

# Resettlement Planning Document

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Resettlement Framework  
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## IND: Assam Integrated Flood and Riverbank Erosion Risk Management Investment Program

Prepared by the Water Resources Department, Government of Assam

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## RESETTLEMENT FRAMEWORK

### A. The Context

1. The State of Assam is the largest of the eight states in the north-eastern region of India. It is also one of the poorest with 36% of its 26 million people living under poverty line in 2000. The state also lags behind in many other development indicators. Several factors are responsible, including poor infrastructure, remoteness, and inability to minimize the impacts of damages and loss of productivity from frequent flooding. The recent flood of 2004 devastated the rural economy – over 200 people died, 3 million were temporarily displaced - and the flood caused extensive damages to crops, livestock and property in the state.

2. The North-East region remains prone to natural disasters creating an environment of uncertainty and repeated set-backs to any development efforts. Every year flooding and riverbank erosion cause devastating impacts. According to available data, floods affect an annual average of 3 million people over 1.2 million ha of land. However, the 2004 flood affected 12 million people over 2.9 million ha with damages amounting to an estimated \$1.5 billion. About 7% of the land in the state's 17 riverine districts has also been lost due to river erosion in the last 50 years. While the Assam State Government (ASG) has constructed flood embankments to protect some 50% of its flood prone areas, their effectiveness is generally limited due to (i) deterioration caused by insufficient maintenance, (ii) failure from riverbank erosion, and (iii) inundation caused by internal rainfall and tributary floods.

3. Sustainable development and poverty reduction depend on predictability and reduced vulnerability of the population to natural hazards. The state government has now undertaken new strategies for economic development that emphasizes rapid urban and industrial growth and progressive rural development through strategic interventions in key sectors, including flood control and water resources management. Given that over 90% of its agriculture land and urban areas are located in flood prone areas in the Brahmaputra and Barak valleys, effective flood risk management remains high on the development agenda. ASG has adopted a policy of high priority to improvement of existing embankment systems in particular along high value locations such as urban and commercial centers. At the same time, flood proofing and other “non-structural” measures such as flood risk mapping, flood plain zoning, disaster risk management plans and capacity building, including adaptive measures to floods are being explored as a strategy to “holistic” management of flood and erosion in the Brahmaputra floodplains.

### B. The Project

4. ASG with assistance from the Asian Development Bank (ADB)<sup>1</sup> has prepared an investment project, namely the Assam Integrated Flood and Riverbank Erosion Risk Management Investment Program (AIFREMP or the Project) aimed at improving key infrastructure including embankments, riverbank protection and flood proofing works along the Brahmaputra and Barak rivers to protect vital state economic interests and to improve the socio-economic conditions of the floodplain inhabitants, including poverty reduction of the poorer and vulnerable groups in the project area. Thus, the proposed project aims to enhance the security against floods and riverbank erosion through provision of comprehensive interventions comprising of mitigations, institutional strengthening and capacity building of state and local level agencies of the Water Resources Department (WRD). The scope of the Project works

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<sup>1</sup> ADB. 2006. *Technical Assistance to India for Preparing the North Eastern Integrated Flood and Riverbank Erosion Management Project (Assam)*. Manila.

involves (i) construction of riverbank protection in selected high priority/subproject areas; (ii) strengthening and improvements of existing embankments; (iii) nonstructural measures such as forecasting and early warning systems, and preparedness; (iv) alternative measures such as community flood proofing in selected localities; and (iv) project management support.

5. The Project is considered as the first step of a long-term partnership with ASG to put into operation the integrated flood and river erosion mitigation (FRERM) system progressively extending with improved planning and management framework under a multi-tranche financing facility (MFF) with appraised subproject(s) for its first tranche and a program to implement the project over two tranches. The sub-projects under tranche 1 include strengthening flood embankments and anti-erosion protection measures, including “emergency” work, in the form of bank protection as well as retired embankments.

