

Resettlement Planning Document

Resettlement Framework
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IND: Uttarakhand Power Sector Development Plan

Prepared by the Uttarakhand Energy and Irrigation Department, Government of Uttarakhand,
India for the Asian Development Bank (ADB).

The resettlement framework 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.

RESETTLEMENT FRAMEWORK

A. Introduction

1. The proposed Project will be provided under a sector lending approach over a span of 5 years. The Project will have three components: transmission, small hydropower, and institutional strengthening.

2. **Component A: Transmission System.** The Phase I transmission system expansion includes 790 kilometer (km) of 400 kilovolt (kV) lines, 100 km of 220 kV lines, and 60 km of 132 kV lines, plus associated substations and auxiliary equipment. The total proposed investment is approximately \$310 million (Rs. 14.26 billion). The proposed physical investments are the most urgent components of the Uttaranchal power sector plan. Asian Development Bank (ADB) financing of up to \$250 million is proposed for this investment.

3. **Component B: Small Hydropower.** This component will support expansion of hydropower generating capacity, covering grid-connected projects ranging from 3 MW to 25 MW. An initial list of 6 projects totaling about 52 MW has been proposed. Preparatory work on these projects is underway, including development of technical and economic feasibility; and environmental, social and poverty reduction impact analysis. Uttaranchal Jal Vidyut Nigam, Ltd. (UJVNL) also will develop a hydro-meteorological river basin monitoring and telemetry network to support optimized generating operations, which will be partly financed by the Project. ADB financing of up to \$45 million is proposed for this component.

4. Rehabilitation, modernization, and upgrading (RMU) on existing hydropower plants (e.g. the 144 MW Chilla powerhouse near Hardiwar) is also proposed for ADB's assistance. UJVNL has identified 7 major RMU investments totaling about \$100 million. ADB will consider supporting the RMU projects.

5. **Component C: Institutional Strengthening.** The third component of the Project will be supporting and strengthening institutional framework of Uttaranchal Government and implementing agencies (IAs) to undertake power system expansion activities in a cost-effective manner. This will include (i) training of the executing agency (EA) and IA staff in all aspects of transmission, generation, distribution, maintenance and rehabilitation; and (ii) initial design of a power trading program. ADB financing of up to \$5 million is proposed for this component.

6. The selection of subprojects is based on the following parameters:

- i) The subproject will be part of Power Transmission Corporation of Uttaranchal, Ltd. (PTCUL) expansion plans, and scheduling will be consistent with commissioning of new generating capacity.
- ii) The subproject will be part of UJVNL expansion plans, and scheduling will be coordinated with PTCUL for connection to the transmission system.
- iii) For the hydropower component, subprojects will be economically viable with its estimated economic internal rate of return (EIRR) higher than the financial internal rate of return (FIRR) which will be higher than the weighted average cost of capital (WACC).
- iv) Subprojects will be consistent with overall least-cost expansion plan.
- v) Any non-core subprojects classified as Category A in accordance with ADB's 2003 *Environmental Assessment Guidelines*, will require a SEIA to be prepared and circulated to ADB's Board of Directors 120 days prior to approval, and will be subject to all government clearance requirements.

7. Core subprojects are composed of: (i) Alaknanda Basin transmission system, (ii) Bhagirathi Basin transmission system, (iii) 4 small hydropower plants (SHP), and (iv) one RMU. Detailed appraisal of core subprojects is required prior to loan approval. During implementation, additional subprojects will be appraised by the executing agency (EA), and endorsed by ADB in accordance with the established project administration procedures.

8. Land acquisition and resettlement impacts of core subprojects have been assessed and are documented in resettlement plan (RP). Based on RP, Component A will require 24.06 hectares (ha) of permanent land acquisition and 179.21 ha of temporary acquisition.¹ Component B will require 13.99 ha of permanent acquisition and no temporary acquisition. Part C will not require any acquisition of land and will not trigger any resettlement impacts. Land acquisition for Component A and B core subprojects will result in permanent impacts to 25 households. In addition 229 households will be affected by temporary land acquisition. There will be no loss of structures for any of the components. Details of resettlement impacts of the Project are in Table 1

Table 1: Land Acquisition and Affected Households by Subproject

| Component | Permanent Land Acquisition (ha) | | Affected Households ² | Temporary Land Acquisition (ha) | Affected Households |
|---|---------------------------------|-------------------------|----------------------------------|---------------------------------|---------------------|
| | Private | Government/ Forest Land | | | |
| I. A. Core Subprojects | | | | | |
| 1. Alaknanda Basin Transmission system | | | | | |
| a. Towers | 0.02 | 0.02 | | 36.43 | 47 |
| b. Transmission lines | 0 | 0 | 0 | 89.87 | 115 |
| c. Substations | | | | | |
| Kuwaripaass s/s | 8 | 0 | 2 | | |
| Srinagar | 0 | 16 | 0 | | |
| 2. Bhagirathi Basin Transmission system | | | | | |
| a. Towers | 0.01 | 0.01 | | 15.26 | 20 |
| b. Transmission lines | 0 | 0 | 0 | 37.65 | 47 |
| c. Substations | 0 | 0 | 0 | 0 | 0 |
| II. B. Core Subprojects | | | | | |
| 3. Kaliganga-I SHP | 0 | 3.41 | 0 | 0 | 0 |
| 4. Kaliganga-II SHP | 2.35 | 0.76 | 19 | 0 | 0 |
| 5. Madhyamaheswar SHP | 0.77 | 2 | 4 | 0 | 0 |
| 6. Kaldigag | 0 | 4.7 | 0 | 0 | 0 |
| III. C. Core Sub-Projects | | | | | |
| 7. Institutional Strengthening | | NA | NA | NA | NA |
| TOTAL | 11.15 | 26.9 | 25 | 179.21 | 229 |

