%

21. Of the total displaced households and persons, the highest number of displaced households is from the Buarpui and Thenzawl villages (Table 2.b) whereas the least number of HHs are from Sailam village.

22. Among the 228 DHHs, 29 HH were absent during the census survey. Hence, the socio economic information of the absentee households could not be collected during the census survey. As a result, the data presented in this chapter is only for 199 households. However, the losses of the 29 absentee HHs have been computed in the resettlement budget.

C. Type of Project Impacts

23. The main type of project impacts includes impact on agriculture land, residential, commercial, residential cum commercial assets and trees. Table 3.2 below presents the various types of assets getting affected as a result of the Project construction.

Table 3.2: Village Wise Details of the type of Assets Affected

Name of Village	Type of Assets Affected	Displaced households	
		In Number	In % age
Buarpui	Agriculture	41	17.98%
	Agriculture+ Residential	14	6.14%
	Agriculture+ Residential cum Commercial	1	0.44%
	Agriculture+ Tree	31	13.60%
	Residential cum Commercial	1	0.44%
	Residential	1	0.44%
Buarpui Sub-Total		89 HHs	39%
New Khawlek	Agriculture	2	0.88%
	Agriculture+ Residential	1	0.44%
	Agriculture+ Residential +Trees	2	0.88%
	Agriculture+ Residential cum Commercial	1	0.44%
	Agriculture+ Tree	2	0.88%
	Others	3	1.32%
	Residential	2	0.88%
New Khawlek Sub-Total		13 HHs	6%
Sailam	Agriculture	1	0.44%
	Agriculture+ Tree	3	1.32%
Sailam Sub-Total		4	2%
Serchhip	Agriculture	21	9.21%
	Agriculture+ Tree	22	9.65%
Serchhip Sub-Total		43 HHs	19%
Thenzawl	Agriculture	56	24.56%
	Agriculture+ Commercial	1	0.44%
	Agriculture+ Residential	1	0.44%
	Agriculture +Tree	20	8.77%
	Residential	1	0.44%
Thenzawl Sub-Total		79 HHs	35%
Grand Total		228 HHs	100%

24. While the project improvement would adversely affect different types of assets, majority of the impact would be on agricultural land. Out of the total 228 DHHs, except for 8 DHHs, all household would incur impact on agriculture land.

25. In addition, the census survey also brought forth that many of the displaced households will incur impact on more than one type of asset as a result of road construction. While 53% (i.e. 121 DHH) of the total 228 DHH would incur impact on agricultural land, 34% of the DHH would incur impact on both their agricultural land and trees. 9.21% (i.e. 21 DHH) of the total DHH would bear an impact on their agricultural land as well as their structure (residential, commercial or residential cum commercial). The remaining 3.5% DHHs will

undergo impact on their structures (residential, residential cum commercial, toilets and kitchen³ structures).

D. Impact on Agricultural Land

26. The census survey brought forth that majority of the Project impact would be on agricultural land. A total of 19.3 ha of land will be affected in a linear fashion as a result of the project construction thereby affecting a total of 228 households. Of this 19.3 ha of land, 1.14 ha land belongs to the Land Settlement Certificate holders, which would be acquired under the Project. 15.51 ha of the total affected land, is being used by Periodic patta holders (4.97 ha) and by Village Council Pass holders (10.54 ha). The remaining 2.65 ha of land is being used by 29 absentee households who were not present at the time of the census survey. The land ownership status of this land could not be ascertained during the census.

27. The detailed census findings related to affected agricultural land is summed up below:

1. Ownership Pattern

28. The census survey findings brought forth three key categories of land title status in the project area. According to the Mizoram Land Holding and Settlement Act, 2000 and the Mizo District (Agricultural Land) Act, 1963 and Lushai Hills District (House Site) Act, 1953 , there are the following classes of holders of land in the state:

- (a) Land Settlement Certificate (LSC) holder is a person to whom agricultural land has been settled for growing particular crops or for mixed farming, or for construction of a house. The land held under this certificate is heritable and transferable. In other words, the highest rights are enjoyed by the settlement holder's and their rights over lands are legal ownership of permanent, heritable and transferable.
- (b) The term, "Periodic Patta" means a prescribed land settlement document settling the Agricultural land periodically under the Rules whereby an individual or society has entered into an engagement with the District Council to pay land revenue, taxes, cases and rates legally assesses or imposed in respect of the land so settled. The Periodic Patta holder has the right to use and transfer of the land for a period of the allotment in accordance with the terms and conditions imposed in the Periodic Patta. The Periodic Patta is renewable on application at the expiry of the period of allotment. Generally, the period of allotment is 5 (five) years only.
- (c) Village Council Pass holder is a person to whom permission is given by Village Council for construction of a house inside the village site where survey and settlement operation has not been done. Village Council is a competent authority to allot sites within its jurisdiction for residential and other non-agricultural purpose with the exception of shops and stalls, which include hotels and other business house of the same nature.

29. A total of 19.3 hectare of land being cultivated by 220 DHH would be affected as a result of the project. Of these 220 DHH, 29 HH comprise of absentee households who were unavailable during the census survey and hence their land ownership is not known.

³ The census survey brought forth that some households in the area have created kitchen and/or toilet structures separate from the main residential structure. In some cases, these separately constructed kitchens and/or toilets are getting affected due to the Project.

30. The ownership breakup of the affected land is detailed in Table 3.3. below:

Table 3.3: Extent of Affected land in different land ownership categories

Type of Land Ownership	Extent of Land getting affected (in hectare)
Land Settlement Certificate Holders	1.14 ha
Periodic Patta holders	4.97 ha
Village Council Pass Holders	10.54 ha
Absentee Households	2.65 ha
Total agricultural land affected	19.3 ha

31. Of the total affected 19.3 ha of land, the majority of land (i.e. 10.54 ha) falls in the Village Council Pass holder category followed by 4.97 ha of land under Periodic Patta. The remaining 1.14 ha land belongs to the Land Settlement Certificate category. Further, the 29 absentee HHs would lose 2.65 ha of agriculture land.

32. Among the 191 DHH (excluding the absentee HHs) losing their agricultural land, 23% (43 DHHs) of them are Land Settlement Certificate (LSC) Holders. In other words, they have permanent ownership title to the affected land.

33. 26% (50 DHHs) of the 191 DHH are Periodic Patta Holders which are temporary ownership titles awarded to people by the Government for 3 or 5 years. Normally Periodic Patta holders pay annual fees to the government for using the land.

34. 51% (98 HHs) of the 191 DHH have Village Council Pass which again is a temporary ownership title ownership to the land allocated through the Village Council. The Village Council is an elected body and forms the village level rung of local governance structure in the State.

35. Both Periodic Patta and Village Council Pass are not entitled for any compensation for the land. Hence, 148 DHH out of the 191 DHH do not have permanent ownership titles to the agriculture land that would be affected due to the project.

Table 3.4: Ownership Pattern of the Agricultural Land Affected

Category	Type of Loss	In Number	In %
Land Settlement Certificate (LSC)	Agriculture	13	6.81%
	Agriculture+ Commercial	1	0.52%
	Agriculture+ Residential	14	7.33%
	Agriculture+ Residential cum Commercial	1	0.52%
	Agriculture +Tree	14	7.33%
Land Settlement Certificate (LSC) Total		43	23%
Periodic Patta	Agriculture	25	13.09%
	Agriculture+ Residential	1	0.52%
	Agriculture +Tree	24	12.57%
Periodic Patta Total		50	26%
Village Council Pass	Agriculture	66	34.55%
	Agriculture+ Residential +Trees	2	1.05%
	Agriculture+ Residential cum Commercial	1	0.52%
	Agriculture+ Tree	29	15.18%
Village Council Pass Total		98	51%
Grand Total		191	100%

**Additionally, 29 Absentee households will also incur impact on cultivable land. However, the title status of these households could not be ascertained during the census survey. Therefore they have been excluded from the Table 3.4 above.*

2. Extent of Loss

36. Apart from identifying the type of loss, the census survey also looked into the extent of impact being incurred by the displaced households.

37. As mentioned previously, 43 Land Settlement Certificate holders would lose a total of 1.14 ha of land permanently as a result of the Project. During the census survey attempt was also made to ascertain the severity of this land loss of these titleholder households. The census survey brought forth that majority of these households would lose less than 10% of their overall land holding as a result of the Project thereby not significantly affecting the income and livelihoods of these households.⁴ (See Table 3.5)

Table 3.5 Extent of Loss of Agricultural Land by the Affected Titleholder Households

Extent of Land Loss	Displaced households
	In Number
Less than 5%	18
5 – 10%	15
11 – 20 %	5
More than 20%	5
Total	43 HHs

38. The remaining 148 households comprise of Periodic patta holder (50 HHs) and village pass holders (98 HHs) would lose use of the affected land plots thereby temporarily affecting their income. These households would be re-allotted new plots of land by the Revenue Department and the respective Village Council. In the meantime, appropriate provisions in form of transitional allowance to cover livelihood disruption and adequate compensation for affected crops and trees has been provided for in the Entitlement Matrix to mitigate the losses of these households. In cases wherein the leaseholders (PPH and VPH) have made improvements to the leased land, the improvements such as soil improvements, trees and crops planted, other assets would be compensated at replacement cost.

E. Impact on Structures

1. Type of Structure Affected

39. 26 HH would be bearing an impact on their structures mainly comprising of residential, commercial and/or residential cum commercial structures. Of the 26 DHH, 22 DHH would incur impact on their residential assets, 3 DHHs on their residential cum commercial assets and one HH on their commercial asset. (See Table 3.6)

Table 3.6: Type of Structure Loss

Type of Loss	In Number	In %
Commercial	1	4%
Residential	22	85%
Residential cum Commercial	3	11%
Grand Total	26	100%

⁴ According to ADB SPS resettlement impacts are 'significant' when the affected people being physically displaced from housing and/or having 10% or more of their productive, income generating assets lost.

40. The majority of the affected structures are concentrated in Buarpui village (18 structures), New Khalwek village (6 structures) and Thenzawl village (2 structures).

2. Ownership Pattern of the Affected Structures

41. Of the total 26 households incurring impact on their structures as a result of the Project, majority 16 displaced households comprise of titleholders with Land Settlement Certificate (LSC) for these structures. Amongst the remaining 10 DHH, 9 DHH comprise of village council pass holders and only 1 HH comprises of Periodic patta holder.

Table 3.7: Ownership Pattern of the Affected Structures

Type of Structure	Land Settlement Certificate	Periodic Patta	Village Council Pass	Total
Commercial	1	-	-	1
Residential	14	1	7	22
Residential cum Commercial	1	-	2	3
Grand Total	16	1	9	26

3. Construction type of the Affected Structures

42. 62% of the affected residential structures are made of Assam tile construction type, which is native style of the house construction in the North Eastern part of India owing to high rainfall. 19% of the houses are of semi pucca in nature whereas 14% are kutcha structures. One of the houses is partly made of Assam tiles and partly is pucca type of construction (brick and cement work) (See Table 3.8).

Table 3.8: Construction Type of Affected Structures

Type of Structure Affected	Number of Affected Structure	Construction wise Structure Area affected (sq. meter)		
		Pucca	Semi-Pucca/ Assam Tile	Kutcha
Commercial	1	-	12.27	-
Residential	22	-	1263.7	100
Residential cum Commercial	3	119.5	159	-
Grand Total	26 Structures	119.5 sq. mt	1435 sq. mt	100 sq. mt

43. In case of the affected residential cum commercial structures affected, while two of the structures are pucca construction made of brick and cement, the remaining one is made of Assam tile construction. The only commercial structure getting affected as a result of the Project is a semi-pucca shop.

4. Extent of Impact on Structures

a. Residential Assets

44. Among the 22 DHH incurring impact on their residential assets, only one HH would bear an impact on their homestead land comprising of garden area whereas the remaining will incur impact on the main residential structure.

45. Of the 21 HHs, incurring impact on the main residential structure, only three structures (and one garden area) will remain fit for living post-impact. The remaining 18 residential structures would be severely affected making them non-liveable and

necessitating full reconstruction of these structures. All these 18 structures would be fully acquired for the project.

Measurement in progress of an affected structure



b. Residential cum Commercial (RC) Assets

46. Three HHs would incur impact on their RC assets which comprise of structures that are used as living quarter as well as for commercial activities mostly small shops and businesses. These three households run small businesses such as general/grocery shop from their residential premises.

47. The main structures of the three RC establishments would be affected as a result of the project. While two of the three RC asset will be completely affected necessitating relocation, the remaining one structure would only be partly affected without becoming non-liveable. None of the affected RC structures have any employees, who would also be affected as a result of the Project.

48. The impact on the business structure would also adversely affect the income generated from these assets till the time the affected structures are restored. Interactions with the displaced households brought forth that they earn an average income of Rs. 3500/month from these businesses which would be adversely affected. Adequate provisions have been included in the RP Entitlement matrix to adequately address the losses of these households.

c. Commercial Assets

49. Only one commercial asset (a small shop) would be affected in the area. The shop comprises of a semi pucca structure which would be severely impacted thereby becoming unfit for running the enterprise and necessitating relocation. There are no employees in this affected business. The impact on the business structure would also adversely affect the income generated from this business till the time the affected structures are restored. Interactions with the displaced household brought forth that they earn an average income of Rs. 4000/month from this businesses which would be adversely affected. Adequate provisions have been included in the Entitlement Matrix in form of transitional allowance to support the households till the time they are able to restore their businesses.

5. Relocation Options for affected Structures

50. As discussed in the sections above, out of the 26 structures affected, 5 structures would be physically displaced thereby requiring relocation. (Table 3.9)

Table 3.9:

Type of Affected Structure	Structures becoming non-liveable
Commercial	1
Residential	2
Residential cum Commercial	2
Grand Total	5 structures

51. During the course of the census survey, detailed interactions were undertaken with these 5 households who would be physically displaced as a result of the Project. During the interactions, the preferences of these households with regard to relocation were discussed. All five households losing their residential, commercial and RC assets said that they would like to relocate within the same village on their own for which they would require adequate compensation from the Project. However, declined project assisted relocation option.

F. Impact on Other Assets

52. In addition to the residential and commercial structures getting affected, the census survey also brought forth that some households in the area have created kitchen and/or toilet structures separate from the main residential structure. In case of three households, these separately constructed kitchens and/or toilets are getting affected due to the Project construction. These structures belong to Village Council Pass holders.

53. The total affected structure area of these three structures is 41.71 cubic meters. All the three structures are semi pucca construction and would need to be entirely reconstructed.

G. Impact on Trees

54. 1437 trees belonging to 78 DHH would be affected as a result of the project. The majority of the affected trees comprise of furniture trees. In total 1240 furniture trees would be affected. Of these, 830 are teak trees, 271 are other type of furniture trees and 139 are bamboo groves.

55. Apart from furniture trees, a total of 197 fruit bearing trees would be affected belonging to 26 DHH.⁵ The various types of fruit bearing trees getting affected include mango, orange and jackfruit trees. Among the 26 DHHs, 5 HH would lose plants and shrubs which produce ginger and turmeric. (See Table 3.10)

Table 3.10: Number and Type of Affected Trees

Type of Trees	Trees	Number of DHH
Fruit Bearing	57	11
Furniture Trees	1002	52
Fruit + Furniture Trees	378	15
Grand Total	1437	78

⁵ These 26 HH include 11 HH who would lose only fruit trees as well as 15 HH who would lose both fruit and furniture trees.

H. Impact on Community Property Resources (CPR)

56. Apart from private assets, the road construction will lead to impacts on the Common Property Resources as well such as church assets, community hall, government land, graveyard A total of 31 CPR would be affected along the project corridor. The details of the CPR is provided in Table 3.11 below. The affected CPRs are situated in 4 of the 5 affected villages only namely Buarpui, New Khawlek, Sailam and Thenzawl.

Table 3.11: Village Wise Distribution of CPR

Name Of The Village	Type Of CPR	Total
Buarpui	Church Assets	2
	Government Land/Assets	2
	Graveyard land	3
	Hand pump	3
	School	1
	Toilet	4
Buarpui Total		15
New Khawlek	Church Assets	1
	Community Hall	1
	School	1
	Toilet	1
New Khawlek Total		4
Sailam	Government Land/Assets	1
	School	1
Sailam Total		2
Thenzawl	Church Assets	4
	Government Land/Assets	2
	School	4
Thenzawl Total		10
Grand Total		31

57. During the census, responsible persons/organizations were contacted to make them aware of the project, its impact on the CPR and to know their views on restoration options that they would prefer. According to the persons/organisation responsible for the affected CPR, they have no objection to the project and understand that the impact on CPR is inevitable. However all the responsible institutions and persons stressed on getting adequate and timely compensation and/or restoration of the affected CPRs.

IV. SOCIO-ECONOMIC PROFILE OF THE AFFECTED POPULATION

58. The key social and economic profile of the project district and displaced households has been enumerated and discussed in this section. These include details on the educational status of the DHH, their religion, family type, sources of income, vulnerability status as well as their perception regarding the impacts of the project.⁶

A. Profile of the Subproject Districts

59. The Project road section (MZ02) Serchhip to Buarpui falls in the district of Serchhip and Lunglei. The road section starts from Serchhip village on NH 54 and ends at Buarpuui village. The total length of the Project road is 55 kilometres.

60. The Serchhip district is adjoined by Champhai District in the East, Aizawl in the North and North West and Lunglei District in the South. The District is divided into 3(three) Sub-Divisions viz. Serchhip Sadar, North Vanlaiphai and Thenzawl. There are two Rural Development Blocks namely Serchhip and East Lungdar RD Blocks. Altogether there are 42 Villages within the District. In 2011, Serchhip had population of 64,875 of which male and female were 32,824 and 32,051 respectively. The initial provisional data released by census India 2011, shows that density of Serchhip district for 2011 is 46 people per sq. km. Average literacy rate of Serchhip in 2011 were 98.76 compared to 95.18 of 2001. If things are looked out at gender wise, male and female literacy were 99.24 and 98.28 respectively. With regards to Sex Ratio in Serchhip, it stood at 976 per 1000 male compared to 2001 census figure of 967.

61. Lunglei District, the biggest District in Mizoram is bounded on the north by Mamit and Serchhip Districts, on the south by Lawngtlai and Saiha Districts, on the east by Myanmar and on the west by Bangladesh. It has an area of 4,538 Sq.kms with a 186 villages. There are three Civil Sub-Divisions namely – Lunglei Sadar Sub-Division, Tlabung and Hnahthial Civil Sub-Divisions. The District is also divided into four Rural Development Blocks – Lunglei, Hnahthial, Lungen and Bunghmun. In 2011, Lunglei had population of 154,094 of which male and female were 79,252 and 74,842 respectively. The initial provisional data released by census India 2011, shows that density of Lunglei district for 2011 is 34 people per sq. km. Average literacy rate of Lunglei in 2011 were 89.40 compared to 84.17 of 2001. If things are looked out at gender wise, male and female literacy were 92.74 and 85.85 respectively. With regards to Sex Ratio in Lunglei, it stood at 944 per 1000 male compared to 2001 census figure of 922.

62. Table 4.1 provides a brief summary on the key demographic profile of Serchhip and Lunglei district.

Table 4.1: Key Demographic Characteristics of the Subproject District

Key Characteristics	Serchhip	Lunglei
Area in Sq. Km.	1421.60	4,538
Population (2011 Census)	64,875	154,094
Density of Population	46 per Sq Km	34 per Sq. Km
Sex ratio (Female per 1000 males)	976	944
Literacy Rate	95.1%	89.40
BPL family	36.25%	

Source: Census of India, 2011

⁶ Among the 228 DHHs, 29 HH were absent during the census survey. Hence, the socio economic information of the absentee households could not be collected during the census survey. As a result, the data presented in this chapter is only for 199 households.

