



# Resettlement Planning Document

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Project Number: 40648-034  
June 2015

## IND: Infrastructure Development Investment Program for Tourism - Tranche 3

Submitted by

Program Management Unit, Government of Uttarakhand, Dehrdaun

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**Asian Development Bank**



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*(ADB Assisted – Loan No. 2833, India)*

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Ref: 22782-10-ADB/IDIPT/PMU/248/2014-2015

Date: 27-03-2015

To,

The Country Director  
ADB, India Resident Mission  
New Delhi, India

**Sub: ADB Loan: 3223 IND: Infrastructure Development Investment Program for Tourism, Uttarakhand: Submission of Involuntary Resettlement Due Diligence Report: "Providing Tourist Infrastructure in Sem Mukhem Tehri".**

Sir,

As per SPS 2009 the "Providing Tourist Infrastructure in Sem Mukhem Tehri" sub-project comes under Involuntary Resettlement Category 'C'. The Due Diligence Report (DDR) has been prepared for explanation only, which is hereby submitted for your information please.

Encl: a.a.

Sincerely,

R.K. Joshi

(Addl. Program Director)

# **Involuntary Resettlement Due Diligence Report**

Document Stage: Draft Due Diligence Report

ADB Loan No: 3223 IND

Tranche: 3

March 2015

**India: Infrastructure Development Investment Programme for Tourism, Uttarakhand**

**Subproject – Providing Tourist Infrastructure in Sem Mukhem (Tehri)**

**Prepared by the Government of Uttarakhand for the Asian Development Bank.**

The Involuntary Resettlement Due Diligence Report is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

## **ABBREVIATIONS**

ADB	—	Asian Development Bank
BPL	—	Below Poverty Line
CBO	—	Community Based Organization
CLC	—	City Level Committees
DSC	—	Design and Supervision Consultants
GMVN	—	Garhwal Mandal Vikas Nigam
GoI	—	Government of India
GoUK	—	Government of Uttarakhand
GRC	—	Grievance Redress Committee
IDIPT	—	Infrastructure Development Investment Programme for Tourism
IA	—	Implementing Agency
LAA	—	Land Acquisition Act
LSGD	—	Local Self Government Department
MFF	—	Multitranchise Financing Facility
NGO	—	Non-Governmental Organization
NRRP	—	National Resettlement and Rehabilitation Policy
O&M	—	Operations and Maintenance
OMC	—	Operations and Maintenance Contractors
PAF	—	Project affected family
PAH	—	Project affected household
PIU	—	Program Implementation Unit
PMC	—	Program Management Consultants
PMU	—	Project Management Unit
RP	—	Resettlement Plan
SDS	—	Social Development Specialist
SPS	—	Safeguard Policy Statement
SO	—	Safeguard Officer
ULB	—	Urban local body
UTDB	—	Uttarakhand Tourism Development Board

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## **A. INTRODUCTION:**

1. The Infrastructure Development Investment Program for Tourism Financing Facility (the Facility) will develop and improve basic urban infrastructure and services in the four participating states of Himachal Pradesh, Punjab, Uttarakhand and Tamil Nadu—to support the tourism sector as a key driver for economic growth. The project uses a sector loan approach through a multi Tranche financing facility modality likely in five Tranches planned from 2011-2020. It will focus on: (i) strengthening connectivity to and among key tourist destinations; (ii) improving basic urban infrastructure and services, such as water supply, road and public transport, solid waste management and environmental improvement, at existing and emerging tourist destinations to ensure urban amenities and safety for the visitors, and protect nature and culture-based attractions. Physical infrastructure investments will be accompanied by: (iii) capacity building programs for concerned sector agencies and local communities for better management of the tourist destinations and for more active participation in the tourism-related economic activities, respectively.

2. The Infrastructure Development Investment Program for Tourism (IDIPT) envisages an environmentally and culturally sustainable and socially inclusive tourism development in Uttarakhand. The State tourism sub circuits divided into marketable cluster destinations that exhibit enhanced protection and management of key natural and cultural heritage tourism sites, improved market connectivity, enhanced destination and site, environment and tourist support infrastructure, and enhanced capacities for sustainable destination and site development with extensive participation by the private sector and the local communities.

## **B. SUB PROJECT:**

3. Sem Mukhem temple is located in tourism zone 4 of UNWTO Uttaranchal Tourism Development Master Plan (2007-2022). The subproject area is in Tehri Garhwal district of Uttarakhand State. The district of Tehri Garhwal is one of the largest districts of Uttarakhand. This district is considered to be one of holy place in the state, and it is located in the foothills of the Himalayan mountain range. There are many places that one can visit during trip to Tehri Garhwal, as there are numerous temples in the region and also many old forts built during 823 AD – 886 AD. Some important tourist locations in the region are Buda Kedar, Khatling Glacier and popular hill station Chamba. The subproject site is mentioned in almost all tourist guides of Uttarakhand. It is considered as an important tourist location in Tehri Garhwal. It is one of the important tourist locations for tourists visiting New Tehri and Tehri reservoir. Tourism is one of the main sources of livelihood in the Uttarakhand state. At the same time, tourists need: Facilitation, information and adequate, affordable accommodation at tourist destinations; and better communication system and approachability to tourist destinations. The sub project aims to aid and encourage cultural tourism, safe passage to the tourists, improve livelihood opportunities of population of Mukhem Village and surrounding villages by enhanced tourist activities. Sem Nagaraja temple is situated near the village Mukhem in Pratapnagar block of Tehri district, of Garhwal region in Himalaya. Transport facilities are available up to Mukhem village. The temple is situated at the top of a hill involving 2 km trek from a fair ground located at foothill.

4. The sub project is for providing tourism infrastructure at the temple of Nag Raja (the Serpent King) at Sem Mukhem located in Pratapgarh block of Tehri Garhwal district. The temple is held in high esteem by the people of the area. People consider it as the fifth dham<sup>1</sup> after Gangotri, Yamunotri, Kedarnath and Badrinath. The famous Sem Mukhem Mela (fair) is held once in every three years in the last week of November. The fair attracts lakhs of devotees from different parts of the State and beyond, who take blessings after offering prayers. VIPs including the Chief Minister usually attend the fair. A temporary helipad has been constructed for this purpose.

5. Present condition Sem Mukhem is an ancient temple of Lord Krishna<sup>2</sup>. It is believed that in the Dwapar Yug<sup>3</sup> brave Gangu Ramola used to live at Garh Mukhem. On hearing about his strength, Krishna took the guise of a Rishi<sup>4</sup> to test him. The lord sought alms at his home but Ramola's wife said that the alms would be given after he returned home from the forest. Angered at this, Lord Krishna turned Ramola and his 180 buffaloes to stone, which can still be seen at

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<sup>1</sup> Sacred place of worship as per Hindu mythology

<sup>2</sup> One of the main character of Mahabharata the Hindu epic

<sup>3</sup> Era before the Birth of Christ

<sup>4</sup> Hermit

the site. She realized who the Rishi was and sought her husband's life back from Krishna, who refused to concede and gave her water instead. Later the Lord lost himself in meditation at this naturally beautiful area. Now, once in every three years, lakhs of people throng with musical instruments to the fair held here. The normal tourist season is in the month of April, May and June. Mule service is available during festivals on demand. Accommodation is presently provided by the Temple Priests / 'Pandas' of the village Mukhem. Apart from that, there is one Ashram of Swami Kulananda, where minimum boarding and lodging is available. Devotees can stay in this ashram (only dormitory facilities are available for 20 persons). Currently the tourist infrastructure at the temple is not adequate. The major infrastructure bottlenecks includes narrow and damaged approach road to the temple and lack of basic facilities such as toilets, accommodation and rest shelter near the temple. The sub project is intended to provide these facilities to tourists.