6. The structural Project component incorporates two main approaches to minimize land acquisition and resettlement. Firstly, in all cases structural alternatives will be explored to reduce the area for construction, specifically related to the widening of embankments alongside densely populated areas. In this respect for example, the embankment running through Dibrugarh is expected to be strengthened through an internal cut-off wall that will also serve as flood wall increasing the embankment height locally. Secondly, land acquisition and resettlement along eroding riverbanks follows a parallel approach to minimize the distress to the mostly poor households and to allow acquisition of a minimal land area. During a first phase, eroding riverbanks will be stabilized through emergency protection, substantially reducing or stopping the progression of riverbank erosion. This work does not require preceding land acquisition due to its emergency nature and as it mainly touches the underwater slopes of the river banks and not the floodplain land used for settlements. Thereafter the land acquisition and resettlement process will be started in parallel to the upgrading of the underwater protection to higher standards. The final protection above low water level will only be installed after substantial completion of the land acquisition and resettlement process in full compliance with ADB's resettlement procedures.

### **C. Impacts, Screening Procedures and Framework**

7. Findings from the initial social assessment and IPSEA surveys indicate generally limited impacts of the Project as it is largely focused on rehabilitation and strengthening of existing embankments and riverbank protection work in selected sections. The scope of impacts of subproject(s) under Tranche 1 was identified as part of the project preparation activities, including a sample resettlement plan (RP) for one subproject (Kaziranga subproject). The expected changes in the status of a subproject could be (i) raising of the flood protection embankment beyond High Flood Level; (ii) retired and/or new embankments, where necessary; and (iii) riverbank protection work along eroding riverbanks. The implementation of the investment subprojects are likely to commence in 2009-2010.

8. This resettlement framework (RF) is the primary document, which provides the basis for preparing resettlement plans (RPs) for sub-projects, where necessary. It identifies the broad scope of the project and outlines the policy, procedures and institutional requirements for formulating RPs during project implementation. It sets out the policies and procedures to be adopted by the executing agency (EA) in the screening and preparation of RPs for sub-projects before submission to ADB for review and approval. The EAs will be responsible for preparing social analyses and RPs for subprojects based on the principles and guidelines outlined in RF. The RF also applies in the case of “emergency work”; however, to allow for protection work necessary on an emergency basis to save local communities, the EA will provide resettlement

benefits (e.g. shifting costs, cash compensation for reconstruction and assistance/support for temporary relocation, compensation/allowances for loss of workdays due to shifting and relocation) to affected households, pending preparation of RP following the emergency work. Finally, once subprojects are identified, a due diligence study will be carried out by the ADB consultants in coordination with WRD/SPV on outstanding payments of compensation for past acquisitions in the selected section(s). This should be carried out along with RP preparation so that actions concerning outstanding issues could be included in loan covenants, if necessary. The RF was agreed to by the project EA in preparing RPs during project implementation.

9. The RF ensures that if resettlement impacts are identified, the EA will formulate and implement RPs for relevant subprojects in compliance with the applicable national and state-level laws and regulations, and ADB's Policy on *Involuntary Resettlement* (1995), *Handbook on Resettlement* (1998), *Public Communications Policy of the ADB: Disclosure and Exchange of Information* (2005) and the agreed RF for the Project. The EA will prepare RPs for additional subprojects in keeping with the following: (i) social impact assessment surveys including a poverty assessment of at least 10% of the likely affected people and 20% of the seriously affected people; (ii) 100% census survey of the affected people, with an inventory of all kinds of losses for each of the subprojects based on final technical designs; (iii) if impacts are found to be "significant,"<sup>2</sup> a full RP will be prepared (format & scope of the Full RP enclosed as Annex 1) for each subproject by the EA for approval prior to award of contracts for that subproject; and (iv) if subproject impacts are less than significant, a short RP (Format & scope of the Short RP enclosed as Annex 2) will be prepared for that subproject for approval prior to award of contracts for that subproject. The RPs will aim at restoration of income and livelihood of the affected people.

