

Resettlement Planning Document

Resettlement Framework
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India: Uttaranchal State-Road Investment Program

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RESETTLEMENT FRAMEWORK

A. Introduction

1. The State Government of Uttarakhand (SGOU) has embarked on a 10 year road improvement program, the Uttarakhand State Roads Investment Program (USRIP), to support the State's 'Infrastructure Vision'. Under Asian Development Bank's (ADB) multi tranche financing facility (MFF) for USRIP, there will be two major components i.e. improvement of existing road network around 10,800 km comprising of several projects and strengthening the infrastructure management capacity of Uttarakhand's Public Works Department(PWD) which will be the executing agency for USRIP. The First component will focus on improving the condition of the existing road network by carrying out rehabilitation and reconstruction works that are mostly confined within the existing right-of-way (ROW).

2. Following the Strategic Option Study (SOS) and the Pre feasibility Study (PFS), PWD has identified and prioritized around 5,600 kilometer of roads for improvement. Out of the prioritized roads, pre-construction work on 573 kilometers of roads (23 road sections or sub-projects) which will form Project 1 has been completed. The scope of Project 1 road improvement component includes strengthening and reconstruction of selected sections of State Highways (SH), Major District Roads (MDR) and Other District Roads (ODR). In general, the existing single lane carriageway (3.5m) will be retained with some standardization. Upgradation to intermediate (5m) and two lane carriageway (7m) may be necessary on technical/traffic/safety grounds in a relatively few cases. Final selection of road sections and DPRs for subsequent Projects will be prepared during implementation of USRIP.

3. This Resettlement Framework (RF) has been formulated to guide the preparation of RPs when necessary for sub-projects in subsequent Projects. The RF identifies the broad scope of the Project and outlines the policy, procedures and institutional requirements for preparation and implementation of subproject RPs. The Project Management Unit (PMU) of Uttarakhand Public Works Department (PWD) through Project Implementation Units (PIU) or the regional offices will be responsible for conducting the social assessment and formulating RPs as per procedure outlined in this RF. The draft RPs will be disclosed to the affected persons in local language and submitted to ADB for review and approval prior to awarding of civil works contracts for relevant sub-projects. Compensation and other assistances will have to be paid to APs prior to commencement of construction activities.

B. Review of Government Policy and ADB Requirements

4. In India, compensation for land acquisition (LA) and resettlement assistance for project-affected people is governed by the Land Acquisition Act (1894), which has been amended from time to time. The State Government, at present does not have any policy on Resettlement and Rehabilitation. Under the Land Acquisition Act of 1894, compensation is paid only to the legal titleholders and does not provide any compensation package to the non title holders like encroachers, squatters etc. However, a National Policy on Resettlement and Rehabilitation of project Affected Families, 2004 known as NPRR-2004 has been adopted by the GOI to address development-induced resettlement. The policy essentially addresses the need to provide succor to the asset less rural poor, support the rehabilitation efforts of the resource poor sections, namely, small and marginal farmers, SCs/ STs and women who have been displaced.

5. The National Policy on the Resettlement and Rehabilitation of Project Affected Families as a broad guideline and executive instructions for guidance of all concerned, is applicable only

to Projects displacing 500 families or more en masse in plain areas and 250 families en masse in hilly areas, Desert Development Program (DDP) blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India. It is expected that the appropriate Government and Administrator for R&R shall implement this Policy in letter and spirit in order to ensure that the benefits envisaged under the Policy reaches the Project Affected Families, especially resource poor sections including SCs and STs. The main objectives of the Policy are:

- To minimize displacement and to identify non-displacing or least-displacing alternatives;
- To plan the resettlement and rehabilitation of Project Affected Families (PAFs) including special needs of tribals and vulnerable sections;
- To provide better standard of living to PAFs; and
- To facilitate harmonious relationship between the Requiring Body and PAFs through mutual cooperation.

6. 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 under NPRR. This policy does not recognize squatters and encroachers and there is no provision of resettlement assistance and transitional allowances etc. However, despite these provisions, the policy does not define that the compensation of lost assets must be on the basis of replacement cost. The Asian Development Bank's (ADB) Policy of *Involuntary Resettlement* (1995) on the other hand, recognize & address the R&R impacts of all the affected persons irrespective of their titles and requires for the preparation of RP in every instance where involuntary resettlement occurs. The ADB policy requirements are:

- avoid or minimize impacts where possible;
- consultation with the affected people in project planning and implementation;
- payments of compensation for acquired assets at the replacement value;
- ensure that no one is worse off as a result of resettlement and would maintain their at least original standard of living.
- resettlement assistance to affected persons, including non-titled persons; and
- special attention to vulnerable people/groups.