B. Population Distribution of the Subproject District by Caste/ Ethnicity

63. The population of Serchhip and Lunglei districts by Caste/Ethnicity based on National Census 2001 is depicted in the Table 26. As the data shows, majority of the population in the two districts (as well as the state) is dominated by Scheduled Tribe groups (55.12%), followed by Braman/Chhetri (32.53%), Dalit (9.45%) respectively. Table 4.2 figure outs Caste/Ethnic wise population of the State and Subproject districts.

Table 4.2: ST – SC Population in the State and subproject Districts

District	ST Population	SC Population	Others*
Serchhip	52,830	5	1,026
Lunglei	1,30,768	33	6,422
Mizoram	8,39,310	272	48,991
Percentages	94.46	0.03	5.51

*Others mainly include the general caste groups.

Source: Census of India, 2011

64. As evident in the Table above, the great majority of Mizoram's population consists of several ethnic tribes who are either culturally or linguistically linked. These ethnic groups are collectively known as Mizos (Mi= People, Zo= Hill). The Mizos are divided into numerous tribes; however, to name a particular tribe as the largest would be an unreliable task as no concrete census has ever been undertaken till now. The Mizos include Gangte, Lushei, Paite, Lai, Mara, Ralte etc. and a few among others.

C. Profile of the Displaced households

65. The key socio-economic characteristics of the displaced household and populations have been discussed in the following sub-section. Since the entire population in the project area comprises of Indigenous Population groups, the socio-economic profiling of the households discussed below covers only IP households.

1. Social Profile of Displaced household

66. Mizoram is a tribal state with almost 95% of its total population comprising of tribal's. The tribes in India are protected under the Constitution and are listed in the Fifth Schedule of the Constitution (of India Part X). This Constitution provides for protection of the STs on account of their disadvantages. All Mizo tribes also come within the purview of this schedule. The term 'Mizo' is a generic term and its stands for several tribes in the area. The major tribes are Lusei, Sailo, Ralte, Hmar, Paite, Lai and Mara. In addition to these tribes there are many other tribes existing in this region, like the Chakmas and Reangs who also come under the broad division of 'Mizo'. The tribes preferred to identify themselves as Mizos and this was formalized when the Lushai Hills District Act, 1954 was enacted. In line with the state level scenario, the census survey also brought forth that all the displaced households living along and getting affected as a result of the project road comprised of mizo households belonging to mainly Ralte and Lusei and Sailo tribes.

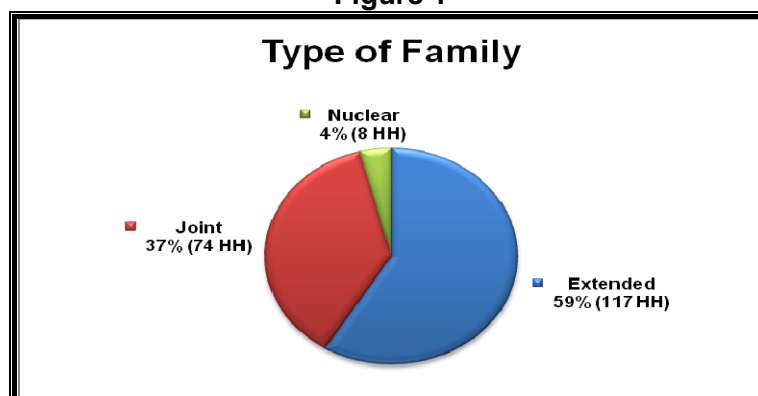
67. The majority of Mizos in the state are Christian in various denominations, predominantly Presbyterian. Hindus form a small minority and there are also Buddhists. All the 199 DHH were found to be Christians living along the Project corridors with no other religious group households getting affected in the area.

2. Type of Family

68. The project displaced households are characterized by large family sizes. As seen in figure 1 below, 59% of the 199 DHH live in extended families while 37% live in joint families.

Only 4% of the displaced household were found to be living in nuclear families. The average family size of the displaced households is 6.9 members.

Figure 1

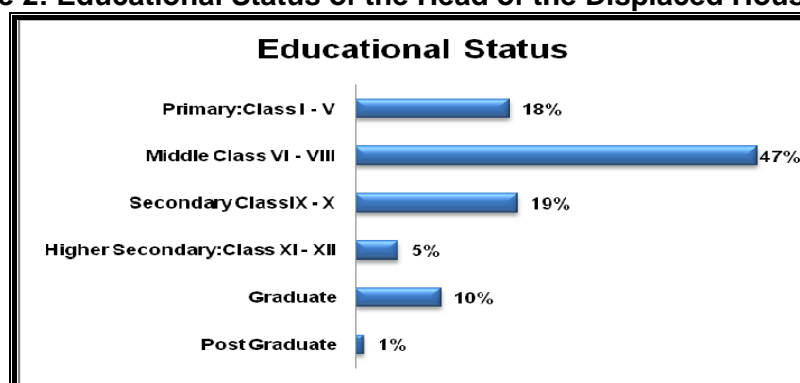


3. Education Status of the Displaced households

69. The census survey also gathered data on the education levels of the displaced households. It was good to note that none of the respondents (head of the households) in any of the displaced households comprised of illiterates. This positive education status is also reflective of the state reality with Mizoram boasting of the second highest literacy rate in the entire country with 91.58% literacy rate (Census 2011).

70. Figure 2 presents the educational status of the head of the households of the displaced households (DHH). The highest educational attainment among the respondents was found to be till Middle School levels (Class VI to VII) with a relatively low ratio of graduates and post graduates. The maximum drop outs was noted at the middle school and secondary school levels with few going for higher education avenues. The Mizos do not differentiate between men and women as a result, near equal literacy was witnessed amongst men and women of the displaced households.

Figure 2: Educational Status of the Head of the Displaced Households



4. Vulnerability Status of the Displaced households

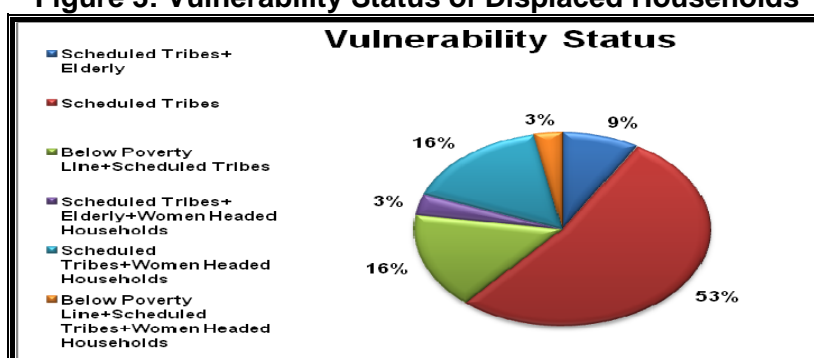
71. As per the ADB's Social Safeguard Policy Statement 2009, vulnerable sections include persons who are living below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land. These sections of the society by way of their socio economic realities are excluded from the developmental process and thus do not enjoy the benefits of the same. Special attention is paid to them during the project cycle of any project funded by ADB to include such groups of people in the development process. At the planning stage this primarily includes identifying the vulnerable

population and incorporating special measures for their inclusion so that they too can enjoy the benefits of development.

72. As had been mentioned above, all the displaced households comprise of Scheduled Tribe households. Apart from their tribal status, the census survey also identified other socio-economic vulnerabilities amongst the displaced households. (See Figure 3) Apart from their Indigenous identity, 47% of the 199 displaced households also suffer from other vulnerabilities. 16% of the displaced households apart from being STs are also those living below poverty line/poor, whereas an equal proportion of households comprise of women headed households. 9% of the 199 displaced households are elderly households. The remaining 6% households comprise of households with more than two vulnerabilities thereby making them all the more in need of special assistance.

73. 53% of the 199 displaced households suffer from only one type of vulnerability while the remaining 47% suffer from more than one type of vulnerability.

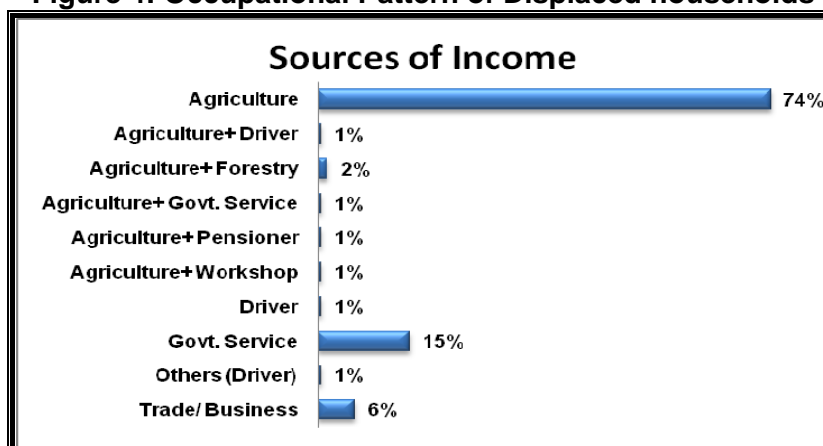
Figure 3: Vulnerability Status of Displaced Households



5. Occupational Profile of the Displaced households

74. Occupational Profile is not diverse amongst the DHHs. Agriculture is the predominant occupation with nearly 81% of the displaced households engaged in it. This is however not an uncommon occupational practice for the rural areas. Apart from agriculture, 15 of the displaced households are employed in Government service. Small trade and business is the third main occupation in the area. The distribution of various occupations is mostly by geography. While the engagement in agriculture is higher in the rural areas, displaced households living closer to towns are noted to be engaged in government service and trade and business. Figures 4 below present the sources of income of the DHH.

Figure 4: Occupational Pattern of Displaced households



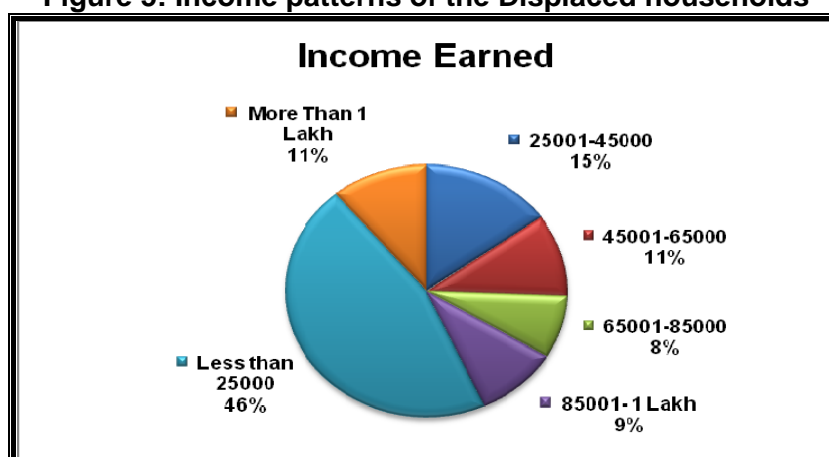
75. Since agriculture is the primary occupation of DHHs, a profile of the agricultural land holding pattern is attempted. The agricultural land in the area apart from producing crops, also have plantations such as bamboo, teak, banana. 61% of the displaced households have land ownership of less than one hectare. 14% land holding are in the range of 1 to 2 hectare while the remaining are 3 hectare or more.

76. Most of the land of a village is state property and is managed through the Village council. Since Jhum cultivation (commonly known as Slash and Burn agriculture) is practiced here, each year the village council selects a parcel of land to be cultivated by the entire village and allots the land parcel to each household in the village for cultivation. So, while majority of the households have small landholdings, most of the households have access to common lands i.e. access to cultivation in common land (Jhum land) is done. Therefore, land holding size alone does not determine the well-being of the displaced households.

6. Income Profile of the Displaced households

77. For nearly half of the DHH, the income they earn is less than Rs 25,000 per year. The main reason for the same is the dependence on agriculture alone by majority of the families. Considering the terrain of the affected area which is hilly and access to services is limited due to poor road conditions, the agricultural practices are traditional and monsoon dependent. Thus the yields are low and do not contribute significantly to the family income. However for the remaining 54% of the DHH, the income earned ranges from earning Rs 25001 to 45000 to more than one lakh annually. (See figure 5)

Figure 5: Income patterns of the Displaced households



7. Asset Ownership

78. Asset ownership is a crucial factor for ascertaining the socio-economic well being of a household. The census survey brought forth that the types of assets owned by the displaced households comprise of Residential Structure, Amenities (toilet, water storage tanks etc), Cooking gas, Information Source (television and radio and mobiles), transportation and domestic animals (pigs and chickens).

79. Animal husbandry as a practice is practiced by all households and constitute an alternate food source apart from agriculture produce. Of these pigs are the most common animals, which are domesticated and an important food item. Chicken is the second most prevalent poultry. Both pigs and chicken also constitute the additional source of income for the households.

80. The structure type and ownership of the displaced households along the project corridor have been categorised into four types by type of construction material used. Pucca RCC structures are few along the project corridor. As noticed in the previous section on project impacts, the most common type of structures found along the project corridor are Assam type, which is a semi-pucca type of construction.

81. Toilets are present in all the households. Radio and mobile is also a common asset owned by most households in the area.

8. Awareness and Perception towards the Project

82. Apart from the socio-economic profiling of the displaced households, the census survey also looked into the level of awareness as well as perception of the people towards the Project. Nearly all the displaced households were aware about the Project. Most of the displaced households had witnessed the technical surveys being undertaken in the area by DPR Consultants as well as were informed of the proposed project by PWD staff.

83. As part of the census survey, views of each of the displaced households, which were mainly Indigenous Households, on the Project and its impact were taken individually. The focus of the survey was to take perception of the Indigenous displaced households on the social, economic and cultural impacts of the Project on their lives and livelihoods.

84. The displaced households, who were all Indigenous households, were also extremely positive and supportive of the Project. All displaced households voiced that the project would have a positive impact on their lives and community. This overwhelming support towards the project could be attributed to the deplorable condition of the current road severely affecting the mobility of the people in the area. Due to the current road condition, people from Buarpui spend at least two-two and a half hours in travelling to the nearest town (Serchipp) which is located at a distance of 25 kms. Due to poor road condition, very few transport options exist on the road. People shared that the only transport currently available in the area is a private van which plies three times in a day from Buarpui to nearest town and vice-versa. As a result, the mobility of people is particularly restricted. Further, due to the deplorable road condition, the Vehicle operating costs are high in the area resulting in higher fares for the local population. All these factors have adversely affected the access of the people to socio-economic facilities such as market, health, higher education facilities etc.

85. The positive impacts of the Project as perceived by the community include an increase in mobility and increase in transportation services in the area, which in turn would increase access to services like health and education and develop the area.

86. On the other hand, some displaced households also raised the adverse impact of the project on their assets and stressed on the need for adequate, timely and fair compensation for the same.

87. Overall the DHH were found supportive of the project and said that in spite of the negative impact of the project, it would have far reaching positive impact on their lives. None of the households voiced that their culture and way of life would be adversely affected as a result of the Project.

V. IMPACT ON INDIGENOUS POPULATION

88. This Project, located entirely in Mizo tribal areas, has benefited from an extensive baseline survey covering 100 percent of the displaced households comprising of IP households. The surveys undertaken during Project preparation involved participation of the village councils and facilitated subsequent consultations at the village and individual level (100 percent coverage). The participants in these consultations identified the positive and negative impacts of the project.

89. The Project entails upgradation of an existing road and would not lead to extensive acquisition of land and assets. A total of 1.14 ha of private land would be acquired for this Project resulting in largely strip acquisition of cultivable land resulting in non-significant impact on the affected HHs. Apart from land, a total of five structures would be severely affected as a result of the Project necessitating their relocation. These include 2 Residential structures, 2 Residential cum commercial structure and 1 commercial structure. These affected structures are temporary or semi-permanent type in terms of material used. All of these structures are situated along the corridor of existing alignment and likely to be completely impacted. However, the affected IP households may not require to be relocated to other places due to acquisition impacts and will have alternate land available for relocation. In this sense, the displaced IP households themselves have available options for shifting their affected structures either in the remaining portion of their affected private land or their land parcel in the same area.

90. In other words, the project construction will only entail linear strip acquisition along the existing road and therefore is not anticipated to lead to any adverse impacts on the identity, culture and customary livelihoods of the IPs. The displaced IP households also have sufficient land available in the same location.

91. On the socio-economic front, the high level of literacy in the state as well in the Project area has ensured a high level of awareness amongst the Indigenous households as well as their participation in Project preparation. Based on the socioeconomic information (literacy, degree of education attainment, occupational pattern and land holding status) of the displaced households, ensuing Project impacts and consultations undertaken with the affected IP communities, the Project is not likely to adversely affect the culture, lifestyle, and existing identity of the IP population.

92. The Community consultations were undertaken with all the affected IP households as well as the village heads confirmed the need and support for the project. (See Photos on next page) The extensive communication and participation process in project planning has ensured broad support for the road and commitment among affected people to continue their positive participation throughout project implementation. A No Objection Certificate (NoC) was also issued by the respective Gram Sabha/Village Council's of the affected villages confirming that they have no objection to diversion of land for the Project Road. These NoC are enclosed as **Appendix IV**.

Photo 1: Participants in Community Consultation at Buarpui Village



Photo 2: Community Consultation in Progress in New Khawlek Village



93. As a result, no separate Indigenous People Plan (IPP) for the physical and socio-economic rehabilitation of the affected IP households is being prepared for this Project. The specific measures for resettlement and rehabilitation of IP households have been integrated in this plan itself.

94. In addition to the resettlement and socio-cultural impacts on the indigenous communities, the socio-economic studies undertaken in the area also focused on ascertaining any other potential adverse impacts of the Project on the local IP population. Some of the aspects which were focused upon comprised of increased traffic, potential negative social impacts (trafficking and prostitution) etc and how these can be mitigated.

95. Consultations were undertaken with the local communities as well as key stakeholders such as local NGOs and administration to take their views on these aspects. During these discussions, the community and other stakeholders voiced that the augmented road by increasing the vehicular frequency and speed may lead to increased chances of road accidents. Further since the roads run through habitations and schools are located along the road, special emphasis needs to be paid on road safety measures. As a result, efforts will be made by the engineering Design and Supervision Consultant to ensure

incorporation of road safety mechanisms in the road design by means of adoption of appropriate design and road furniture measures. Road Safety component would be integrated into the project design.

96. Apart from Road Safety, assessment was also made in terms of the potential risks of trafficking and prostitution in the area and if the same shall be augmented by means of the Project. Discussions with the local NGOs, administration and community brought forth very low incidence of human trafficking in the region. As per the local police data, in the last 11 years only 18 cases of trafficking have been reported in Mizoram. The community consultations undertaken in the Project villages, did not bring forth any incidence of trafficking and/or prostitution in the area. Despite a low occurrence rate, the Mizoram police department in recent years has pro-actively set up a well-equipped anti-human trafficking units in Aizawl and Lunglei districts to curb trafficking incidence in future.

97. In terms of HIV/AIDS, the disease has posed a serious developmental challenge for the State. However, as a result of growing awareness campaigns and the active efforts made by the Mizoram State AIDS Control Society (MPSACS), local NGO and church, the prevalence of HIV/AIDS has been on a decline in recent years.⁷ Several organizations exist at the state level (both government and non-government), which are actively working on spreading awareness of HIV/AIDS in the state. As a result, awareness of the disease and its causes was noted to be high amongst the IP population in the project area. The Project would impact the spread of HIV/AIDS in any manner.

98. The PIU with assistance from the RP implementation NGO will be responsible to further map these risks during RP implementation and coordinate with the local community, agencies (such as MPSACS) and NGOs on the same.

99. Community consultation and Participation would continue to be an important component of the Project which would be facilitated both by the PIU and the implementing NGO. A grievance redress committee would also be designed to respond in a timely and efficient fashion to the grievances of the local population.

100. In order to mitigate the above impacts incurred by these households, the IP households will be entitled to the following compensation and assistance measures:

- 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;
- Assistance in lieu of the loss of business/ wage income and income restoration assistance;
- Assistance for shifting and provision for the relocation site (if required), and
- Additional one-time lump sum assistance to vulnerable households including IP households. This will be over and above the other assistance/s enumerated above.
- Rebuilding and/ or restoration of community resources/facilities.

