
Acknowledgments

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Abbreviations

ADB	Asian Development Bank
AIDS	acquired immune deficiency syndrome
AP	affected person
BPL	below poverty line
BSR	basic schedule of rates
CBO	community-based organization
COI	corridor of impact
CPR	common property resource
CRRO	Contract Resettlement and Rehabilitation Officer
CSW	commercial sex worker
DC	District Collector
DLC	District-level Committee
DP	displaced person
DPEP	District Primary Education Programme
DPR	Detailed Project Report
DRO	District Rehabilitation Officer
DRDA	District Rural Development Agency
DSHB	District Statistical Hand Book
EO	Environmental Officer
EP	eligible/entitled person
ERG	Economic Rehabilitation Grant
FGD	focus group discussion
GM, DIC	General Manager, District Industries Centre
GO	Government Order
GRC	grievance redress committee/cell
GTRIP	Grand Trunk Road Improvement Project
ha	hectare
IAP	indirectly affected persons
HIV	human immuno deficiency virus
ICDS	Integrated Child Development Scheme
ID cards	identity cards
IDI	in-depth interview
IE	Impact Evaluation
IEC	information, education, and communication
IP	indigenous people
IPDP	Indigenous Peoples Development Plan
IR	involuntary resettlement
IRP	Income Restoration Program/Plan
IRS	income restoration scheme/s
KVIC	Khadi Village and Industry Corporation

LA	Land Acquisition
LAO	Land Acquisition Officer
M&E	monitoring and evaluation
MCW	Mother and Child Welfare
MV	market value
NGO	nongovernment organization
NH Act, 1956	National Highways Act, 1956
NHAI/PWD	National Highways Authority of India
NHPC	National Hydel Power Corporation
NOC	No Objection Certificate
NTPC	National Thermal Power Corporation
PAP/PAF	project-affected person/family
PD	Project Director
PD, DRDA	Project Director, District Rural Development Agency
PIU	Project Implementation Unit
PLC	Panchayat-level Committee
PRA	participatory rural appraisal
PWD	Public Works Department
R&R	resettlement and rehabilitation
RP	resettlement plan
ROW	right of way
SA	subsistence allowance
SACS	State AIDS Control Society
SC	scheduled caste
SIA	social impact assessment
ST	scheduled tribe
STD	sexually transmitted disease
TA	transitional allowance
TH	titleholder
TNA	training needs assessment
TOR	terms of reference
WTC	Western Transport Corridor
VLC	Village-level Committee

Glossary

Affected Person (AP)

A person directly or indirectly affected by changes to use of land, water, or other resources caused by development.

Below Poverty Line (BPL)

Families whose incomes are below the poverty level set by respective state governments.

Census

A household inventory that covers all APs irrespective of entitlement or ownership. It provides a complete record of all APs and their assets.

Child Laborer

Any employed person below the age of 14 years. In the highway sector, child labor may be employed in construction (though insignificant); petty jobs in contractor's camps; or in commercial establishments along the highway, such as tea shops, vehicle repair shops, and roadside eateries.

Common Property Resource (CPR)

Any property, such as hand pumps, wells, ponds, village grazing land, forest, village gates, and even religious structures, used by the community.

Compensation

Cash or payment-in-kind made to APs to replace their assets, resources, or income.

Corridor of Impact (COI)

Width of corridor required for the construction of the highway and for its safety zone.

Cutoff Date

- (i) In land acquisition affecting legal titleholders (khatedars), it is the date of issuing the notice under Section 3A (1) of the NH Act 1956 or under Section 4 of Land Acquisition Act 1894.

- (ii) In cases where people lack title of the land, is either of the three (a) date of the census survey undertaken by the project authority (b) the date exactly 1 year prior to census survey date, or (c) the date exactly 3 years prior to census survey date (National Policy on Resettlement and Rehabilitation).

Displaced Person (DP)

Any person who has to involuntarily change his/her place of residence and/or workplace or place of business/livelihood from the current location as a result of the project. This may include moving out of his/her land or building. Certain policies consider APs losing more than 25% of their land or structure as DPs. Other policies have defined an AP as displaced if the land or structure affected is rendered economically unviable after acquisition.

Economic Rehabilitation Grant (ERG)

A grant given to an AP belonging to a vulnerable family losing livelihood viz., loss of commercial unit (owner as well as employees); loss of land, including titleholders, daily laborers, sharecroppers, etc. ERG will be given only to those members who are dependent on the affected property (land or shop, etc.).

Encroacher

A person who has extended his property into public land; a person who has trespassed on government land, adjacent to his/her own land or asset, to which he/she is not entitled, and derives his/her livelihood or extended his/her property prior to the cutoff date.

(Note: There is a very thin line between a squatter and an encroacher. An encroacher legally owns the land but has extended his property to public land, whereas a squatter does not have legal tenure on the occupied land.)