C. Resettlement Principles for the Project

7. Based on the above analysis of government provisions and ADB policy the broad resettlement principle for this project shall be the following:

- The negative impact on persons affected by the project would be avoided or minimized as much as possible;
- Where the negative impacts are unavoidable, the persons affected by the project and vulnerable groups will be identified and assisted in improving or regaining their standard of living.
- Information related to the preparation and implementation of resettlement plan will be disclosed to all stakeholders and people's participation will be ensured in planning and implementation. All sub-project RPs will be disclosed to the APs;
- Land acquisition for the project would be done as per the Land Acquisition Act, 1894. The Act specifies payment of adequate compensation for the properties to be acquired. Additional support would be extended for meeting the replacement value of the property. The affected persons who does not own land or other properties, but have economic interests or loose their livelihoods will be assisted as per the broad principles described

in this document.

- Widening and strengthening work will take place mostly on the existing alignment except at locations where the existing alignment may require shifting to accommodate bridges reconstructed in new locations adjacent to existing structures;
- Before taking possession of the acquired lands and properties, compensation and R&R assistance will be paid in accordance with the provision described in this document;
- An entitlement matrix for different categories of people affected by the project has been prepared and provisions will be kept in the budget for those who were not present at the time of census survey. However, people moving in the project area after the cut-off date will not be entitled to any assistance. In case of land acquisition the date of notification for acquisition will be treated as cut-off date. For non-titleholders such as squatters and encroachers the date of project census survey or a similar designated date declared by the executing agency will be considered as cut-off date.
- Appropriate grievance redressal mechanism will be established at the district level to ensure speedy resolution of disputes.
- All activities related to resettlement planning, implementation, and monitoring would ensure the involvement of women and other vulnerable groups.
- Consultations with the APs will continue during the implementation of resettlement and rehabilitation works.

8. In accordance with the resettlement and rehabilitation (R&R) measures suggested for the project, all affected households and persons will be entitled to a combination of compensation packages and resettlement assistance depending on the nature of ownership rights on lost assets and scope of the impacts including socio-economic vulnerability of the affected persons and measures to support livelihood restoration if livelihood impacts are envisaged. The affected persons will be entitled to the following five types of compensation and assistance packages (i) compensation for the loss of land, crops/ trees at their replacement value; (ii) compensation for structures (residential/ commercial) and other immovable assets at their replacement value; (iii) assistance in lieu of the loss of business/ wage income; (iv) assistance for shifting, and (v) rebuilding and/ or restoration of community resources/facilities.

D. Valuation of Affected Assets

9. Land surveys for determining the payment of compensation would be conducted on the basis of updated official records and ground facts. The land records containing information like legal title, and classification of land will be updated expeditiously for ensuring adequate cost compensation and allotment of land to the entitled displaced persons. Records as they are on the cut-off date will be taken into consideration while determining the current use of land. The uneconomic residual land remaining after land acquisition will be acquired as per the provisions of Land Acquisition Act. The owner of such land/property will have the right to seek acquisition of his entire contiguous holding/ property provided the residual land is less than the average land holding of the district.

10. For land acquisition the District Collector (DC) will decide the compensation for acquired land as per the legal provisions. The EA will determine the replacement cost of land and assets to be acquired based on market value through an independent valuer preferably hired from land and revenue department. If the compensation amount is less than the replacement value of the land, the DC/competent authority will award the compensation and the difference between the award rate and the replacement rate will be paid by the EA as 'assistance'.

11. The value of houses, buildings and other immovable properties will be determined on the

basis of relevant Basic Schedule of Rates (B.S.R.) as on date without depreciation. While considering the BSR rate, EA will ensure that it uses the latest BSR for the residential and commercial structures in the urban and rural areas of the region. Compensation for properties belonging to the community or common places of worship will be provided to enable construction of the same at new places through the local self-governing bodies / appropriate authority in accordance with the modalities determined by such bodies / authority to ensure correct use of the amount of compensation. Compensation for trees will be based on their market value. Loss of timber bearing trees will be compensated at their replacement cost while the compensation for the loss of fruit bearing trees will be decided by the EA as per prevailing rate of forest department. All compensation and other assistances will be paid to all APs before taking possession of the land/properties.

12. The independent valuer hired by the PIU will determine the replacement value of land, structure and other assets. In determining *the replacement value of land* the independent valuer will (i) appraise recent sales and transfer of title deeds and registration certificates for land in urban and rural areas of the district and (ii) determine whether the rates established for the project are sufficient to purchase the same quality and quantity of land based on compilation of appraised rates. The valuation of *crops and trees* will be based on (i) survey of market prices in the district and adjacent districts for different types of crops to establish an average market price and an assessment to know whether the compensation is less or greater than that price; (ii) income loss will be calculated as annual produce value for at least 3 seasons depending on the nature of crops/trees. For *structures* consultation will be carried out with the owners to determine (i) sources and cost of materials, whether the materials are locally available; (ii) type of shops (private or state-owned); (iii) distance to be traveled to procure materials; (iv) obtaining cost estimates through consultation with three contractors/suppliers in order to identify cost of materials and labor; (v) identifying the cost of different types of houses of different categories and compare the same with district level prices.