10. If the project affects the Indigenous People (IP) significantly in which 100 or more IP will experience major impacts, the project will be categorized A and a separate Indigenous Peoples Development Plan will be prepared following Indigenous Peoples Development Framework. If the project affects less than 100 IP then it is categorised as Category B. For category B projects a separate section will be included in RP to highlight the impact of the project on the IP households and the specific measures to be undertaken to mitigate these impacts

11. A Land Valuation Committee (LVC) will be established headed by a senior officer from the land revenue department at state/district level and include representatives from department of agriculture, forest, horticulture, representatives from the Zilla Parishad / district councils, local *panchayat*/village councils, affected persons, independent valuator engaged by IA, NGO representatives and RO/representative from the PMU. This committee will not operate for full time and will be functional at the time of finalization of RP budgets and during land acquisition. The LVC will be responsible for finalizing the values of the affected assets taking into account the prevalent replacement value on the basis of land market survey, undertaken by the independent valuer appointed by the PMU. The prices for land and other assets established and approved by the LVC will be used for compensation for the project. These rates will be reviewed and updated on an annual basis during the course of project implementation.

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<sup>2</sup> Source: *Asian Development Bank Operations Manual – Operational Procedure on Involuntary Resettlement*. Involuntary Resettlement Category A: Significant means 200 or more people will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating). Categories A projects require a full resettlement plan. Some of these projects may require a resettlement framework prior to the full resettlement plan. Involuntary Resettlement Category B: Not Significant include involuntary resettlement impacts that are not deemed significant and require a short resettlement plan.

12. The RP would also include measures to ensure that socio-economic condition, needs and priorities of women are identified and that the process of land acquisition and resettlement does not disadvantage women. If there is no impact on subproject, a due diligence report will be submitted confirming the same and also stating reasons for the same. The RPs must comply with ADB policy on Involuntary Resettlement (1995). The EA will submit the RPs to ADB for approval, which will be a condition for contract of civil work, including compensation payments prior to displacement.

#### **D. Resettlement Entitlement Matrix**

13. The resettlement principles adopted in this framework recognize the national (LA Act, 1894) and state-level land laws (including those related to tribal areas of the states of Assam as listed in the Sixth Schedule [Articles 244(2) and 275(1)] of the Constitution of India) and regulations and the resettlement entitlements as per the National Policy on Resettlement and Rehabilitation (Government of India, 2007), and ADB policies as above and ADB OM F2 (2006). If there are gaps between ADB IR requirements and national/state-level regulatory framework, ADB IR Policy requirements will prevail as presented in the RF and the entitlement matrix.<sup>3</sup>

14. Lack of legal documents for customary rights of occupancy/titles shall not affect eligibility for compensation. The framework stipulates payment of compensation as per the assessed value of the land and structure to the affected persons (APs). In addition to compensation payments made by the concerned District Collector (DC), the APs will receive additional assistance in cash or kind to match replacement costs, which is the difference between the market value and the assessed value, if any, for lost assets (land and houses), transaction costs such as stamps/registration costs (in case of purchase of replacement land) and other cash grants and resettlement assistance such as shifting allowance, compensation for loss of workdays/income due to dislocation. Socio-economically vulnerable households namely - female-headed households, those below poverty line (BPL), scheduled tribes, scheduled castes, disabled and elderly will be given additional cash assistance for relocation and house reconstruction. Measures will be taken so that the resettled families can socially and economically integrated with the host communities.

15. The entitlement matrix (see Table 1) presents the basic parameters for compensation and resettlement benefits, based on potential losses. The matrix lists the various types of losses, identification/eligibility and entitlements. The mitigation measures in the matrix are standard practices and consistent with ADB policies and practices. The entitlements may be enhanced, if required, to reflect the subproject status during project implementation.

16. In addition, a JFPR pilot project<sup>4</sup> will design community-based risk management plan and social development/safety net for the vulnerable groups, particularly those living on the embankments in the subproject areas. The social development and safety net will focus on the biggest problem of “survival”, particularly by the poor and vulnerable groups (e.g., poor female-headed households, elderly, tribal/ethnic minorities), in terms of income and livelihoods, including provisions for micro-credit for income generating activities and enhanced organizational and leadership/advocacy among the poor through training and skill development. The objective is to establish a sustainable social development/safety network for poor women.