⁷ The HIV rate in Mizoram is reported at 1.99 percent in 2011-2012.

VI. GENDER IMPACTS OF THE PROJECT

101. Gender is a major but not the only differentiating factor conditioning divisions in human societies. Basically biological, it is reflected in cultural norms that assign specific roles to men and women in a society. In the present day context, education, economic independence, employment and political participation are major indices of women's status in the society. Norms established are often legitimized in the name of supposed capacities, limitations or superiority or inferiority of people. The degrees to which these vary by region, state or area depend on a host of factors affecting the socio-economic context.

102. In the North-East, tribal and non-tribal women enjoy a relatively higher position in the society than what their non-tribal counterparts do. Notwithstanding the social and economic changes such as urbanization, globalization and education that have permeated the societies of the region in last three decades, women in the North east are placed relatively better as the society is devoid of evils that are rampant in other parts of the country such as dowry, child marriage and bride burning. They however too are influenced by the dynamic processes of marginalization, land alienation, globalization, urbanization, and other changes in their livelihood pattern. Women are often active agents of such processes.

103. As per the Census of India 2011 data, the total population of Mizoram is 1,091,014 of which male and female are 552,339 and 538,675 respectively. Literacy rate found in the state is 91.58%. Male literacy rate is 93.72% while for females it is 89.40%. There has been a positive increase in female literacy rate from 86.75% in 2001. The Sex ratio in the state is also significantly higher (975 females) than the National average of 940 females per 1000 males.

104. After the consolidation of the British administration the inheritance of the chiefs started through the eldest son. However, the Lushai District (Inheritance of property) Act No.1 of 1956 has invested women with the right of inheritance. The Mizos follow the patriarchal pattern of family. The male head of the family controls the social, economic and religious affairs. However, women in social and economic life enjoy freedom.

105. Women were found to be involved largely in household work as well as in agriculture, piggery, running small enterprises etc. Surveys in the project showed that women were working for between 14 -16 hours a day on an average. Many women were found to be gainfully employed as teachers within the project area. A majority of women revealed that they had decision making powers on issues related to financial matters, health, property, purchase of assets and children's education.

106. However, poor road condition in the area has adversely hindered their mobility to access services like health and job opportunities. In many instances, educated women have to relocate to Aizawl or Lunglei as travelling from home (village) every day is not possible due to the poor road condition. In villages like Buarpui, there is only one public bus that plies only on Saturdays to go to Aizawl. Other option women have is to travel by private vehicles, which charge high rates as ticket fee. Hence women were found supportive of the project as it would enhance their mobility and increase access to services. With good roads, they would be able to sell their produce in bigger markets thereby increasing their incomes.

107. It is expected that women will experience socio-economic impacts in infrastructure development projects. Apart from enhanced mobility and improved access to socio-economic facilities, 45 women headed households will be affected due to the project.

108. Female-headed households are considered a vulnerable group as per this RP. Any negative impacts of a subproject on female-headed households will be treated on a priority

basis. Participation of women has been envisaged specifically in the following areas in various stage of the project implementation:

- In the pre-planning and planning stages, participation of women was sought by ensuring their participation during the census survey and consultations.
- Compensation for land and assets lost will be same for all the affected or displaced families and special care would be taken by the RP Implementation NGO to ensure that the women-headed households receive their compensation and entitlements in a timely manner.
- The PIU and NGO shall ensure that women continue to participate and are consulted during project implementation as well.
- The NGOs will make sure that women are actually taking part in issuance of identity cards, opening accounts in the bank, receiving compensation amounts by cheque in their name or not, etc. This will further widen the perspective of participation by the women in the project implementation.
- Under entitlement framework there is a number of provisions kept for compensation and assistance towards the losses incurred by the impacted women-headed households by the project. Apart from compensation, the implementing agencies would provide trainings for upgrading the skill in the alternative livelihoods and assist them throughout till the beneficiaries' startup with production and business. Women households would also be entitled to additional assistance in line with the Project entitlements.
- During monitoring and evaluation, there would be scope for women's participation. Monitoring of project inputs concerning benefits to women would involve their participation that will make the process more transparent to them.

VII. OBJECTIVES, POLICY FRAMEWORK AND ENTITLEMENTS

A. Policy Framework - Review of Resettlement Policies and Legal Framework

109. The resettlement principles adopted in this Plan reflect the national and State Land Acquisition (LA) Act, the entitlement benefits as listed in the National R&R Policy, (Government of India) 2007 and Asian Development Bank's (ADB) Safeguards Policy Statement (SPS, 2009). **Annexure V** outlines the Government and ADB policies, legal requirements, and guiding principles under which this RP was prepared.

110. The RP outlines the objectives, policy principles and procedures for land acquisition, compensation and other assistance measures for Displaced persons (APs). The Executing Agency and the Implementing Agency (IA) will endorse the Resettlement Plan prior to Project Appraisal. The RPs will be disclosed to the displaced persons (APs) and submitted to ADB for review and approval prior to commencement of any civil works. Compensation and other assistances will have to be paid to APs prior to any physical or economic displacement of displaced households.

111. The salient features of government and ADB policies are summarized below.

B. National Legislation and Policies

1. Land Acquisition Act (LAA), 1894

112. The LAA provides a framework for facilitating land acquisition in India. LAA enables the State Government to acquire private land for public purposes. LAA ensures that no person is deprived of land except under LAA and entitles affected persons to a hearing before acquisition. The main elements of LAA are:

- (i) Land identified for the purpose of a project is placed under Section 4 of the LAA. This constitutes notification. As per Clause 5 a (1), objections must be made within 30 days to the District Collector (the highest administrative officer of the concerned District)
- (ii) The land is then placed under Section 6 of the LAA. This is a declaration that the government intends to acquire the land. The District Collector is directed to take steps for the acquisition, and the land is placed under Section 9. Interested parties are then invited to state their interest in the land and the price. Under Section 11, the District Collector will make an award within two years of the date of publication of the declarations. Otherwise, the acquisition proceedings shall lapse.
- (iii) In case of disagreement on the price awarded, within 6 weeks of the award, the parties (under Section 18) can request the District Collector to refer the matter to the Courts to make a final ruling on the amount of compensation.
- (iv) Once the land has been placed under Section 4, no further sale or transfer is allowed.
- (v) Compensation for land and improvements (such as houses, wells, trees, etc.) is paid in cash by the project authorities to the State Government, which in turn compensates landowners.
- (vi) The price to be paid for the acquisition of agricultural land is based on sale prices recorded in the District Registrar's office averaged over the three years preceding notification under Section 4. The possession of land is taken, by the Collector, after payment of compensation (Clause 31). If payment of compensation is not paid before taking possession, a interest is to be paid.

The Act has no provision for resettlement assistance and benefits particularly for people without titles or ownership records such as informal settlers.

2. National Resettlement and Rehabilitation Policy (Ministry of Rural Development), 2007

113. A National Resettlement and Rehabilitation Policy (NRRP), 2003 was adopted by the Government of India to address the issues not addressed in the LAA Act and also to cover development-induced resettlement. This policy has been revised in the form of NPRR (2007), which is applicable to all developmental projects where 400 or more families' en masse in plain areas or 200 or more families' en masse in tribal or hilly areas are displaced due to project activity. The policy aims to minimize displacement and promote, as far as possible, non-displacing or least displacing alternatives. The policy also aims to ensure adequate rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of those affected.

114. The revised NRRP (2007) covers gaps not addressed in the LA Act. The policy also aims to ensure adequate rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of those affected and recognizes the need for protecting the weaker sections of the society especially members of the Scheduled Castes and Scheduled Tribes.

115. The policy also recognizes non-titleholders such as any agricultural or non-agricultural labourer, landless person (not having homestead land, agricultural land, or either homestead or agricultural land), rural artisan, small trader or self-employed person; who has been residing or engaged in any trade, business, occupation or vocation continuously for a period of not less than three years as affected families. The policy further makes provisions for public disclosures of draft Resettlement and Rehabilitation Plans to the community, grievance redress procedures and monitoring and evaluation.

3. Land Settlement system in Mizoram

116. In pursuance of the Sixth Schedule of the Indian Constitution, the Executive Committee of the now defunct Mizo District Council was the Chief Controlling Authority over the land, wherein the Chief Executive Member was entrusted to carry out all allotment of land for any purpose.

117. With the dissolution of the erstwhile District Council and the elevation of the District to the status of a Union Territory, and the Union Territory to an independent state, by appropriate adaptation, these powers were vested with the Administrator or the Governor of the State. The districts of the state have been sub-divided into blocks, which further have been demarcated into villages. Typically, a Village in the state of Mizoram includes:

- The village area demarcated with defined boundaries for the purpose of residential development and the land area within this jurisdiction earmarked for non-agricultural activities, residential, business and any other non-agricultural purposes with defined boundaries.
- The rest of the land (outside the settlement area) prescribed for agriculture.

a. Land Legislations

118. The various legislation, which provide for the land settlement system in the state of Mizoram are as follows:

- The Lushai Hill Districts (House Site) Act 1953;
- The Mizo District (Land & Revenue) Acts, 1956;
- The Mizo District (Land & Revenue) Rules 1967;
- The Mizo District (Agricultural Land) Act, 1963;
- The Mizo District (Agricultural Land) Rules, 1971, and;
- The Mizo District (Transfer of Land) Acts, 1963.

119. All these laws primarily protect the rights of the tribal people, including their customary rights. These laws also devolve power to the Village Councils for day-to-day allotment of land (especially for agriculture, primarily shifting cultivation; and housing). These laws also provides for the compensation to be paid to the affected parties, in case land is acquired by the project of Mizoram.

b. Allotment of Land

120. As mentioned above, with the dissolution of the District Council and formation of the state, the powers to make law for the allotment, transfer and setting apart of land within Mizoram has been vested with the Administrator or Governor of the state through the Revenue Department.

121. Further to this, in accordance with the Lushai Hills District (House Sites) Act, 1953, the Village Councils, constituted for each of the village in Mizoram, has been vested the power for allotment of land for non-agricultural uses within the respective village boundaries. The allotment of land can be a) temporary or b) permanent allotment.

122. For the allotment of the agricultural land, the Administrator (Governor) of Mizoram, or the officers authorized by it (The revenue Department) have been vested the powers for the allotment of land for agricultural purposes.

123. For allotment of land an individual has to make an application to the executive member in charge or the officer appointed or authorized stating the periodicity of allotment (temporary allotment/permanent allotment). Applications from the villages should be submitted through the Village Council (VC) President along with his recommendations.

124. For temporary allotment of agricultural land, the Executive Member shall verify the land in a prescribed schedule. For permanent allotment of agricultural land, the VC shall cause the land to be verified, surveyed and demarcated. He shall also prepare a sketch map of the piece of land showing its current land use. A boundary description of the land shall also be prepared and submitted, the survey shall also whether the land is free and available for patta and also free from all encumbrances.

125. In case of temporary allotment on completion of the verifications and making of further investigations as may be necessary the Executive Member or the designated officer shall grant or reject an Application. However, in case of allotment of land, under permanent allotment, the land shall be allotted or rejected after receiving the report of the verification and the surveys and other investigations as may be necessary.

c. Land Ownership

126. The land settlement system in Mizoram permits the following three categories of titleholders:

- **Settlement Holders**

127. These are titleholders who have heritable and transferable rights over the land. Settlement holder means persons other than a pass holder, who has entered into an agreement with the Administrator, to pay land revenue and is deemed to have the acquired the status of a Settlement holder under section 7 of the Mizo District (Land & Revenue) Act. The settlement holder shall have heritable and transferable right of use on or of subletting in his land. This land can be acquired for public purposes after payment of suitable compensation for the acquired land u/s 4 of the Mizoram district (Agricultural Land) Act, 1963.

- **Periodic Patta Holders**

128. The periodic patta authorizes a person to use a parcel of land for a definite period of time. These include persons who have not acquired Patta holder's right u/s 7 of the Mizoram District (Agricultural Land) Act, 1963. With this license, the heritable and transferable rights of use on or of subletting in this land are subject to conditions in the Act. The land under Periodic Patta can be acquired for public purposes without compensation before expiry of the period of allotment.

- **Pass/Permit holders**

129. This pass authorizes a person to use a piece of land but doesn't give them right of an owner. A pass holder shall have no right in the soil beyond a right of user for the period for which it is given and shall have no right to transfer, or of inheritance beyond the period of the pass or of the subletting.

d. Land Acquisition Procedure

130. The Revenue/land Acquisition Officer in the Revenue Department initiates the land acquisition, guided by the Land Acquisition (Amendment) Act of 1894, amended in 1984. The Revenue department is responsible for acquiring all land required for this project and provide for transfer of the land ownership to the PWD free of all encumbrances. The general procedures for land acquisition and the steps involved are given here.

131. The project involves acquisition of:

- Private land holdings: residential, agricultural land parcels/sites
- Land belonging to church;
- Land/structures of Non-Governmental Organizations (such as YMA)
- Land belonging to the Village councils
- Common Property Resources

132. The methodology for verifying the replacement cost for each type of loss has been further enumerated in Para 143.

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

133. 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 displaced persons in real terms relative to pre-project levels; and (iv) to improve the standards of living of the displaced poor and other vulnerable groups.

134. 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) as a result of; (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers displaced persons whether such losses and involuntary restrictions are full or partial, permanent or temporary.

135. 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 achieve at least the same level of well-being with the project as without it. The SPS gives special attention to poor and vulnerable households to ensure their improved well being as a result of project interventions.

D. Comparison of Government and ADB Policies

136. **Annexure 5** compares government and ADB policies and provides gap-filling measures reflected in the entitlement matrix. The National Rehabilitation and Resettlement Policy (NRRP) 2007, represents a significant milestone in the development of a systematic approach to address resettlement issues in India and closes significantly the gap between Indian national policies and those of ADB. The Land Acquisition Act (LAA) of 1894 (as amended in 1984) gives directives for the acquisition of land in the public interest and provides benefits only to titleholders. The LAA does not guarantee compensation at replacement cost for the loss of land and assets. By contrast, the NRRP recognizes non-titleholders, although the basic requirement is for the non-titleholder to have been in the project-affected area at least 3 years prior to the declaration of the area as an affected area.

137. One outstanding difference between the government and ADB policies is with regard to the cut-off date for access to compensation and entitlements. According to the NRRP (2007), the cut-off-date for non-titleholders' eligibility for compensation/assistance is three years preceding the date of declaration of the affected area and for the titleholders it is the date of notification under LAA. To bring this RF in accord with ADB requirements, this RF mandates that in the case of land acquisition, the date of publication of preliminary notification for acquisition under Section 4.1 of the LAA will be treated as the cut-off date for title holders, and for non-titleholders such as squatters the start date of the project census survey.

138. A significant development in government policy is the submission to the Parliament of the Draft National Land Acquisition and Resettlement and Rehabilitation Bill, 2011 (LAA Bill-2011), which would amend the Land Acquisition Act of 1894 (as amended in 1984). If and when this Bill is adopted,⁸ it would both complement the revision of the NRRP (2007) and decrease significantly the gaps between the LAA and ADB's SPS, 2009. In particular, the Bill would require social assessments for projects involving land acquisition, although it would set minimum threshold of people affected for this provision to apply, while the ADB does not so require. The Bill also expands compensation coverage of the principal act by requiring that the value of trees, plants, or standing crops damaged must also be included. The bill furthermore would match ADB requirements for all compensation to be paid prior to project taking possession of any land. Lastly, the Bill would expand likely compensation packages, and replacement cost is established as the foundation principle, as it is under the ADB SPS (2009).

139. Taken together, therefore, the NRRP-2007 and the LAA Bill - 2011 would establish near equivalence of the government's policies with those of ADB's SPS, 2009. Adoption of

⁸ The Land Acquisition Amendment Bill was passed by the Lok Sabha in February 2009 but got stuck in the Rajya Sabha due to opposition to some of its provisions, which are still under discussion. Owing to the recent farmers unrest in the country, the central government in May 2011 has assured of a comprehensive revamp of the current draft of the land acquisition bill, having provisions for better compensation and rehabilitation measures, and introduce the same in the next session of Parliament.

the below principles for the project would ensure that both policies are covered in their application to this project, however only apply to this Program when officially approved notified by the government.

E. Involuntary Resettlement Safeguard Principles for the Project

140. Based on the above analysis of government provisions and ADB policy, the following resettlement principles are adopted for this Project:

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks. Measures to avoid and minimize involuntary resettlement impacts include the following: (i) explore alternative alignments or locations which are less impacting, (ii) ensure the appropriate technology is used to reduce land requirements, (iii) modify the designs, cross sections, and geometrics of components to maximize the ROW and ensure involuntary resettlement is avoided or minimized.
- (ii) Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of affected persons. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- (iii) Improve, or at least restore, the livelihoods of all displaced persons through: (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement cost for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural

areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.

- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement⁹ to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- (viii) Prepare a resettlement plan elaborating on the entitlements of displaced persons, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule. This resettlement plan will be approved by ADB prior to contract award.
- (ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
- (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- (xii) Monitor and assess resettlement outcomes, their impacts on the standard of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

F. Entitlement Matrix

141. In accordance with the R&R measures suggested for the project, all displaced households and persons 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 including socio-economic vulnerability of the affected persons and

⁹ ADB SPS 2009 (Safeguards Requirements 2) does not apply to negotiated settlements. The policy is 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 for land and/or other assets. Also, an independent external party will be engaged to document the negotiation and settlement processes. In cases where the failure of negotiations would result in expropriation through eminent domain or the buyer could acquire the property regardless of its owner's decision to sell it or not, will trigger ADB's involuntary resettlement policy. The Safeguard Requirements 2 will apply in such cases, including preparing a resettlement plan.

measures to support livelihood restoration if livelihood impacts are envisaged. The affected persons will be entitled to the following five types of compensation and assistance packages:

- I. Compensation for the loss of land, crops/ trees at their replacement cost;
- II. Compensation for structures (residential/ commercial) and other immovable assets at their replacement cost;
- III. Assistance in lieu of the loss of business/ wage income and income restoration assistance;
- IV. Assistance for shifting and provision for the relocation site (if required), and
- V. Rebuilding and/ or restoration of community resources/facilities.

142. Affected persons meeting the cut-off date requirements (for title holders, the date of Section 4.1 of the LAA will be treated as the cut-off date, and for non-titleholders the start date of project census survey), will be entitled to a combination of compensation measures and resettlement assistance, depending on the nature of ownership rights of lost assets and scope of the impact, including social and economic vulnerability of the affected persons. Unforeseen impacts will also be compensated in accordance with the principles of this RF.

143. An Entitlement Matrix has been developed, which recognizes and lists various types of losses resulting out of the project and provides the basic tools and guidelines for preparation of compensation and resettlement packages (refer to Table 7.1).