Entitlements

A variety of measures, including compensation, income restoration and interim support, transfer assistance, relocation, and other benefits, that are due to APs, depending on the nature of their losses, to improve their economic and social base.

Eminent Domain

Government's right to acquire land for public purposes.

Host Community

Households and communities residing in or near the area where APs are relocated.

Income Restoration

Reestablishing income sources and livelihoods of APs as required under the resettlement policy.

Identity Card (ID Card)

A card containing the identification of an AP and vital information about his/her losses and entitlements.

Involuntary Resettlement

The unavoidable displacement of people and/or impact on their livelihood, assets, and common property resulting from development projects that create the need for rebuilding their livelihoods, sources of income, and asset bases.

Joint Account

A bank account opened in the name of an AP to be jointly operated by both spouses with the signatures of both AP spouses, the NGO representative, and the Contract Resettlement and Rehabilitation Officer (CRRO).

Landless Agricultural Laborer

A person who does not own any farmland and who derives his/her main income by working on the lands of others as a subtenant or as a laborer prior to the cutoff date.

Marginal Farmer

A farmer owning 1 hectare (ha) or less of unirrigated land or less than 0.5 ha of irrigated land.

Micro Plan

The base document for the entire implementation process, which provides all the socioeconomic informa-

tion of APs along with their losses, entitlements, and compensation.

Minimum Economic Holding (MEH)

Two hectares of unirrigated land or 1 ha of irrigated land sustaining a family of five or six persons. However, it is suggested that the average size of holdings in a particular district, where the highway is passing through, should be considered as MEH.

Muafi Land

Land attached to religious establishments, such as temples, mosques, churches, and gurudwaras (sikh religious place).

Replacement Cost

The method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account. For losses that cannot easily be valued or compensated for in monetary terms—such as access to public services, customers, and suppliers; to fishing, grazing, or forest areas—attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities.

- For land and structures, replacement cost is defined as the pre-project or pre-displacement value, whichever is higher, of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.
- For land in urban areas, replacement cost is the pre-displacement value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.
- For houses and other structures, replacement cost is the cost of materials to build a replacement structure with a space and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractor fees, plus the cost of any

registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvaged materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the value of an affected asset.

Resettlement Plan (RP)

A time-bound action plan with a budget, setting out resettlement policy, strategy, objectives, options, entitlements, actions, approvals, responsibilities, monitoring, and evaluation.

Right of Way (ROW)

A legally owned public land on either side of the highway. It does not have a fixed width.

Sharecroppers

Persons who cultivate land of a *khatedar* (title holder) on income-sharing terms.

Shifting Allowance

A one-time lump sum payment to shift the family and household assets.

Small Farmer

A farmer holding equal to or less than 2 ha of unirrigated land or 1 ha of irrigated land.

Social Impact Assessment

The analysis that is conducted to identify and incorporate social dimensions into a project. These may include assessments of (i) groups who are expected to benefit from and use services that are to be provided by the project, (ii) needs of the groups, (iii) their demands, (iv) their absorptive capacity, (v) gender issues, and (vi) possible adverse effects on vulnerable groups (and the need for measures to mitigate or compensate those adversely affected).

Solatium

An additional payment made under the Land Acquisition Act for injurious affectation.

Squatter

A person occupying public land. Generally known as *gumti* and/or *khokha* (a wooden structure of about 4 square meters). A person who has settled on public land without permission and has been occupying public land or buildings without permission prior to the cutoff date.

Stakeholders

Those who have an interest in a project and who will be involved in the consultative process; includes any individual or group affected by, or believes that it is affected by the project; and any individual or group that can play a significant role in shaping or affecting the project, either positively or negatively, including the host community/population.

Strip Plan

A graphical representation of the existing and designed highway features, including trees; water bodies; historical monuments; residential, commercial, and community properties; and other social and environmental features.

Subtenants

Persons, who not being tenants, are allowed to cultivate land on certain terms and conditions.

Titleholders (THs)/Khatedar or Tenant of the State

Persons who possess legal documents in support of claims made toward ownership of structures or lands. According to law, all land belongs to the state and all landowners are tenants of the state and they are called *khatedars*. Tenant also means a person cultivating leased land. However such tenants would not be covered as titleholders (See definition of sharecroppers).

Toe Line

The boundary for earthwork on either side of the highway.

Trafficking in Women and Children

The definition encompasses “all acts involved in the recruitment and/or transportation of a person within and across state/national borders for work or services by means of violence or threats of violence, abuse of authority or dominant position, debt bondage, deception, or other forms of coercion.” (In the context of highways, human trafficking is confined to prostitution and/or child labor in construction activities. However, there are other dimensions to trafficking beyond prostitution and child labor. Moral and human rights issues; the linkages between migration, poverty, and livelihoods; the impact of trafficking in women as a gender issue; and public health-related issues also need a special focus in this context.

Training Allowance

A payment for providing training to eligible APs.