<sup>3</sup> A comparative analysis of the ADB Policy and Indian legal/resettlement policy is in Annex 3.

<sup>4</sup> ADB. 2008. *Community Risk Management and Social Development/Safety Net for the Assam Integrated Flood and Riverbank Erosion Management Project (Draft)*, North Eastern Flood and Riverbank Erosion Mitigation Project – Assam. Manila.

## **E. Disclosure, Consultation and Grievances**

17. Each RP will be prepared and implemented in close consultation with the stakeholders and will involve focus group discussions (FGDs) and meetings, particularly with the affected households. In addition, a Public Consultation and Disclosure Plan will be prepared for each of the subproject. This framework will be made available in local language(s) during the public meetings at the community level. Copies of draft RPs will also be made available at the local level public offices such as *tehsil* (revenue) and district offices, Block Development Office (BDO), and *gram panchayats* for local inputs prior to award of civil work contract. The summary of the RP/s will be disclosed on ADB and WRD/SPV websites and the consultation will continue throughout the project implementation period. In case there is no impact and no RP, the EA will make disclosure of the same informing the main villages, habitations, market places along the embankment in the subproject area that no land or structure will be affected by any activities of this project. The report of this disclosure giving detail of date, location will be shared with ADB.

18. Each RP will also outline a detailed procedure for community complaint and grievance redressal. All project related grievances will be redressed at the local level by Grievance Redressal Committee (GRC) in a consultative manner with the full participation of the affected households, or their representatives; project officials and local government representatives. Grievances will be redressed within two to four weeks from the date of lodging the complaints. All costs incurred in resolving the complaints will be borne by the project. A comprehensive record will be maintained by EA for all grievance proceedings for future checking and/or auditing.

## **F. Institutional Arrangements**

19. Considering the limited capacities of Water Resource Division a Special Purpose Vehicle would be constituted to independently manage and execute the project including the safeguard issues. Recognizing the importance of environment and social risk management for the IFRERM project, a separate Social and Environment Safeguards Management unit (SEMU) will be established within the SPV so as to address and manage environment and social issues. The SEMU would have resources and authority to manage the resettlement planning and implementation. The primary role of SEMU will be to ensure that projects undertaken meets all social and environment safeguard policy requirement carry out internal monitoring during RP implementation etc. SEMU will appoint 2 key persons on its staff to be Social Safeguard Officer and Environment Safeguards Officer who will oversee and coordinate the safeguard aspects of the project. The SEMU's Social Safeguard Officer will have a masters or higher degree in social science with at least 6-8 years of experience in conducting/reviewing social assessments and working with resettlement and tribal issues in India. Familiarity with GOI and ASG regulations and procedures will be essential and exposure to social safeguards at multilaterals will be desirable.

20. In addition to SEMU, at each subproject level there will be a Social and Environment Implementation unit (SEIU). The role of SEIU will be to handle Land acquisition and RP implementation at subproject level. SEIU will have a Land Acquisition Officer (on deputation from DC office) to handle the land acquisition for the subproject along with Resettlement Implementation Officer and a local NGO. The Land acquisition officer will be responsible for the following:

- (i) Timely ground survey (in coordination with technical team) to prepare Land Acquisition Plan for all affected assets.
  - (ii) To closely work with district civil authorities for timely notification of LA
  - (iii) To inform affected households about procedures of LA and compensation disbursement procedures
  - (iv) To ensure timely disbursement of the compensation to affected HH
  - (v) To provide completion report of LA and timely payment of compensation.
21. The Resettlement Implementation Officer's will be responsible for:
- (i) Ensure proper implementation of RP.
  - (ii) Preparation of social safeguard requirements for subprojects as per agreed framework and policies.
  - (iii) Identify critical social issues
  - (iv) Closely work with NGO to ensure proactive engagement on social issue
  - (v) Ensure proper implementation of JFPR
  - (vi) Coordinate with sub-projects for assessment, monitoring, and review as required.
  - (vii) Check the adequacy and effectiveness of safeguard measures taken, if any.
22. The NGO will be responsible<sup>5</sup> for:
- (i) Closely working with affected community and to do information dissemination to ensure correct and complete information is available to affected households.
  - (ii) To assist LAO and RIO in land acquisition process and disbursement of compensation (making of ID cards etc)
  - (iii) To take lead responsibility in planning and implementing the livelihood activities under the RP
  - (iv) To ensure gender sensitivity and to safeguard interest of poor and marginalised.
23. The Grievance Redressal Committee will be constituted at SEIU level comprising Project Director, Resettlement Officer, representative from local NGOs, elected representative from *Zilla Parisad*/District Council, representatives of affected persons including vulnerable groups and women in the committee. The GRC will continue to function, for the benefit of the APs, during the entire life of the project. 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.

