

Resettlement Planning Document

Short Resettlement Plan – Kralgund-Ashpora-Qaziabad Road
Document Stage: Final
Project Number: 38136
December 2007

INDIA: Multisector Project for Infrastructure Rehabilitation in Jammu and Kashmir

Prepared by Economic Reconstruction Agency, Government of Jammu and Kashmir for the Asian Development Bank (ADB)

The short resettlement plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

GOVERNMENT OF JAMMU & KASHMIR

ECONOMIC RECONSTRUCTION AGENCY

Multi-Sector Project for Infrastructure Rehabilitation in

Jammu & Kashmir

[ADB Loan 2151-IND (Transport)]

Short Resettlement Plan (SRP)

Kralgund-Ashpora-Qaziabad Road

District Kupwara

December 2007

SHORT RESETTLEMENT PLAN

TABLE OF CONTENTS

	List of Abbreviations	3
	Glossary	4
	Executive Summary	5-8
Section A:	Description of the Sub-Project	9
Section B:	Scope of Land Acquisition & impacts	9
Section C:	Objectives of the Short Resettlement Plan	10
Section D:	Socioeconomic Profile of the Affected Families	10
Section E:	Gender Impacts and Mitigative Measures	11
Section F:	Resettlement Principles & Policy Framework	12
Section G:	Stakeholder Participation & Disclosure of the Resettlement Plan	15
Section H:	Implementation Arrangements & Grievance Redressal	16
Section I:	Compensation & Livelihood Restoration	17
Section J:	Budget	17
Section K:	Implementation Schedule	19
Section L:	Training, Monitoring & Evaluation	20
	LIST OF ANNEXURES	22-39
Annexure I	SES Questionnaire	
Annexure II	List of Affected Families	
Annexure III	Public Consultation and Disclosure of RP	
Annexure III (A)	Summary of Public Consultation	
Annexure IV	Schedule for Resettlement Plan	
Annexure V	Terms of reference for the NGO/Agency	
Annexure VI	Terms of Reference for an External Monitoring & Evaluation Agency/Consultant	

LIST OF ABBREVIATIONS

ADB	Asian Development Bank
BPL	Below Poverty Line
CPR	Common Property Resource
DSC	Design & Supervision Consultants
ERA	Economic Reconstruction Agency
EA	Executing Agency
FGD	Focus Group Discussions
GoI	Government of India
GRC	Grievance Redressal Committee
IPSA	Initial Poverty & Social Assessment
IP	Indigenous Peoples
J&K	Jammu & Kashmir
LA	Land Acquisition
LTH	Legal Title Holder
NGO	Non-Government Organizations
NPRR	National Policy on Resettlement & Rehabilitation
PMU	Project Management Unit
PRA	Participatory Rural Appraisal
PWD	Public Works Department
RP	Resettlement Plan
R&R	Resettlement & Rehabilitation
RO	Resettlement Officer
SC	Schedule Caste
ST	Schedule Tribe
TORs	Terms of Reference

GLOSSARY

The definitions of the key terminologies or concepts used in the Resettlement Plan are as follows:

- **Land Acquisition** means the process whereby land and properties are acquired for the purpose of the project construction;
- **Compensation** means payment in cash or in kind of the replacement value of the acquired property.
- **Family** means project affected family consisting of such persons, his or her spouse, minor sons, unmarried daughters, minor brothers or unmarried sister, father, mother and other members residing with him/her and dependent on him/her for their livelihood.
- **Grievances Redressal Committee** means the committee established under the subproject to resolve the local grievances;
- **Involuntary resettlement** addresses social and economic impacts that are permanent or temporary and are (i) caused by acquisition of land and other fixed assets, (ii) by change in the use of land, or (iii) restrictions imposed on land as a result of an ADB Project.
- **Affected Person (AP)** includes any people including encroachers/ squatters, families, or firms who, on account of changes that result from the project will have their (i) standard of living adversely affected; and/or (ii) right, title, or interest in any house, land (including residential, commercial, agricultural, forest, and/or grazing land), water resources, or any other moveable or fixed assets acquired, possessed, restricted, or otherwise adversely affected, in full or in part, permanently or temporarily;
- **Replacement Cost** means the method of valuing assets to replace the loss at market value before the project or dispossession, or its nearest equivalent, plus any transaction costs such as administrative charges, taxes, registration, and titling costs. Replacement cost is based on market value before the project or dispossession, which ever is higher.
- **Resettlement** means all the measures taken to mitigate all or any adverse impacts of the project on the APs property and/or livelihoods including compensation, relocation (where relevant), and rehabilitation;
- **Rehabilitation** means the measures provided under the resettlement plan other than payment of the compensation of acquired property.
- **B P L Family** means a family whose total annual income from all sources is less than or equal to Rs. 25000/=

Executive Summary of the Short Resettlement Plan

A. Description of the Sub-Project

The sub-project road Kralgund – Ashpora – Qaziabad is located in Kupwara district. The road takes off at Kralgund in Km 20 of Baramulla-Kupwara Road and ends at Qaziabad. The total length of the sub-project road is 13.530 km.