6. Sem Mukhem Temple lacks tourist infrastructure and good approach road. Therefore, there is an urgent need to provide required the tourist infrastructure. As the tourist location does not have adequate facilities and approach to the site not good, numbers of visitors to the site is less. If the approach road to the site is improved and required tourist facilities are provided, number of tourists to the site will increase substantially. At present, daily tourist visiting the temple is about 100. Number of daily tourists in the month of April, May is about 350. After improvement in facilities, number of tourists will increase substantially as there are other tourist destinations in the region. The proposed infrastructure will be very useful during Sem Mukhem Mela that take place once in three years. On the day of Mela, several lakhs of tourists visits the temple.

7. The main reasons of investment is summarized as below:

The sub project aims to aid and encourage cultural tourism, safe passage to the tourists, improve livelihood opportunities to population of Mukhem Village and surrounding villages by enhanced tourist activities.

The main objectives of the sub-project are to:

- Improve basic tourist infrastructure and services available at the tourist destination of Sem Mukhem Temple and also at nearby Mukhem village.
- Involve local communities in tourism and economic activities and generate more income.
- Improve economic condition of local communities.

8. Field visit has been done to the sub project location to find out existing situation. The findings during field study are as below.

9. Mukhem village is located at a distance of 4Km from Sem Mukhem Temple. It is the nearest village to Sem Mukhem temple. It is situated within Pratapnagar Tehsil of Tehri District. A profile of Mukhem village is given below:



- i) Total population: 1124 (Male: 531, Female: 593)
- ii) Hamlets: 3 numbers (Mukhem, Pokhari, Sadar Gaon).
- iii) Literacy: 70%.
- iv) Major Occupation: Agriculture
- v) Electricity Supply in Village: Good. But, there is no street light).
- vi) Educational Institution: Primary School 3 ; Middle School : 1 ; Intermediate College: 1
- vii) Internal Road: All Kutcha (unpaved) except the main road. The main road (KDM Road) has bituminous surface.
- viii) Water Supply: There is gravity source nearby. But, there is no pipe network.
- ix) Sanitation: 90% households have toilets with individual septic tanks. There is no community toilet.
- x) Solid Waste Management: No solid waste management.
- xi) Storm water drainage network: There is no storm water drainage network.
- xii) Health Facility: There is one ayurvedic primary health center.

#### 10. **Situation at Sem Mukhem Temple Premises:**

Field visit has been made to the sub project location to find out existing situation. The findings during field study are as below.

- i) Sem Mukhem temple is in good condition and does not need any conservation works.
- ii) Approach road to the temple is damaged. Road is not good for about last 23km to the temple. Road is single lane and narrow in some stretches. The entire approach road from Kodar to fair ground of about 23 Km length is not in good condition. The road is taken up for improvement in another ADB assisted project and as reported, work will start soon.
- iii) There is no tourist facility such as toilet, rest shelter and accommodation near the temple.
- iv) The 1.5 Km pathway is not good and damaged. There is no sitting arrangement to take rest. Last 500m of the pathway is very steep. No rest shed was found in the entire stretch. There are a few broken concrete benches on the pathway.
- v) The dharamsala in the temple premises is in dilapidated condition. There is no toilet in the dharamsala.
- vi) The temple is visited by about 100 persons in a day. In April and May, visitor's number increases to 350.
- vii) No road signage observed on the way to Sem Mukhem temple.
- viii) There is only one source of drinking water near the temple, which is not safe and nor sustainable.
- ix) There is no proper solid waste collection disposal system.

- x) Electricity connection is available in the temple. But, there is no outdoor lighting arrangement in the temple and on the pathway.
- xi) Elderly and physically weak devotees are unable to reach the temple due to location of temple in high altitude and the terrain being inhospitable.
- xii) No guide / volunteer is available for assistance and information to tourists.
- xiii) No medical facility is available nearby.
- xiv) There is no proper hotel in nearby areas, where devotees can stay. Basic hotel facilities are available only at Lam Gaon. The distance in between Lam Gaon and Sem Mukhem is almost 30 km.
- xv) Only in-frequent private vehicle- trekker services are available between Mukhem and Lambgaon, Tehri, Rishikesh etc.
- xvi) Presently, the temple is maintained mostly from the funds of the temple-trust.

#### **11. Situation at Fair Ground:**

Fair ground is undulating and undeveloped. On the day of Mela, there is large gathering of devotees on the Fair ground. The gathering is so large that, people also occupy the slopes of nearby hillocks. There is no tourist facility on fairground except a small shop. There is no toilet, drinking water facility, rest shelter etc. at fair ground.

The extent of area at Fair Ground is about 3 hectare. There was no earlier effort for planned development of fair ground. There have been no planned activities on the fair ground.

Looking at the condition of approach road to fair ground, walkway from fair ground to the temple, it is clear there was no earlier effort to develop Sem Mukhem Temple as a tourist destination.

#### **12. Situation at Mukhem Village:**

One major problem of Mukhem village is poor road connectivity. Also, internal concrete roads in the village are damaged and in poor condition. Some internal roads are not paved.

Water supply in the village is not adequate. There are 8 damaged stand posts. Water pipe network is not adequate and there is no house connection.

There is no street light in the village. There is no solid waste management and solid wastes are dumped on roadside.



**Fig 1: Sub Project Location**

## C. PRESENT LAND AVAILABILITY STATUS OF SITE:

13. The Sub project is conceived as one of the priority Sub projects of Uttarakhand under Infrastructure Development Program for Tourism in Uttarakhand. It is proposed to enhance tourist Infrastructure for the Cultural tourists and general tourists to boost tourism sector.

14. The Sub-Project will be located primarily on public owned land (Government of Uttarakhand). The revenue department records mentioning the status of the land belongs to Government has been placed in **Annexure 1**. As documentary evidence the copy of the letter regarding no objection by the Temple Committee to improve the proposed infrastructure has been placed in **Annexure 2**. The access pathway from fair ground to temple is under the ownership of forest department, where major work will be undertaken by Tourism Department as decided in the meeting held on 29th September 2014 **Annexure - 3**. A letter to UTDB has been sent to know the status of forest clearance **Annexure – 4**. No land acquisition and resettlement impact are envisaged in this project.