### **G. Resettlement Budget**

24. Detailed budget estimates for each RP will be prepared 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. The 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 in the project budget and funded through the loan so that the EA can ensure timely disbursement of funds to the District Collector office for compensation to the affected households and persons.

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<sup>5</sup> Detailed TORs will be developed for each NGO for specific subproject.

## **H. Monitoring**

25. Regular internal monitoring of resettlement implementation will be undertaken by the PMU and quarterly reports of the monitoring activities shall be submitted to ADB. An independent monitoring and evaluation agency/expert will be hired by the EA in agreement with ADB to undertake external monitoring for the entire project. The external monitoring will be carried out every year during project implementation phases. The EA will take corrective actions, if necessary, based on the findings of the external monitoring reports. The results of the monitoring will be posted in WRD and ADB websites.

**Table 1: Entitlement Matrix**

Type of Loss	Identification of Affected Households	Entitlement	Details
<b>A: LOSS OF LAND</b>			
1. Loss of agricultural land	Owner/ Titleholder / traditional land rights <sup>6</sup> of the affected plot	Compensation at Market/Replacement value	<p>a) Replacement land as per the law or cash compensation at replacement cost; Plus refund of transaction cost (land registration cost, stamps etc) incurred for replacement land.</p> <p>b) If the replacement value of land, is more than the compensation determined by the land acquisition officer/ the District Collector, the difference will be paid in cash or kind by the Project directly to AP.</p> <p>c) APs with traditional title/occupancy rights will also be eligible for full compensation for land, plus the difference or additional grant.</p> <p>d) 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/her acceptance:</p> <ul style="list-style-type: none"> <li>• The AP remains on the plot, and the compensation and assistance paid to the tune of required amount of land to be acquired.</li> <li>• Compensation and assistance are to be provided for the entire plot including residual part, if the owner of such land wishes that his/her residual plot should also be acquired by the EA, EA will acquire the residual plot and pay the compensation for it.</li> <li>• 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</li> <li>• Transitional allowance of Rs. 2000 per month for 9 months if the residual land is not viable or for 3 months when the residual land is viable.</li> </ul>
2. Loss of commercial land	Owner/Titleholder/ traditional land rights <sup>7</sup> of the affected plot	Compensation at market /replacement value	<p>a) Cash compensation under the LA Act plus replacement value;</p> <p>b) In addition, refund of transaction cost (land registration cost, stamps etc) incurred for replacement land.</p>
3. Temporarily affected agricultural land due to work site for contractor etc	Owner/ Titleholder/ traditional rights of the affected plot	Cash compensation for loss of income potential	<p>a) Compensation for standing crops and trees as per the market rate</p> <p>b) Restoration of land to its previous or better quality</p> <p>c) Contractor to negotiate a rental rate with the owner for temporary use of land.</p>

<sup>6</sup> Traditional land rights refers to households with customary rights to land and shall be treated equivalent to titleholders

<sup>7</sup> Traditional land rights refers to households with customary rights to land and shall be treated equivalent to titleholders