13. After payment of compensation, APs would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for the same. A notice to that effect will be issued intimating that APs can take away the materials. APs receiving compensation for trees will be allowed to take away timber of their acquired trees for their domestic use. Trees standing on the land owned by the government will be disposed off through open auction by the concerned Revenue Department/ Forest Department. APs will be provided with an advance notice of three months prior to relocation. Further, all compensation and assistance will be paid to all APs in the first section of each contract package prior to commencement of civil works in first section and displacement or dispossession of assets. The subsequent sections under each contract package will be handed over to the contractor after payment of compensation/assistance to the APs is completed for each section. The IA will provide satisfactory evidences of payment of compensation and assistances for each section prior to commencement of civil works in the respective sections. All compensation and assistance will be paid to the APs at least 2 months prior to commencement of construction activities.

E. Entitlement Matrix

14. Compensation for the lost assets to all APs will be paid on the basis of replacement value. Resettlement assistance for lost income and livelihoods will be provided to both title holders and non-title holders such as people with traditional or customary land rights, roadside residences/ SBE owners with permits from Panchayat (local government body) and other local agencies to which they are paying annual tax for the same. The "Vulnerable Group" comprises of APs living below poverty line (BPL), SC, ST, women headed households and the elderly and

disabled. An Entitlement Matrix (**Table 1**) has been developed, which recognizes and lists various types of losses resulting out of the project and provides for compensation and resettlement packages.

Table 1: Entitlement Matrix

S. N.	Type of Loss	Unit of Entitlement	Entitlement	Details
A. LOSS OF LAND AND ASSETS				
1	Loss of Agricultural land and assets	a) Titleholder b) APs with customary land right c) Permit from local authority	<ul style="list-style-type: none"> ▪ Compensation at replacement value ▪ Resettlement Assistance ▪ Transitional allowance ▪ Special provision for vulnerable group 	<p>a) Compensation will be paid as per the LA act.</p> <p>b) If the compensation determined by the Competent Authority/DC as per LAA is less than the replacement value”, then the difference is to be paid by the EA as assistance.</p> <p>c) If the residual plot(s) is (are) not viable, i.e., the AP becomes a marginal farmer, any of the following three options are to be given to the AP, subject to his acceptance:</p> <ul style="list-style-type: none"> • The AP remains on the plot, and the compensation and assistance paid to the tune of required amount of land to be acquired. • Compensation and assistance are to be provided for the entire plot including residual part, if the owner of such land wishes that his residual plot should also be acquired by the EA, the EA will acquire the residual plot and pay the compensation for it. • If AP is from vulnerable group, compensation for the entire land by means of land for land will be provided if AP wishes so, provided that the land of equal or more productive value is available. <p>d) Transitional allowance of Rs. 3000/- per month for 6 months if the residual land is not viable or for 3 months when the residual land is viable. This will be calculated by prevalent daily wage rate.</p> <p>e) All fees, stamp duties, taxes and other charges, as applicable under the relevant laws, incurred in the relocation and rehabilitation process, are to be borne by the EA.</p>
2	Loss of non-agricultural land (i.e.- homestead and residential structures)	a) Titleholder/ Owner (Residential land and structure) b) APs with customary land rights c) Permits from local authority	<ul style="list-style-type: none"> ▪ Compensation at replacement value ▪ Resettlement Assistance ▪ Transitional allowance ▪ Shifting assistance 	<p>a) Compensation for land and structure will be paid as per LA act.</p> <p>b) If replacement cost for land and structure is more than the compensation determined by the Competent Authority/DC, then difference is to be paid by the EA in the form of “assistance”.</p> <p>c) Replacement value for residential structure (part or full), which will be calculated as per the prevailing basic schedule of rates (BSR) without depreciation, subject to relevant “quality standards” of BSR as maintained by Govt. /Local Body.</p> <p>d) Transitional assistance of Rs. 3000/- per month in the form of grant to cover a maximum nine months rental accommodation.</p> <p>e) A lump sum shifting allowance of Rs. 1500 to</p>