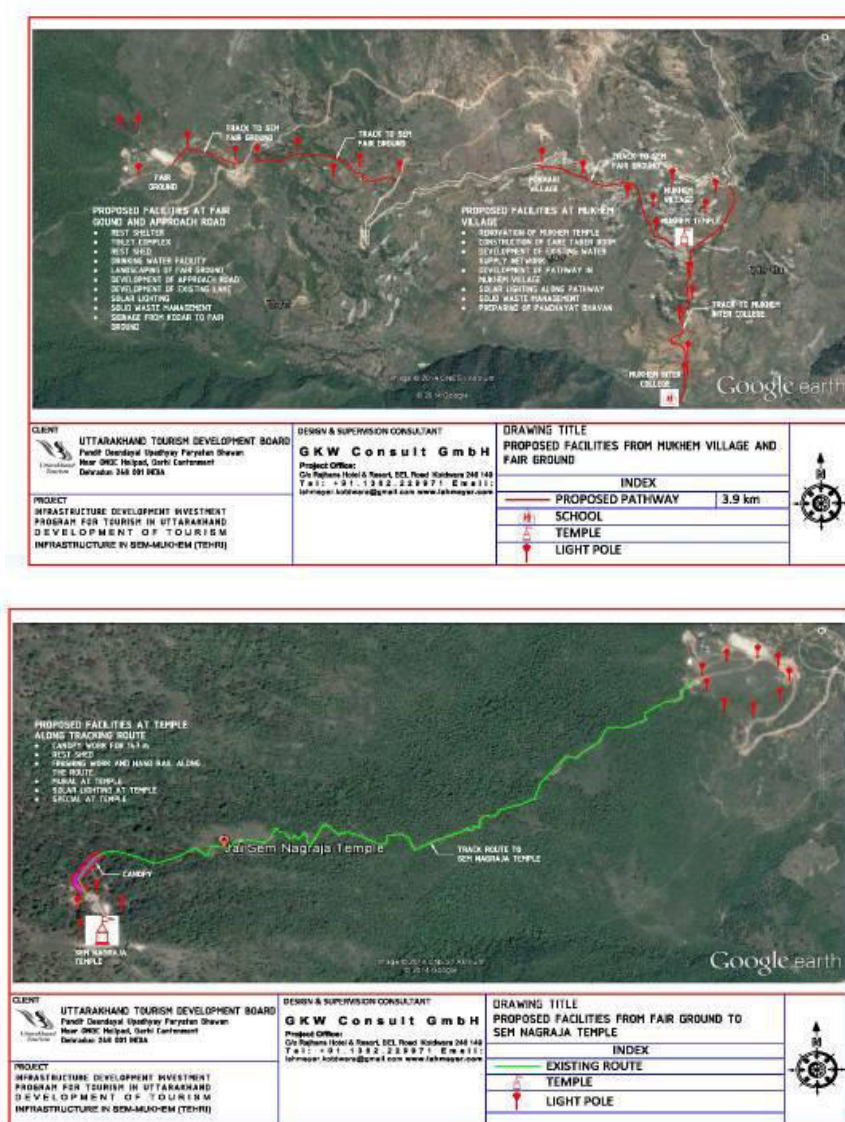


Fig 2: Location wise Proposed Sub Project Infrastructure

## D. PROPOSED COMPONENT OF THE PROJECT:

15. Table 1 below provides a summary of the subproject and components proposed under this project. The sub project lay out indicating the areas and facilities planned has been presented in fig. 2 above. The selected photographs of the site has been presented in **Annexure 5**.

**Table 1: Description of the Subproject Components**

Sub Project	Location	Description of subproject Components
Improvement of Tourist facilities In sem Mukhem	<b>Proposed work at Temple Premises</b>	<ul style="list-style-type: none"> <li>i. Providing solid waste bins and construction of compost pit. Solid wastes from Mandir complex will be collected in collection bins and ultimately dumped in to compost pit to be developed in the sub project.</li> <li>ii. Solar light at the temple complex.</li> </ul>
	<b>Proposed Works on Walkway to Temple Premises:</b>	<ul style="list-style-type: none"> <li>i. Canopy for a length of 147 m on walkway in between fair ground and Nagraj Temple.</li> <li>ii. Solid waste bins.</li> </ul>
	<b>Proposed works at fair ground</b>	<ul style="list-style-type: none"> <li>i. Rest Shelter at fair ground.</li> <li>ii. Toilet complex at fair ground including septic tank with soak pit.</li> <li>iii. Water supply Arrangement at Fair Ground.</li> <li>iv. Landscaping of fairground so that the built environment with its landscaped areas depicts the local flavour both culturally as well as architecturally. Locally available materials shall be used for construction. The landscaping elements shall incorporate local foliages and flora.</li> <li>v. Pathway from main road to entry point for temple at fair ground.</li> <li>vi. Solar lighting system is proposed. Also, normal outdoor lights are proposed at fair ground. Electricity source for illumination works is from Uttarakhand Power Corporation Limited and the same is reliable.</li> <li>vii. Development of existing lake near fair ground.</li> <li>viii. Solid waste bins and compost pits at Fair Ground. Solid wastes from Fair ground and Mandir complex will be collected in collection bins and ultimately dumped in to compost pit to be developed in the sub project.</li> <li>ix. Murals depicting the story of Lord Krishna at 4 locations.</li> </ul>
	<b>Proposed work at Mukhem Village</b>	<ul style="list-style-type: none"> <li>i. Renovation of existing Temple in Mukhem village.</li> <li>ii. Renovation of existing entry gate of Mukhem village.</li> <li>iii. Development of internal roads in Mukhem village.</li> <li>iv. Expansion of existing pipe water supply network.</li> <li>v. .Installation of solar lighting system.</li> <li>vi. Solid waste management with compost pits in Mukhem village.</li> <li>vii. Tourism Siganges on the 23Km road from Kodar to Fair Ground.</li> </ul>

## **E. SCOPE OF THIS DUE-DILIGENCE REPORT:**

16. This report has been prepared for the development of infrastructure for infrastructure development in and around temple complex under **Tranche 3**. The DDR has been prepared based on the DPR, site visit, transact work, consultations etc. There is no involuntary resettlement involved in this sub-project; hence preparation of RP is not required. This subproject has been categorized as “C” for Involuntary Resettlement and Indigenous People. The brief policy framework ADB and GOI has been presented in **Annexure-6**. This due-diligence report has been prepared as per the requirement of ADB for project processing and clearance. This report summarizes the project impact and outcome etc also.

## **F. PROJECT IMPACT AND OUTCOME:**

17. The Objective of the IDIPT is to have enhanced and sustainable economic growth of Uttarakhand with emphasis on promoting commerce and improvement of livelihood of the poor by exploring potential of Tourism sector. The Investment Program envisages improvement of Tourist infrastructure, urban environment and better living conditions in the state, as well as for the increasing number of tourists visiting the State. Positive impact is anticipated in terms of employment opportunity as many skilled, semi-skilled and un-skilled personnel will get direct and indirect employment during construction phase. During operations of the improved infrastructures and services, added residential developments, commercial and business facilities and increased densities are expected to develop and enhance the subproject area. This can be considered a long-term cumulative benefit of the sub project. The subproject is unlikely to cause significant adverse impacts.

Main outcome of the Investment Program are expected to be:

- I. Improved basic infrastructure (such as construction/refurbishment of tourist accommodation, water supply, sanitation, road and public transport, solid waste management, and environmental improvement) and incidental services (such as, parking, landscaping, public toilets, resting places etc.)
- II. Improved connectivity to tourist attractions focusing on the improvement of last-mile connectivity;
- III. Enhanced quality of natural and cultural tourist attractions to ensure convenience and safety for visitors;
- IV. Greater participation by local communities in tourism-related economic and livelihood activities;
- V. Strengthened capacity of concerned sector agencies and local communities for planning, development, management, and marketing of tourist destinations and attractions; and
- VI. Promoting private sector participation and small businesses

The benefits from implementation of the project will be:

- i) To develop greater awareness and understanding of the significant contributions that tourism can provide to the environment and the economy.
- ii) To promote equity in development.
- iii) To improve the quality of life of the host community.
- iv) To provide a high quality of different experience to the visitor.
- v) To maintain the quality of the environment on which the foregoing objectives depend.