9. The Resettlement Framework (RF) has been formulated to guide the preparation of RPs, if necessary, for non-core additional subprojects. The RF identifies the broad scope of the Project and outlines the policy, procedures and institutional requirements for preparing RPs for subprojects under the sector loan. The EA will be the Uttaranchal Energy and Irrigation

¹ Of 179 ha temporarily acquired, an estimated 113 ha of agricultural land will be compensated through lost agricultural income. Calculations have been made on the following assumptions: i) towers measure 10x10 m (footings 1x1 m); ii) buffer area around the towers 30x30 m; iii) stringing corridor (ROW) 6 m; and iv) 2.5 towers/km. In Uttaranchal, 49% Of the land is either forest of government owned. Of the remaining 51%, 64% is used for productive activities (agriculture and pasture). Calculations of impacts of transmission lines were made upon these assumptions..

² The average household size in Uttaranchal is 5.29, and the average land tenure is 0.5 ha.

Department (UEID). The IA for Component A will be PTCUL; for Component B, UJVNL. The Project Management Office (PMO) through Project Implementation Units (PIU) will be responsible for conducting the social analyses and formulating RPs for subprojects, as outlined in the RF. The draft RPs will be submitted to ADB for review and approval prior to contract award, and compensation paid to all APs prior to displacement, in any case not later than commencement of civil works.

B. Resettlement Policy and Framework

10. The RF is based on ADB's Involuntary Resettlement Policy (1995) as well as on the Borrower's domestic policy instruments, laws, particularly, *National Policy on Resettlement and Rehabilitation for Project Affected Persons (NPRR) (-2003)* and Land Acquisition Act, 1884 (LAA).

11. NPRR provides minimum conditions ensured for the benefit of the affected persons (APs) by land acquisition for public purposes. The objectives of the Policy are: (i) minimize displacement and identify non-displacing or least-displacing alternatives; (ii) plan resettlement and rehabilitation of Project Affected Families (PAFs), considering special needs of tribal and vulnerable sections; (iii) provide a better standard of living for PAFs; (iv) facilitate cooperation between the project proponent and PAFs. (See table 2 below for details) LAA, as amended in 1984 provides the legal framework for land acquisition for a public purpose in India. It enables the State Government to acquire private lands for a public purpose, and seeks to ensure that no person is deprived of land except under the Act.³ [

12. ADB's Involuntary Resettlement Policy. ADB's policy requires:

- (i) Avoid involuntary resettlement wherever feasible;
- (ii) If unavoidable, minimize by providing viable livelihood options
- (iii) consulting with affected people (APs) in project planning and implementation, including disclosure of RP and project-related information
- (iv) payment of compensation for acquired assets at the market/replacement value;
- (v) APs are entitled to receive assistance to restore income and livelihood at pre-project standard, and all vulnerable APs are entitled to receive additional assistance to improve their income and livelihood;

³ The process for land acquisition under LAA is:

- i) Land identified for a project is placed under Section 4 of the LAA. This constitutes notification. Objections must be made within 50 days to the District Commissioner (DC, 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 DC 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 DC shall make an award within one year 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 DC 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 sales or transfers are allowed.
- v) Compensation for land and improvements (such as houses, wells, trees, etc.) is paid in cash by the project proponent to the State government, which in turn compensates landowners.
- vi) The price to be paid for the acquisition of agricultural land is based on the circle rate recorded at the District Registrar's office averaged over the three years preceding notification under Section 4. The compensation is paid after the area is acquired. An additional 30% is added to the award as well as an escalation of 12% per year from the date of notification to the final placement under Section 9. For delayed payments, after placement under Section 9, an additional 9% per annum is paid for the first year and 15% for subsequent years.

- (vi) resettlement assistance to APs, including non-titled persons (informal dwellers/squatters and encroachers);
- (vii) APs will be integrated economically and socially into their host communities, if relocated.
- (viii) APs' social and cultural institutions will be safeguarded and supported. Common properties and facilities will be restored;
- (ix) compensation and rehabilitation programs will be carried out with equal consideration for women and men; and
- (x) income restoration and rehabilitation program.

1. Policy Applicable to the Project

13. This section of the RF describes the principles and approach to be followed in minimizing and mitigating negative social and economic impacts of the project. These guidelines are prepared to address resettlement and rehabilitation of the APs. This RF is based on ADB's Involuntary Resettlement Policy, 1995 as well as on the Borrower's domestic laws, particularly, *National Policy on Resettlement and Rehabilitation for Project Affected Persons (NPRR)* by the Ministry of Rural Development, 2003. Moreover, *Powergrid Environmental and Social Policy and Procedures* is used as best practice example for the Project.