S. N.	Type of Loss	Unit of Entitlement	Entitlement	Details
				<p>2500/- depending on the type of structure and extent of impact.</p> <p>f) Right to salvage material from demolished structure and frontage etc.</p> <p>g) Project assisted relocation option will be provided to those whose residential structures becomes non-livable as a result of Project impacts and a relocation site will be developed in consultation with these affected households (subject to availability of land)</p>
3	Loss of non-agricultural land (i.e.-loss of Commercial land and structures)	<p>a) Titleholder/ Owner (Commercial land and structure)</p> <p>b) APs with Customary land right</p> <p>c) Permits from Local Authority</p>	<p>a. Compensation at Market rate or Replacement value</p> <p>b. Resettlement Assistance</p> <p>c. Transitional allowance</p> <p>d. Shifting assistance</p>	<p>a) Compensation for the loss of land and structure will be paid at the replacement value.</p> <p>b) If replacement cost for land and structure is more than the compensation determined by the Competent Authority, then difference is to be paid by the EA in the form of "assistance".</p> <p>c) AP will be provided replacement cost of the commercial structure (part or full), which will be calculated as per the prevailing basic schedule of rates (BSR) without depreciation, subject to relevant "quality standards" of BSR as maintained by Govt. /Local Bodies.</p> <p>d) Transitional assistance of Rs. 3000/- per month in the form of grant for maximum period of nine months.</p> <p>e) A lump sum shifting allowance of Rs. 1500 to 2500/- depending on the type of structure and extent of impact.</p> <p>f) Right to salvage material from demolished structure and frontage etc.</p> <p>g) Training would be provided for upgradation of skills.</p> <p>h) Project assisted relocation option will be provided to those commercial structures can no longer be used as a commercial enterprise as a result of the Project and a relocation site will be developed in consultation with these affected households (subject to availability of land)</p>
4	Loss of Residential Tenancy	Residential Tenants	<p>e. Relocation Assistance</p> <p>f. Compensation</p> <p>g. Shifting assistance</p>	<p>a) The amount of deposit or advance payment paid by the tenant to the landlord or the remaining amount at the time of expropriation. (This will be deducted from the payment to the landlord).</p> <p>b) A sum equal to 3 Months rental or Rs 3000/- per month, whichever is lesser in consideration of the disruption caused.</p> <p>c) Compensation for any structure that tenant has erected on the property. (This will be deducted from the payment to the landlord).</p> <p>d) A lump sum shifting allowance of Rs. 1500 to 2500/- depending on the type of structure and extent of impact.</p>
5	Loss of Commercial Tenancy	Commercial Tenants	<p>h. Relocation Assistance</p> <p>i. Compensation</p> <p>j. Shifting</p>	<p>a) The amount of deposit or advance payment paid by the tenant to the landlord or the remaining amount at the time of expropriation. (This will be deducted from the payment to the landlord).</p>

S. N.	Type of Loss	Unit of Entitlement	Entitlement	Details
			assistance	<ul style="list-style-type: none"> b) A sum equal to 3 Months rental or Rs 3000/- per month, whichever is lesser in consideration of the disruption caused. c) Compensation for any structure the tenant has erected on the property. (This will be deducted from the payment to the landlord). d) A lump sum shifting allowance of Rs. 1500 to 2500/- depending on the type of structure and the extent of impact.

B. LOSS OF LIVELIHOOD OF TITLEHOLDERS

6	Loss of wage earnings	<ul style="list-style-type: none"> a) employ in SBEs b) agricultural laborer/sha re-croppers 	Assistance	<ul style="list-style-type: none"> a) This is valid for persons indirectly affected due to their employer being displaced. Assistance is to be paid on a case by case basis, as per the prevailing local wage rates for 100 days. b) Employment opportunity for APs in the road construction work if desired so by them.
7	Income from non-perennial crops and trees	Household	<ul style="list-style-type: none"> k. Notice to harvest standing crops l. Compensation of standing crops 	<ul style="list-style-type: none"> a) Advance notice to APs to harvest their crops; b) In case of standing crops, cash compensation at current market value. c) Grant for replacement of seeds for the next season's harvest towards loss of crops before harvest due to forced relocation. d) Trees will be compensated as per prevailing rate of Forest Department.
8	Perennial crops such as fruit trees	Household	Compensation at "market value"	<ul style="list-style-type: none"> a) Advance notice to APs to harvest their crops and fruits b) Compensation for perennial crops and trees calculated as annual produce value for at least 3 seasons. c) Grant for replacement of seeds for the next season's harvest towards loss of crops before harvest due to forced relocation. d) Trees will be compensated as per prevailing rate of Forest Department