Table 7.1: Entitlement Matrix

Type of Loss	Identification of Displaced households	Entitlement	Details
A: LOSS OF LAND			
A.1. Loss of agricultural land and assets	a) Legal titleholders – Settlement holders	Compensation at Market/ replacement cost and assistance	a) Land Acquisition for the Project will be as per Land Acquisition Act 1894. b) If the compensation determined by the Competent Authority is less than the “market price/ replacement cost” then the difference is to be paid by the EA as assistance. c) APs will be explained the process and their views will be taken into consideration while determining the market/replacement cost. d) APs with traditional title/occupancy rights will also be eligible for full compensation for land e) If the residual plot(s) is (are) not viable, AP would be given the following option, subject to his/her acceptance: Compensation and assistance are to be provided for the entire plot including residual part, if the owner of such land wishes that his/her residual plot should also be acquired by the EA, EA will acquire the residual plot and pay the compensation for it. f) Notice to harvest standing seasonal crops. If notice cannot be given, compensation for share of crops will be provided at market value. g) All fees, stamp duties, taxes and

			<p>other charges, as applicable under the relevant laws, incurred in the relocation and rehabilitation process, are to be borne by the EA. Also re-titling shall occur as part of the cost of replacement land.</p> <p>h) In case of severance due to acquisition of agricultural land, and additional grant of 10% of the amount will be paid for land acquisition.</p>
A.2. Loss of homestead land or vacant plot (residential and commercial land)	a) Legal Titleholder/ Settlement holders	Compensation at Market/ replacement cost and assistance	<p>a) Compensation at market/ replacement cost or land-for-land where feasible;</p> <p>b) If replacement cost is more than the compensation determined by the Competent Authority, then difference to be paid by the project authority in the form of "assistance".</p> <p>c) DPs with traditional title/occupancy rights will also be eligible for full compensation for land</p> <p>d) All fees, stamp duties, taxes and other charges, as applicable under the relevant laws, incurred in the relocation and rehabilitation process, are to be borne by the EA.</p> <p>e) A lump sum transfer grant/shifting assistance of Rs 10,000 (based on the type of house and household assets) per household for shifting households' assets and other belonging to the new area.</p>
A.3. Loss of Agriculture land	a) Periodic Patta holders b) Village Pass holder	Assistance	<p>a) No compensation for land.</p> <p>b) Transitional allowance based on minimum wage rates for semi-skilled labour for three months for each person losing income in the displaced household as a result of impact on land.</p> <p>c) 60 days' advance notice to remove their assets and/or harvest standing crops/fruits.</p> <p>d) In case of crops/fruits, if notice cannot be given, compensation for share of crops will be provided as per Section C of this EM.</p>
B: LOSS OF STRUCTURES			
B.1. Loss of residential structure	a) Legal Titleholder/ Settlement holder of affected structure	Compensation at market/ Replacement cost and assistance	<p>a) DP will be provided replacement cost of the residential structure, which will be calculated as per the latest prevailing basic schedule of rates (BSR) without depreciation.</p> <p>b) Affected person shall be allowed to take salvaged material from the demolished structure at no costs.</p> <p>c) A lump sum transfer grant/shifting assistance of Rs 2000 to Rs 5000 (based on the type of house and</p>

			<p>household assets) per household for shifting households' assets and other belonging to the new area.</p> <p>d) Transitional assistance of Rs 2000 per month per household in the form of grant to cover maximum nine months rental accommodation.</p> <p>e) All fees, taxes and other registration charges incurred for the replacement structure.</p>
	<p>a) Leaseholder/ Periodic Patta holders</p> <p>b) Village Pass holder</p>	Compensation (for structure erected) and/or Assistance	<p>a) Affected person will be provided replacement cost of the residential structure (no compensation for land), which will be calculated as per the latest prevailing basic schedule of rates (BSR) without depreciation.</p> <p>b) Affected person shall be allowed to take salvaged material from the demolished structure at no costs.</p> <p>c) Rental assistance 2000 per month per household for the periodic patta holders as per the prevalent rate in the form of grant to cover maximum three-month rentals.</p> <p>d) A lump sum transfer grant/shifting assistance of Rs 10,000 (based on the type of house and household assets) per household for shifting households' assets and other belonging to the new area.</p> <p>e) All fees, taxes and other registration charges incurred for the replacement structure.</p>
B.2. Loss of residential cum commercial (RC) and commercial structure	<p>a) Legal Titleholder/ Settlement holder of affected structure</p>	Compensation at market/ Replacement cost and assistance	<p>a) DP will be provided replacement cost of the structure, which will be calculated as per the latest prevailing basic schedule of rates (BSR) without depreciation.</p> <p>b) Affected person shall be allowed to take salvaged material from the demolished structure at no costs.</p> <p>c) A lump sum transfer grant/shifting assistance of Rs 10,000 (based on the type of house and household assets) per household for shifting households' assets and other belonging to the new area.</p> <p>d) Transitional assistance of Rs 2000 per month per household in the form of grant to cover maximum nine months rental accommodation.</p> <p>e) All fees, taxes and other registration charges incurred for the replacement structure.</p>
	<p>a) Leaseholder/ Periodic Patta holder</p> <p>b) Village Pass</p>	<ul style="list-style-type: none"> Compensation at market/ Replacement cost for the 	<p>a) Affected person will be provided replacement cost of the residential structure (no compensation for land), which will be calculated as</p>

	holders	structure <ul style="list-style-type: none"> • Shifting Assistance • Transitional Allowance • Rental assistance 	per the latest prevailing basic schedule of rates (BSR) without depreciation. b) Affected person shall be allowed to take salvaged material from the demolished structure at no costs. A lump sum transfer grant/shifting assistance of Rs 10,000 based on the type of house and household assets per household for shifting households' assets and other belonging to the new area. Rental assistance of Rs. 2000 per month in the form of grant to cover maximum three-month rental accommodation. All fees, taxes and other registration charges incurred for the replacement structure.
C: LOSS OF CROPS AND TREES			
C.1. Loss of crops and trees	a) Legal Titleholder/ Settlement holder b) Periodic Patta holder c) Village Pass holder	Compensation at 'replacement cost'	a) Affected person will be notified and given 60 days advance notice to harvest crops/fruits and remove trees. b) Compensation to be paid by the DC at [the rate] replacement cost estimated by i) the Forest Department for timber trees: ii) State Agriculture Extension Department for crops: iii) and Horticulture Department for perennial and fruit trees. c) In case of standing crops cash compensation at current market value of mature crops for loss of standing agricultural crops only. d) Grant equal to market value of crop lost plus cost of replacement of seeds for the next season's harvest towards loss of crops before harvest due to forced relocation. e) Compensation for perennial crops and fruit trees calculated at replacement cost, and at a minimum as annual produce value for one season times 1 to 3, depending on the nature of crops/trees.
D: LOSS OF OTHER ASSETS (Include separate kitchen and/or toilet structures)			
D.1. Loss of Other Assets	a) Village Pass holders	<ul style="list-style-type: none"> • Compensation at market/ Replacement cost for the structure • Shifting Assistance 	f) Affected person will be provided replacement cost of the residential structure (no compensation for land), which will be calculated as per the latest prevailing basic schedule of rates (BSR) without depreciation. g) Affected person shall be allowed to take salvaged material from the demolished structure at no costs. A lump sum transfer grant/shifting

			assistance of Rs 10,000 (based on the type of house and household assets) per household for shifting households' assets and other belonging to the new area
E: LOSS OF LIVELIHOOD SOURCE			
E.1. Loss of primary source of income for the titleholders	a) Titleholders/ Settlement holders losing income through agriculture	Rehabilitation Assistance for income restoration	<p>a) Transitional allowance equivalent 1,000 days of Minimum Agricultural Wage (MAW) in the state at the time of Section 4 notification under LA Act if the residual land is not viable or equivalent to 750 days of MAW income when the residual land is viable.</p> <p>b) In case of households, losing 10% or more of their productive assets (income generating), training would be provided for income generating vocational training and skill improvement options as per APs choice at Rs 10,000 per household. This cost would be directly paid by the Project to the training institute. Payment of training would be made only to Recognized and accredited vocational training skills providers/institutes, independent from any of the project stakeholders (including IA and EA).</p>
	a) Titleholders losing income through business	Rehabilitation Assistance for income restoration	<p>a) Transitional allowance will be paid to each displaced household based on six months of average income earned from the affected business.</p> <p>b) In case of households, losing 10% or more of their productive assets (income generating), training would be provided for income generating vocational training and skill improvement options as per APs choice at Rs 10,000 per displaced household. Payment of training would be made only to Recognized and accredited vocational training skills providers/institutes, independent from any of the project stakeholders (including IA and EA).</p>
E.2. Loss of primary source of income for the leaseholders/ Periodic patta holder	a) Leaseholders/ Periodic Patta holder	Transitional Assistance	<p>a) Transitional allowance will be paid to each displaced household based on minimum wage rates for semi-skilled labour for three months.</p> <p>b) Training would be provided for income generating vocational training and skill improvement options as per APs choice at Rs 10,000 per household. This cost would be directly paid by the Project to the training</p>

			institute. Payment of training would be made only to Recognized and accredited vocational training skills providers/institutes, independent from any of the project stakeholders (including IA and EA).
E.3. Loss of primary source of income of Village Pass holders	a) Village Pass holders	Transitional Assistance	a) Transitional allowance will be paid to each displaced household based on minimum wage rates for semi-skilled labor for three months. Training would be provided for income generating vocational training and skill improvement options as per APs choice at Rs 10,000 per household. This cost would be directly paid by the Project to the training institute. Payment of training would be made only to Recognized and accredited vocational training skills providers/institutes, independent from any of the project stakeholders (including IA and EA). Employment opportunity for such APs in the project construction work, if so desired by them.
F: LOSS OF COMMON PROPERTY RESOURCES			
F.1. Loss of Common Property Resources	Affected community/ Government Institution responsible for the structure	Restoration and/or Reconstruction Assistance	Cash compensation or Replacement/ restoration of the affected community facilities (including temples, shrines, public water stand posts etc) in consultation with the affected community.
G: ADDITIONAL SUPPORT TO VULNERABLE			
G.1. Additional assistance to vulnerable groups	Households categorized as vulnerable ¹⁰	Lump sum assistance	a) Additional one-time lump sum assistance of Rs. 10,000 per household to vulnerable households. This will be over and above the other assistance/s given as per this framework. b) Vulnerable households could be given priority in employment as labour in the Project construction activities.
H: OTHER UNANTICIPATED IMPACTS			
H.1. Temporary impact during construction like disruption of normal traffic, damage to adjacent parcel of land/assets	Owner/ Titleholder/ traditional rights of the affected plot Community	Cash compensation for loss of income potential	a) The contractor shall bear the cost of any impact on structure or land due to movement of machinery during construction or establishment of construction plant. b) Compensation for standing crops and trees as per the market rate. c) Restoration of land to its previous or better quality d) The contractor will negotiate a rental rate with the owner for all

due to movement of machinery and plant site for contractor etc			<p>temporary use of land outside proposed RoW.</p> <p>e) All temporary use of lands outside proposed RoW to be through written approval of the landowner and contractor.</p> <p>f) Location of construction camps by contractors in consultation with the PWD.</p>
H.2. Any unanticipated adverse impact due to project intervention	Any unanticipated consequence of the project will be documented and mitigated based on the spirit of the principles agreed upon in this policy framework.		

VIII. COMPENSATION, INCOME RESTORATION, AND RELOCATION

A. Valuation of Lost and Affected Assets

144. The following process will govern the valuation of affected land and structures:

145. Land surveys for determining the payment of compensation would be conducted on the basis of updated official records and ground facts. The land records containing information like legal title, and classification of land will be updated expeditiously for ensuring adequate cost compensation and allotment of land to the entitled displaced persons. In cases of areas under the Village council in tribal areas, where official land records don't exist, formal land/property boundaries of private property owned by the tribal households can be determined through the process of community consultation and discussion with village elders and village council members. Based on such information, land can be classified and land record can be updated and compensation assessment can be made. The verification of ownership will be done by the district/village council in consultation with the village people and assessment of compensation also done by the revenue officials based in the district council. After determination of ownership and compensation amount the same is sent to the district collector. Records as they are on the cut-off date will be taken into consideration while determining the current use of land. The uneconomic residual land remaining after land acquisition will be acquired as per the provisions of Land Acquisition Act. The owner of such land/property will have the right to seek acquisition of his entire contiguous holding/ property provided the residual land is less than the average land holding of the district.

146. For land acquisition the District Collector/Deputy Commissioner will decide the compensation for acquired land as per the legal provisions. If the compensation amount is less than the market/replacement cost of the land, the competent authority will award the compensation and the difference between the award rate and market / replacement rate will be paid by the EA as 'assistance'. The project authority will determine the possible replacement cost of land and assets to be acquired; possibly on the market rate through an independent valuer (preferably hired from land and revenue department) given the process involves negotiation with asset owners. APs will be explained the process and their views will also be taken into consideration. The independent External Monitor will oversee the consultation and negotiation with APs. This difference between the award money and the market/replacement rate will be determined by an independent Land Valuation Committee (LVC) before resettlement plan (RP) implementation i.e. during physical verification and updating of database.

147. The value of houses, buildings and other immovable properties will be determined on the basis of relevant Basic Schedule of Rates (BSR) as on date without depreciation. While considering the BSR rate, project-implementing agency will ensure that it uses the latest BSR for the residential and commercial structures in the urban and rural areas of the region. Compensation for properties belonging to the community or common places of worship will be provided to enable construction of the same at new places through the local self-governing bodies like Village Panchayat/village council in accordance with the modalities determined by such bodies to ensure correct use of the amount of compensation.

148. Compensation for trees will be based on their market value. Loss of timber bearing trees will be compensated at their replacement cost and compensation for the loss of crops fruit bearing trees will be decided by the EA in consultation with the Departments of Forest, Agriculture and Horticulture. The Compensation will be paid before taking possession of the land/properties.

149. The independent valuer will assess the compensation rates for various types of losses during the preparation of detailed designs and implementation of RP. Also, to ensure

that the rates reflect current replacement costs, the LVC will verify and approve the estimates wherever felt necessary. The methodology for verifying the replacement cost for each type of loss will include, but not be limited to, the following:

- a) **For valuation of land:** Appraisal of recent sales and transfer of title deeds, informal sale and purchase of land among people in the project area, registration certificates for land in urban and rural areas of the district and consultation with local panchayats, district council, village council and APs; Determination of whether the rates established for the project are sufficient or not to purchase the same quality and quantity of land based on compilation of appraised rates;
- b) **For valuation of crops and trees:** Compensation to be paid by the DC at [the rate] replacement cost estimated by i) the Forest Department for timber trees: ii) State Agriculture Extension Department for crops: iii) and Horticulture Department for perennial and fruit trees.
 - In case of standing crops cash compensation at current market value of mature crops for loss of standing agricultural crops only.
 - Assistance equal to market value of crop lost plus cost of replacement of seeds for the next season's harvest towards loss of crops before harvest due to forced relocation.
 - Compensation for perennial crops and fruit trees calculated at replacement cost, and at a minimum as annual produce value for one season times 1 to 3, depending on the nature of crops/trees.
- c) **For valuation of structures:** To evaluate the compensation for structures to find out whether the amount will enable APs to rebuild or replace their affected structures. This is to be done by consulting land owners on the following:
 - From where they use to buy materials
 - Type of shops (private or state-owned)
 - Distance to be travelled
 - Sources (local or foreign) and the cost of various materials
 - Who will built the structures (owner or contractor) and whether they will use the hired labour or their own labour;
 - Obtaining cost estimates by meeting at least three contractors/suppliers in order to identify cost of materials and labour
 - Identifying the cost of different types of houses of different categories and compare the same with district level prices.

150. Even after payment of compensation, APs would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for the same. A notice to that effect will be issued intimating that APs can take away the materials so salvaged within 48 hours of their demolition; otherwise, the project authority will dispose the same without giving any further notice.

151. Trees standing on the land owned by the government and not belonging to any individual will be disposed off through open auction by the concerned Revenue Department/ Forest Department. APs will be provided with an advance notice of three months prior to relocation. Further, all compensation and assistance will be paid to APs at least 3 months prior to displacement or dispossession of assets. In cases wherein the leaseholders have made improvements to the leased land, the improvements such as soil improvements, trees

and crops planted, other assets would be compensated at replacement cost.

B. Income Restoration

152. Each affected person whose income or livelihood is affected by the project will be assisted to improve or at least restore it to pre-project level. Income restoration schemes will be designed in consultation with affected persons and considering their resource base and existing skills. The PIU with support from the DSC and NGO will identify the number of eligible affected persons and will conduct a training need assessment in consultations with the affected persons so as to develop appropriate income restoration schemes. The PIU with support of the DSC and NGO will examine local employment opportunities and produce a list of possible income restoration options. Suitable trainers or local resources will be identified by PIU and NGO in consultation with local training institutes. Vulnerable households will get special assistance in this regard. The PIU and NGO will also facilitate affected person access to Government schemes that could help them to restore income and livelihood.

153. In addition, the entitlement matrix provides for short-term income restoration activities intended to restore the income of the affected person in the period immediately before and after relocation focusing on relocation, and providing short-term allowances such as: (i) transitional allowance; and (ii) shifting assistance.

IX. CONSULTATION, PARTICIPATION AND DISCLOSURE

154. In order to engage with the community and enhance public understanding on the Project and address the issues pertaining to resettlement, various sections of APs and other stakeholders were consulted through focus group discussions (FGD), meetings and individual interviews in the preparation the subproject. The opinions of the stakeholders and their perceptions were obtained during these consultations. This approach adopted towards the formulation of the RP would be continued during the program implementation

155. During the detailed survey, community consultations were held in many villages that lay en-route. All relevant aspects of project planning and development were discussed with the affected communities. Consultations checklists were used to cover issues relating to demographic details of each village, economic resource base, perceptions of the community with respect to the benefits, apprehensions of the community and their willingness to contribute and finally their endorsement (or otherwise) of the proposed project. Information was disseminated about the project and its benefits and impacts. Attempt was made to elicit suggestions from them and to incorporate the same in plan document. Also the approach adopted to minimize impact and timing of construction was informed to them to elicit their response. People were asked about their preference of resettlement during the census and socioeconomic surveys.

156. Consultations were held with village community and Village Council Members at 4 affected villages namely Buarpui, New Khawlek, Thenzawl and Serchhip. A total of 73 persons participated in these meetings.



157. Table 9.1 presents the location, profile of participants and summary of the key issues discussed during these consultations.

Table 9.1: Date and Venue of Community Consultations

Location	Date	No. and Profile of Participants	Summary of the Issues Discussed
Buarpui Village	9 th Sept 2012	28 community members including the Village Council President as well as elders of the community.	<p>Benefits of Project perceived by community</p> <ul style="list-style-type: none"> • Increase in economic and business opportunities. • Improved connectivity would lead to socio-economic development of the village. <p>Apprehensions raised by the community</p> <ul style="list-style-type: none"> • Proper and timely compensation. Community stressed on timely and adequate compensation of their losses. • Community enquired about the Project timeline as well as whom to contact in case they have further questions.

Location	Date	No. and Profile of Participants	Summary of the Issues Discussed
			Gender Issues <ul style="list-style-type: none"> Men is the head of family. Women play an active role in the household economy and play a key role in agriculture. husbands. Some women are also involved in small businesses and economic activities. Representation of women in Panchayati Raj Institution and local governance is still low. Most women in the area were literate.
New Khawlek Village	9 th Sept 2012	13 community members comprising of Village Council Treasurer and villagers	Demography <ul style="list-style-type: none"> The population of the village is 160 with 30 families. Economic Base <ul style="list-style-type: none"> Agriculture is the main occupation in the village. The other occupation in the village is Govt. service. Agriculture labour is alternative source of livelihood for the villagers. Transport Connectivity <ul style="list-style-type: none"> The village is connected with road network connecting Aizawl which is 130 km from village. The nearest market place is Thenzawl which is 33km away from the village. Transport facility available mainly comprise of private vans. Social Infrastructure <ul style="list-style-type: none"> There are two Primary schools, a Secondary school and a Aanganwadi Center in the village. There is a Sub Health Centre in the village. Nearest post office is in Buarpuui which is 6km away from the village. Nearest bank (Mizoram rural Bank) is located in Buarpuui which is 6km away from the village. Benefits of Project as perceived by the community <ul style="list-style-type: none"> The improved road condition would increase local transport facilities and bus service in the area. The coming of road would also lead to better business opportunities in the area. Apprehensions raised by the community <p>Mainly regarding the mitigation of their losses. The community also enquired about how will their grievances, if any, related to the Project will be addressed.</p> Suggestions given by the community: <ul style="list-style-type: none"> Community stressed that compensation should be given before the construction work starts. Waiting shed, Bus stand and public urinal should be constructed from the Govt. side.
Thenzawl Village	20 th Sept 2012	16 members comprising of Village Council and those affected HH as well as general community members.	Demography <ul style="list-style-type: none"> The population of village is 7000 with nearly 1800 families. Economic Base <ul style="list-style-type: none"> Agriculture is the main economic activity. Service and Small Businesses are other sources of income of the villagers. Some households are also dependent upon agriculture labour to supplement their income. Transport Connectivity <ul style="list-style-type: none"> The village is connected with road network connecting directly with Serchipp, which is also the nearest market for the village.