14. A comparison between the Government's Policy (NPRR) and ADB's Resettlement Policy is provided in Table 2.

Table 2: Comparison of NPRR and ADB Resettlement Policy

| Policy Principle | NPRR | ADB | Details |
|--|--|-----|--|
| 1. Resettlement must be avoided wherever possible; and if unavoidable it should be minimized | √ | √ | |
| 2. Affected persons must be compensated to replace their lost assets and to restore/improve their living standards | √ | √ | However, replacement value is not clearly identified. |
| 3. Affected persons should be fully involved and consulted in the planning and implementation of resettlement | √ | √ | |
| 4. Compensation for lost assets must be on the basis of replacement cost | Not defined | √ | |
| 5. Transaction and transition costs | √ | √ | |
| 6. Wherever feasible land should be an option for compensating loss of land | √ | √ | |
| 7. An RP should be prepared in every instance where involuntary resettlement occurs | Only required where over 500 families are affected in plain areas and 250 or more families are affected in hilly areas | √ | 500 families is about 2,500 persons in the Indian context and this over 10 times the ADB requirement which is 200 persons or more. |
| 8. The RP must be revealed to the affected people before finalization | √ | √ | |

| Policy Principle | NPRR | ADB | Details |
|---|---|---|--|
| 9. Application of policy | The Indian NPRR only applies to projects displacing 500 families or more in plain areas and 250 families or more in hilly areas | In all cases where involuntary resettlement occurs | ADB has three categories of impact: A (Significant) where 200 or more people experience major impacts; B (Not Significant) where impacts are not deemed significant (less than 200 persons affected) and C where no involuntary resettlement impacts are foreseen. |
| 10. Entitlements under the policy | Chapter VI of the NPRR defines flat entitlements without considering the specific impact on a case by case basis. | Each impact must be defined and appropriate entitlements assigned on the basis of the basic principles of replacing lost assets and restoring livelihoods | For acquisition of strips of land for railway lines, highways, transmission lines and pipelines, only an ex-gratia payment of Rs 10,000/= per family is to be paid. This will not meet ADB or World Bank resettlement policy specifications. |
| 11. Recognition of untitled persons such as squatters and encroachers | X | √ | NPRR states that the landless, forest dwellers, tenants and artisans are more severely affected but no mention is made of specific entitlements for them. |
| 12. Surveys and census required | √ | √ | NPRR requires survey findings to be disclosed to the affected persons with a view to inviting objections and suggestions |
| 13. Social networks and cultural links should be preserved | √ | √ | |
| 14. Recognition of vulnerable groups including indigenous people and the poor | √ | √ | NPRR gives preference to STs in land allotment. Additional financial assistance is also defined for them. Their traditional rights to natural resources in the area will be recognized. |
| 15. Grievance Redress Procedure | √ | √ | NPRR requires a Grievance Redress Cell to be set up under a Commissioner for R & R. |
| 16. Organization and Management of Resettlement | √ | √ | NPRR will set up a National Monitoring Committee chaired by the Secretary Department of Land Resources, under the Ministry of Rural Development and comprising seven other Secretaries. |
| 17. Common property resources should be replaced | √ | √ | |
| 18. All costs relating to resettlement and rehabilitation must be borne by the requiring agency and included in project costs | √ | √ | |

15. As the table 2 shows most of ADB's Involuntary Resettlement Policy principles are enshrined in the NPRR. Because, LAA does not address some of the critical resettlement principles that ADB's Involuntary Resettlement Policy requires, the basis for the resettlement policy for this Project will be NPRR. Moreover, for the purpose of the proposed Project where LAA and NPRR are not consistent with ADB's Involuntary Policy Principles, the latter will apply to the Project activities. This RF and resettlement procedural guidelines will apply to all subprojects under the sector loan. This will ensure that all persons affected by acquisition of land and other fixed assets, by change in the use of land and by the restrictions imposed by project activities on land use will get appropriate compensation and rehabilitation assistance.

16. All APs will be provided with compensation for their property acquired or damaged by the Project. They will also receive 'resettlement assistance' if their land is permanently or temporarily acquired, their income source is adversely affected, their homes are fully or partially affected, or other properties such as commercial structures or agricultural structures, crops, trees, and other facilities or access to properties are damaged or reduced because of the Project. Lack of legal documents of their customary rights of occupancy or land titles shall not affect their eligibility for compensation. In case of land acquisition, where land-for-land is not be a feasible option, RF stipulates the payment of compensation based on assessed replacement or market value of land and structures. Temporary land losers will be in charge of land clearance and will therefore be compensated for the provision of labor at the minimum agricultural wage rate for the duration of this activity. In any case, PTCUL has assured that civil works for the construction of the transmission lines, involving temporary acquisition, (towers and lines) will be synchronized in such a way to begin once the crops have been harvested.

17. In addition to compensation payments in accordance with LAA, APs will receive additional assistance to match replacement costs (the difference between the replacement value and the assessed value) for lost land and structures; transaction costs including but not limited to stamps and registration costs for the purchase of replacement land; and other forms of resettlement assistance such transition/shifting allowances, and agricultural inputs for re-establishing crops. Losses of profits and income due to property loss or access loss to property regardless of whether the AP is titled or non-titled will be compensated. To restore income losses, compensation for lost workdays/income, and training will be provided to APs. Short-term training will be provided through engaging non-governmental agencies (NGOs), where feasible. Special assistance to vulnerable groups including prioritization in land-for-land compensation schemes; additional allowances for house reconstruction, relocation and income loss; specialized training; and priority for employment in project activities will be provided.