Type of Loss	Identification of Affected Households	Entitlement	Details
<b>B: LOSS OF RESIDENTIAL, COMMERCIAL &amp; OTHER STRUCTURES</b>			
4. Loss of frontage, residential and commercial structures.	Titleholder of affected structure	Compensation at Replacement cost	<ul style="list-style-type: none"> <li>a) Reconstruction cost (without depreciation) for lost frontage/structure; affected person shall be allowed to take salvaged material from the demolished structure at no costs.</li> <li>b) A lump sum transfer grant of an amount of Rs 10,000 per household for shifting households' assets and other belonging to the new area.</li> <li>c) Rental assistance as per the prevalent rate in the form of grant to cover maximum three month rental accommodation</li> </ul>
	Tenants	Assistance lump sum	<ul style="list-style-type: none"> <li>a) Rental assistance for both residential &amp; commercial tenants as per the prevalent rate in the form of grant to cover maximum three month rentals</li> <li>b) A lump sum transfer grant of an amount of Rs 10,000 per household for shifting households' assets and other belonging to the new area.</li> <li>c) Additional structures erected by tenants will also be compensated and deducted from owner's compensation amount.</li> <li>d) Any advance deposited by the tenants will be deducted from owners total compensation package on submission of documentary evidences.</li> </ul>
5. Impact on market place/ area on a minimum of 25 shops/ businesses.	Titleholder <sup>8</sup> (Owner) & non-titleholder <sup>9</sup> (tenants, leaseholders, squatters and vulnerable encroachers) losing commercial enterprise in the market area	Relocation Assistance	<p>Affected enterprises will be provided with the following options:</p> <ul style="list-style-type: none"> <li>a) Self managed reconstruction of shops by the shop operators with all benefits as per the entitlement matrix; or</li> <li>b) Project assisted relocation option will be provided to those whose commercial structure can no longer be used as a commercial enterprise as a result of the Project impact. The allotment of the shops in the market complex will be based on the ownership status of those affected.</li> <li>c) A lump sum transfer grant of an amount of Rs 10,000 per household for shifting households' assets and other belonging to the new area.</li> <li>d) Right to salvage material from demolished structure at no cost.</li> </ul>

<sup>8</sup> In case of affected Title owners – the affected title owners will be allotted a shop in the market in lieu of compensation. No additional compensation will be paid to them. However, they will be entitled to transitional allowance and shifting assistance as applicable and provided for in the Entitlement Matrix.

<sup>9</sup> In case of affected non-title owners, tenants and leaseholders, squatters and vulnerable encroachers, who have been carrying out business for 10 or more years, will be re-established by creation of market place. The constructed shops in this market will be provided on rent to them. For first 3 months, no rent will be charged from these APs. However, after three months these APs need to pay to the authority the agreed rent by demand draft monthly and if he/she wishes to own the same can pay the total amount in agreed installments. The APs opting for this option will not be paid cash compensation for their structure loss.

Type of Loss	Identification of Affected Households	Entitlement	Details
<b>C: LOSS OF CROPS &amp; TREES</b>			
6. Loss of crops and trees	Owner/sharecropper/ Tenants affected	Compensation at 'market value'	a) Advance notice to APs to harvest their crops. b) In case of standing crops, cash compensation for loss of agricultural crops at current market value of mature crops based on average production. c) Compensation for loss of timber trees at current market value of wood/timber or firewood depending on the kind of tree. d) In case of fruit trees, compensation at average fruit production for next 15 years to be computed at current market value.
<b>D: LOSSES OF NON-TITLEHOLDERS</b>			
7. Encroachers	Land and structures	No compensation for land but assistance for assets only to vulnerable groups (namely – BPL households, SC/STs, female-headed households, disabled/elderly)	a) Encroachers will be notified a time in which to remove their assets to be affected. b) Right to salvage material from demolished structure at no cost. c) Compensation for affected structures at replacement value only to the vulnerable <sup>10</sup> households. d) Additional assistance as required on a case by case basis.
8. Loss of structure by squatters and informal settlers	Land and structures	No compensation for land but compensation for structure at replacement cost and other assistance	a) Squatters will be notified of a time in which to remove their assets that will be affected. b) Right to salvage material from demolished structure at no cost. c) Compensation for loss of structure at replacement cost to be paid by the Project. d) A lump sum transfer grant of an amount of Rs. 10,000 for shifting households' assets and other belonging to the new area.
<b>E: LOSS OF LIVELIHOOD SOURCE</b>			
9. Loss of primary source of income for the titleholders	Titleholders losing income through agriculture	Assistance for income restoration	a) Transitional allowance equivalent 1000 days of Minimum Agricultural Wage (MAW) in the state at the time of Section 4 notification under LA Act if the residual land is not viable or equivalent to 750 days of MAW income when the residual land is viable.
	Titleholders losing income through business	Transitional assistance	a) Title holders losing their business establishment due to displacement will be assisted on a case-by-case basis in the form of a grant for three months for loss of their income.
10. Loss of primary source of income for the non-titleholders [ wage earning employees, agricultural labour,	Non-titleholders namely squatters and encroachers losing primary source of income	Training Assistance for income restoration	a) Training would be provided for income generating vocational training and skill upgradation options as per APs choice @ Rs 10,000 per family to those APs belonging to vulnerable groups and losing their source of income or to those losing significant income as result of the