Location	Date	No. and Profile of Participants	Summary of the Issues Discussed
			<ul style="list-style-type: none"> Tata Sumo and Bus are the main mode of transport. However, there is no frequent service. <p>Social Infrastructure 7 primary schools, 7 middle schools, 4 high schools and 13 Aanganwadi Centre/ Crèche are in the village. Nearest bank (Mizoram Rural Bank) and post office is located in Thenzawl. A CHC is there in the village.</p> <p>Benefits of Project perceived by community</p> <ul style="list-style-type: none"> The community members expressed full support for the Project as the road would lead to socio-economic development in the area such as create more business opportunities, augment public transport options with more frequent buses thereby augmenting connectivity of the local population to Aizawl and other towns. <p>Apprehensions raised by the community</p> <ul style="list-style-type: none"> Adequate Compensation was raised again and again during the meeting. The community stressed that timely compensation to be paid for their losses at market/replacement value. One of the concerns raised by the community was regarding impacts on Common Property resources such as Church. Community members voiced that impacts on Church need to be mitigated as far as possible. <p>Suggestions from community</p> <ul style="list-style-type: none"> Proper compensation to Displaced households. Provision for bus stands along the road. Urinal may be provided for male and female near bus stands. Upgrade road side market located along the road.
Serchhip Village	29 th Sept 2012	16 community members comprising of those affected, general community and Village Council Members.	<p>Demography</p> <ul style="list-style-type: none"> The population of village is 300 with approximately 55 families. <p>Economic Base</p> <ul style="list-style-type: none"> Agriculture is the main economic activity. Additionally, many households are also engaged in service, daily labour and small businesses. <p>Transport Connectivity</p> <ul style="list-style-type: none"> The village is connected to NH 54. The nearest market place is Serchhip which is 4 km away. Tata Sumo and Bus are the main mode of transport available. <p>Social Infrastructure There is a Primary school and 2 Aanganwadi Centres in the village. Nearest bank (SBI) and post office is located in Serchhip which is 4 km from the village. There is Hospital which is located in Serchhip 4km away from the village and there is one Sub Centre which is 1km away.</p> <p>Benefits of Project perceived by community</p> <ul style="list-style-type: none"> Community was supportive of the Project on account of the manifold socio-economic benefits. Improvement of road would lead to development of business and overall economic growth opportunities. <p>Apprehensions raised by the community Community raised some queries with regard to Project timeline and also enquired if the technical design is final. Further raised the need for proper compensation to be paid</p>

Location	Date	No. and Profile of Participants	Summary of the Issues Discussed
			to displaced households at market rate. Suggestions from community <ul style="list-style-type: none"> • Provision of bus stand and urinals along the road.

A. Summary of the Consultation Findings

158. **Consensus on the Project:** In all the consultations held, the participants were supportive of the project and wanted immediate commencement of civil works. At present mobility is deterred by the poor condition of roads. Hence the need for the project is strongly felt for by the participants. The community members were found positive about the Project and socio economic benefits that it will bring for them and the area.

159. **Compensation:** The community raised need for adequate compensation at current prices and demanded timely compensation. They stressed that full compensation had to be paid prior to starting the civil works of the project. Rates at which compensation will be paid for the affected assets and the compensation disbursement period was also discussed.

160. **Finalization of Design and Survey:** Since the census had already been carried out by other consultants and government along the same road corridor, the participants wanted to know if the current survey is the final one or not. They said that they wanted the project to commence soon and did not understand the delay for the same since surveys have already been conducted.

161. **Timeline of Project:** Queries pertaining to timeline of the Project were raised and addressed during the consultations. They were especially concerned regarding the date of commencement of the project as they have to shift their belongings etc. Thus they demanded that they be given adequate notice period and information to shift their belongings and assets.

162. **Grievance Redressal:** The community members raised questions regarding the grievance redressal mechanism if any. The same was explained to them and would be described in detail during the disclosure workshops after the approval of the RP.

163. Meaningful consultation with the affected persons, their host communities and civil society for every subproject identified as having involuntary resettlement impact will be carried out throughout the resettlement plan implementation. The consultation process established for the program will employ a range of formal and informal consultative methods. Different techniques of consultation with stakeholders are proposed during project preparation, viz., in-depth interviews, public meetings, group discussions etc.

164. Particular attention will be paid to the need of the disadvantaged or vulnerable groups, especially those below poverty line, the landless, the elderly, female-headed households, women and children, Indigenous People/ Scheduled Tribes, and those without legal title to land. The key informants to be consulted, during the RP implementation, shall include the following stakeholders:

- Heads and members of households likely to be affected
- Displaced households belonging to the vulnerable groups
- Host communities
- Women in the affected as well as host communities
- Local voluntary organizations and NGOs
- Government agencies and departments

165. The resettlement plan will be implemented in close consultation with the key stakeholders. Women's participation will be ensured by involving them in public consultation at various level and stages of project preparation and by arrangements, which would enhance their ability to attend such meetings.

166. The executing agency and implementing agency will ensure that views of the affected persons, particularly those vulnerable, related to the resettlement process are looked into and addressed. The DSC will ensure that groups and individuals consulted are informed about the outcome of the decision-making process, and confirm how their views were incorporated.

B. Disclosure of Resettlement Plan

167. The RP summary will be translated and made available to the affected persons. Hard copies of the resettlement plan will also be made available at: (i) Offices of the PIU; (ii) District Magistrate Office (iii) Block Development Officers' Office (iv) Any other local level public offices, as soon as the plans are available and certainly before land is acquired for the project. For non-literate people, other communication methods will be used. A report of disclosure, giving detail of date and location, will be shared with ADB.

168. The basic information in the resettlement plan including subproject locations, impact estimations, entitlements, implementation schedule etc. will be presented in the form of a brochure that will be circulated among the APs. These brochures would be distributed to the APs by the PIU with assistance from the NGO at the time of the RP disclosure and prior to submission of PFR. Posters designed to disseminate basic tenets of the plan will be distributed in different localities to generate mass awareness. Additionally, during RP implementation public meetings will be organised by the PIU with assistance from the NGO to disclose the RP in each of the affected villages to inform the APs about the Project, their entitlements as well as the grievance redress mechanism. The PIU and NGO will pay particular attention to the needs of the disadvantaged or vulnerable groups, especially those below poverty line, the landless, the elderly, female-headed households, women and children, Scheduled Caste etc. Separate focus group discussions and house visits, if needed, shall be undertaken during RP implementation in case of the vulnerable households by the PIU and NGO to follow up on the concerns (related to Project and entitlements) as well as to assess the needs of these households.

169. Electronic version of the framework as well as the RPs will be placed on the official website of the respective State Governments and the official website of ADB after approval and endorsement by IA/PIU and ADB. All RPs will be approved by ADB prior to contract award and then disclosed on ADB's website.

170. Furthermore, a notification on the Project implementation will be issued by the PIU in local newspapers at the time of RP Disclosure.

171. In case of change in project design thereby entailing change in resettlement impacts, a re-evaluation and updating of this RP will be undertaken. The updated RP will be disclosed to the affected persons, endorsed by MDONER and will be submitted to ADB for approval prior to award of civil works contracts for the project. The updated RP, not just the summary will be disclosed to the affected persons as well as uploaded on the ADB and MDONER and PIU website and after ADB review and approval.

X. GRIEVANCE REDRESS MECHANISM

172. 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.

173. The PIUs will make the public aware of the GRM through public awareness campaigns. The contact phone number of the respective PIUs will serve as a hotline for complaints and will be publicized through the media and placed on notice boards outside their offices and at construction sites. The project information leaflet will include information on the GRM and will be widely disseminated throughout the corridor by the R&R officers in the PIUs with support from the NGO engaged to implement the RP. Grievances can be filed in writing using the Complaint Register and Complaint Forms or by phone with any member of the PIU.

174. **First tier of GRM.** The PIU is the first tier of GRM which offers the fastest and most accessible mechanism for resolution of grievances. The Resettlement Officer in the PIU will be designated as the key officer for grievance redress. Resolution of complaints will be done within seven working (7) days. Investigation of grievances will involve site visits and consultations with relevant parties (e.g., affected persons, contractors, traffic police, etc.). Grievances will be documented and personal details (name, address, date of complaint, etc.) will be included unless anonymity is requested. A tracking number will be assigned for each grievance, including the following elements:

- Initial grievance sheet (including the description of the grievance) with an acknowledgement of receipt given to the complainant when the complaint is registered;
- Grievance monitoring sheet with actions taken (investigation, corrective measures);
- Closure sheet, one copy of which will be handed to the complainant after he/she has agreed to the resolution and signed-off.

175. The updated register of grievances and complaints will be available to the public at the PIU office, construction sites, and other key public offices along the project corridor (offices of the ward members, local Resident Welfare Association offices etc). Should the grievance remain unresolved it will be escalated to the second tier.

176. **Second Tier of GRM.** The Resettlement Officer in the PIU will activate the second tier of GRM by referring the unresolved issue (with written documentation) to the Grievance Redress Committee (GRC). The GRC will be established at the PWD level headed by the Chief Engineer, before commencement of site works. The GRC will consist of the following persons: (i) Chief Engineer, (ii) Project Director; (iii) representative of the affected person(s); (iv) representative of the local Deputy Commissioners office (land). The functions of the local GRC are as follows: (i) resolve problems quickly and provide support to affected persons arising from various environmental issues and including dust, noise, utilities, power and water supply, waste disposal, traffic interference and public safety as well as social and resettlement related issues such as land acquisition (temporary or permanent); asset acquisition; and eligibility for entitlements, compensation and assistance; (ii) reconfirm grievances of displaced persons, categorize and prioritize them and aim to provide solutions

within a month; and (iii) report to the aggrieved parties about developments regarding their grievances and decisions of the GRC.

177. A hearing will be called with the GRC, if necessary, where the affected person can present his/her concern/issues. The process will facilitate resolution through mediation. The local GRC will meet as necessary when there are grievances to be addressed. The GRC will suggest corrective measures at the field level and assign clear responsibilities for implementing its decision within fifteen (15) working days. If unsatisfied with the decision, the existence of the GRC will not impede the complainant's access to the Government's judicial or administrative remedies.

178. The PIU Officers will be responsible for processing and placing all papers before the GRC, maintaining database of complaints, recording decisions, issuing minutes of the meetings and monitoring to see that formal orders are issued and the decisions carried out.

179. **Third tier of GRM.** In the event that a grievance cannot be resolved directly by the PIUs (first tier) or GRC (second tier), the affected person can seek alternative redress in the appropriate court of law. The PIUs or GRC will be kept informed by the district, municipal or national authority. Nonetheless, the DP is free to access the country's legal system at any time and stage, and not only after following the Project GRM.

180. The monitoring reports of the resettlement plan implementation will include the following aspects pertaining to progress on grievances: (i) number of cases registered with the GRC, level of jurisdiction (first, second and third tiers), number of hearings held, decisions made, and the status of pending cases; and (ii) lists of cases in process and already decided upon may be prepared with details such as Name, ID with unique serial number, date of notice, date of application, date of hearing, decisions, remarks, actions taken to resolve issues, and status of grievance (i.e., open, closed, pending).

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

XI. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION

A. Key Institutions

182. For resettlement planning and successful implementation of RP there will be a set of institutions involved at various levels and stages of the Project as listed below.

- Ministry of Development of North Eastern Region (MDONER)
- Public Works Department (PWD), Government of Mizoram
- Non-Government Organization (NGO)
- Grievance Redressal Committee (GRC)
- Land Valuation Committee (LVC)

183. For resettlement activities, the EA i.e. MDONER will do the overall coordination, planning, implementation, and financing. The MDONER will create a Resettlement Cell by hiring a consultant or appointing a resettlement specialist and required support staff for the duration of the Project to ensure timely and effective implementation of RPs. The MDONER will coordinate with State PWDs / PIUs for project level RP related activities.

184. The institutional framework and the roles and responsibilities of various institutions to be involved in the R&R activities of the Project and implementation of RP are described below.

B. Project Implementation Unit (PIU)

185. Project Implementation Units (PIUs) will be established at state level headed by a Project Director (PD). The PD will be responsible for overall implementation of R&R activities according to the Plan including responsible for land acquisition and R&R activities in the field; ensure availability of budget for R&R activities; liaison with district administration for support for land acquisition and implementation of R&R; and selection and appointment of the NGOs/field staff.

186. The PIU will have a Resettlement Unit (RU) with at least one full-time Resettlement Officer (RO) for the duration of resettlement activities, with an academic background in social sciences, and relevant skills and experience in resettlement issues. The PIU will maintain all databases and work closely with APs and other stakeholders. Based on regularly updated data, a central database will also be maintained by RU.

187. The PIU officials and RO will undergo an orientation and training in resettlement management at the beginning of the project. The capacity development training inputs would include ADB resettlement policy and principles. The training activities will focus on issues concerning (i) principles and procedures of land acquisition, (ii) public consultation and participation, (iii) entitlements and compensation disbursement mechanisms, (iv) Grievance redressal, and (v) monitoring of resettlement operation. The training would specifically focus on the differences between provisions of ADB policy and the relevant country laws. The awareness of these differences and the need to follow the provisions of the ADB policy are critical for successful implementation of the RP. The RO will work closely with the District Collector to expedite the payments of compensation for land acquisition and assistance to DPs.

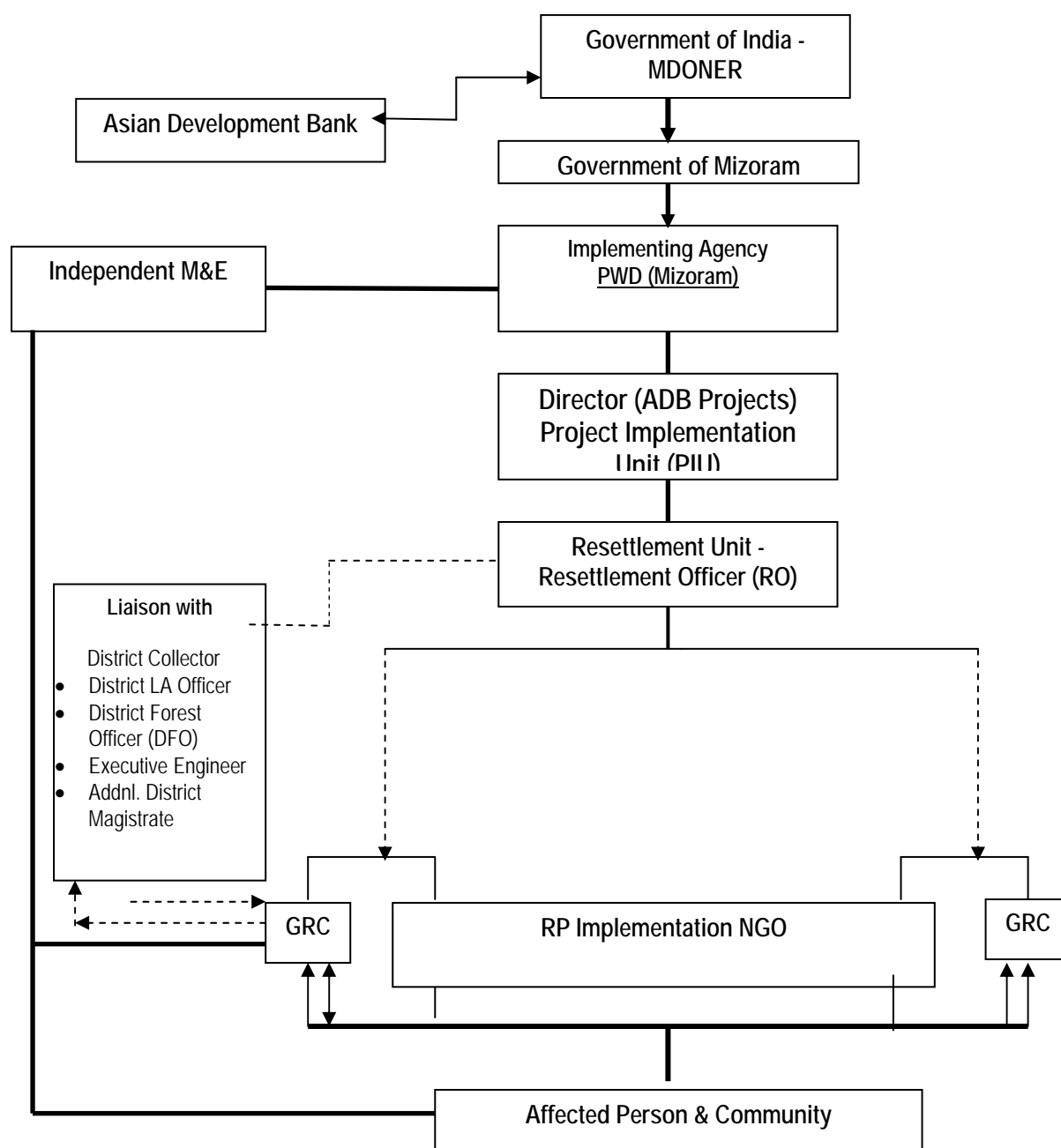
C. Non- Government Organization (NGO)/ field staff

188. Involuntary resettlement is a sensitive issue and strong experience in R&R matters along with community related skills will be required by the PIU in order to build a good rapport with the affected community and facilitate satisfactory R&R of the DPs. To overcome

this deficiency, experienced and well-qualified NGO / or trained field staff from PWD in this field will be engaged to assist the PIU in the implementation of the RP.

189. The NGO/field staff would play the role of a facilitator and will work as a link between the PIU and the affected community. Key activities of the NGO in relation to resettlement planning and implementation include: (i) conduct detailed survey of physically and economically displaced persons based on detailed design, and identify poor, female-headed, and vulnerable households affected by land acquisition and resettlement; (ii) prepare the list of the potential DPs and issue ID cards; (iii) facilitate the process of disbursement of compensation to the DPs – coordinating with the revenue department, informing the affected persons of the compensation disbursement process and timeline; (iv) assist DPs in opening bank accounts explaining the implications, the rules and the obligations of a joint account and how s/he can access the resources s/he is entitled to; (v) assist the executing agency in ensuring a smooth transition (during the part or full relocation of the affected persons), helping them to take salvaged materials and shift. In close consultation with the affected persons, the NGO shall inform the PMU about the shifting dates agreed with them in writing and the arrangements they desire with respect to their entitlements; (vi) organize training programs for income restoration; (vii) conduct meaningful, ongoing consultation and ensure disclosure of resettlement plans in an accessible manner to the affected persons; (viii) assist PIUs in establishing grievance redress mechanism; (ix) assist PIUs in keeping detailed records of progress and establish monitoring and reporting system of resettlement; (x) act as the information source centre for community interaction with the project and maintain liaison between community, contractors and project management and implementing units during the execution of the works; and (xi) provide advice and other supports to PIUs as required. The Terms of Reference for engaging a NGO have been attached as **Annexure VI**.

190. Figure 11.1 below illustrates the Institutional arrangement for the Project with the key agencies responsible for resettlement planning and implementation.

Figure 11.1: Institutional Arrangement

D. Institutional Capacity Development Program

191. This is the first ADB project in Mizoram therefore; the institutional capacity to implement projects in accordance with ADB safeguard requirements is limited.¹¹ The PIU also does not have social safeguards personnel, capacity to handle IR/IP impacts, gender and vulnerability issues. In this regard, the Project Management Consultants will be responsible for training of PIUs staff on aspects such as resettlement planning/implementation, social protection and gender, including the specific recording, reporting and disclosure requirements.

192. The PMC will provide training and capacity building program on resettlement management for the NGO/agency and other PIU staff on issues concerning - principles and

procedures of land acquisition, public consultation and participation; entitlements and compensation disbursement mechanisms; Grievance Redressal and monitoring of resettlement operation. Specific modules customized for the available skill set shall be devised after assessing the capabilities of the target participants and the requirements of the Project.