18. Temporary acquisition for the storage of construction materials and equipment for substations, SHPs, and RMUs in core subprojects will be on Government land. Temporary acquisition for this and other purposes in non-core subprojects, when takes place on private land, such acquisition will be governed by the same principles and guidelines that are applicable to the temporary acquisition of land for the construction of transmission lines of the core subprojects. Eligible APs, both titled and non-titled, will be provided rental income for temporary acquisition. No loss of structures is presently foreseen for either core and non-core subprojects. However, if any such loss occurs due to changes in design, APs shall be compensated according to the provisions included in the Entitlements Matrix (see table 4). Restoration of temporarily acquired land to their previous status shall be undertaken by the contractors.

19. The basic involuntary resettlement principles adopted for the Project are:
- i) Avoid negative impacts of land acquisition and involuntary resettlement on persons affected by the Project to the extent possible.
 - ii) Where negative impacts cannot be avoided, assist affected persons (AP), particularly vulnerable groups, in improving or at least regaining their standard of living and income.
 - iii) Disclose all information related to, and ensure AP participation in, resettlement planning and implementation.
 - iv) Provide compensation for acquired assets at replacement value in accordance with the RP and RF.
 - v) Provide resettlement assistance and income restoration to APs including non-titled persons.
 - vi) Provide for APs not present during enumeration. However, anyone moving into the project area after the cut-off date will not be entitled to assistance.
 - vii) Provide compensation and resettlement assistance prior to taking possession of the acquired lands and properties.
 - viii) Establish grievance redress mechanisms at the district level to ensure speedy resolution of disputes.
 - ix) Ensure involvement of women and vulnerable groups in all activities related to resettlement planning, implementation, and monitoring.
 - x) Ensure adequate budgetary support to cover implementation costs for RPs.
 - xi) Conduct internal and external monitoring of the implementation of RPs.
20. An Entitlement Matrix for non-core subprojects, based on specific project impacts and consistent with the provisions in the core subprojects RP, is given in Table 3.

Table 3: Entitlement Matrix

| Type of Losses | Definition of APs | Entitlement | Details |
|---------------------------|---|---|---|
| 1. Land | | | |
| Loss of agricultural land | Titled owners and affected persons (APs) with traditional land rights | <ul style="list-style-type: none"> • Provision of equivalent land within the same village • If land is unavailable, compensation at market/replacement value • Resettlement assistance • Assistance to vulnerable APs (female-headed households, scheduled tribal households, scheduled caste households, poor households, and households headed by physically handicapped or disabled persons) | <ul style="list-style-type: none"> • Alternative land • Compensation based on LAA (inclusive of 30% solatium and 12% interest) • If the market/replacement value of land as determined by the Resettlement Committee (RC) is more than the above rate, the difference will be provided in the form of a grant by the Project directly to APs • APs will be refunded transaction costs (documentary stamps, registration costs, etc.) if replacement land is purchased within one year of compensation • Resettlement assistance equivalent to 365 days of agricultural wage per household • Vulnerable households will be provided with all the above assistance and will be prioritized in land-for-land alternative. If land-for-land is unavailable, an additional relocation allowance of 500 days of agricultural wage per household will be provided. |

| Type of Losses | Definition of APs | Entitlement | Details |
|---|---|--|--|
| | Individual tenant, sharecropper, or leaseholder | <ul style="list-style-type: none"> Reimbursement for unexpired lease | <ul style="list-style-type: none"> Lease rates will be determined by the RC⁴ based on consultation with landowners |
| Temporary loss of agricultural land | Farming households, sharecroppers, tenants, non-titled households | <ul style="list-style-type: none"> Notice to harvest standing crops Compensation at market value Restoration | <ul style="list-style-type: none"> Compensation at market value for the equivalent of 9 months of crop income (3 seasons) |
| Loss of homestead and commercial land | Titled owners and APs with traditional land rights | <ul style="list-style-type: none"> Provision of equivalent land within the same village If land is unavailable, compensation at market/replacement value Assistance to vulnerable APs | <ul style="list-style-type: none"> Alternative land Compensation based on the LAA (inclusive of 30% solatium and 12% interest) If the market/replacement value of land as determined by the RC is more than the above rate, the difference will be provided in the form of a grant by the Project directly to APs APs will be refunded transaction costs (documentary stamps, registration costs, etc.) if replacement land is purchased within one year of compensation Vulnerable households will be provided with all the above assistance and will be prioritized in land-for-land alternative. If land-for-land is unavailable, an additional relocation allowance of 500 days of agricultural wage per household will be provided |
| Loss of access to forestland | Affected household with forestland access | <ul style="list-style-type: none"> Provision of alternative facilities and technical assistance | <ul style="list-style-type: none"> Households losing access to forestland for their basic needs such as fuel, fodder, etc. will be provided access to alternative forest land. Communities will be involved in community social forestry schemes coordinated by the Department of Forests. Vulnerable APs will be provided assistance by the Project for alternative sources of fuel, fodder, etc. which will minimize their traditional dependency on forests. |
| Loss of traditional use-rights, community, or pastureland | Affected households with traditional land rights | <ul style="list-style-type: none"> Provision of equivalent land within the village, provision of functional equivalence, or augmentation of existing access | <ul style="list-style-type: none"> APs losing their community land or pasture land will be provided alternate land for similar use, or suitable replacement/augmentation of existing access will be provided based on community consultation. |
| 2. Structures | | | |
| Loss of residential structures | Titled and non-titled owners of structures | <ul style="list-style-type: none"> Compensation at replacement cost Resettlement Assistance | <ul style="list-style-type: none"> Compensation based on the LAA (same amount awarded to both tile and no-titled APs) A grant will be provided by the Project equivalent to the depreciation calculated by |

⁴ The main responsibilities of the RC will be to monitor implementation and ensure valuation of replacement cost. The RC will be composed of: i) District Magistrate; ii) District Land Acquisition Officer; iii) Local Revenue Officer; iv) PMU Resettlement Specialist; v) PIU Resettlement Specialist; vi) Sarpanch (Elected head of Village); vii) Representative of APs including vulnerable groups; and viii) NGOs.