- vi) Build environmental and cultural awareness and respect.
- vii) To provide positive experiences for both visitors and hosts.
- viii) Provide financial benefits and empowerment for local people.

18. The Tourism department will suitably advertise and the DSC will educate the nearby communities about the proposed project and its potential benefits. Employment and business opportunities created as a result of the added tourist inflow during the season. The proposed site for the proposed project facilities to be created within the government owned land and presently free of encumbrances. Hence, there is no resettlement issues related to the site. In fact, employment and business opportunities to be created as a result of the added facilities, will contribute towards socio-economic development of local population of surrounding villages. The proposed project provides the mutually beneficial opportunities for community participation in government programs. Capacity building of local communities and NGOs may be initiated at the local government levels, soliciting involvement of locally elected bodies, NGOs and religious trusts to support the venture and gradually shoulder O&M responsibilities and actively promote scaling up of the initiative.

19. At present, there is scanty tourist facility during the mela (fair) time in Sem Mukhem. Some temporary and inadequate facilities are organized by district administration and some individuals during the fair time.

20. Within the given framework mentioned above, the proposed project will actively promote Community Based Tourism (CBT) and tourism supply chain initiatives. Its focus will include nine key areas: (i) development of community-based tour products and services; (ii) public awareness program on sustainable tourism; (iii) identification and development of tourism-related supply-chains; (iv) micro and small enterprise capacity development; (v) construction of small tourism-related infrastructure; (vi) promotion of gender and ethnic participation; (vii) marketing and promotion; (viii) promotion of community tourism networks and tourism stakeholder associations; (ix) preparation of joint manuals to guide the preparation and implementation of pro-poor tourism initiatives.



## G. SCOPE OF LAND ACQUISITION AND RESETTLEMENT:

21. The subproject will not result in any permanent land acquisition and resettlement impacts because it will be undertaken within the government owned land. The land belongs to revenue department of Government of Uttarakhand and a part of forest land. The documentary evidence of land records has been presented showing the ownership of the GoUK in land records presented in **Annexure-1**. There is no encroachment by any private parties on the land. There are no squatter or kiosks either residing or doing any commercial activities within the site area. As the intervention will be on publicly owned land, no land acquisitions and resettlement requirements are envisaged.

**Table 2: Sub project Components and its Impact on Land Acquisition & Resettlement**

Sub Project	Location	Description of subproject Components	Impact on Land Acquisition and Resettlement	Temporary Impact	Remarks
Improvement of Tourist facilities In sem Mukhem	Proposed work at Temple Premises	I. Providing solid waste bins and construction of compost pit. Solid wastes from Mandir complex will be collected in collection bins and ultimately dumped in to compost pit to be developed in the sub project. II. Solar light at the temple complex.	Nil	Nil	Land is in possession of Temple Committee and GoUK. <b>Annexure 1</b> <b>Annexure 2</b>
	<b>Proposed Works on Walkway to Temple Premises :</b>	I. Canopy for a length of 147 m on walkway in between fair ground and Nagraj Temple. II. Solid waste bins.	Nil	Nil	The access pathway from fair ground to temple is under the ownership of forest department. Communication with UTDB is under process- <b>Annexure-4</b>
	<b>Proposed works at fair ground</b>	I. Rest Shelter at fair ground. II. Toilet complex at fair ground including septic tank with soak pit. III. Water supply	Nil	Nil	Land is in possession of Temple Committee and GoUK. <b>Annexure 1</b> <b>Annexure 2</b>

Sub Project	Location	Description of subproject Components	Impact on Land Acquisition and Resettlement	Temporary Impact	Remarks
		<p>Arrangement at Fair Ground.</p> <p>I. Landscaping of fairground so that the built environment with its landscaped areas depicts the local flavour both culturally as well as architecturally. Locally available materials shall be used for construction. The landscaping elements shall incorporate local foliages and flora.</p> <p>II. Pathway from main road to entry point for temple at fair ground.</p> <p>III. Solar lighting system is proposed. Also, normal outdoor lights are proposed at fair ground. Electricity source for illumination works is from Uttarakhand Power Corporation Limited and the same is reliable.</p> <p>IV. Development of existing lake near fair ground.</p> <p>V. Solid waste bins and compost pits at Fair Ground. Solid wastes from Fair ground and Mandir complex will be collected in collection bins and ultimately</p>			

Sub Project	Location	Description of subproject Components	Impact on Land Acquisition and Resettlement	Temporary Impact	Remarks
		<p>dumped in to compost pit to be developed in the sub project.</p> <p>VI. Murals depicting the story of Lord Krishna at 4 locations.</p>			
	<b>Proposed work at Mukhem Village</b>	<p>I. Renovation of existing Temple in Mukhem village.</p> <p>II. Renovation of existing entry gate of Mukhem village.</p> <p>III. Development of internal roads in Mukhem village.</p> <p>IV. Expansion of existing pipe water supply network.</p> <p>V. Installation of solar lighting system.</p> <p>VI. Solid waste management with compost pits in Mukhem village.</p> <p>VII. Tourism Siganges on the 23Km road from Kodar to Fair Ground.</p>	Nil	Nil	<p>Land is in possession of Temple Committee and GoUK.</p> <p><b>Annexure 1</b></p> <p><b>Annexure 2</b></p>

## **H. INDIGENOUS PEOPLES:**

22. There will be no impact on Indigenous peoples (IPs). All the proposed construction activities will be done within the vacant government land. This sub project is categorized as “C” for Indigenous Peoples. No Indigenous Peoples Development Plan (IPDP) will be needed for this sub-project.

## **I. GENDER ISSUES:**

23. The proposed project does not have any adverse impact on women and/or girls or to widen gender inequality. The project will however have some positive potential employment scope. To create awareness among the upcoming development activities and their livelihood opportunities that are likely to come up continuous consultation and focus group discussion with women community in subproject area will be conducted throughout the project implementation period for participation in income generation and livelihood related activities.

## J. PUBLIC CONSULTATIONS:

24. Census Survey was not undertaken because of the reasons mentioned above, i.e. there is no physical or economic, temporary or permanent, IR impact. No person or community is being adversely affected by this sub-project. No land or asset acquisition is necessitated in this sub-project. So people and communities will not be physically or economically displaced due to the sub-project interventions. No CPR will also be affected. The vulnerable group, indigenous and other ethnic groups are not being impacted. Since there were no APs, Census and (Baseline) Socio-Economic Survey were not conducted. A summary of resettlement impact and the socio-economic table therefore is redundant. A detailed transact walk and few public consultations were conducted by the project team to understand the possible impacts of the project.

25. During consultation meetings, participants were of the view that this sub-project is important and very much needed and all are pleased by the upcoming project and they supported this project. There was no opposition for this sub-project as this proposed project will be on government land.

26. The summary of consultations with communities and temple trust members regarding the benefit of the project with an objective of disclosure information, facilities and future prospects are presented in the following table 3. During the consultations the participant demonstrated great interest for the proposed development and employment potential due to development. This was especially evident amongst the local youth and others. The signature sheets, of the consultations and photographs of consultation are placed in **Annexure 7**. The summary outcome has been presented in **table 3** below.