E. Implementation Schedule

193. The period for implementation of RP has been taken from Jan 2013 to August 2014. Typical RP related activities that require to be performed shall include: planning, verification of DPs, consultations with DPs, payment of entitlements and implementation besides monitoring that shall be carried concurrently and will continue beyond the period of RP implementation and culminate with a post-implementation evaluation. However, the sequence of activities might require changes and may be delayed due to circumstances. However, a tentative list of implementation activities and schedule is given in **Table 11.2**.

Table 11.2: Implementation Schedule

Project Activities	2013												2014							
	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
Appointment of NGO																				
Training on PIU and NGO on Resettlement Management																				
Verification of DPs list by NGO																				
Review and approval of RP																				
Information Campaign & Community Consultation																				
Grievance Redress																				
Payment of compensation to DPs																				
Payment of eligible assistance and to DPs and income restoration																				
Handover of site and commencement of civil works																				
Monitoring by PIU and verification by Expert/NGO																				

XII. RESETTLEMENT BUDGET

A. Resettlement Budget

194. The R&R cost estimate for this sub-project includes compensation for lost assets and resettlement assistance etc as per applicability of the policy. The cost of project management, institutional arrangement, administrative expenses, and monitoring and evaluation agency, etc., is included in the overall project management cost. The costs are based on field-level information and past experience in resettlement management and will need to be updated following the detailed design. To cover up such updated cost estimates additional provision has been made with 5% contingency.

195. The total estimated LA and R&R cost of the project is **Rs. 32,077,558 (Rupees Thirty two million seventy seven thousand five hundred fifty eight only)**. The R&R Budget estimated for the project road is presented in **Table 12.1**.

Table 12.1: Budget for Resettlement and Rehabilitation

S.No.	Item	Unit Rate (INR)	Quantity	Cost (in INR)
A	Land Acquisition for widening (including CPRs)			
1	Land Value from Sailam Kawn to Chalkhan Kawn section	Lump sum	-	251,784
2.	Land value from Chalkhan Kawn to Tlawng river section	Lump sum	-	1,754,503
3.	Land value from Tlawng river to Buarpui Subtown	Lump sum	-	12,27,027
4.	Land value for disposal sites	Lump sum	-	255,658
Total Cost of Land Acquisition (A)				Rs. 34,88,972
B	Structures in sq mt (including private structures and CPRs)			
1.	Value of Structures from Sailam Kawn to Chalkhan Kawn section	Lump sum	-	166,750
2.	Value of structures from Chalkhan Kawn to Tlawng river section	Lump sum	-	705,940
3.	Value of structures from Tlawng river to Buarpui Subtown	Lump sum	-	9,697,964
Total cost for Structures (B)				Rs. 10,570,654
C	Crops and Trees			
1.	Loss of crop/trees from Sailam Kawn to Chalkhan Kawn section	Lump sum	-	1,639,165
2.	Loss of crop/trees from Chalkhan Kawn to Tlawng river section	Lump sum	-	1,727,025
3.	Loss of crop/trees from Tlawng river to Buarpui Subtown	Lump sum	-	938,275
4.	Loss of crop/trees at disposal site	Lump sum	-	68,604
Total for Crops/Trees (C)				43,73,069
D	Assistance			
1	One time Transitional allowance to titleholder households losing agriculture land equivalent to 750 days of Minimum Agricultural Wage (i.e. Rs. 148/day) in the state	Rs. 148/day for 750 days	43 HHs	4,773,000
2	One-time assistance of Rs. 10,000 per households for income generating vocational training and skill improvement options as per APs choice to titleholder households HHs losing 10% or more of their productive assets (income generating).	Rs. 10,000/ HH	10 HHs	100,000

S.No.	Item	Unit Rate (INR)	Quantity	Cost (in INR)
3	Transitional allowance of six-months of average income (i.e. 3500) earned from affected business to 1 titleholder household losing business enterprises	Rs. 3500/ per month for 6 months	1 HH	21,000
4	One-time transitional allowance for Periodic and Village Pass holders cultivating affected agriculture land at the rate of 3 months (90 days) of Minimum Agriculture wage (Rs. 148) in the state for each person losing income in 148 affected HH	Rs. 148/day for 90 days	148 HHs	1,971,360
5	In case of titleholder households, Transitional allowance of Rs. 2000 per month per household to cover maximum nine months of rental accommodation in case of 16 severely affected residential, commercial and residential cum commercial structures.	Rs. 2000/ month for 9 months	16 HHs	288,000
6	In case of periodic patta and Village pass households, transitional allowance of Rs. 2000 per month per household to cover maximum three months of rental accommodation in case of 10 severely affected residential, commercial and residential cum commercial structures.	Rs. 2000/ month for 3 months	10 HHs	60,000
7.	A lump sum transfer/shifting assistance of Rs. 10,000 per household incurring structural impacts for shifting household assets and belonging to new area.	Rs.10,000/ HH	26 HHs	260,000
12	Additional one time financial assistance of Rs. 10,000 per household to vulnerable households	Rs. 10,000/HH	228 HHs	2,280,000
Total Assistance Cost (D)				9,753,360
E	Cost of NGO for implementation	Lump Sum	15 months	1,564,000
E.1	Grievance handling cost	300000	Lump sum	300000
	Total NGO Cost (E)	-		1,864,000
F	Monitoring and Evaluation Consultant		Lump sum	500,000
	Total M&E Consultant Cost (F)			500,000
G	Total Cost A to F			30,550,055
H	Contingency (5% of the total cost)			15,27,503
I	Grand Total			32,077,558

***Notes:**

1. The value of private land taken based on the average circle rates for different revenue circles and the prevalent buying and selling rates.
2. Land Acquisition impact considered severe if the owner is losing more than 10% of total land holding.
3. The fee for transfer of government land is determined based on the previous experience of such land transfer.
4. The costing for structures is based uniform rates of compensation fixed buildings by Revenue Department, Government of Mizoram 2011.
5. The rates of other assets such as trees, crops are based on the uniform rates of compensation fixed for crops and plants by Revenue Department, Government of Mizoram 2011.
6. Average cost for relocation of shrines taken as Rs. 5000 per shrine.
7. Minimum daily wage rate - a) for unskilled - Rs 132 and b) for semiskilled – Rs. 148 c) skilled – Rs. 184 as per Government of Mizoram, Labour and Employment Department. Minimum Wages Notification Date w.e.f April 2009.

B. Resettlement Financing

196. The PIU, in consultation with the appropriate Revenue officers, will prepare all the necessary plans and the cost for the land acquisition and resettlement. The approved cost will be allocated in advance in the annual budget of the project authority. All the costs for

necessary assistances will also be allocated in advance by the IA and will be disbursed prior to the start of the civil work.

197. The disbursement of money to the APs for land acquisition will be carried out by the District Magistrate/Commissioner's office. The amount will be calculated by the project authority (through the land acquisition officer (LAO) of the Revenue Office). The PIU will deposit the amount at respective district jurisdictions and the district administration will disburse the money to APs as per the Law and Ministry procedures.

198. However, in the case of assistance and other rehabilitation measures, the PIU, with assistance from NGO, will directly pay the money or any other assistance as stated in the RP to APs by means of a cheque payment into individual accounts of the APs. The RO will be involved in facilitating the disbursement process and rehabilitation program and will facilitate opening of bank accounts for the APs, who do not have bank accounts.

XIII. MONITORING AND EVALUATION

199. While effective institutional arrangements can facilitate implementation, effective monitoring ensures that the course and pace of implementation continue as originally planned. It is essential to devise a system that helps to identify problems in a timely manner and enables resolution of these problems. Internal monitoring is a mechanism that is essential and need to be carried out in parallel project implementation and at different stages respectively. Monitoring particularly assumes significance when linear project such as proposed widening cross-administrative jurisdictions and thereby involve different stakeholders with varied capacities. Internal monitoring focuses on the quantitative issue such as quantum of land acquisition, payment of compensation, delivery of applicable of R&R entitlements.

200. Under this project, internal monitoring will be the responsibility of the PIUs/RU and NGO/ field staff. The internal monitoring PIU/RU will include:

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

201. An External Monitor with previous experience in monitoring of resettlement activities and familiarity with Government and ADB policies, will be engaged with ADB concurrence to verify the monitoring data collected by the PIU / EA. The External 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.

202. Monitoring will also ensure recording of AP's views on resettlement issues such as; AP's understanding of entitlement policies, options, and alternatives; site conditions; compensation valuation and disbursement; grievance redressal procedures; and staff competency. The Expert/NGO will report its findings simultaneously to the EA and to ADB on a quarterly basis. The ToR for Expert/NGO is included in **Annexure 7**.

203. An indicative set of monitoring indicators that shall help to track progress is given in Table 13.1 below:

Table 13.1: Monitoring Indicators (Internal)	
Parameters	Indicators
Physical	Extent of land acquired vs. required
	Number of structures acquired
	Number of agriculture and commercial land owners and structure owners who have been paid compensation
	Number of households displaced
	Number of eligible persons allotted land vs. total displaced persons

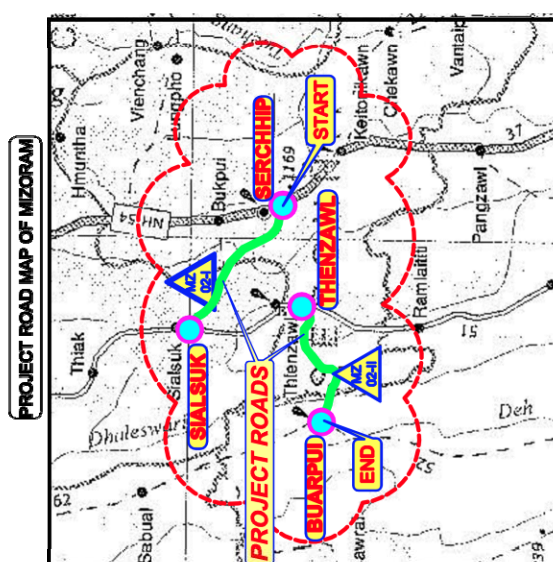
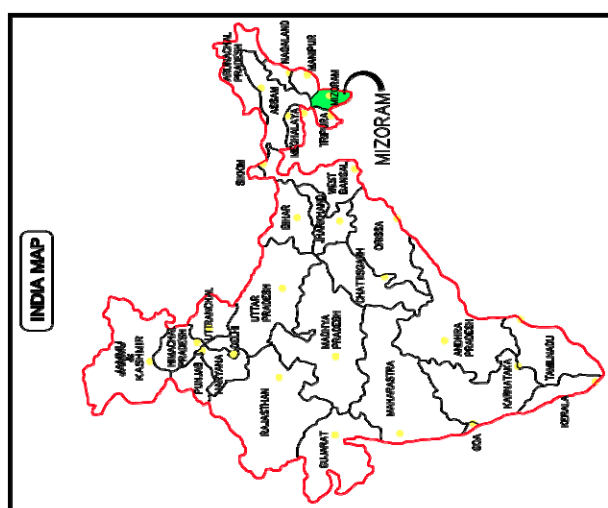
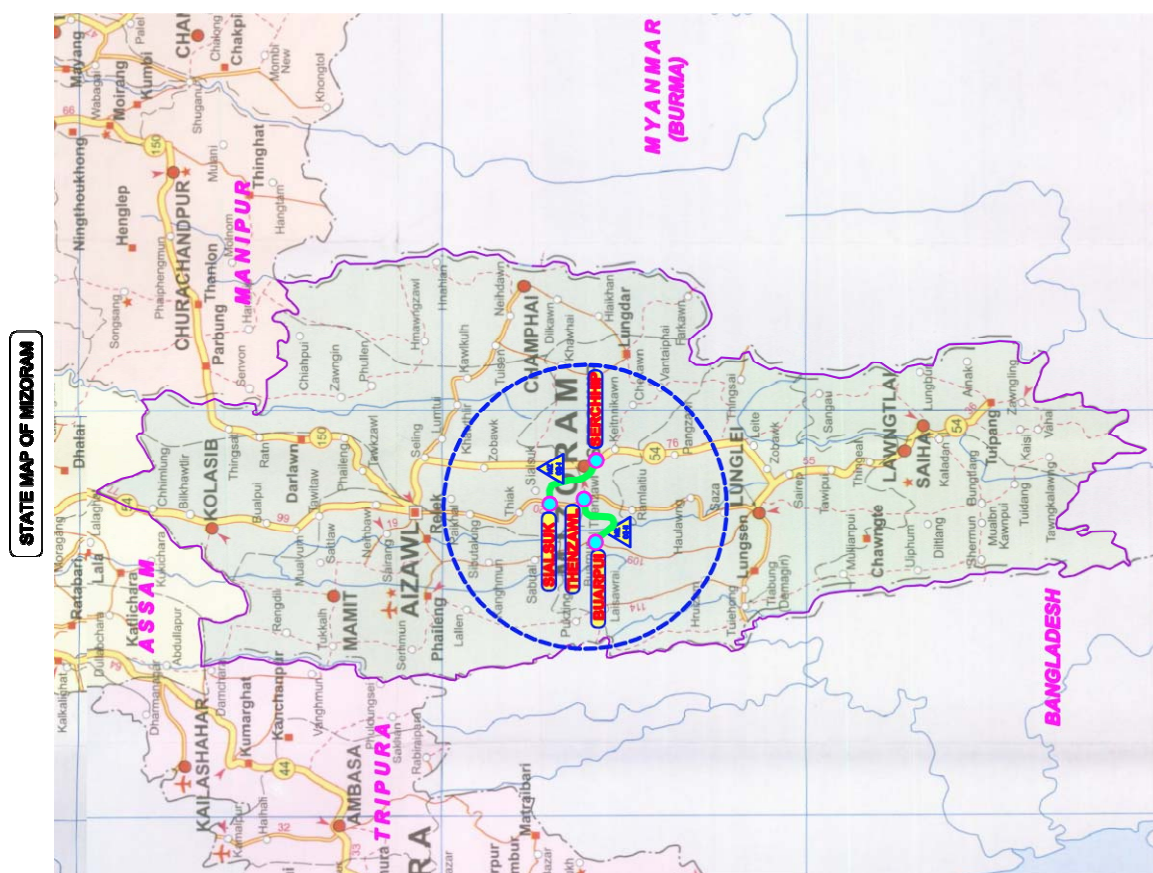
Table 13.1: Monitoring Indicators (Internal)	
Parameters	Indicators
	Number of residential and non-residential plots of land allotted
	Number of pattas issued
	Number of households provided with shifting allowance, training, rehabilitation allowance for construction of residence, work sheds, etc.
Financial	Amount of compensation paid for structure, land, plantation and crops
	Establishment cost for R&R cell
	Staff salaries
	Amount paid to the contracted Monitoring agency
Social	Area and type of house and resettlement en-bloc as stipulated in the policy
	Number of times the grievances and district level committees
	Number of appeals placed before grievance redressal cell
	Number of appeal referred
	Number of meetings held with the displaced villages
	Number of visits by displaced persons for redressal of grievances
	Number of cases that have been referred to courts

204. The External Monitor, with previous experience in resettlement activities and familiarity with Government and ADB policies, will be engaged with ADB concurrence within three months of the loan effectiveness. The Monitor will monitor and verify RP implementation to determine whether resettlement GoM's have been achieved, livelihood and living standards have been restored, and provide recommendations for improvement. The external monitor will undertake monthly monitoring and impact evaluation on a sample basis during mid-term and Project completion. Monitoring will also ensure recording of AP's views on resettlement issues such as; AP's understanding of entitlement policies, options, and alternatives; site conditions; compensation valuation and disbursement; grievance redress procedures; and staff competencies. The External Monitor will also evaluate the performance of the RU and NGOs. The Monitor will report its findings EA twice a year. The EA will in turn submit semi-annual reports to ADB.

205. Table 13.2 below provides an indicative set of monitoring indicators that shall help to evaluate effectiveness of implementation.

Table 13.2: Indicators for Outcomes and Impacts
<ul style="list-style-type: none"> • Satisfaction of land owners with the compensation and assistance paid • Type of use of compensation and assistance by land owners • Satisfaction of structure owner with compensation and assistance • Type of use of compensation and assistance by structure owner • % of APs provided project employment or otherwise • % of APs with better income than before • % of APs provided with alternatives lands for sites • Types of grievances received • No. Of grievances forwarded to GRC and time taken to solve the grievances • % of APs aware about the GRC mechanism • APs opinion about NGO approach and accessibility • Households income of vulnerable group • % of displaced persons satisfied with resettlement benefits and facilities.

LOCATION MAP OF THE PROJECT AREA & ROAD



NOTES:

1. Accidental 0.5m is provided in carriage way to account for extra curve widening required.
2. Excavation to above level.
3. If there are any straight sections of road or curves with radius > 300 m or a combination of both, for section longer than 100 metres, the pavement formation and cutting width shall be reduced by 0.5 metres if a remove curve width (m) in these section.
4. > C.C. lined drain is proposed for depth up to 600mm for depth greater than 600mm R.C.C. lined drain is proposed.

ABBREVIATIONS:

1. R.C.C. - REINFORCED CONCRETE
2. C.B.M. - CEMENT - UNBURNED MACADAM
3. W.M.M. - WET MIX MACADAM
4. G.S.B. - GRANULAR SUB-BASE
5. G.I. - GALVANIZED IRON

CENSUS FORMAT

01. Name of the Project: _____
02. Road Corridor: _____
03. State: _____
04. AP Code: _____
05. Category: _____
- a. Land Settlement Certificate (LSC) b. Periodic Patta c. Village Council Pass
 d. Any other f. Encroacher g. Squatter
06. LSC/Periodic Patta/VC Pass Number: _____
07. Date of Issuance: _____
08. Validity Period: a. 3 years b. 5 years c. Any other: _____ d. Not Applicable
09. Valid Till: _____
10. Amount Paid Annually: Rs _____
11. Type of Loss: a. Agriculture b. Residential c. Commercial
 d. R+C e. Trees f. Orchards g. Irrigation h. Others
12. Name of Village & No.: _____
13. Village Council: _____
14. Block: _____
15. District: _____
16. Name of the Respondent: _____
17. Sex: a. Male b. Female
18. Status of the Respondent in the family: _____
- a. Self b. Husband c. Wife d. Son e. Daughter f. Son-in-Law
 g. Daughter-in-Law h. Grand Son i. Grand Daughterj. Grand Father k. Grand Mother
19. Name of the Registration holder: _____
20. Living status of the Registration Holder: a. Alive b. Dead c. NA
21. Is it a FHH: a. Yes b. No
22. Is it a ST HH: a. Yes b. No
23. If ST, specify the name of the Tribe: _____
24. Religious group: a: Muslim b: Sikh c: Buddhists
 d: Hindu e: Christian f: Others(.....)
25. Total members in the household (i.e. living and eating together):
26. Family Type: a: Joint b: Nuclear c: Extended
27. Education Level of the HoH: _____
- a: Primary: Class I – V b: Middle: Class VI – VIII c: Secondary: Class IX-X d: Higher Secondary: Class XI –XII
 e: Graduate f: Post Graduate g: Illiterate h: Functional Literacy i: No response
28. Do you have a ration card? a. Yes b. No
29. Is your name included in the voter's list? a. Yes b. No
30. Agricultural Land (Title Holder) : _____ In Acres

31. Agricultural Land (Encroacher) : _____ In Acres
32. Agricultural Land (Leased land) : _____ In Acres
33. Agricultural Land (Squatted land): _____ In Acres
34. Residential (Title Holder) : _____ In Units
35. Residential (Encroached) : _____ In Units
36. Residential (Tenant): _____ In Units
37. Residential (Squatter) : _____ In Units
38. Commercial (Title Holder) : _____ In Units
39. Commercial Assets (Encroached) : _____ In Units
40. Commercial Assets (Tenant): _____ In Units
41. Commercial Assets (Squatter) : _____ In Units
42. R+C Assets (Title Holder) : _____ In Units
43. R+C Assets (Encroached): _____ In Units
44. R+C Assets (Tenant): _____ In Units
45. R+C Assets (Squatter): _____ In Units
46. Trees (Fruit): _____ In Units
47. Trees (Timber/Furniture/Industry) : _____ In Units
48. Primary source of income: _____
- a. Agriculture b. Allied Agriculture c. Dairy d. Forestry e. HH Industry
- f. Trade/business g. Profession h. Govt. Service i. Pvt. Service j. Agri Labour
- K. Non Agri Labour l. other.....)
49. What is the Annual Income earned from Primary Source: a. Less than 25000 b. 25001-45000 c. 45001-65000 d. 65001-85000 e. 85001-1 lakh f. More than 1 lakh
50. Is the Primary Source of Income getting affected: a. Yes b. No
51. Do you have another source of income:- a. Yes b. No (If No, go to Q 48)
52. If yes, then what is the income earned from the other sources:- a. Less than 25000 b. 25001-45000 c. 45001-65000 d. 65001-85000 e. 85001-1 lakh f. More than 1 lakh
53. Total annual income:- a. Less than 25000 b. 25001-45000 c. 45001-65000 d. 65001-85000 e. 85001-1 lakh f. More than 1 lakh
54. Do you have a bank account: a. Yes b. No c. No Response
55. Have you taken any credit: a. Yes b. No c. No Response (If No, go to Q 53)
56. If yes, please indicate your source of borrowing:
- a. Bank b. Private money lender c. Friends/relatives d. Others (specify.....) e. NA
57. Purpose for borrowing:
- a: Investment in agriculture b: Investment in business c: House Construction d: Wedding/social functions
- e: Emergency f: Any other (specify)
- g. NA
58. Do you have any information regarding the proposed Project?

a. Yes, I know about the Project b. Yes, somewhat c. No d. No response (If No/No response, go to Q 55)

59. If yes, from where did you hear about the Project?

a. Govt. Deptt. b. Tech. Surveyors c. Newspapers d. Neighbours e. Any Other..... f. NA

60. What are Positive Impacts you anticipate in your Family and income:

a. Education b. Health c. Access to resources/market d. Mobility e. Increase in the value of the assets f. No response g. Increase in sales/production h. Reduce in transportation cost i. Any Other.....