<sup>10</sup> The groups of population are considered socially 'vulnerable' comprise of - (a) those who are below the poverty line (BPL); (b) those who belong to scheduled castes (SC), scheduled tribes (ST); (c) female-headed households (FHH); (d) elderly and (e) disabled persons.

Type of Loss	Identification of Affected Households	Entitlement	Details
non-agricultural labour, squatters and vulnerable encroachers]			loss and becoming vulnerable.
	Agriculture/ Non agricultural labour indirectly affected due to acquisition of land or displacement of employer	Assistance for income restoration	a) One-time financial assistance for transitional income support, on a case-by-case basis, based on local wage rates in the form of grant for three months for loss of income.
	Wage earning employees indirectly affected due to displacement of commercial structure	Transitional assistance	a) This is valid for persons indirectly affected due to the employer having being displaced, on case-by-case, based on local wage rates for three months.
<b>F: LOSS OF COMMON PROPERTY RESOURCES</b>			
11. Loss of Common Property Resources	Affected community/Institution responsible	Cash compensation/ reconstruction	a) Cash compensation at replacement value or reconstruction of the community structure in consultation with the community
<b>G: REHABILITATION MEASURES</b>			
12. Additional assistance to vulnerable groups	Households categorized as vulnerable (BPL households, SC/STs, female-headed households, disabled/elderly)	Lump sum assistance	a) Additional lump sum assistance of Rs. 5000 per household to vulnerable groups such as – female headed households, households with disabled family members, households below poverty line, scheduled tribe and scheduled caste households etc.
13. Emergency bankline protection and retired embankment work	Households affected by emergency work in terms of relocation and re-building	Temporary assistance for shifting	a) Shifting costs, cash compensation for reconstruction and assistance/support for temporary relocation, allowances for loss of workdays due to shifting and relocation as per the entitlement matrix
14. Any unanticipated adverse impact due to project intervention	Any unanticipated consequence of the project will be documented and mitigated based on the spirit of the principles agreed upon in this policy framework.		