C. LOSSES OF NON-TITLEHOLDERS

9	Loss of agricultural land, residential and commercial structure by encroachers	Households who have illegally extended their legally owned land/ property onto public or other private land	<ul style="list-style-type: none"> m. No compensation for land n. Compensation for structures to only vulnerable household o. Shifting assistance for vulnerable encroachers p. R&R Assistance only to vulnerable households q. Right to salvage materials 	<ul style="list-style-type: none"> a) Encroachers will be notified and given a time in which they will be required to remove their assets and harvest their crops. b) Compensation for structures at replacement cost to the vulnerable households. c) Training would be provided for upgradation of skills to the APs belonging to vulnerable groups and losing their commercial structures. d) Shifting allowance of Rs. 1500 to 2500/- lump sum for shifting depending on the type of structure and extent of impact. e) Right to salvage materials from the demolished structure.
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S. N.	Type of Loss	Unit of Entitlement	Entitlement	Details
10	Loss of residential and commercial structure by Squatters/ Informal settlers	Households living /earning their livelihood by illegally occupying public or private land.	r. No compensation for land s. Compensation for structures. t. Shifting assistance u. R&R Assistance v. Right to salvage materials	a) Compensation for loss of structure at replacement cost. b) A lump sum shifting amount of Rs. 1500 to Rs. 2500 depending on the type of structure. c) Squatters/informal settlers will be notified and given a time in which they will be required to remove their assets. d) Transitional allowance of Rs. 3000 for a period of 3 to a maximum of 6 months depending on the extent of impact. e) Training would be provided for upgradation of skills to the APs losing their commercial structures. f) Right to salvage material from the demolished structure. g) Project assisted relocation option will be provided to those whose residential / commercial structures become non-livable as a result of project impacts and relocation site will be developed in consultation with these affected households (subject to availability of land)
11.	Shifting Business – Mobile Vendors	Household	Not eligible for compensation or “assistance”	Ambulatory vendors who have been granted license for operating will be considered as kiosk.
12.	Kiosks	Household	“Assistance” for business disruption	Vendors who have been granted license for operating from a fixed location will be considered as kiosk. Assistance will be paid as one time lump sum amount of Rs. 3000.
D. ADDITIONAL SUPPORT TO VULNERABLE GROUP				
13.	Primary source of income	Vulnerable households including BPL, SC, ST, WHH, disabled and elderly	Additional assistance to vulnerable groups	One time lump sum assistance of Rs. 5000/ to vulnerable households. This will be paid above and over the other assistance(s) as per this framework.
E. LOSS OF COMMUNITY INFRASTRUCTURE/Common Property Resources				
14.	Common Property Resources	Community	Compensatory replacement	Cash compensation or reconstruction of the community structure in consultation with the community.
15.	Temporary impact during construction include disruption of normal traffic, increased noise levels, and damage to adjacent parcel of land / assets due to movement of heavy	Community / Individual	Compensation	<ul style="list-style-type: none"> The contractor shall bear the cost of any impact on structure or land due to movement of machinery during construction All temporary use of lands outside proposed RoW to be through written approval of the landowner and contractor. Location of Construction camps by contractors in consultation with PWD.

S. N.	Type of Loss	Unit of Entitlement	Entitlement	Details
	machinery			
F. ANY OTHER IMPACT				
16.	Unforeseen impacts if any	Unforeseen impacts will be assessed on case by case basis and suitable compensation/ assistance will be paid as deemed fit by the Executive Agency/ State government.		

15. The above Entitlement Matrix has been developed on the basis of social assessment carried out in the Project1 roads. In case, during loan implementation additional impacts are identified the entitlement matrix will be updated by including provision of compensation and assistance for the additional impacts as per the Resettlement Framework.

F. Procedure for RP Preparation

16. Resettlement Plans for each sub-projects will be prepared in the following manner:

- (i) the PIU with guidance from PMU will undertake census and a socio-economic survey of at least 10% of affected people and 20% of seriously affected people, together with local-level impact data. for each identified sub-project through consultant engaged for the detailed technical design;
- (ii) if impacts are found to be significant¹, full RPs (refer Appendix 1) will be prepared for each sub-projects;
- (iii) if impacts are not significant, short RPs (refer Appendix 2) will be required for each sub-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.

17. The PMU, and consultants for sub-project preparation and implementation will include social development specialists familiar with ADB policy and procedures for the preparation of RPs. RPs will comply with national / state resettlement policies and the principles outlined in this agreed RF and ADB's policy on *Involuntary Resettlement* (1995). Approval of RPs for each sub-project by ADB will be a condition for the contract of civil works, including compensation payments prior to displacement. In case of land acquisition the date of notification for acquisition under LAA will be treated as cut-off date. For non-titleholders such as squatters and encroachers the date of project census survey or a similar designated date declared by the EA will be considered as cut-off date. The PMU through the PIUs will ensure that this RF is closely followed when any RP is formulated for sub-project. The PMU will further ensure that adequate

¹ 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.

resettlement budgets are delivered on time to PIUs, and involve NGOs for timely implementation of RP.

G. Institutional Arrangements

18. The existing Public Works Department of Uttaranchal has already set up a Project Management Unit (PMU) in Dehradun. This office will be functional for the whole Project duration. For resettlement activities, PMU will do the overall coordination, planning, implementation, and financing. The PMU will create a Resettlement Cell (RC) with appointment of a Resettlement Officer (RO) (in the rank of an executive engineer) and required support staff for the duration of the Project to ensure timely and effective implementation of RPs. The RO will be assisted by the consultant appointed by PWD for preparation of RPs for Project 2 roads. A social development / resettlement specialist under Supervision consultant engaged under the loan will be responsible for preparation of the RPs for Project 3 and the subsequent sub-projects.