The determination of replacement cost will consider a detailed rate analysis to be undertaken to verify local market rates from local people (based on land transactions done in the area in the last three years) and government rates prevalent in this region. The government-registered price will be ascertained from the registry papers.

| Type of Losses | Definition of APs | Entitlement | Details |
|---|---|--|--|
| | | | <p>the LAA to reflect market/replacement value of structures</p> <ul style="list-style-type: none"> • A lump sum transition allowance of Rs. 5,000 will be provided for each displaced household • Right to salvage material from demolished structure • Vulnerable APs will be provided by the Project an additional lump sum assistance of Rs. 25,000 for construction |
| | Individual tenant or leaseholder | <ul style="list-style-type: none"> • Rental assistance | <ul style="list-style-type: none"> • A lump sum assistance to re-establish residence equivalent to 6 months of rent or Rs. 5,000 whichever is higher per household |
| Loss of commercial structures | Titled and non-titled owners of structures | <ul style="list-style-type: none"> • Compensation at replacement cost • Resettlement Assistance | <ul style="list-style-type: none"> • Compensation based on the LAA (same amount awarded to both tile and no-titled APs) • A grant will be provided by the Project equivalent to the depreciation calculated by the LAA to reflect market/replacement value of structures • A transition allowance equivalent to one-year of minimum wage income plus Rs 5,000 will be provided for each household with displaced commercial structures • Right to salvage material from demolished structure |
| | Individual tenant or leaseholder | <ul style="list-style-type: none"> • Rental assistance | <ul style="list-style-type: none"> • A transition allowance equivalent to one-year of minimum wage income plus Rs 5,000 will be provided for each household |
| 3. Income | | | |
| Income from standing crops, rent or sharecropping | Farming households, sharecroppers and tenants | <ul style="list-style-type: none"> • Notice to harvest standing crops • Compensation at market value | <ul style="list-style-type: none"> • Compensation at market value for crops • An assistance grant equivalent to Rs. 5,000 for the purchase of agricultural inputs for the next season • Preferential employment in the Project will be provided to vulnerable households. |
| Income from affected business and wage earnings | All affected individuals | <ul style="list-style-type: none"> • Compensation and income restoration | <ul style="list-style-type: none"> • Compensation equivalent to 625 days of minimum wages preferably in the form of income generating schemes or in productive units in the joint name of spouses • Needs-based short term training on developing entrepreneurial skills • Preferential employment in the Project will be provided to vulnerable households |
| Income from trees or perennial crops | All affected households | <ul style="list-style-type: none"> • Compensation at market value | <ul style="list-style-type: none"> • Perennial crops (including fruit bearing trees) will be compensated based on 8 years of income at market value determined by the Horticulture Department • Trees will be compensated at 3-5 times the market value determined by the Forest Department for timber species, and by the Horticulture Department for other trees |
| Income from forest products and grazing land | All affected households | <ul style="list-style-type: none"> • Lump sum compensation | <ul style="list-style-type: none"> • Lump sum compensation for lost income for 3 months based on income from the forest/ grazing land determined by the RC in consultation with APs. |

| Type of Losses | Definition of APs | Entitlement | Details |
|---------------------------------|--|---|---|
| 4. Community and Cultural Sites | All affected households or individuals | <ul style="list-style-type: none"> Conservation, protection and compensatory replacement (Schools, community centers, markets, health centers, shrines, other religious sites, places of worship, burial sites, rights to food, medicine, and natural resources) | <ul style="list-style-type: none"> Impacts will be documented and mitigated based on the principles agreed upon in the resettlement framework. Cultural properties will be conserved through special measures such as relocation in consultation with the community. |
| 5. Other Impacts Not Identified | Affected households or individuals | <ul style="list-style-type: none"> Additional assistance | <ul style="list-style-type: none"> Unforeseen impacts will be documented and mitigated based on the principles agreed upon in the resettlement framework |

C. Procedure for RP Preparation

21. RPs for none-core subprojects will be prepared in the following manner:

- (i) the PIU with guidance from PMO will undertake social impact assessment surveys for each identified subproject, based on the preliminary technical design;
- (ii) if impacts are found to be significant⁵, full RPs will be prepared for each subproject;
- (iii) if impacts are not significant, short RPs will be required for project preparation, and
- (iv) RP will include measures to ensure that socio-economic conditions, needs, and priorities of women are identified and that the process of land acquisition and resettlement does not disadvantage women.

22. The PIU, PMO, and consultants for project preparation and implementation will include social development specialists familiar with ADB policy and procedures for the preparation of subproject RPs. RPs will comply with national resettlement policies and the principles outlined in this agreed RF, ADB's policy on *Involuntary Resettlement* (1995) and other social safeguard guidelines. The RP for core subprojects will be used as a model for the preparation and implementation of non-core subprojects. The draft RPs will be submitted to ADB for review and approval prior to contract award, and compensation paid to all APs prior to displacement, in any case not later than commencement of civil works. The PMO through PIUs will set the cut-off date on the day of notice (LAA Section 4).