**Table 3: DETAILS OF STAKEHOLDER CONSULTATIONS**

S.N	Place	Date	with whom	Issues discussed	Outcome of discussions
1	Sub project site and Mukhem Village	17/12/2013,22/01/2013 and 21/08/2014	With local villagers as member of temple trust etc.	Sub project details, project benefit, project related proposed infrastructure and facilities etc.	The local people and member of temple trust were happy to note that such facilities are proposed in and around the areas of temple. The villagers were happy to note that the project will provide some infrastructure facilities in the surrounding villages. They expressed their concern as the proposed facilities will act as good opportunity to find livelihood opportunities also.

## **K. FINDINGS:**

27. In this Sub-Project intervention, full or partial, permanent or temporary, physical and economic displacements are absent. There are no Project Displaced Persons (DPs); no land or structure is impacted, no common property resources are affected. Even nobody's livelihood either temporarily or permanently is likely to be affected.

28. The subproject will not result in permanent land acquisition and resettlement impacts because it will be undertaken within the land available which belongs to revenue department of GoUK. As the intervention will be on publicly owned land, no land acquisitions and resettlement requirements are envisaged.

29. This subproject has been categorized as "C" for Involuntary Resettlement (IR) impact as per the ADB's Safeguard Policy Statement, 2009 (SPS). **(Annexure 8).**

## **L. OTHER SOCIAL MEASURES AND RECOMMENDATIONS:**

30. Although there is no land acquisition and resettlement impact in this sub-project, even then the contractor shall ensure that the construction staff shall adhere to the following code of conduct while undertaking construction activities:

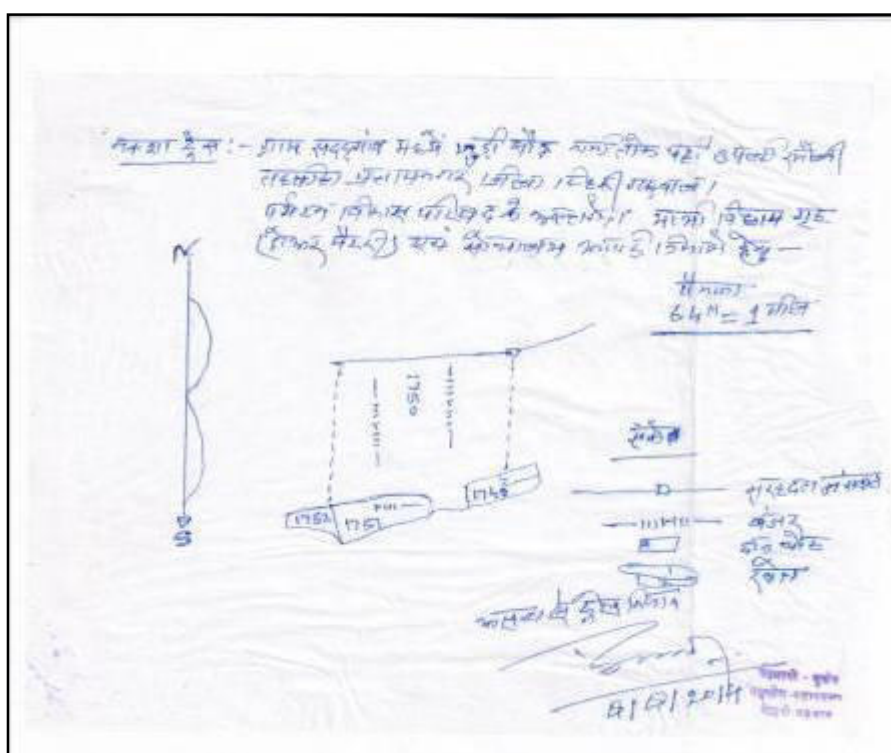
- Regularly remove trash from the site on scheduled clean-up days;
- Entire area will be declared as plastic free, smoking free and silence zone and sign boards for the purpose should be displayed at site.
- Prior to commencement of site activities and mobilization on ground, the Contractor will prepare and get approved by the Engineer, circulation plan during construction stage for safe passage of tourists/pilgrims, including development of alternative access routes, traffic regulations, signage, etc., during construction. The Contractor with support of the PIU will carry out dissemination of these information and circulation plan at key entry points to the respective destinations.



## **M. CONCLUSION:**

31. It is concluded from this due diligence study that: the proposed infrastructure improvements will not change substantially the present land use; there will be no issues of land acquisition and resettlement related to these subprojects. All facilities will be built on vacant government land. Due to project intervention, there will be no loss of income of any person or any assets, either privately owned or publicly owned. In case any claims or complaints are submitted during the construction period, an effective and efficient Grievance Redress Mechanism, needs to be formed which will enhance provision of timely and sensible hearings and facilitate solutions. The information will be disseminated during public consultations with stakeholders including locals.

**Land records certified by the revenue department officials showing GoUK ownership**

[illegible]

**Transcript of NOC: The Nagaraja Temple Committee has no objection to develop infrastructure within and nearby the temple premises. The temple committee will support the proposed subproject with full participation.**

**Minutes of Meeting on Tourism Infrastructure in Sem Mukhem sub project**

**Date:** 29<sup>th</sup> Sep 2014

**Venue:** UTDB Conference Hall

**Chaired by:** Program Director, IDIPT

**Attended by:** Representatives of PMU, Concerned Forest Division, DSC and UTDB (list enclosed)

**Background:** Meeting was called to discuss the components to be taken under IDIPT in the proposed "Tourism Infrastructure in Sem Mukhem" sub project, since works in the same area are also proposed to be undertaken by UTDB. As the sub project location falls in Reserve Forest, hence forest clearance related issues were also to be discussed.

**Minutes of Meeting:**

The outcome & decisions of the meeting are as follows:

1. A presentation on proposed components in the "Tourism Infrastructure in Sem Mukhem" sub project under IDIPT was made by the Team Leader DSC Kotdwar, wherein the components were shown as below:
  - Proposed Infrastructure at Temple Premises
  - Rehabilitation of Pathway to Temple
  - Proposed Infrastructure at Fair Ground including Development of existing lake
  - Proposed Infrastructure at Mukhem Village
2. It was presented by the DTDO, Tehri that following works are proposed to be executed by UTDB in and around Sem Mukhem Temple:
  - Dharamshala with Canteen
  - Toilet block (2 nos.), Bathroom (3 nos. W.C.) and Washbasin (4 nos.) in the passage
  - Benches in tracking path – 40 nos.
  - Yatri shed in tracking path – 18 nos.
  - Development of tracking path – 1850 mtr.
3. After detailed discussion on the sub project components the DSC was directed to change the scope as below to avoid any duplicity of efforts

**Following was suggested to be avoided from IDIPT**

- Development of tracking path
- Provision of benches
- Repair and renovation of Dharamshala
- Infrastructure works in the temple premises
- Construction of Dharmshala – Dormitory type with rest shelter at fair ground.

**Following was suggested and agreed to be undertaken**

- Canopy on the entire pathway to Nagraj Temple
- Provision of signages from Kodar to the temple
- Water supply
- Development of Existing Lake
- Provision of solar powered Lighting System
- Development of Murals
- Development of solid waste management system
- Works in the Mukhem village as proposed by the DSC in consultation with DTDO

Program Director directed the DSC to finalize the same in due consultation with the DTDO and the DTDO was also instructed to cooperate with the DSC and provide necessary guidance and support to the DSC in view of the timelines of the project.

The meeting ended with thanks to the chair.