19. Project Implementation Unit (PIU) will be established at PWD Circle level for the implementation of sub-projects. The PMU will coordinate with PIUs for sub-project level RP related activities, and each PIU will additionally designate one senior staff (Not below the rank of an Executive Engineer) to co-ordinate the resettlement activities. The PIU, if required depending on the workload will also appoint an assistant resettlement officer (ARO) in rank of assistant engineer who will either be deputed to the PIU or engaged on contractual basis having adequate land acquisition implementation expertise. The staffs at the PIU level will be provided with the training by the social/resettlement specialist of the supervision consultant for implementation of the RP. The PIU will maintain all databases, work closely with APs and other stakeholders and monitor the day today resettlement activities.

20. Involuntary resettlement is a sensitive issue and strong experience in R&R matters along with community related skills will be required by the PIU in order to build a good rapport with the affected community and facilitate satisfactory R&R of the APs. To overcome this deficiency, experienced and well-qualified NGO in this field will be engaged to assist the PIUs in the implementation of the RP. Keeping in view the minimum resettlement impacts occurred from the project only one NGO will be hired for the Project -1 roads. The NGO would play the role of a facilitator and will work as a link between the PIU and the affected community.

21. A Grievance Redress Committee (GRC) at PIU level will be formed to deal with the disputes and AP's grievance and facilitate timely implementation of the Project. The GRC will be headed by the DC or a representative from the collector's office. The GRC will have from the PIU office, representatives of APs, particularly of vulnerable APs, local government representatives, NGOs and other interest groups. The GRC will meet as and when grievances are referred to it for redress. 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.

22. The institutional arrangement for resettlement planning and implementation is presented in the **Figure 1** and the roles and responsibilities of various agencies are summarized in **Table 2**.

Figure 1: Institutional Arrangement for Resettlement Planning and Implementation

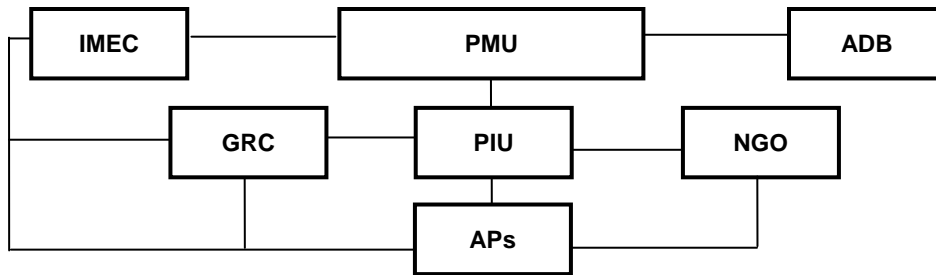


Table 2: Agencies Responsible for Resettlement Implementation

Activity	Agency Responsible
Establishment of Resettlement Units in PMU and appointment of Resettlement officer (RO)/ARO	PMU
Organizing resettlement training workshop	PMU
Social Assessment and Preparation of land acquisition plan, Resettlement Plan (RP)	PMU through PIU/Design Consultant
Hiring of (Non Government Organization) NGOs	PMU
Public consultation and disclosure of RP	PIU/ Design Consultant/NGO
Co-ordination with district administration for land acquisition	PIU/ Design Consultant
Declaration of cut-off date	PMU/PIU
Review and obtaining of approval of resettlement plan form ADB	PMU
Submission of land acquisition proposals to District Commissioner	PIU
Compensation award and payment of compensation	District Commissioner
Payment of replacement value allowance	PIU
Taking possession of acquired land and structures	PIU
Handing over the acquired land to contractors for construction	PIU
Notify the date of commencement of construction to APs	PIU/NGO
Assistance in relocation, particularly for vulnerable groups	PIU/ NGO
Internal monitoring of overall RP Implementation	PIU/NGO
External Monitoring and Evaluation (M&E)	(IMEC)

H. Public Consultation and Disclosure of RP

23. Project information will be disseminated by PMU and PIU through public consultation and provision of project information. Each sub-project RP will be prepared and implemented in close consultation with the stakeholders, particularly APs, through focus group discussions and stakeholder consultation meetings. Women participation will be ensured by involving them in public consultation at various level and stages of project preparation. A resettlement information leaflet containing information on compensation and resettlement options will be made available in local language(s) and distributed to APs. Each AP will be provided information regarding specific entitlements. The RPs will be disclosed to affected persons and on the PWD/PMU website and their respective local offices. The summary RP will be disclosed in ADB website also.