In keeping with ADB's sector loan procedures; this short Resettlement Plan (RP) has been prepared for this subproject in accordance with ADB's Policy of 1995 and State L.A Act, 1990.

B. Scope of Land Acquisition & Impacts

The subproject as per the Technical design will acquire a portion of land (land under structures) measuring 98.40 m and adverse impacts on 1 Mosque (community structure). In addition to this 9 fruit and 7 non fruit bearing trees will also be affected due to sub-project implementation. A census survey conducted in March, 2007 revealed that the resettlement impacts in this subproject are 'insignificant'. However, the subproject is likely to entail adverse impacts on 07 families comprising 55 persons located along the sub-project. The census survey revealed that 06 families fall under the Below Poverty Line (BPL). **However none of the affected families will suffer income loss due to sub-project implementation.** A Resettlement Plan has been prepared following the objectives of RRP and Loan Agreement (2151-IND) whereby it is suggested to avoid land acquisition and Involuntary Resettlement but in case it is unavoidable a Resettlement Plan has to be prepared in accordance with ADB's Resettlement Policy of 1995 as well as State Land Acquisition Act of 1990 with a view to minimize the adverse impacts. Land Acquisition will be done as per the provisions of State Land Acquisition Act 1990, preferably through Private negotiation and if necessary through Compulsory Acquisition. Land acquisition will follow national and state laws for "compulsory land acquisition" process under which stamp duty and registration cost, solatium, interest rate will be provided to affected persons as budgeted in Table 6. Keeping in view the objective of ADB's Policy only the most required portion of land and structures are to be acquired. A copy of survey tools used during SES is annexed as **annexure I.**

C. Objectives of the Short Resettlement Plan

This Short Resettlement Plan is prepared to deal with the limited aspects of land/structure acquisition and resettlement impacts resulting from the road up gradation/improvement. The Plan provides an analysis of the impacts, identifies the nature and types of losses, and establishes an entitlement matrix (as per Appendix 10 of the RRP) as a guide to payments of compensation and resettlement benefits. The primary objective of this short RP is to restore the income and living standards of the affected persons (APs), due to land and structure acquisition within a short period of time without any disruptions in their own economic and social environment.

D. Socio-economic Profile of the Affected Families

The census survey undertaken in March 2007 revealed that the resettlement impacts in this subproject are 'insignificant'. However, the subproject is likely to entail adverse impacts on 07 families comprising 55 persons. The census survey revealed that 06 families fall under the Below Poverty Line (BPL). **However none of the affected families will suffer income loss due to sub-project implementation.** The socio economic background of the affected families is discussed in the main text. Methodology for Resettlement Survey includes social impact assessment survey, census survey and 20% SES (socioeconomic survey) of the affected persons. Besides it also includes, marking of affected assets and structures as per the engineering design; one-to-one family interview with the affected families and small group consultations, key informant interviews and focus group discussions were also undertaken with affected persons including women and vulnerable groups, shopkeepers, revenue officials and local leaders during the survey.

E. Gender impacts and Mitigative Measures

The Consultants, to look into the status and needs of the women in the subproject area and the potential impact of the Project on them by means of undertaking FGDs with women, undertook a gender analysis during the course of the social assessments. The subproject as per the women groups will benefit them directly by means of better access to health, educational and other facilities present in the adjoining areas. They expect that adequate transport facilities will be the outcome of the improvement of the road and thus time and money of the people will be saved. In their view, the travel time would be greatly saved. Overall, they felt that the proposed rehabilitation would lead to the greater prosperity in their area.

F. Resettlement Principles and Policy Framework

The resettlement principles adopted for this subproject recognize the State Land Acquisition (LA) Act of Jammu & Kashmir, 1990 and the entitlement benefits as listed in the National Policy on R&R, (Govt. of India) as notified in February 2004 and Asian Development Bank's (ADB) *Involuntary Resettlement Policy*, (1995).

The RP is based on the general findings of the census survey, field visits and meetings with various project-affected persons in the subproject area. Taking into account the various losses, the Entitlement Matrix provides for compensation and resettlement assistance to all affected persons in the subproject area. A detailed Entitlement Matrix for the sub-project is provided in **Table 5** in the main text.