23. The EA and IAs through the PMO and PIUs will ensure that this RF is closely followed when a RP is formulated for a subproject. The EA and IAs will further ensure that adequate resettlement budgets are delivered on time to PMO, PIUs, and involve NGOs for timely implementation of RP.

D. Institutional Arrangements

24. For subproject RPs, PMO will do the overall coordination, planning, implementation, and financing. The PMO will form an environment and social unit which will have a full-time resettlement specialist for the duration of the Project to ensure timely and effective implementation of RPs. The Resettlement Unit's (RU) resettlement specialist and staff, and the

⁵ Resettlement is significant when 200 or more people experience major impacts. Major impacts are defined as involving affected people being physically displaced from housing and/or having 10% or more of their productive, income generating assets lost.

PIU resettlement specialist and staff will provide the necessary capacity building training under the Project's Component C.

25. The PMO will coordinate PIUs in subproject RP-related activities, and each PIU will have at least one full-time resettlement specialist for the duration of resettlement activities, with an academic background in social sciences, and relevant skills and experience in resettlement issues. The resettlement specialist will subsequently be engaged on a part-time basis for follow-up activities, particularly in monitoring and grievance redress. The PIU will maintain all databases, work closely with APs and other stakeholders. Based on regularly updated PIU data, a central database will also be maintained by RU. Roles and responsibilities of various agencies are in Table 5.

26. The EA and the IAs will ensure that key institutions including local governments are involved in RP implementation. Moreover, in recognition of the complexity of resettlement in a sector project, experienced NGOs will be hired for RP implementation and for developing community-based social development programs. Local level Resettlement Committees will be formed to ensure representation of all stakeholders particularly APs, vulnerable APs, community-based organizations (CBOs), NGOs, and other local civil society and interest groups, local government, village leadership, and PIU staff—in decision making and RP implementation.

Table 4: Agencies Responsible for Resettlement Implementation

| | Activity | Agency Responsible |
|----|--|--|
| 1 | Hiring of implementing NGOs and Resettlement Specialists | PMO Resettlement Unit (RU) |
| 2 | Screening of sub projects for resettlement impacts | Project Implementing Unit (PIU)/Implementing NGO |
| 3 | Updating the Land Acquisition and Resettlement Plan | Project Implementing Unit (PIU)/Implementing NGO |
| 4 | Review and Approval of Land Acquisition and Resettlement Plan | RU |
| 5 | Submission of plans for ADB review and coordination of revisions | PMO |
| 4 | Verification survey for identification of APs | PIU/Implementing NGO |
| 5 | Land survey for identification of plots | RU |
| | Valuation of losses | RU |
| 6 | Issue of identity cards | PIU/Implementing NGOs |
| 7 | Resettlement training workshops | RU/Project Consultants |
| 8 | Consultation and disclosure of Land Acquisition and Resettlement Plan to APs | PIU/Implementing NGOs/Resettlement Committee (RC) |
| 9 | Preparation of land acquisition plan | PIU/RU |
| 10 | Submission of land acquisition proposals to District Commissioner | PIU/RU |
| 11 | Compensation award and payment of compensation | District Commissioner |
| 12 | Payment of replacement value allowance | PIU/Implementing NGO |
| 13 | Takeover the possession of acquired land/houses | PIU/RU |
| 14 | Hand over acquired land to contractors for construction | PIU/RU/PMO |
| 15 | Notify construction starting date to APs | PIU/Implementing NGO/RC |
| 16 | Assistance in relocation, particularly for vulnerable groups | PIU/Implementing NGO/RC |
| 17 | Income restoration activities, particularly for vulnerable groups | PIU/Implementing NGO/RC |
| 18 | Restoration of temporarily acquired land to its original state including restoration of private or common property resources | Contractors subject to monitoring by PIU/Implementing NGO/RC |
| 19 | Internal monitoring | RU/PIU/Implementing NGO |
| 20 | External monitoring | Independent Monitoring Agency |

E. Consultation, Disclosure, and Grievances

27. Project information will be disseminated by EA through public consultation and provision of project information. Each subproject RP will be prepared and implemented in close consultation with the stakeholders, particularly APs, through focus group discussions, socio-economic surveys, and stakeholder consultation meetings. Each RP will be made available in local language(s) during focus group discussions and stakeholder meetings at the village/community level to ensure inputs from stakeholders particularly at the village/community level. Female-headed households will be consulted by female fieldworkers. A resettlement information leaflet containing information on compensation and resettlement options will be made available in local language(s) and distributed to APs. The PMO through its RU and the PIUs will conduct consultations in affected villages to explain the resettlement plan in coordination with village/community leaders. Each AP will be provided information regarding specific entitlements. Disputes on entitlements can be forwarded to the PIU for appropriate action. The summary RP will be disclosed on the ADB website, and information dissemination and consultation will continue throughout the project implementation period.