I. Monitoring and Evaluation

24. Internal project monitoring and evaluation will be carried out by PMU/PIU and the NGO. An Independent Monitoring and Evaluation Consultant (IMEC) will be hired for the external monitoring and evaluation of the project. Looking at the minimum impacts expected from the project, the external monitoring and evaluation shall be done by engaging individual consultant

with an intermittent input for the project period. Internal monitoring will be the responsibility of the PMU/PIU and NGO. The internal monitoring by PMU/PIU will include:

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

25. For external project monitoring and evaluation, the PMU will engage an individual Independent Monitoring and Evaluation Consultant (IMEC). The person, 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 IMEC 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. Monitoring will also ensure recording of AP's views on resettlement issues such as; AP's understanding of entitlement policies, options, and alternatives; site conditions; compensation valuation and disbursement; grievance redress procedures; and staff competencies. The IMEC will also evaluate the performance of the PIU and NGOs. The IMEC will also evaluate the performance of the PIU and NGOs. PMU will submit quarterly progress reports and the IMEC will report its findings simultaneously to the EA and to ADB twice a year. Financial provisions will be made under the project budget for above suggested institutional arrangement such as establishing RC, appointment of RO, hiring of NGO and hiring of IMEC etc.

J. Implementation Schedule

26. The period for implementation of RPs for all sub-projects will be from first quarter of 2007 to first quarter of 2011. In this context, the RP implementation process will be considerably shortened in most of the cases because of no involvement of land acquisition. Monitoring and evaluation will continue beyond the period of implementation, planning, surveying, assessing, policy development, institution identification, AP participation, income restoration and implementation are typical RP related activities to be performed. However, the sequence may change or delays may occur due to circumstances beyond the control of the Project.

K. Resettlement Budget

27. Detailed budget estimates for each RP will be prepared by the PMU/PIU which will be included in the overall project estimate. The budget shall include: (i) detailed costs of land acquisition, relocation, and livelihood and income restoration and improvement; (ii) source of funding; (iii) administrative costs (iv) monitoring cost (v) cost of hiring consultants (vi) arrangement for approval, and the flow of funds and contingency arrangements. All land acquisition, compensation, relocation and rehabilitation, administrative, monitoring and consultant cost, income and livelihood restoration cost will be considered as an integral

component of project costs. All land acquisition and resettlement costs will be borne by the government and ensure timely disbursement of funds for RP implementation.

APPENDIX 1: FORMAT AND SCOPE OF A FULL RESETTLEMENT PLAN

Topic	Contents
Executive Summary	
Scope of Land Acquisition and Resettlement	<ul style="list-style-type: none"> • Scope of and rationale for land acquisition • Alternative options, if any, considered to minimize land acquisition and its effects, and justification for remaining effects • Key effects in terms of land acquired, assets lost, and number of people affected. • Primary responsibilities for land acquisition and resettlement.
Socioeconomic Information	<ul style="list-style-type: none"> • Population record of people affected • Data on existing economic and social conditions of affected people, including socio-economic survey. Gender disaggregated socio-economic data is necessary. • Asset inventory, land assessment and assessment of other losses resulting from land acquisition, taking into account social, cultural, and economic impact on people affected. • Details on common property resources, if any. • Project impact on the poor, indigenous people, ethnic minorities, and other vulnerable groups, including women, • Special measures needed to enhance economic and social base of vulnerable groups.
Objectives, Policy Framework, and Entitlements	<ul style="list-style-type: none"> • Purpose and objectives of land acquisition and resettlement. • Borrower's policy and legal framework for resettlement, with any gaps in this framework as compared to ADB policy • Measures proposed to bridge the gap between ADB and borrower's policies • Principles, legal and policy commitments from executing agency for different categories of project impacts. • Eligibility policy and entitlement matrix for all categories of loss, including compensation rates at replacement costs. • Principles for determining valuation and compensation for assets, incomes and livelihoods
Gender Impact and Mitigative Measures	<ul style="list-style-type: none"> • Identification of socio-economic condition, needs, and priorities of women • Measures to ensure that process of land acquisition and resettlement does not disadvantage women • New land/house titles should be in the name of both spouses. For land/house given as replacement property, titles should be in the name of the person who brought in the original property.
Information Dissemination, Consultation, Participatory Approaches and Disclosure Requirements	<ul style="list-style-type: none"> • Identification of project stakeholders. • Disclosure of project information • Consultations for determining principles • Mechanisms for stakeholder participation in planning, management, monitoring, and evaluation • Disclosure of RP to people affected • Local institutions or organizations to support people affected. Potential role of non-government organizations (NGOs), women's groups and community-based organizations (CBOs).
Grievance Redress Mechanisms	<ul style="list-style-type: none"> • Mechanisms for resolution of conflicts and appeals procedures
Relocation of Housing and	<ul style="list-style-type: none"> • Options for relocation of housing and other structures, including replacement housing, replacement cash compensation, and/or self