Transitional Allowance (TA)

Allowance provided as assistance to all adversely affected/displaced persons (APs/DPs) to cushion the immediate impact of losses. It is a one-time grant, the monthly rate of which is calculated on the basis of the poverty cutoff line. The duration of payment varies

across projects and could involve a period of 6–12 months.

Vulnerable Family

Distinct groups of people who might suffer disproportionately from resettlement effects, such as the young, the old, the disabled, the poor, isolated groups, and single parents.

Some Frequently Asked Questions

Since implementation of resettlement programs is relatively new in the highway sector, certain issues are bound to come up while preparing resettlement plans. Some frequently asked questions and their responses are given below. This would be particularly useful in responding to affected persons (APs) during consultations. However, it is suggested that nongovernment organizations (NGOs) thoroughly read the project entitlement framework as preparation for responding to APs' concerns.

Q. What types of entitlements are considered under Resettlement and Rehabilitation (R&R)?

A. In addition to any statutory compensation under relevant legislation, additional entitlements normally given are (i) economic rehabilitation grant (ERG), (ii) transitional allowance (TA)/subsistence allowance (SA), (iii) shifting allowance, and (iv) training allowance.

Q. Who is a displaced person (DP)?

A. Any person who experiences economic or physical displacement is considered a DP. This may include moving out of land or a structure or both. Certain policies have considered APs losing more than 25% of their land or structure as DPs. Certain policies have defined an AP as displaced if the land or structure affected is rendered economically unviable after acquisition.

Q. What is an economic rehabilitation grant (ERG) and who is entitled to it?

A. An economic rehabilitation grant (ERG) is given to APs losing livelihoods viz., loss of commercial unit (owner as well as employees); loss of land, including titleholders, daily laborers, sharecrop-

pers, etc. ERGs will be given only to those members who are dependent on the affected property (land or shop, etc.). The implementing NGO must ensure that the occupation of every individual is recorded during the verification exercise.

Q. What is a Transitional Allowance (TA)/ Subsistence Allowance (SA)?

A. Assistance provided to all APs/DPs, except owners of kiosks. It is a one-time grant, the monthly rate of which is calculated on the basis of the cutoff poverty level. The duration of TA varies across projects and could involve a period of 6–12 months. The amount is stated in the entitlement framework. This acts as a cushion to withstand the impact of immediate loss.

Q. What is a Shifting Allowance?

A. It is a one-time lump sum payment to help shift the family and household assets. APs being displaced are entitled to this allowance.

Q. What is a Training Allowance?

A. A fixed sum for providing training to eligible APs. Vocational training is provided to APs losing livelihoods, according to their new vocations.

Q. How do I define a vulnerable family?

A. The social analysis is the tool for identifying vulnerability. Typically, a vulnerable family includes a family headed by a woman; any family coming under the scheduled list; a family living below the poverty line; physically or mentally disabled persons; the elderly; and those without sufficient labor.

Q. Who comes under the category of below the poverty line (BPL)?

- A. Families living BPL, as notified by respective state governments, come under this category. State Governments define the cutoff line for poverty in terms of an annual per capita income. As a result, the cutoff line for poverty varies significantly across states. It is suggested that NGOs contact the concerned department of the State in which it is working to determine the cut off for the poverty line.

Relevant documents, such as (BPL) ration cards, have to be checked in order to establish

the BPL status of the affected family. However, since definition of a BPL family largely depends on income data, it should not be limited only to reference of documents but should also be corroborated by primary data generated using qualitative techniques, such as livelihood analysis and seasonality, which are generally more reliable.

Q. Is a non-vulnerable AP also eligible for training?

- A. Yes, any AP losing livelihood is eligible for training.

About the Handbook

This handbook on resettlement and rehabilitation (R&R) may guide project authorities, consultants, and implementing agencies, including nongovernment organizations (NGOs) engaged in resettlement work in the highway sector. Apart from the Asian Development Bank (ADB) publications, resettlement action plans and monitoring reports of World Bank funded projects and World Bank publications have been referred to during preparation of this handbook.

It is designed to serve as a guide to planning and implementing involuntary resettlement and can also be used for training purposes and as a reference document in orientation workshops. Detailed guidelines on preparation and implementation of resettlement are presented in a simple and easy-to-understand format. Each chapter covers a specific aspect of resettlement and can, therefore, be used separately for the appropriate

activity. Examples from a number of projects covering different aspects of resettlement have been included to explain the processes involved.

In addition to resettlement, the handbook discusses social issues that are not limited to affected populations but are typical consequences of large-scale highway development.

It is hoped that the handbook will help to improve the knowledge and understanding of the roles and responsibilities of different stakeholders in resettlement, including the specific activities to be undertaken and the various processes involved. Though prepared for highway projects, this handbook can be adapted for use in other resettlement projects.

Project managers and supervisors can also use this handbook as a guide to prepare a supervision schedule to monitor the work of implementing agencies.

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