61. What are the Negative Impacts you anticipate in your Family and income:

a. Loss of Assets b. Accidents c. Relocation d. Shifting of assets & belongings e. Break in cultural & social ties f. No response g. Decrease in sales/production h. Any Other.....

62. Vulnerability:

a. Female headed household b. ST c. Marginal Farmer d. Below Poverty Line
e. Disabled (only adult) f. SC g. Elderly h. Not Applicable

63. Eligibility for Livelihood Restoration: a. Yes b) No

64. What livelihood option do you prefer: _____

NAME OF SURVEYOR..... DATE:.....

(In block letters)

RESIDENTIAL LOSS

65. AP Code: _____

66. LSC/PP/VC Pass No: _____

67. Part's of Asset getting affected:

a. Plot/land b. boundary Wall c. Garden Area d. Main Structure e. Backyard
f. Any Other

68. Total Affected Residential Land: (in Sqmtrs)

69. Total Affected Residential Land Loss: (in Sqmtrs)

70. Percentage of Land Loss

71. Total Residential Structure: (in cubic mtrs)

72. Total Affected Residential Structure: (in cubic mtrs)

73. Percentage of Structure Loss

74. Severity of Loss a. Livable b. Non-Livable

75. Construction Type of Affected Structure

a. Kuccha b. Semi-Pucca c. Pucca (1 Floor) d. Pucca (2 Floor)

76. Is there any tenant in the house? a. Yes b. No c. NA (If No, go to Q 82)

77. If yes, number of tenants:

78. In case of significant loss of the residential asset, thereby making it non-liveable, what kind of relocation option would you prefer?

- a. Self-managed b. Project assisted c. No response d. Not Available e. Not Applicable

79. In case of self –managed relocation, where would you relocate?

- a. Within the city b. Outside the city c. Can't Say d. Not Available e. Not Applicable

80. In case of project assisted relocation, please suggest an appropriate location in and around the area where you can be relocated?

.....

COMMERCIAL LOSS

81. AP Code: _____

82. LSC/PP/VC Pass No: _____

83. Part's of Asset getting affected:

- a. Plot/land b. boundary Wall c. Main Structure d. Any Other

84. Usage: a. Shop/s b. Hotel c. Dhaba d. Gumti/kiosk/khokha
 e. Pvt.Clinic f. STD Booth g. Workshop h. Office Complexi. Factory j.
 Other.....)

85. Total Affected Commercial Land: (in Sqmtrs)

86. Total Affected Commercial Land Loss: (in Sqmtrs)

87. Percentage of Land Loss

88. Total Commercial Structure: (in cubic mtrs)

89. Total Affected Commercial Structure: (in cubic mtrs)

90. Percentage of Structure Loss

91. Total Monthly Income In Rs.

92. Severity of Loss a. Functional b. Non-Functional

93. Construction Type of Affected Structure

- a. Kuccha b. Semi-Pucca c. Pucca (1 Floor) d. Pucca (2 Floor)

94. Are there any tenant? a. Yes b. No c. NA (If No, go to Q 102)

95. If yes, number of tenants:

96. Are there any employees? a. Yes b. No c. NA (If No, go to Q 105)

97. Number of Employees.....

98. Monthly salary paid to the Employees (Average)

99. In case of significant loss of the Commercial asset, thereby making it non-functional, what kind of relocation option would you prefer?

- a. Self-managed b. Project assisted c. No response d. Not Available e. Not Applicable

100. In case of self –managed relocation, where would you relocate?

- a. Within the city b. Outside the city c. Can't Say d. Not Available e. Not Applicable

101. In case of project assisted relocation, please suggest an appropriate location in and around the area where you can be relocated?

.....

RESIDENTIAL CUM COMMERCIAL LOSS

102. AP Code:

103. LSC/PP/VC Pass No:

104. Part's of Asset getting affected:

a. Plot/land b. boundary Wall c. Garden Area d. Main Structure e. Backyard f. Any Other

105. Usage: a. Shop/s b. Hotel c. Dhaba d. Gumti/kiosk/khokha e. Pvt. Clinic f. STD Booth g. Workshop h. Office Complexi. Factory j. Other.....)

106. Total Affected Commercial Land: (in Sqmtrs)

107. Total Affected Commercial Land Loss: (in Sqmtrs)

108. Percentage of Land Loss

109. Total Commercial Structure: (in cubic mtrs)

110. Total Affected Commercial Structure: (in cubic mtrs)

111. Percentage of Structure Loss

112. Total Monthly Income In Rs.

113. Total Income Loss In Rs.

114. Severity of Loss a. Livable b. Non-Liveable

115. Construction Type of Affected Structure

a. Kuccha b. Semi-Pucca c. Pucca (1 Floor) d. Pucca (2 Floor)

116. Are there any tenant? a. Yes b. No c. NA (If No, go to Q 125)

117. If yes, number of tenants:

118. Are there any employees? a. Yes b. No c. NA (If No, go to Q 128)

119. Number of Employees.....

120. Monthly salary paid to the Employees (Average)

121. In case of significant loss of the Commercial asset, thereby making it non-functional, what kind of relocation option would you prefer?

a. Self-managed b. Project assisted c. No response d. Not Available e. Not Applicable

122. In case of self –managed relocation, where would you relocate?

a. Within the city b. Outside the city c. Can't Say d: Not Available e. Not Applicable

123. In case of project assisted relocation, please suggest an appropriate location in and around the area where you can be relocated?

.....

AGRICULTURAL LAND

01. AP Code:

02. LSC/PP/VC Pass No.:

03. Type of Land:

a. Irrigated b. Unirrigated c. Pasture/Wasteland d. Anyother.....

04. Total Affected Land Holding _____ In Acres

05. Total Affected Land Loss _____ In Acres

06. Percentage of Loss _____

07. In case residual becomes unviable for cultivation, would you like the executing agency to acquire the remaining portion of your land as well?

a. Yes

b. No

c. No response

d. NA

TREES

08. AP Code: _____

09. Fruit bearing trees getting affected:

10. Value of Loss.....

11. Furniture/Industry trees getting affected:.....

12. Value of loss.....

ORCHARDS

13. AP Code: _____

14. LSC/PP/VC Pass No.: _____

15. Total Land: (in Sqmtrs)

16. Total Affected Land: (in Sqmtrs)

17. Percentage of Land Loss

18. Total no. of Trees getting affected

19. Value of Loss.....

IRRIGATION UNITS

20. AP Code: _____

21. Type of Irrigation Unit getting affected:

22. Value of Loss.....

OTHER ASSETS

23. AP Code: _____

24. LSC/PP/VC Pass No: _____

25. Usage: _____

26. Total Affected Land: (in Sqmtrs)

27. Total Affected Land Loss: (in Sqmtrs)

28. Percentage of Land Loss

29. Total Structure: (in cubic mtrs)

30. Total Affected Structure: (in cubic mtrs)

31. Percentage of Structure Loss

32. Severity of Loss

a. Liveable

b. Non-Liveable

33. Type of Affected Structure

a. Kuccha

b. Semi-Pucca

c. Pucca (1 Floor)

d. Pucca (2 Floor)

TENANTS

01. AP Code: _____

02. Usage of structure:


03. Did you pay any advance or made any investment in the structure:

a. Yes

b. No

- 04. Total no. of employees (if commercial)
- 05. Total salary paid to the employees (Average)

NO-OBJECTION CERTIFICATE BY GRAM SABHA/VILLAGE COUNCILS

Project Director Project Implementation Unit Chief Engineer (Road)'s Office Public Works Department Tuikhuah Tlang Mizoram Aizawl - 796001.		Phone No. 0389 - 2324001 (O) 0389 - 2347435 (R) Fax No. 0389 - 2324001 E-mail : piupwd@yahoo.co.in Post/Fax Copy only
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NESRIP-02/ADB/PIU-9/2011/6

Dated Aizawl the 13th April 2012.

To,

The Nodal Officer
Gram Sabha.
Social Welfare Department
Aizawl : Mizoram

Subject : Issue of No Objection Certificate on diversion of land for Serchhip-Buarpui Road.

Sir,

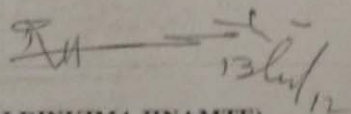
I have the honour to state that improvement and upgradation of Serchhip- Buarpui Road ADB funded project is to be executed soon. Proposal for forest clearance was already moved to the Environment & Forest Department, Government of Mizoram. Whereas with reference to the Ministry of Environment and Forests (FC Division) letter No. F. No 11-9/1998-FC (pt) 03 08 2009 sub no. (c) and (d) *(copy enclosed)* concerned Gram Sabhas must give consent to the proposed diversion. Accordingly no objection certificates are collected from the concerned Gram Sabhas which is enclosed herewith.

I therefore would like to request kindly to Issue No Objection Certificate on diversion of land for Serchhip - Buarpui Road.

Yours faithfully,

Enclosure :

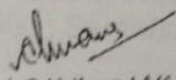
- 1) Ministry of E&F letter as above
- 2) NOC, Gram Sabha Thenzawl West
- 3) NOC, Gram Sabha Khawlek
- 4) NOC, Gram Sabha Buarpui
- 5) Index Map

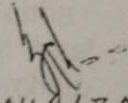

(LALRINKIMA HNAMTE)
 Project Director, PIU,
 Chief Engineer(Roads) PWD Office.
 Aizawl, Mizoram.

NO OBJECTION CERTIFICATE

Asian Development Bank tanpuinaa Serchhip - Buarpui kawngpui (MZO2) siamthatna tûrah hian in leh lo, thlai leh leilung tih chhiat tûrte chu Land Acquisition Act, 1894 (LAA, 1894) hmangin zângnadawmna pêk tûra ruahman a ni a. Kan rettheihna sukiang tûr leh kan hmasâwnna tûra sorkarin ruahmanna a siam hi kan lawm tak zet a ni.

Chutianga dân (LAA, 1894) ang taka tih a nih dân avâng chuan he kawngpui siam tûr chungchângah hian kan ram leilung, thlai, thing leh mau leh thil dang a tih chhiat tûrah pawh dodalna kan nei lo va, Thenzawl West Gram Sabha chuan a tul anga kawngpui siam a nih theihna tûrin hnialkalhna kan nei lo a ni.


 (C. LALCHHUAMCIMA)
 Secretary
 Gram Sabha
 Thenzawl West
 Dist. :- Serchhip


 (VANLALZAWNA)
 Chairman
 Gram Sabha
 Thenzawl West
 Dist. :- Serchhip

NO OBJECTION CERTIFICATE

For improvement and upgradation of Serchhip – Buarpui road (MZ02) with the assistance from Asian Development Bank; compensation for lands, structures and standing crops is to be provided as per Land Acquisition Act, 1894. We highly appreciate this Government's initiative to dispel our poverty and to uplift our socio-economic condition.

As the Law (Land Acquisition Act, 1894) is going to be implemented; we have no expostulation with regards to damage of our land, crops, trees and bamboo, etc. which is likely to happen due to the said road construction and we, the Thenzawl West Gram Sabha have no objection for construction of the road as needed.

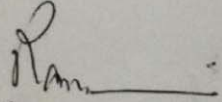
Sd/-
(C. LALCHHUANKIMA)
Secretary,
Gram Sabha
Thenzawl West
Dist : Serchhip

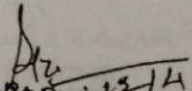
Sd/-
(VANLALZAWNA)
Chairman,
Gram Sabha
Thenzawl West
Dist : Serchhip

NO OBJECTION CERTIFICATE

Asian Development Bank ṭanpuinaa Serchhip – Buarpui kawngpui (MZO2) siamṭhatna tûrah hian in leh lo, thlai leh leilung tih chhiat tûrte chu Land Acquisition Act, 1894 (LAA, 1894) hmangin zângnadawmna pêk tûra ruahman a ni a. Kan retheihna sukiang tûr leh kan hmasâwnna tûra sorkarin ruahmanna a siam hi kan lawm tak zet a ni.

Chutianga dân (LAA, 1894) ang taka tih a nih dân avâng chuan he kawngpui siam tûr chungchângah hian kan ram leilung, thlai, thing leh mau leh thil dang a tih chhiat tûrah pawh dodalna kan nei lo va, Thenzawl East Gram Sabha chuan a ṭul anga kawngpui siam a nih theihna tûrin hnialkalhna kan nei lo a ni.

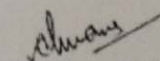

(K. RANDU HMANGMA)
Secretary
Gram Sabha
Thenzawl East
Dist. :- Serchhip

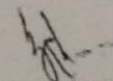

(LALROPUIH)
Chairman
Gram Sabha
Thenzawl East
Dist. :- Serchhip

NO OBJECTION CERTIFICATE

For improvement and upgradation of Serchhip – Buarpui road (MZ02) with the assistance from Asian Development Bank; compensation for lands, structures and standing crops is to be provided as per Land Acquisition Act, 1894. We highly appreciate this Government's initiative to dispel our poverty and to uplift our socio-economic condition.

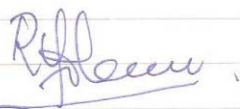
As the Law (Land Acquisition Act, 1894) is going to be implemented; we have no expostulation with regards to damage of our land, crops, trees and bamboo, etc. which is likely to happen due to the said road construction and we, the Thenzawl West Gram Sabha have no objection for construction of the road as needed.


(C. LALCHHUANICIMA)
Secretary
Gram Sabha
Thenzawl West
Dist. :- Serchhip


(VANLALZAWNA)
Chairman
Gram Sabha
Thenzawl West
Dist. :- Serchhip

NOC

In my village Area, in open Area
10 to 12 mtrs with reserve for Road and
9 to 10 mtrs in Built up Area. In this connection
the Road Construction may be possible
at the earliest.



(R. CHAITLANGTHANG)

President
Village Council/Court
Buarpi

NOC

IN MY VILLAGE COUNCIL AREA, IN OPEN AREA 10 TO 12
MTRS WIDTH & IN BUILTUP AREA 9 TO 10 MTRS WIDTH
RESERVE FOR ROAD. SO, THERE IS NO OBJECTION FOR ROAD
CONSTRUCTION. IN THIS CONNECTION THE ROAD CONSTRUCTION
MAY BE POSSIBLE AT THE EARLIEST.

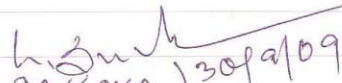


(J. LALTANPUIA.)

VCP KHAWLEK SOUTH

President
Village Council / Court
Khawlek 'S'

the my village Council area, in open area 10 to 12 meters width & in built up area 9 to 10 meters width reserve for road. So, there is no objection for road construction. In this connection the road construction may be possible at the earliest.


(L. SAILOVA) 30/9/09
President
Village Council/Court
Thenzawl / Serchhip District

Comparison between LA Act, NRRP and ADB Involuntary Resettlement Safeguards

SNo	ADB Safeguard Requirement	Land Acquisition Act 1894	NRRP, 2007	Remarks, and provisions in NRRP	Measures to bridge the Gap
	Objectives				
1	Avoid involuntary resettlement wherever feasible	X	✓		-
2	If unavoidable, minimize involuntary resettlement by exploring project and design alternatives	X	✓		-
3	To enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels	X	✓		-
4	To improve the standards of living of the displaced poor and other vulnerable groups.	X	✓		-
	Policy Principles				
5	Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks.	X	✓	While the policy does not specify any requirement for screening of the project at an early stage for resettlement impacts and risks, the process for resettlement planning is defined.	Screening of all sub-projects in line with the IR checklist of ADB, towards enabling identification of the potential resettlement impacts and associated risks.
6	Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks	x	✓	Clause 23. (1) After completion of baseline survey and census of the affected families under section 21, and assessment of the requirement of land for resettlement under section 22, the Administrator for Rehabilitation and Resettlement shall prepare a draft scheme or plan for the rehabilitation and resettlement of the affected families after consultation with the representatives of the affected families including women and the representative of the requiring body.	-

SNo	ADB Safeguard Requirement	Land Acquisition Act 1894	NRRP, 2007	Remarks, and provisions in NRRP	Measures to bridge the Gap
	Objectives				
7	Carryout consultations with affected persons, host communities and concerned NGOs. Inform all displaced persons of their entitlements and resettlement options	X	✓	Clause 10 (ii) hold consultation with the affected persons while formulating a rehabilitation and resettlement scheme or plan;	In addition to the consultations with the affected population, the framework includes provisions for information dissemination about the project including the entitlement and resettlement options to the affected persons.
8	Establish grievance redressal mechanism	x	✓	Clause 14.—provides for appointment by the appropriate Government of an ombudsman for time bound disposal of grievances, etc.	Given that the Resettlement Impacts are not envisaged to be significant, a project level GRM is included in the RP.
9	Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.	X	✓	Clause 4.—seeks to provide for social impact assessment study in certain cases in the proposed affected areas taking into consideration the impact that the project will have on public and community properties etc., and specify the ameliorative measures.	Social Impact Assessment, awareness campaigns, and social preparation phase will be done for any projects with significant impacts.
10	Improve or restore the livelihoods of all displaced persons through (i) land-based resettlement strategies (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.	X	✓	Clause 36 provides for the option of land based resettlement strategies	Structure to be compensated at replacement cost without depreciation
11	If there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities;	X	✓	Clause 30 – specifies that in case of involuntary displacement of less than four hundred families en masse in plain areas, or less than two hundred families en masse in tribal or hilly areas, DDP blocks or areas mentioned in the Fifth Schedule or Sixth Schedule to the Constitution, all affected families shall be provided basic infrastructural	Not envisaged under the proposed project. Therefore, the provision of alternative resettlement sites is not provided for in the framework.