28. A Grievance Redress Committee (GRC) will be formed to ensure APs grievances are addressed and facilitate timely implementation of the Project. The GRC will have representatives of APs, particularly of vulnerable APs, local-level IA/PIU staff, local governments, respected citizens in diverse professions, NGOs, CBOs, and local civil and interest groups. The head of a locally elected body will head the GRC. The GRC will meet every 2 weeks especially during land acquisition and resettlement phase. After that, it will meet as and when grievances are referred to it for redress. The main responsibilities of the GRC are to: (i) provide support to APs on problems arising from land/property acquisition; (ii) record AP grievances, categorize, and prioritize grievances and resolve them within 2 weeks; (iii) immediately inform the PMO of serious cases; and (iv) report to APs on developments regarding their grievances and decisions of the GRC and the PMO. Other than disputes relating to ownership rights under the court of law, GRC will review grievances involving all resettlement benefits, compensation, relocation, and other assistance. Detailed investigation will be undertaken which may involve field investigation with the concerned APs. Grievances will be redressed within 2-3 weeks from the date of lodging the complaints. The GRCs will continue to function during the life of the Project including the defects liability period.

F. Monitoring and Evaluation

29. Internal monitoring will be the responsibility of the PMO RU cell through PIUs and engaged NGOs. The RU internal monitoring will include: (i) **administrative monitoring**: daily planning, implementation, feed back and trouble shooting, individual AP file maintenance, and progress reports; (ii) **socio-economic monitoring**: case studies, using baseline information for comparing AP socio-economic conditions, evacuation, demolition, salvaging materials, morbidity and mortality, community relationships, dates for consultations, and number of appeals placed; and (iii) **impact evaluation monitoring**: Income standards restored/improved, and socioeconomic conditions of the affected persons. Monitoring and evaluation reports documenting progress on resettlement implementation and RP completion reports will be provided by the RU to ADB for review.

30. The EA will engage the services of an independent agency not associated with project implementation to undertake external monitoring and evaluation. The external agency, with previous experience in resettlement activities and familiarity with Government and ADB resettlement policy, will be engaged with ADB concurrence within three months of the loan

effectiveness. 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. The external monitoring will undertake monthly monitoring and impact evaluation on a sample basis during mid-term and project completion. Monitoring will also ensure recording AP views on resettlement issues; AP 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, PIU, and NGOs. The external agency will report its findings simultaneously to the EA and to ADB twice a year. Provisions have been made in the resettlement budget component for engaging an external monitor.

G. Implementation schedule

31. Draft RPs will be disclosed to APs prior to ADB review.

Table 5. Core Subprojects Implementation Schedule

| Activity | 2005 | | | | 2006 | | | | 2007 | | | | 2008 | | | | 2009 | | | | 2010 | | | |
|---|------|---|---|---|------|---|---|---|------|---|---|---|------|---|---|---|------|---|---|---|------|---|---|---|
| | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 |
| I. COMPONENT A | | | | | | | | | | | | | | | | | | | | | | | | |
| 1. Bhagirathi Basin | | | | | | | | | | | | | | | | | | | | | | | | |
| <i>a. 400kV Lohari Nagpala-Koteshwar Line & LILO at Pala Maneri</i> | | | | | | | | | | | | | | | | | | | | | | | | |
| Census/surveys | ■ | | | | | | | | | | | | | | | | | | | | | | | |
| Draft RP | ■ | | | | | | | | | | | | | | | | | | | | | | | |
| Consultation | ■ | | | | | | | | | | | | | | | | | | | | | | | |
| Notification | | ■ | | | | | | | | | | | | | | | | | | | | | | |
| Disclosure | | ■ | | | | | | | | | | | | | | | | | | | | | | |
| NGO selection | | ■ | ■ | | | | | | | | | | | | | | | | | | | | | |
| NGO engagement/training | | | ■ | ■ | ■ | ■ | ■ | ■ | | | | | | | | | | | | | | | | |
| Finalization of APs and final notification | | | | | | | ■ | | | | | | | | | | | | | | | | | |
| Compensation | | | | | | | | ■ | ■ | ■ | ■ | | | | | | | | | | | | | |
| Beginning of civil work | | | | | | | | | | | ■ | | | | | | | | | | | | | |
| Grievance redressal | | | | | | | | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Monitoring and evaluation | | | | | | | | | | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| <i>b. 220kV Roorkee 400kV - Roorkee 220kV line</i> | | | | | | | | | | | | | | | | | | | | | | | | |
| Census/surveys | ■ | | | | | | | | | | | | | | | | | | | | | | | |
| Draft RP | ■ | | | | | | | | | | | | | | | | | | | | | | | |
| Consultation | ■ | | | | | | | | | | | | | | | | | | | | | | | |
| Notification | | ■ | | | | | | | | | | | | | | | | | | | | | | |
| Disclosure | | ■ | | | | | | | | | | | | | | | | | | | | | | |
| NGO selection | | ■ | ■ | | | | | | | | | | | | | | | | | | | | | |
| NGO engagement/training | | | ■ | ■ | ■ | ■ | ■ | ■ | | | | | | | | | | | | | | | | |
| Finalization of APs and final notification | | | | | | | ■ | | | | | | | | | | | | | | | | | |
| Compensation | | | | | | | | ■ | ■ | ■ | ■ | | | | | | | | | | | | | |
| Beginning of civil work | | | | | | | | | | | ■ | | | | | | | | | | | | | |
| Grievance redressal | | | | | | | | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Monitoring and evaluation | | | | | | | | | | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |

| Activity | 2005 | | | | 2006 | | | | 2007 | | | | 2008 | | | | 2009 | | | | 2010 | | | | | | |
|--|------|---|---|---|------|---|---|---|------|---|---|---|------|---|---|---|------|---|---|---|------|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 | | | |
| 2. Alaknanda Basin | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <i>a. 400kV Tapovan Vishnugad - Kuwari Pass line & 400kV Kuwari Pass - Srinagar line & 400kV Srinagar - Kashipur line & 400kV Srinagar P/S - Srinagar S/S line</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Census/surveys | ■ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Draft RP | ■ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Consultation | ■ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Notification | | ■ | | | | | | | | | | | | | | | | | | | | | | | | | |
| Disclosure | | ■ | | | | | | | | | | | | | | | | | | | | | | | | | |
| NGO selection | | ■ | | | | | | | | | | | | | | | | | | | | | | | | | |
| NGO engagement/training | | | ■ | ■ | ■ | ■ | ■ | | | | | | | | | | | | | | | | | | | | |
| Finalization of APs and final notification | | | | | | ■ | | | | | | | | | | | | | | | | | | | | | |
| Compensation | | | | | | ■ | ■ | ■ | ■ | | | | | | | | | | | | | | | | | | |
| Beginning of civil work | | | | | | | | | | ■ | | | | | | | | | | | | | | | | | |
| Grievance redressal | | | | | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Monitoring and evaluation | | | | | | | | | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| <i>b. 132kV Lata Tapowan - Kuwari Pass line</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Census/surveys | ■ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Draft RP | ■ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Consultation | ■ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Notification | | ■ | | | | | | | | | | | | | | | | | | | | | | | | | |
| Disclosure | | ■ | | | | | | | | | | | | | | | | | | | | | | | | | |
| NGO selection | | ■ | | | | | | | | | | | | | | | | | | | | | | | | | |
| NGO engagement/training | | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | | | | | | | | | | | | | | | | |
| Finalization of APs and final notification | | | | | | | ■ | | | | ■ | | | | | | | | | | | | | | | | |
| Compensation | | | | | | | | | | | ■ | ■ | ■ | ■ | | | | | | | | | | | | | |
| Beginning of civil work | | | | | | | | | | | | | | ■ | | | | | | | | | | | | | |
| Grievance redressal | | | | | | | | | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Monitoring and evaluation | | | | | | | | | | | | | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| <i>c. 400kV Kuwari Pass s/s, Srinagar s/s</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Census/surveys | ■ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Draft RP | ■ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Consultation | ■ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Notification | | ■ | | | | | | | | | | | | | | | | | | | | | | | | | |
| Disclosure | | ■ | | | | | | | | | | | | | | | | | | | | | | | | | |
| NGO selection | | ■ | | | | | | | | | | | | | | | | | | | | | | | | | |
| NGO engagement and training | | | ■ | ■ | ■ | ■ | ■ | | | | | | | | | | | | | | | | | | | | |
| Finalization of APs and final notification | | | | | | | ■ | | | | | | | | | | | | | | | | | | | | |
| Compensation | | | | | | | | ■ | ■ | ■ | ■ | | | | | | | | | | | | | | | | |
| Beginning of civil work | | | | | | | | | | | | | ■ | | | | | | | | | | | | | | |
| Grievance redressal | | | | | | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Monitoring and evaluation | | | | | | | | | | | | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |

| Activity | 2005 | | | | 2006 | | | | 2007 | | | | 2008 | | | | 2009 | | | | 2010 | | | |
|--|------|---|---|---|------|---|---|---|------|---|---|---|------|---|---|---|------|---|---|---|------|---|---|---|
| | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 |
| Small Hydros | | | | | | | | | | | | | | | | | | | | | | | | |
| a. Kaliganga-I SHP | | | | | | | | | | | | | | | | | | | | | | | | |
| b. Kaliganga-II SHP | | | | | | | | | | | | | | | | | | | | | | | | |
| c. Madhyamaheswar SHP | | | | | | | | | | | | | | | | | | | | | | | | |
| d. Kaldigag | | | | | | | | | | | | | | | | | | | | | | | | |
| Census/surveys | ■ | | | | | | | | | | | | | | | | | | | | | | | |
| Draft RP | ■ | | | | | | | | | | | | | | | | | | | | | | | |
| Consultation | ■ | | | | | | | | | | | | | | | | | | | | | | | |
| Notification | | ■ | | | | | | | | | | | | | | | | | | | | | | |
| Disclosure | | ■ | ■ | | | | | | | | | | | | | | | | | | | | | |
| NGO selection | | ■ | ■ | | | | | | | | | | | | | | | | | | | | | |
| NGO engagement and training | | | | ■ | ■ | | | | | | | | | | | | | | | | | | | |
| Finalization of APs and final notification | | | | | ■ | | | | | | | | | | | | | | | | | | | |
| Compensation | | | | | | ■ | ■ | | | | | | | | | | | | | | | | | |
| Beginning of civil work | | | | | | | | ■ | | | | | | | | | | | | | | | | |
| Grievance redressal | | | | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Monitoring and evaluation | | | | | | | | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |

H. Resettlement Budget

32. Detailed budget estimates for involuntary resettlement will be prepared for each RP, by the EA/IAs which will be included in the overall subproject estimate. The budget will include i) detailed costs of land acquisition, relocation, and livelihood and income restoration and improvement, ii) source of funding, iii) arrangements for approval, and the flow of funds and contingency arrangements.

33. All land acquisition funds will be provided by the EA. All land acquisition, compensation, relocation and rehabilitation of income and livelihood will be considered as an integral component of project costs.