G. Stakeholder Participation and Disclosure of RP

Consultations were carried out with the affected persons in the subproject area. The summary of Public Consultation along with the attendance list of persons who participated in public consultation is annexed as **Annexure-III (A)**. Due consideration was also given for Stakeholder consultations and community participation at different levels in the preparation of the short RP. The final RP will also be disclosed on the ADB Website and ERA website.

H. Implementation Arrangements, Schedule & Grievance Redressal

ERA will be the Executing Agency (EA) for the Project. The Project Implementation Unit (PIU) with assistance of Social Development & Resettlement specialist, Design & Supervision Consultants (DSC) & experienced NGO/Agency will have the primary responsibility of the RP preparation and implementation. The PMU would ensure monitoring if any changes occur to the subproject design which may require re-evaluation of the RP. The PMU will ensure resettlement budgets are delivered on time to the APs for timely RP implementation. A Grievance Redressal Committee (GRC) in each district of Jammu and Kashmir has already been established for timely and satisfactory completion of the land Acquisition and other requirements of the Resettlement Plans(RP) to facilitate satisfactory implementation of the ADB funded projects besides providing a mechanism to mediate conflict and disputes concerning compensation payments and cut down lengthy litigation. The GRC is headed by the Deputy Commissioner (or his representative), of the concerned district and includes Land Collector ERA, Social and Resettlement Expert, J&K ERA, Deputy Project Manager ERA (I/C subproject) and representatives of the affected persons.

All compensation and other assistances will be paid to the APs prior to commencement of civil works.

I. Compensation and Assistance Disbursement to APs

The valuation of the acquired land and assets will be done based on the principle of compensation at the replacement value of the affected assets. Compensation will also be paid for loss of income and subsistence from standing crops including trees (if any affected due to subproject). Those eligible for compensation will be given advance notice of the date, time and place of payment through public announcements. The payment of compensation will be monitored and verified by NGO/Agency as well as representatives of the affected families.

J. Budget

The total estimated cost for resettlement operation and management for the Project is **Rs. 1394666/-**

The detailed Resettlement budget for the Sub-project is given in **Table 6** in the main text.

K. Implementation Schedule

The timeframe for various activities of RP are given under **Table 7** in the main text.

L. Training, Monitoring & Evaluation

An orientation and training in resettlement management will be provided under the Project by the Social Development & Resettlement Specialist to the NGOs/Agency focusing on issues concerning - (i) principles and procedures of land acquisition; (ii) the policies and principles agreed under the ADB loan; (iii) public consultation and participation; (iv) entitlements and compensation disbursement mechanisms; (v) Grievance redressal and (vi) monitoring of resettlement operation.

The RP will have both internal and external monitoring. Internal Monitoring will be a regular activity for PMU, supported by the Social Development & Resettlement Specialist. The NGO/Agency, assisting in implementation of the short RP, will submit monthly progress report of RP implementation to the PMU. The PMU will conduct regular internal monitoring of resettlement implementation and prepare monthly progress reports for submission to ADB.

An independent Agency/monitoring expert will be engaged by the PMU in agreement with ADB to undertake external monitoring of the subproject implementation. This expert will submit its reports quarterly via PMU to ADB.

Short Resettlement Plan of Kralgund – Ashpora – Qaziabad Road in Kupwara District

A. Description of the Sub-project

1. The sub-project road Kralgund – Ashpora – Qaziabad is located in Kupwara district. The road takes off at Kralgund in Km 20 of Baramulla-Kupwara Road and ends at Qaziabad. The total length of the sub-project road is 13.530 km.
2. The key benefits envisaged out of this Sub-Project mainly comprise of improved connectivity and accessibility to adjoining areas and better traffic facilities and flow, besides quicker access to health, education, transportation and other important facilities. Indirect benefits will be available in the form of improved economic climate with employment opportunities.
3. This short RP identifies the broad scope of the subproject and outlines the policy, procedures for acquisition of land/structures, compensation and other assistance measures for affected persons and institutional requirements for this subproject under the loan.
4. The Economic Reconstruction Agency (ERA) of the State government is the Executing Agency (EA), of the subproject and will be responsible, through its Project Management Unit (PMU), for overall strategic guidance. Technical Design and supervision is being done by the Design and Supervision Consultants, besides the technical guidance that is being received from the Project Management Consultants for ensuring compliance with the loan covenants. The Project Management Unit (PMU) will have the primary responsibility for RP implementation.