SNo	ADB Safeguard Requirement	Land Acquisition Act 1894	NRRP, 2007	Remarks, and provisions in NRRP	Measures to bridge the Gap
	Objectives				
	provide transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.			facilities and amenities at the resettlement area as per the norms specified by the appropriate Government	
12	Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards	X	✓	Clause 46. The project authorities shall, at their cost, arrange for annuity policies that will pay a pension for life to the vulnerable affected persons (such as the disabled, destitute, orphans, widows, unmarried girls, abandoned women, or persons above fifty years of age), of such amount as may be prescribed by the appropriate Government subject to a minimum of five hundred rupees per month.	
13	If land acquisition is through negotiated settlement, ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status	X	✓		Not envisaged
14	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.	X	✓	Clause 3 provides that non-titleholders who has been residing or engaged in any trade, business, occupation or vocation continuously for a period of not less than three years in the affected area preceding the date of declaration of the affected area, and who has been deprived of earning his livelihood or alienated wholly or substantially from the main source of his trade, business, occupation or vocation because of the acquisition of land in the affected area or being involuntarily displaced for any other reason;	RP mandates that in the case of land acquisition, the date of publication of preliminary notification for acquisition under Section 4.1 of the LAA will be treated as the cut-off date for title holders, and for non-titleholders such as squatters the start date of the project census survey.

SNo	ADB Safeguard Requirement	Land Acquisition Act 1894	NRRP, 2007	Remarks, and provisions in NRRP	Measures to bridge the Gap
	Objectives				
15	Prepare a resettlement plan / indigenous peoples plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.	X	✓	Clause 23 provides for the preparation and content of the Resettlement Plan to be prepared.	-
16	Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders	X	X	The approved scheme or plan for rehabilitation and resettlement shall be published in the Official Gazette by the appropriate Government	In addition to the publishing of the approved resettlement plan, the RF includes provision for disclosure of the various documents pertaining to RP implementation.
10	Include the full costs of measures proposed in the resettlement plan and indigenous peoples plan as part of project's costs and benefits. For a project with significant involuntary resettlement impacts and / or indigenous peoples plan, consider implementing the involuntary resettlement component of the project as a stand-alone operation.	X	✓	Clause 28—seeks to make it the responsibility of the requiring body to provide requisite funds to the Administrator for Rehabilitation and Resettlement for implementation of the scheme/plan for affected families; the requiring body to deposit 1/3rd cost of the scheme or plan with the Administrator for Rehabilitation and Resettlement on finalization of the scheme or plan.	-
17	Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project	x	✓	Clause 29— seeks to provide that the compensation award, full payment of compensation etc. shall precede actual displacement of affected families where land acquisition is on behalf of a requiring body.	

SNo	ADB Safeguard Requirement	Land Acquisition Act 1894	NRRP, 2007	Remarks, and provisions in NRRP	Measures to bridge the Gap
	Objectives				
	implementation.				
18	Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.	x	✓	Clause 10 - The formulation, execution and monitoring of the rehabilitation and resettlement plan shall vest in the Administrator for Rehabilitation and Resettlement.	

TERMS OF REFERENCE FOR RP IMPLEMENTATION NGO/AGENCY

A. Project Background

1. Government of India has applied for assistance from Asian Development Bank towards the cost of North East State Roads Investment Program (NESRIP). This Program will assist the six states of the region to develop their road network and establish reliable road connectivity to the national and sub regional road networks. In Mizoram, Project Director, NESRIP, PWD Roads intends to utilize part of the proceeds of this loan for engaging services of a non government organizations (NGOs) and/or Agency, to assist in the implementation of the Resettlement Plan (RP) developed for a 55 kilometer road (Serchhip to Buarpui Road) in Serchhip and Lunglei districts of Mizoram. The services of the NGO and/or Agency shall include providing assistance to the Project Implementation Unit (PIU), NESRIP with grassroot skills and capacity for effective field implementation of the RP.

2. All possible steps have been taken to minimize land acquisition and demolition of structures so as to reduce adverse impacts on people settled along the road. Based on the GOI National Policy on Resettlement and Rehabilitation (R&R) Policy and ADB Safeguard Policy Statement (2009), PWD, Government of Mizoram has prepared a Resettlement Plan (RP) for the Serchhip to Buarpui Road contract package to deal with the involuntary resettlement impacts of the Project. The RP has been prepared based on census and baseline socio-economic surveys conducted in the affected districts. To assist in the implementation of the RP for this road Package, PWD Mizoram now invites the services of an eligible non-government organizations (NGOs) and/or Agency.

3. Mizoram Project Director, NESRIP - PWD intends to engage services of a non-government organization (NGO) and/or Agency, to assist in the implementation of the Resettlement Plan (RP) developed for a 55-kilometer road (Serchhip to Buarpui Road). The services of the NGO and/or Agency shall include providing assistance to the Project Implementation Unit (PIU), NESRIP with grassroot skills and capacity for effective field implementation of the RP.

B. Objective of the Assignment

4. Involuntary resettlement is a sensitive issue and strong experience in R&R matters along with community related skills will be required in order to build a good rapport with the affected communities and facilitate satisfactory R&R of the affected persons (APs). An experienced and well-qualified NGO/agency in this field will be engaged to assist the EA in the effective, timely and efficient implementation of the RP for this Package.

C. Scope of Work - Generic

5. The NGO/agency will play the role of a facilitator and will work as a link between the Project Implementation Unit (PIU) within NWSRIP - PWD and the affected community. Further the NGO/agency will inform the APs on aspects relating to R&R measures for implementation of the Project and ensure proper utilization of various compensations and assistance extended to the APs under the R&R entitlement package.

6. Under the tasks of assisting the implementation of the RPs, the broad scope of work of the NGO and/or Agency (according to the RP) will comprise of, but not limited to, the following:

- (i) Assist the DC office in compilation of the list of Affected Persons (APs) and inventory of loss based on the resettlement census conducted and update the same as required by any design changes, with computerized AP database and files;

- (ii) Planning and implementing public information campaign to disseminate information pertaining to the project and entitlements of the affected community;
- (iii) Assist in ensuring that the APs obtain their full entitlements as per the agreed entitlement matrix of the RP;
- (iv) Assisting the APs, especially from vulnerable groups, in resettlement and rehabilitation, including redressing grievances, and coordination with local authorities and other relevant institutions.
- (v) Develop and implement livelihood restoration/enhancement measures for identified severely affected or vulnerable APs;
- (vi) Assist in the APs accessing and participating in the Grievance Redressal Committees (GRC) established for the project;
- (vii) Assist the respective Revenue Circle Officer in land acquisition process, and provide support to APs in availing their entitlements and proper utilization of the same, and tracking and recording the disbursement of compensation and other assistance; and
- (viii) Monitoring and evaluating progress and achievement of resettlement objectives.

C. Scope of Work – Specific

7. Administrative Responsibilities of the NGO/Agency: The administrative responsibilities of the NGO/Agency will include:

- Working in co-ordination with the Resettlement Officer (RO) in the PIU and Executive Engineers.
- The NGO/Agency shall help to promote good working relationships between the APs and the PIU, particularly the RO. This will be achieved through regular meetings with both the RO and the APs. Meetings with the RO will be held at least fortnightly, and meetings with the APs will be held monthly, during the entire duration of the assignment. The NGO/Agency shall document all meetings and decisions taken.
- Preparing monthly action plans with targets in consultation with the RO.
- Assisting the RO in carrying out the implementation of the RP;
- Updating the database of APs and their entitlements;
- In consultation with the APs, the NGO/Agency shall prepare micro-level plans indicating the categories of entitlement, alternative livelihood options, and relevant institutions for obtaining additional training and support. Women's perceptions are important to be incorporated in the development of these plans.
- Reporting to the RO on a monthly and quarterly basis. The report should include physical and financial progress, both in quantitative and qualitative terms. The report should prominently feature the problems and issues addressed and tackled with the APs and the solutions found. The report should have a separate chapter on women's issues, their problems and what has been done (within the framework of the RP) to ensure their participation in decision-making as well as the options made available to them to access economic opportunities, marketing and credit. The report should clearly indicate the number of field visits made by the NGO/Agency staff and the outcome of consultations with people.

8. **Responsibilities for Implementation of the RP:** In general, the Project Implementation Unit (PIU), headed by a Project Director (PD), will be responsible to address and manage social issues. The role of PIU will be responsible for overall implementation of R&R activities as mentioned in the Resettlement Plan. The PIU will have a Resettlement Officer for duration of resettlement activities and a local NGO/agency for the effective, timely and efficient execution of the RP.

9. The key tasks of the selected NGO/Agency will be the following:

a. Act as community liaison during the compilation of the Inventory of Loss (IoL)

10. The NGO/Agency will participate as an independent monitor in the compilation of the Inventory of Loss based on the Resettlement Census conducted and any required updates caused by a change in the technical design of the alignment.

11. During the identification and verification of the eligible AP's, the NGO/Agency shall ensure that each of them are contacted and consulted either individually or in groups. It would be imperative to carry out consultations with the vulnerable groups, which include the following:

- Those who are Below Poverty Line (BPL)
- Those who belong to the Scheduled Castes
- Those who belong to the Scheduled Tribes
- Female Headed Households
- Elderly
- Disabled Persons

b. Computerization of AP Database and Files

12. Based on the identification and verification of the eligible AP's, the NGO/Agency would be responsible to create a computerized database of the AP's, their socio-economic profiles, vulnerability, the specific impact of the project on them, entitlements due to them as per the Resettlement Plan and other assistance available to APs either from government or as per the RP. The NGO/Agency would update this database, as and when required.

c. Information Campaign and Feedback

13. The NGO/Agency will be responsible for planning and implementing a public information campaign to disseminate information among the affected community. In particular, the NGO/Agency would be responsible to disseminate information regarding the following:

- The Project, its components, anticipated benefits and impacts on the community
- The Resettlement and Rehabilitation Policy and the Entitlements Matrix laid down in the RP
- Mechanisms and arrangements for availing their compensation and other assistances
- The role of NGO in assisting them in availing their entitlements, assistance in proper utilization of the same as well as mechanisms to voice their grievances and concerns.
- The progress of the RP implementation

14. The information campaign would include measures like distribution of information booklets, leaflets, notices and other Information, Education and Communication (IEC) materials among the AP's and the general community. The NGO/Agency would be additionally responsible in assisting the PIU in holding consultations with the affected

communities especially with the vulnerable sections and recording the outcomes of the same.

d. Accompanying and Representing the APs at the Grievance Redress Committee (GRC) Meetings

- The NGO/Agency shall nominate a suitable staff member to be a member of the Grievance Redress Committees for the respective contract packages.
- The NGO/Agency shall help the APs in filling the grievance application and also in clearing their doubts about the required procedures.
- The NGO/Agency shall record the grievance and bring it to the notice of the GRCs within seven days of receipt of the grievance from the APs. It shall submit a draft resolution with respect to the particular grievance of the AP, suggesting multiple solutions, if possible, and deliberate on the same in the GRC meeting through the NGO representative in the GRC.
- The NGO/Agency shall accompany the APs to the GRC meeting on the decided date, help the AP 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. (The time frame for the GRC to take a decision is 21 days).

e. Assist the AP's in availing their Entitlements and Proper Utilization of the same

- The NGO/Agency would be primarily involved in assisting the AP's in availing their entitlements apart from information dissemination about the procedures for the same.
- The NGO shall assist the EA 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 shall inform the RO about the shifting dates agreed with the APs in writing and the arrangements desired by the APs with respect to their entitlements.
- The NGO shall assist the APs in opening bank accounts explaining the implications, the rules and the obligations of a joint account and how s/he can access the resources s/he is entitled to.
- The NGO shall ensure proper utilisation of the R&R budget available for the package.
- The NGO shall ensure that economic investment options be available to APs to restore their losses of land and other productive assets. The NGO shall identify and advise the RO to disburse the entitlements to the eligible persons/families in a manner that is transparent, and shall report to the PWD on the level of transparency achieved in the project.
- The NGO/Agency will also play a key role in providing income restoration assistance to the displaced households losing their primary sources of livelihood/income as a result of the Project. The NGO/Agency shall undertake consultations with the displaced households on finalizing the skills training and also undertake a market feasibility survey to ascertain the feasibility of the skills being imparted to those affected. Based on the outputs of these, the NGO/Agency will plan out income restoration activities as per it. Emphasis will be paid to vulnerable groups such as female-headed households, SC & ST households, poor, landless, etc.

15. In addition, the NGO/Agency would also be responsible for liaison with the various government departments, in order to create a link between the existing government schemes and the affected groups.

f. Tracking and Recording the Disbursement of Compensation and Other Assurances

16. The NGO/Agency would be responsible for keeping a track of the disbursements of the entitlements so that no eligible AP is left unpaid of his/her rightful dues. This would include maintaining the accounts and records of the progress of the disbursement of the entitlements in a systematic and accurate manner as deemed fit. Further, the NGO shall permit duly authorized representatives of the PIU/GRC/ADB/GoM to inspect and make an audit of all such documents, accounts, records in connection with payments made as per the RP.

g. Preparation of Progress Reports

17. The NGO/Agency would be responsible to prepare all reports and documents related to the tasks enumerated in the above section especially regarding verification of the disbursement of entitlements (which is a precondition to the commencement of the civil works) as per the RP on a monthly basis and submitted to the PIU. The report would specifically include the following:

- A clear and complete account of tasks performed
- Work planned for the next reporting period;
- Status of funding and expenditure;
- Identification of any problems encountered or anticipated that would affect the completion of the project within the time and money constraints set forth in the agreement, together with recommended solution to such problems.
- Minutes of the meetings of the Grievances Redress Committee.

18. It is imperative to note that all such reports are the sole and exclusive property of the PWD Mizoram/PIU and cannot be used for any other purposes by the NGO/Agency without the prior written consent by the same (though they can keep copies of it).

D. Selection criteria, Staffing, Implementation Plan

19. The NGO/Agency to be selected for the tasks must have relevant experience for resettlement planning and implementation. Specifically, key quality criteria include:

- Experience in direct implementation of community programs in local, similar and/or other states;
- Availability of trained staff speaking the local language/s;
- Competence, transparency and accountability based on neutral evaluations, internal reports, and audited accounts;
- Integrity and experience to represent vulnerable groups against abuses and demonstrable mandate to represent local groups;
- Demonstrated experience in computerizing and managing project-related databases;
- Experience in socio-economic survey, community project planning, monitoring and evaluation; and
- Experience in working with local communities, providing technical information in an understandable way, and representing the concerns of local people in a constructive manner to government agencies in order to prevent misunderstanding and problems.

20. The NGO/Agency chosen will have to agree to the terms and conditions under the RP. The following staffing provision may be necessary for smooth and effective implementation of the RP within the time frame:

- Team Leader/Social Worker (1 no) : 12 Man Months

- Community Organizers/Workers (2 nos.) : 12 Man Months each

21. **Team Leader** must have a university degree in Social sciences or sociology or its equivalent and have at least 3-5 years experience in working with indigenous people/local communities, on rural participatory appraisals and or social sector activities with communities in Mizoram. The consultant's demonstrated work experience in the project areas, stakeholder consultation, public awareness campaigns, promotion of livelihood activities and training to communities will be given additional weight. The consultant should be conversant in local language and English and also have extensive experience in working with Government departments. Report writing skills and working knowledge on computers are a must.

22. **Community organizers/workers** shall have either a university degree or diploma with at least 2-3 years experience in working with communities on various social development programs in Mizoram. Working and speaking knowledge of local language is a must and English would be advantageous.

23. Interested NGO, academic institution, or registered agency should submit proposal for the work with a brief statement of the approach, methodology, and field plan to carry out the tasks. The proposal should include:

- Relevant information concerning previous experience working with communities and government on similar project implementation and preparation of reports.
- The proposal should also include samples of information brochures, AP files etc. to be used during the implementation phase.
- The field plan must address training and mobilization of staff
- Full CVs (2-3 pages) of key personnel.
- The agency must be an established organization registered with the Government.

E. Time Frame

24. The NGO would be hired from the fourth quarter of the year 2012 to initiate the RP implementation until the last quarter of 2012 (12 – 18 months) when all activities/ payments related to RP implementation would be completed. Work may be full or part time, continuous or occasional depending on progress and the needs of the resettlement and land acquisition process during its various stages.

TERMS OF REFERENCE FOR EXPERT/AGENCY FOR MONITORING OF RESETTLEMENT PLAN IMPLEMENTATION

A. Project description

1. The proposed North East State Roads Investment Program (NESRIP) is a part of MDONER's¹² initiative to bring the North Eastern Region into the mainstream of development. The project will assist the eight states of the region to develop their road network and establish reliable road connectivity to the national and sub regional road networks and thus facilitate regional integration and trade flows. The project will also support capacity building of road sector institutions at the state level and contribute to effective and efficient management of the road assets.

2. The Project road section (MZ02) Serchhip to Buarpui falls in Serchhip and Lunglei Districts of Mizoram. Road section starts from Serchip village on NH 54 and ends at Buarpuui village. The total length of the Project road is 55 kilometres.

3. The Project includes a provision for monitoring of the implementation of Resettlement Plan (RP) by an external expert /Agency. Therefore, the Project Implementation Unit (PIU) for this project, requires services of a experienced individual/Agency for monitoring of RP implementation.

B. Scope of work - Generic

4. Based on the monitoring information collected by the Project Implementation Unit (PIU) / Executing Agency (EA), the responsibility of the expert /Agency will be-

- To review and verify the progress in resettlement implementation as outlined in the RP and to assess the implementation of RP measures are on course to achieving its objectives;
- To monitor the effectiveness and efficiency of PIU and NGO in RP implementation.
- To assess whether resettlement objectives, particularly livelihoods and living standards of the Displaced Persons (DPs)¹³ have been restored or enhanced;
- To assess the efforts of PIU & NGO in ensuring 'Community Participation' with particular attention on participation of vulnerable groups namely (a) those who are below the poverty line (BPL); (b) those who belong to scheduled castes (SC), scheduled tribes (ST); (c) female-headed households (FHH); (d) elderly and (e) disabled persons.
- To assess resettlement efficiency, effectiveness, impact and sustainability, drawing both on policies and practices and to suggest any corrective measures, if necessary.
- To review the project impacts on Indigenous People and groups and assess the effectiveness of the mitigation measures adopted;

C. Scope of work- Specific

5. The independent monitoring expert /Agency will be involved in ongoing monitoring of the resettlement efforts by the EA/PIU. The expert /Agency will review and verify the monitoring data collected by the EA/PIU. The major tasks expected from the external monitor are:

- a) To develop specific monitoring indicators for undertaking monitoring for implementation of Resettlement Plans.
- b) Review results of internal monitoring and verify claims through random checking at the field level to assess whether resettlement objectives have been generally met.
- c) Identify the strengths and weaknesses of the resettlement objectives and approaches, implementation strategies.
- d) To review and verify the progress in resettlement implementation of subproject on a sample basis and prepare quarterly reports for the EA/PIU and ADB.
- e) Evaluate and assess the adequacy of compensation / assistances given to the DPs and the livelihood opportunities and incomes as well as the quality of life of DPs of project-induced changes.
- f) To evaluate and assess the adequacy and effectiveness of the consultative process with affected DPs, particularly those vulnerable, including the adequacy and effectiveness of grievance procedures and legal redress available to the affected parties, and dissemination of information about these.

D. Time Frame and Reporting

6. The independent monitoring expert /Agency will be responsible for monitoring of the R&R activities carried out by EA / PIU and will submit quarterly review directly to ADB and determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/ enhanced and suggest suitable recommendations for improvement.

E. Qualifications

7. The independent monitoring Expert/Agency should have significant experience in resettlement policy analysis and RP implementation. Candidates with degrees in anthropology, sociology, and development studies will be preferred.

8. Interested expert/Agency should submit proposal for the work with relevant information concerning previous experience on monitoring of resettlement implementation and preparation of reports. In case of expert the detailed CV should be submitted providing the details of the previous experience in monitoring of resettlement related activities. In case of Agency, the profile of Agency along with full CVs of monitors to be engaged must be submitted.

F. Budget and Logistics

9. The proposal - both technical and financial - should be submitted and the budget should include all cost and any other logistics details necessary for resettlement monitoring. Additional expense claims whatsoever outside the budget will not be entertained.