### Annex 1. Format and Scope of a Full RP

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

Topic	Contents
	<ul style="list-style-type: none"> <li>• Special measures for addressing gender issues and those related to vulnerable groups.</li> <li>• Environmental risks identification and arrangements for environmental management and monitoring.</li> </ul>
<b>Income restoration strategy</b>	<ul style="list-style-type: none"> <li>• Identification of livelihoods at risk.</li> <li>• Income restoration strategy with options to restore all types of livelihoods.</li> <li>• Job creation plan, including provisions for income substitution, retraining, self-employment and pensions, where required.</li> <li>• Business relocation and restoration plan, including income substitution, where required.</li> <li>• Environmental risks identification and arrangements for environmental management and monitoring.</li> </ul>
<b>Institutional framework</b>	<ul style="list-style-type: none"> <li>• Main tasks and responsibilities in planning, negotiating, consulting, approving, coordinating, implementing, financing, monitoring and evaluating land acquisition and resettlement.</li> <li>• Review of mandate of the land acquisition and resettlement agencies and their capacity to plan and manage these tasks.</li> <li>• Provision for capacity building, including technical assistance, if required.</li> <li>• Role of NGOs, if involved, and organizations of affected persons in resettlement planning and management.</li> <li>• Involvement of women's groups in resettlement planning, management and operations, job creation and income generation</li> <li>• 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.</li> </ul>
<b>Resettlement budget and financing</b>	<ul style="list-style-type: none"> <li>• Cost estimates, budgets and cash flows for meeting the objectives of the RP according to established schedules</li> <li>• Land acquisition and resettlement costs.</li> <li>• Annual budget and timing for release of funds.</li> <li>• Sources of funding for all land acquisition and resettlement activities.</li> </ul>
<b>Implementation schedule</b>	<ul style="list-style-type: none"> <li>• Time schedule showing start and finish dates for major resettlement tasks.</li> <li>• 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</li> </ul>
<b>Monitoring and evaluation</b>	<ul style="list-style-type: none"> <li>• Plan for internal monitoring of resettlement targets, specifying key indicators of progress, mechanisms for reporting, resource requirements and database maintenance.</li> <li>• Plan for external and independent M&amp;E</li> <li>• Participation of affected people in M&amp;E</li> <li>• Impacts on women</li> </ul>

### Annex 2. Format and Scope of a Short RP

Topic	Contents
<b>Executive Summary</b>	
<b>Scope of land acquisition and resettlement</b>	<ul style="list-style-type: none"> <li>• Alternative options, if any, considered to minimize land acquisition and its effects, and why the remaining effects are unavoidable.</li> <li>• Summary of key effects in terms of land acquired, assets lost, numbers of people affected, and socio-economic data</li> </ul>
<b>Objectives, policy framework, and entitlements</b>	<ul style="list-style-type: none"> <li>• Borrower's policy and legal framework for resettlement, with any gaps in this framework as compared to ADB policy</li> <li>• Measures proposed to bridge the gap between ADB and borrower's policies</li> <li>• Eligibility policy and entitlement matrix for all categories of loss, including compensation rates at replacement costs.</li> </ul>
<b>Gender Impact and Mitigative Measures</b>	<ul style="list-style-type: none"> <li>• Identify socio-economic condition, needs, and priorities of women</li> <li>• 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</li> </ul>
<b>Information Dissemination, Consultation, Participatory Approaches and Disclosure Requirements</b>	<ul style="list-style-type: none"> <li>• Identification of project stakeholders.</li> <li>• Disclosure of project Information</li> <li>• Consultations for determining principles</li> <li>• Mechanisms for stakeholder participation in planning, management, monitoring, and evaluation</li> <li>• Disclosure of RP to people affected</li> <li>• Local institutions or organizations to support people affected. Potential role of non-government organizations (NGOs), women's groups and community-based organizations (CBOs).</li> </ul>
<b>Grievance Redress Mechanisms</b>	<ul style="list-style-type: none"> <li>• Mechanisms for resolution of conflicts and appeals procedures</li> </ul>
<b>Compensation, relocation, and income restoration</b>	<ul style="list-style-type: none"> <li>• Arrangements for valuing and disbursing compensation.</li> <li>• Arrangements for housing relocation, including transfer, re-establishment and integration with host populations</li> <li>• Income restoration measures</li> <li>• Environmental risks identification and arrangements for environmental management and monitoring.</li> </ul>
<b>Institutional framework</b>	<ul style="list-style-type: none"> <li>• Main tasks and responsibilities in planning, managing and monitoring land acquisition and resettlement.</li> <li>• 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.</li> </ul>
<b>Resettlement budget and financing</b>	<ul style="list-style-type: none"> <li>• Land acquisition and resettlement costs and funding sources including arrangements for timely disbursement to APs.</li> </ul>
<b>Implementation schedule</b>	<ul style="list-style-type: none"> <li>• Time bound actions for projected activities to ensure that people affected are compensated and assisted before award of civil works contracts.</li> </ul>
<b>Monitoring and Evaluation</b>	<ul style="list-style-type: none"> <li>• Arrangements for M&amp;E.</li> <li>• Impact on women monitored and evaluated separately</li> </ul>
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	