Settlements	<p>selection.</p> <ul style="list-style-type: none"> • Measures to assist with transfer and establishment at new sites. • Options for developing relocation sites, if required, in terms of location, quality of site, and development needs. • Plan for layout, design, and social infrastructure and services for each site. • Measures for planned integration with host communities • Special measures for addressing gender issues and those related to vulnerable groups. • Environmental risks identification and arrangements for environmental management and monitoring.
Income Restoration Strategy	<ul style="list-style-type: none"> • Identification of livelihoods at risk. • Income restoration strategy with options to restore all types of livelihoods. • Job creation plan, including provisions for income substitution, retraining, self-employment and pensions, where required. • Business relocation and restoration plan, including income substitution, where required. • Environmental risks identification and arrangements for environmental management and monitoring.
Institutional Framework	<ul style="list-style-type: none"> • Main tasks and responsibilities in planning, negotiating, consulting, approving, coordinating, implementing, financing, monitoring and evaluating land acquisition and resettlement. • Review of mandate of the land acquisition and resettlement agencies and their capacity to plan and manage these tasks. • Provision for capacity building, including technical assistance, if required. • Role of NGOs, if involved, and organizations of affected persons in resettlement planning and management. • Involvement of women's groups in resettlement planning, management and operations, job creation and income generation • Female staff should be hired by the resettlement agency to work with and assist women in all aspects of resettlement activities, including planning and implementation of income restoration programs.
Resettlement Budget and Financing	<ul style="list-style-type: none"> • Cost estimates, budgets and cash flows for meeting the objectives of the RP according to established schedules • Land acquisition and resettlement costs. • Annual budget and timing for release of funds. • Sources of funding for all land acquisition and resettlement activities.
Implementation Schedule	<ul style="list-style-type: none"> • Time schedule showing start and finish dates for major resettlement tasks. • Time bound actions for projected activities to ensure that people affected are compensated and assisted before award of civil works contracts or similar milestone, ensuring as a minimum that affected people will be provided with entitlements, such as land and asset compensation and transfer allowances, prior to their displacement
Monitoring and Evaluation	<ul style="list-style-type: none"> • Plan for internal monitoring of resettlement targets, specifying key indicators of progress, mechanisms for reporting, resource requirements and database maintenance. • Plan for external and independent M&E • Participation of affected people in M&E • Impacts on women

APPENDIX 2: FORMAT AND SCOPE OF A SHORT RESETTLEMENT PLAN

Topic	Contents
Executive Summary	
Scope of Land Acquisition and Resettlement	<ul style="list-style-type: none"> • Alternative options, if any, considered to minimize land acquisition and its effects, and why the remaining effects are unavoidable. • Summary of key effects in terms of land acquired, assets lost, numbers of people affected, and socio-economic data
Objectives, Policy Framework, and Entitlements	<ul style="list-style-type: none"> • Borrower's policy and legal framework for resettlement, with any gaps in this framework as compared to ADB policy • Measures proposed to bridge the gap between ADBs and borrower's policies • Eligibility policy and entitlement matrix for all categories of loss, including compensation rates at replacement costs.
Gender Impact and Mitigative Measures	<ul style="list-style-type: none"> • Identify socio-economic condition, needs, and priorities of women • Include measures to ensure that process of land acquisition and resettlement does not disadvantage women and that land/house titles should be in the name of both spouses
Information Dissemination, Consultation, Participatory Approaches and Disclosure Requirements	<ul style="list-style-type: none"> • Identification of project stakeholders. • Disclosure of project Information • Consultations for determining principles • Mechanisms for stakeholder participation in planning, management, monitoring, and evaluation • Disclosure of RP to people affected • Local institutions or organizations to support people affected. Potential role of non-government organizations (NGOs), women's groups and community-based organizations (CBOs).
Grievance Redress Mechanisms	<ul style="list-style-type: none"> • Mechanisms for resolution of conflicts and appeals procedures
Compensation, relocation, and income restoration	<ul style="list-style-type: none"> • Arrangements for valuing and disbursing compensation. • Arrangements for housing relocation, including transfer, re-establishment and integration with host populations • Income restoration measures • Environmental risks identification and arrangements for environmental management and monitoring.
Institutional framework	<ul style="list-style-type: none"> • Main tasks and responsibilities in planning, managing and monitoring land acquisition and resettlement. • Ensure that (i) women's groups are involved in resettlement planning, management and operations, job creation and income generation; and (ii) female staff should be hired by the resettlement agency to work with and assist women in all aspects of resettlement activities.
Resettlement budget and financing	<ul style="list-style-type: none"> • Land acquisition and resettlement costs and funding sources including arrangements for timely disbursement to APs.
Implementation schedule	<ul style="list-style-type: none"> • Time bound actions for projected activities to ensure that people affected are compensated and assisted before award of civil works contracts..
Monitoring and evaluation	<ul style="list-style-type: none"> • Arrangements for M&E. • Impact on women monitored and evaluated separately
Arrangements for Reviewing RP at detailed technical/engineering design if this is not yet complete	

Formal Agreement by the EA
Covenant in RRP and Loan Agreements
Disclosure of full RP on ADB Website upon project approval