Ref.: ~~73~~2-10-ADB/IDIPT/151/2013-14


Date: 29.09.2014



(R.K. Joshi)  
Additional Program Director

**CC to the following for information and necessary action:-**

1. DFO Tehri Division, Uttarakhand Forest Department with request to provide NOC for the said works and necessary guidance
2. DTDO Tehri to provide coordination and guidance
3. Project Manager, PIU, Kotdwar for information and necessary action
4. Team Leader, PMC for information
5. Team Leader, DSC Kotdwar for information and necessary action
6. All Experts PMU, for information



(R.K. Joshi)  
Additional Program Director





Govt. of Uttarakhand

Tel: 91-135-2559987, Fax: 91-135-2559988

**Program Management Unit**  
**Infrastructure Development Investment Program for Tourism**  
 (ADB Assisted – Loan No. 2833, India)  
**Government of Uttarakhand**

Pandit Deendyal Upadhaya Paryatan Bhawan, Near ONGC Helipad  
 Garhi Cant, Dehradun -248003

E-mail: utdb.pmu@gmail.com



2031/ 2-10/ADB/IDIPT/PMU/15/2013-14

date: 22/01/15

To  
 Additional Director  
 Uttarakhand Tourism Development Board  
 Dehradun

**Sub: Development of Tourism Infrastructure in Sem Mukhem****Ref: Minutes of Meeting dt. 29<sup>th</sup> Sep, 2014**

Dear Sir,

Kindly refer to the meeting held on 29<sup>th</sup> Sep, 2014 (copy enclosed) wherein detailed discussion was held on components to be undertaken in and around Sem Mukhem temple under ADB funded IDIPT and works under UTDB. Subsequent to this, certain components were removed from the scope of IDIPT, to avoid duplicity of works in the same site. Development of tracking path along with benches and Yatri shed is one of the components of the DPR provided by your Office, which were eliminated from our scope pursuant to the meeting. Now only canopy over the Pathway along with finishing works proposed under our Project.

As you are aware that Sem Mukhem Temple and the tracking route lies in Reserve Forest under Tehri Forest Division which triggers the requirement of Forest Clearance under Forest Conservation Act, 1980. Considering the scope of our works (under IDIPT) i.e. canopy installation over the tracking route, it is requested to update the status of Forest Clearance so that the same could be referred for our documentation.

Kindly provide the status of Forest Clearance Application for your proposed project in Sem Mukhem so that compliance of safeguards could be achieved and reflected accordingly in our documents.

Encl: as above






Yours Sincerely

  
 R.K. Joshi  
 (Addl. Program Director)

**Copy to:** DTD, Tehri with ref. to the meeting held on 29/09/14. He is requested to kindly get the required NOC from Forest Dept. and also send a copy of the same to this office for onward submission to ADB.

  
 (Addl. Program Director)

# Site Photographs

	
<p><b>Existing Fair Ground</b></p>	<p><b><i>Existing Dharmasala(Night Resting Place)</i></b></p>
	
<p><b>Existing pathway</b></p>	<p><b><i>Existing Water facility</i></b></p>
	
<p><b><i>Sem Mukhem Temple</i></b></p>	

## SUMMARY POLICY FRAMEWORK

### A. POLICY AND LEGAL FRAMEWORK

The policy framework and entitlements for the Program are based on national laws: The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and ADB'S Safeguard Policy Statement, 2009 (SPS). The salient features of Government and ADB policies are summarized below.

#### 1. Government Policy:

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (The Central Government has notified January 01, 2014 as the effective date of the act)

The act provides for transparent process and fair compensation to land owners and those affected by land acquisition, for land acquired for public purpose. In determining market price, (Sec 26 read with 1<sup>st</sup> Schedule) the land owner in urban area will get twice, due to the 100% solatium and in rural area, the multiplying factor is 1 to 2 depending on distance from nearest urban centre, to be notified by appropriate government, and then 100% solatium.

Traditionally R&R has been in the form of a one-time compensation, which was decided using the last registered sale or a similar sale in the vicinity of the land as a base. After the proposed project is set up, the land prices rise owing to the benefits of the development. This creates considerable dissatisfaction amongst the displaced people. To prevent such issues, the entire R&R package stipulates the provision of employment by the project owner in cases where jobs are generated by the project and basic infrastructure including drinking water, individual electric connections, health centre etc for the resettled. Over and above this, delivery of the compensation and the R&R are proposed to be preconditions to the transfer of the land title.

The procedure for acquisition and R&R will include a Social Impact Assessment (SIA) which will cover the investigation of public purpose, minimum extent of land required thereof, estimation of displacement and social impact on affected families apart from the overall cost versus benefit analysis for the proposed project.

The act restricts the use of emergency clause to defence, national security and natural calamities.

Since there is no land acquisition in "legal terms" in this subproject, therefore this is not applicable.

However, according to the new Act, certain provisions have been made for the DPs which have been included in the R&R budget. They are as follows:



- Transportation cost for displaced families – Each affected family which is displaced shall get a one-time financial assistance of Rs. 50000/- as transportation cost for shifting of the family, building materials, belongings and cattle. In this case, commercial structure of one of the DPs will be demolished which will not result in displacement but will involve transportation of building materials salvaged.
- Each affected family which is displaced from the land acquired shall be given a monthly subsistence allowance equivalent to Rs. 3000/- per month for a period of one year from the date of award. This is applicable to those families whose livelihood is primarily dependent on land acquired. In this sub-project, the livelihood of DPs is not primarily dependent on land to be cleared. As such, assistance for temporary livelihood disruption is provided for six (6) months @ Rs. 3000/- per month.
- Each affected family having cattle or having a petty shop shall get one-time financial assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of Rs. 25000/- for construction of cattle shed or petty shop as the case may be. In this sub-project, 3 petty shops will be impacted. A minimum of Rs. 25000/- each has been provided for these petty shops.

## **2. ADB'S Safeguard Policy Statement, 2009 (SPS):**

The three important elements of ADB's involuntary resettlement policy are (i) compensation to replace lost assets, livelihood, and income; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to achieve at least the same level of well-being with the project as without it.

1. For any ADB operation requiring involuntary resettlement, resettlement planning is an integral part of project design, to be dealt with from the earliest stages of the project cycle, taking into account the following basic principles:

- Involuntary resettlement will be avoided whenever feasible.
- Where population displacement is unavoidable, it should be minimized.
- All lost assets acquired or affected will be compensated. Compensation is based on the principle of replacement cost.
- Each involuntary resettlement is conceived and executed as part of a development project or program. Affected persons need to be provided with sufficient resources to re-establish their livelihoods and homes with time-bound action in co-ordination with civil works.
- Affected persons are to be fully informed and closely consulted.

- Affected persons are to be assisted to integrate economically and socially into host communities so that adverse impacts on the host communities are minimized and social harmony is promoted.
- The absence of a formal title to land is not a bar to ADB policy entitlements.
- Affected persons are to be identified and recorded as early as possible to establish their eligibility, through a census which serves as a cut-off date, and prevents subsequent influx of encroachers.
- Particular attention will be paid to vulnerable groups including those without legal title to land or other assets; households headed by women; the elderly or disabled; and indigenous groups. Assistance must be provided to help them improve their socio-economic status.
- The full resettlement costs will be included in the presentation of project costs and benefits.