B. Scope of Land Acquisition and Impacts

5. The subproject as per the Technical design will acquire a portion of land (land under structures) measuring 98.40 sq.m and adverse impacts on 1 Mosque (community structure). In addition to this 9 fruit and 7 non fruit bearing trees will also be affected due to sub-project implementation. A census survey conducted in March 2007 revealed that the resettlement impacts in this project are “insignificant”. However, the sub-project is likely to entail adverse impacts on 07 families comprising of 55 persons located along the subproject. Land Acquisition will be done as per the provisions of State Land Acquisition Act 1990, preferably through Private negotiation and if necessary through Compulsory Acquisition. Land acquisition will follow national and state laws for “compulsory land acquisition” process under which stamp duty and registration cost, solatium, interest rate will be provided to affected persons as budgeted in Table 6. The census survey revealed that 06 families fall under the Below Poverty Line (BPL). The impact on the structures as a result of the sub-project road is provided in **Table 1**.

Table 1: Project Impact on structures

Type of structure	No. of Structure	Percentage
Mosque (Community structure)	01	100.00
Total	01	100.00

Source: Primary census conducted by the Consultants in March, 2007

6. The Project aims at avoiding involuntary resettlement wherever possible, by means of adopting an appropriate technical design, which leads to minimization of the resettlement impact. The census survey conducted in March, 2007 reveals that the resettlement impacts in this subproject are 'insignificant'. However, the subproject is likely to entail adverse impacts on 07 families comprising 55 persons located along the subproject road. A copy of the survey tools used during the SES is annexed as **Annexure I** and the list of affected persons is annexed as **Annexure II**. **Table 2** provides information on the affected families in the sub-project area.

Table 2: Affected families in the subproject

Description	Units
Total Project Affected Families	07 families
Total Project Affected Persons	55 persons
Average Family Size of affected families	7.86 persons
Main Occupation of Affected families	Agriculture & Service

Source: Primary census conducted by the Consultants in March, 2007

C. Objectives of the Short Resettlement Plan

7. The Plan provides an analysis of the impact, identifies the nature and types of losses, and establishes an entitlement matrix as a guide to payments of compensation and resettlement benefits. The primary objective of this short RP is to restore the income and living standards of the affected persons (APs) affected due to structure acquisition within a short period of time without any disruptions in their own economic and social environment.

D. Socio-economic Profile of the Affected Families

8. The over all literacy rate of the Affected Persons is 65.45%. The literacy rate for the males is 76.93 and that for females is only 55.17%. The annual income patterns of the Affected Families in enumerated in the **Table 3** below.

Table 3: Annual income patterns of the Affected Families

S. No.	Income Level (In Rs./annum)	No. of Families
1	0 - 25,000	06 (BPL)
3	50,001-100,000	01
Total		07

Source: Primary census conducted by the Consultants in March, 2007.

9. **Table 4** given below enumerates the occupational background of the affected families.

Table 4: Occupational Background of Affected Families

Category	Agriculture	Services	Total
In Number	6	1	07
In %	85.71	14.29	100

Source: Primary census conducted by the Consultants in March, 2007

10. The survey also aimed at identifying the socially vulnerable groups amongst those affected which need special consideration so that they can benefit from the project namely - (a) those who are below the poverty line (BPL); (b) those who belong to scheduled castes (SC), scheduled tribes (ST); those who belong to Other Backward Class (OBC); (c) female-headed families; (d) elderly and (e) disabled persons. According to the census survey 06 families fall under the Below Poverty Line (BPL) and this Short RP addresses the concerns of these families, as per ADB's Guidelines.

11. In case there is any change in the subproject design during project implementation, it will necessitate updating of the project impact and preparation of the RP for implementation purposes by the EA. The RP will be submitted to ADB prior to award of civil works contract.

E. Gender impacts and Mitigative Measures

12. The state of Jammu and Kashmir is ranked 25th on the Gender Disparity Index (GDI) with a value of 0.740¹ in comparison to that of India. The gender ratio of the population is 900 females for every 1000 males (2001 Census) much lower than the survival scene of women at national level i.e. 933.

13. The literacy rate of the sub-project district is 43.20 %, which is lower as compared to the literacy level of the state. Another important thing to note in this context is the disparity between the male and female literacy rates. As against 68.89% literacy rate for males, it is only 31.10 % for females in the project district (Census 2001).

14. The Consultants, to look into the status and needs of the women in the subproject area and the potential impact of the Project on them by means of undertaking FGDs with women, undertook a gender analysis during the course of the social assessments. The subproject as per the women groups will benefit them directly by means of better access to health, educational and other important facilities present in the adjoining areas. They expect increase in frequency of traffic plying on this road. In their view, the travel time would be greatly saved. Overall, they felt that the proposed rehabilitation project would lead to the greater prosperity in their area.