### 3. Comparison of Government and ADB Policies

A policy comparison between LA Act, New LA Act 2013 and ADB's Safeguards Policy Statement, 2009 is presented in the following table along with measures to bridge the gap.

**Comparison between ADB's Requirements and the Requirements of the Government of India (RFCTLARRA) and Gap Filling Measures**

S.No.	ADB Safeguard Requirements (SPS, 2009)	Provisions in the RFCTLARRA, 2013	Measures to bridge the Gaps
	<b>Objectives</b>		
1	Avoid involuntary resettlement wherever feasible	Same	-
2	If unavoidable, minimize involuntary resettlement by exploring project and design alternatives	Same	-
3	To enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels	-	The SPS requirements will be followed.
4	To improve the standards of living of the displaced poor and other vulnerable groups.	-	The SPS requirements will be followed.
	<b>Policy Principles</b>		
5	Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks.	While the policy does not specify any requirement for screening of the project at an early stage for resettlement impacts and risks, it requires carrying out social impact assessment before any proposal for land acquisition (Section-16).	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	Carry out census of affected people and their assets to be affected, livelihood loss and common property to be affected; R&R scheme including time line for implementation.(Section: 16. (1) and (2)).	The SPS requirements will be followed.

S.No.	ADB Safeguard Requirements (SPS, 2009)	Provisions in the RFCTLARRA, 2013	Measures to bridge the Gaps
7	Carryout consultations with displaced persons, host communities and concerned NGOs. Inform all displaced persons of their entitlements and resettlement options	<ul style="list-style-type: none"> <li>• Consultation with Panchayat, Municipality, to carry out SIA. (Section: 4. (1))</li> <li>• Public hearing for Social Impact Assessment. Section: 5.</li> <li>• Discussion on and Public hearing for Draft Rehabilitation and Resettlement Scheme Section: 16. (4). and (5).</li> </ul>	-
8	Establish a project level grievance redress mechanism	<ul style="list-style-type: none"> <li>• Establishment of Land Acquisition, Rehabilitation and Resettlement Authority for disposal of disputes relating to land acquisition, compensation, rehabilitation and resettlement. Section: 51. (1). and Section: 64.</li> <li>• The Requiring Body or any person aggrieved by the Award passed by an Authority under section 69 may file an appeal to the High Court within sixty days from the date of award. Section: 74. (1). and (2).</li> </ul>	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.	Social Impact Assessment is must before taking final decision on acquisition of land followed by preparation of R&R Scheme	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.	<ul style="list-style-type: none"> <li>• Land for land in case of irrigation projects to the land owners losing agricultural land. Land for land in every project to land owners belong to SC and ST community up to 2.5 acres of land. Section: 31 and The Second Schedule</li> <li>• Provision of housing units in case of displacement. Offer for developed land. Section: 31 and The Second Schedule</li> <li>• Recognizes 3 methods and whichever is higher will be considered which will be multiplied by a factor given in The First Schedule. Compensation given earlier will not be considered; If rates not available floor price can be set; Steps to be taken to update the market value. (Section 26 and The First Schedule) Provision for employment, fishing rights, annuity policy etc. (Section: 31 and The Second Schedule)</li> </ul>	<p>The SPS requirements will be followed.</p> <p>Structures to be compensated at replacement cost without depreciation</p>
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; provide transitional support and development assistance, such as land development, credit facilities, training, or employment	<ul style="list-style-type: none"> <li>• A family as a unit will receive R&amp;R grant over and above the compensation and those who are not entitled to compensation. Section: 31</li> <li>• Homeless entitled to constructed house, land for land in irrigation projects in lieu of compensation, in case of acquisition for urbanization 20% of developed land reserved for owners at a prices equal to compensation' jobs or a one-time payment or annuity for 20 years' subsistence grant, transportation, land and house registered on joint name husband and wife, etc. Second Schedule</li> </ul>	Alternative resettlement site is proposed in the framework.

S.No.	ADB Safeguard Requirements (SPS, 2009)	Provisions in the RFCTLARRA, 2013	Measures to bridge the Gaps
	opportunities; and (iii) civic infrastructure and community services, as required.	<ul style="list-style-type: none"> <li>Provision for infrastructural amenities in resettlement areas. Section: 32 and Third Schedule</li> </ul>	
12	Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards	<ul style="list-style-type: none"> <li>Landless people are considered and eligible for R&amp;R grants. Section: 16. (2).</li> <li>Widows, divorcees, abandoned women will be considered as separate family and entitled to R&amp;R provisions Section: 3. (m)</li> <li>Homeless entitled to constructed house and landless entitled to land in irrigation project. Second Schedule</li> <li>Special provision for Scheduled Caste/Scheduled Tribe; Section: 41.</li> <li>Additional provisions for SC&amp;ST for land for land in irrigation projects, additional sum over and above the subsistence grant. Second Schedule</li> </ul>	The entitlement matrix includes the requirements of both the SPS and the RFCTLARRA.
13	If land acquisition is through negotiated settlement, ensure that those who enter into negotiated settlements will maintain the same or better income and livelihood status	R&R entitlements apply in case of land acquired/purchased for PPP projects and for Private Companies. Section: 2. (2), and 46.	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.	<p>The Act recognises: Section: 3. (c)</p> <ul style="list-style-type: none"> <li>a family which does not own any land but belong to the family of an agricultural labourer, tenant, share-croppers, or artisans or working in affected area for three years prior to the acquisition of the land</li> <li>the Scheduled Tribes and other traditional forest dweller who have lost any of their forest rights</li> <li>family whose primary source of livelihood for three years prior to the acquisition of the land is dependent on forests or water bodies and includes gatherers of forest produce, hunters, fisher folk and boatmen</li> <li>a family residing or earning livelihoods on any land in the urban areas for preceding three years or more prior to the acquisition of the land</li> </ul>	RF mandates that in the case of land acquisition, the date of publication of preliminary notification for acquisition under Section 11(1) of the RFCTLARRA 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.
15	Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.	<ul style="list-style-type: none"> <li>Preparation of Rehabilitation and Resettlement Scheme including time line for implementation. Section: 16. (1) and (2).</li> <li>Separate development plans to be prepared. Section 41</li> </ul>	-
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 displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced persons and other	<ul style="list-style-type: none"> <li>The draft Rehabilitation and Resettlement Scheme prepared shall be made known locally by wide publicity in the affected area and discussed in the concerned Gram Sabhas or Municipalities and in website. Section: 16. (4)</li> <li>The approved Rehabilitation and Resettlement Scheme to be made available in the local language to the</li> </ul>	In addition to the publishing of the approved resettlement plans, the RF includes provision for disclosure of the various documents pertaining to RP implementation, as well as disclosure to the affected persons through public meetings and workshops.

S.No.	ADB Safeguard Requirements (SPS, 2009)	Provisions in the RFCTLARRA, 2013	Measures to bridge the Gaps
	stakeholders	Panchayat, Municipality or Municipal Corporation and in website. Section: 18.	
10	Include the full costs of measures proposed in the resettlement 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.	The requiring body shall bear the cost of acquisition covering compensation and R&R cost. Section: 19. (2) and Section 95. (1)	The SPS requirements will be followed.-
17	Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.	<ul style="list-style-type: none"> <li>The Collector shall take possession of land after ensuring that full payment of compensation as well as rehabilitation and resettlement entitlements are paid within three months for the compensation and a period of six months for the monetary part of rehabilitation and resettlement entitlements. Section: 38. (1)</li> <li>The Collector shall be responsible for ensuring that the rehabilitation and resettlement process is completed in all its aspects before displacing the affected families. Section: 38. (2)</li> </ul>	The SPS requirements will be followed.
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.	<ul style="list-style-type: none"> <li>The Rehabilitation and Resettlement Committee, to monitor and review the progress of implementation of the Rehabilitation and Resettlement scheme and to carry out post-implementation social audits in consultation with the Gram Sabha in rural areas and municipality in urban areas. Section: 45. (1)</li> <li>Set up National and State level Monitoring Committee to review and monitor progress. Section 48-50</li> </ul>	The SPS requirements will be followed.

## Photographs and Signature Sheets of consultations

Place Of Consultation :- Mukherm (Tehri Garhwal)

Date :- 21.08.2014

Signature Sheet of Attendees of Consultations

Sl No.	Name	Occupation	Signature/Thumb Impression	Telephone Number
1	Shantli Bhoom Bhatt	G.R.S		7690768974
2	Ravindra Thapliya	P.T.C		7535051241
3	Vinay Kumar Thapliya	Student		972992720657
4	Mukesh Bhatt	Business		9883740447
5	नरेश सिंह रावत	नाट्य नृत्य शिक्षण		7500976629
6	Shresh. Pal Bhat	SAIP Bhat		983780097
7	सुन्दर सिंह पण्डित	किसान		99789907
8	किरीण्ड भट्ट	मेहन		9411144436
9	राजेश प्रसाद कठोरी	ग्राम सचिव		9927204977
10	अमिल मरियाल	ग्राम मुखिय		8126297883
11	मनोहर सोमवाल	आर. उद्योग		975825980
12	Dr. L.S. Bhat	Teacher		9927213572
13	कलमणी ड	शिक्षक		
14	नामगोहि	शिक्षक		8872856563
15	रमेश चन्द्र पण्डित	रमेश चन्द्र पण्डित		
16	विजयपाल शर्मा	विद्यार्थी		8126101412
17	मोदीय शर्मा	विद्यार्थी		9568091436
18	अनिल शर्मा	विद्यार्थी		9837706770

Date :- 21.08.2014

[illegible]







## Annexure 8

### Screening Questions for Involuntary Resettlement Impact

Below is the initial screening for involuntary resettlement impacts and due diligence exercise. Both permanent and temporary impacts must be considered and reported in the screening process.

Involuntary Resettlement Impacts	Yes	No	Not known	Remarks
Will the project include any physical construction work?	√			Different type of infrastructure facilities
Does the proposed activity include upgrading or rehabilitation of existing physical facilities?	√			
Will it require permanent and/or temporary land acquisition?		√		<p>Land is in the possession of Temple Committee and GoUK. Land will be available from Temple trust/Government. Land Title certification by revenue department is placed in <b>Annexure 1</b>. NOC by Temple committee placed in <b>Annexure 2</b></p> <p>The access pathway from fair ground to temple is under the ownership of forest department. <b>Annexure - 4</b></p> <p>The communication between UTDB and forest department is under process.</p>
Is the ownership status and current usage of the land known?	√			<p>Land is in the possession of Temple Committee and GoUK. Land will be available from Temple trust/Government. Land Title certification by revenue department is placed in <b>Annexure 1</b>. NOC by Temple committee placed in <b>Annexure 2</b></p> <p>The access pathway from fair ground to temple is under the ownership of forest department.</p> <p>The communication between UTDB and forest department is under process.</p>
Are there any non-titled people who live or earn their livelihood at the site or within the corridor of impact (COI)		√		

<b>Involuntary Resettlement Impacts</b>	<b>Yes</b>	<b>No</b>	<b>Not known</b>	<b>Remarks</b>
/ Right of Way (ROW)?				
Will there be loss of housing?		√		
Will there be loss of agricultural plots?		√		
Will there be losses of crops, trees, and fixed assets (i.e. fences, pumps, etc.)?		√		
Will there be loss of businesses or enterprises?		√		
Will there be loss of incomes and livelihoods?		√		
Will people lose access to facilities, services, or natural resources?		√		
Will any social or economic activities be affected by land use-related changes?		√		
Are any of the affected persons (AP) from indigenous or ethnic minority groups?		√		

### Screening Questions for Indigenous People Impact

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
<b>A. Indigenous Peoples Identification</b>				
1. Are there socio-cultural groups present in or use the project area who may be considered as "tribes" (hill tribes, scheduled tribes, tribal peoples), "minorities" (ethnic or national minorities), or "indigenous communities" in the project area?		√		No Impact as the land for proposed improvement of infrastructure will be done within the location of temple trust land.  There is no IP community exist in the vicinity of proposed subproject.
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to "ethnic minorities", scheduled tribes, tribal peoples, national minorities, or cultural communities?		√		
3. Do such groups self-identify as being part of a distinct social and cultural group?		√		
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?		√		
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?		√		
6. Do such groups speak a distinct language or dialect?		√		
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?		√		
8. Are such groups represented as "Indigenous Peoples" or as "ethnic minorities" or "scheduled tribes" or "tribal		√		

<b>KEY CONCERNS</b> (Please provide elaborations on the Remarks column)	<b>YES</b>	<b>NO</b>	<b>NOT KNOWN</b>	<b>Remarks</b>
populations" in any formal decision-making bodies at the national or local levels?				
<b>B. Identification of Potential Impacts</b>				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?		√		
10. Will the project directly or indirectly affect Indigenous Peoples' traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)		√		
11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g., food production system, natural resource management, crafts and trade, employment status)		√		
12. Will the project be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain?		√		
<b>C. Identification of Special Requirements</b> Will the project activities include:				
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?		√		
14. Physical displacement from traditional or customary lands?		√		
15. Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that would impact the livelihoods or the cultural, ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?		√		
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		√		
17. Acquisition of lands that are traditionally owned or customarily used,		√		

<b>KEY CONCERNS</b> (Please provide elaborations on the Remarks column)	<b>YES</b>	<b>NO</b>	<b>NOT KNOWN</b>	<b>Remarks</b>
occupied or claimed by indigenous peoples?				

### **Involuntary Resettlement and Indigenous People Impact Categorization:**

After reviewing the answers above, EA/ Safeguard Team confirms that the proposed subsection/ section/ subproject/component (tick as appropriate):

Any estimate of the likely number of households that will be affected by the Project?

☐ No ☐ Yes If yes, approximately how many? ☒ **NOT applicable**

Are any of them poor, female-heads of households, or vulnerable to poverty risks?

☐ No ☐ Yes If yes, approximately how many? ☒ **NOT applicable**

Are any APs from indigenous or ethnic minority groups? If yes, please explain?

☐ No ☐ Yes If yes, approximately how many? ☒ **NOT applicable**

### **Project Categorization and Resettlement Planning Requirements**

- ☐ Category A, Significant IR impact, a full Resettlement Plan is required.
- ☐ Category B, Non-significant IR impact, a short Resettlement Plan is required.
- ☒ Category C, No IR impact, no resettlement report is required

### **Project Categorization and Indigenous People Planning Requirements**

- ☐ Has Indigenous People (IP) impact, an indigenous people plan (IPP) (or specific IP action plan) is required.
- ☒ Has No IP impact, no IPP/specific action plan is required.
- ☒ Should be categorized as a C project, no IPDP/IPDF or specific action required.