¹ National Human Development Report 2005

F. Resettlement Principles and Policy Framework

15. The resettlement principles adopted for this Project recognize the State Land Acquisition (LA) Act 1990 and the entitlement benefits as listed in the National Policy on R&R, (Govt. of India) as notified in February 2004 and the ADB's policy on *Involuntary Resettlement* (1995).

16. The primary objective of this short RP is to identify impacts and to plan measures to mitigate various losses due to the implementation of the subproject. The RP is based on the general findings of the census survey, field visits, and meetings with various affected persons in the sub-project area. Taking into account the various losses, the Entitlement Matrix provides for compensation and resettlement assistance to all affected persons including the non-titleholders in the subproject area.

17. In general terms, the people affected by the subproject will be entitled to the following types of compensation and assistance:

- (i) Compensation for loss of frontage, residential and commercial structures at replacement value.
- (ii) Compensation for loss of land and crops/trees at replacement value,
- (iii) Assistance for restoration of income and livelihoods
- (iv) Additional assistance to vulnerable groups namely - Female-headed families, Scheduled Castes (SC), Scheduled Tribes (ST), Other Backward Classes (OBC), those below poverty line, elderly and disabled.
- (v) Compensation/assistance for rebuilding/shifting of CPR.

18. The policy also asserts integrated income restoration measures for affected families losing their source of income and income opportunity. As mentioned earlier, none of the affected families will suffer income/livelihood loss.

19. In case of land/structure 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 will be considered as cut-off date. No person erecting any structure after census cut-off date will be eligible for compensation.

20. A detailed Entitlement Matrix which lists various types of subproject losses, identification/eligibility and entitlements and provides for basic parameters for preparation of compensation and resettlement benefits is provided in **Table 5** below. This matrix is based on Appendix 10 of RRP Framework.

Table 5: ENTITLEMENT MATRIX
(As per Appendix 10 of RRP of the present project)

Type of loss	Identification of Affected Households	Entitlement	Details
A: LOSS OF LAND			
1. Loss of agricultural land	Owner/Operator 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 competent authority, the difference will be paid as grant by the project directly to the 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). Replacement land would be purchased within one year.</p>
2. Loss of residential and commercial land	Owner and APs with traditional land rights	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> <p>c) Replacement land would be purchased within a year.</p>
3. Temporarily affected agricultural land due to laying down of pipelines/drainage system, plant site for contractors etc	Owner/operator of the affected plot	Cash compensation for the 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 acquisition of land.</p> <p>d). Compensation for crop losses for the duration of temporary occupation plus one more year necessary for the soil to be adequately prepared to its original productiveness. Land restored to its original condition and returned to the owner.</p> <p>e). Project and contractor to ensure that persons other than the owner affected as a result of the temporary acquisition are compensated for the temporary period.</p>

B:LOSS OF RESIDENTIAL & OTHER STRUCTURE			
4. Loss of frontage, residential and commercial structures by owners	Owner of the affected structure tenants of the structure	Compensation at replacement cost.	<p>a). Reconstruction cost(without depreciation) for the lost frontage / structure; affected persons shall be allowed to take salvageable at no costs.</p> <p>b) A lump sum transfer grant (based on type of structure) as per the prevalent rate for shifting households assets and other belongings to relocated sites.</p> <p>c). Rental assistance as per the prevalent rate in the form of grant to cover maximum three month rental accommodation.</p> <p>d). Tenants would only be given rental assistance for a period of three months.</p> <p>e). Additional structures erected by tenants will also be compensated and deducted from owner's compensation amount.</p> <p>f). Any advance deposited by the tenants will be deducted from owner's total compensation package.</p>
C: LOSS OF CROPS AND TREES			
5. Loss of crops and trees.	Owner/share cropper/ tenants affected	Compensation at market value.	<p>a) Advance notice to APs to harvest their crops.</p> <p>b).In case of standing crops, cash compensation for loss of agricultural crops at current market values of mature crops based on average production.</p> <p>c) Compensation for loss of timber trees at current market value of wood/timber or firewood depending on the kind of tree.</p> <p>d) In case of fruit trees compensation at average fruit production for next fifteen years to be computed at current market value.</p>
D. LOSS OF LIVELIHOOD SOURCE			
6.Income from business/land through wage earning and other labor	Individual affected(title holders, squatters and encroachers)	Lump sum	<p>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.</p> <p>b) Alternative economic rehabilitation grant for venerable groups at the rate of RS. 3000/- per eligible person on a lump sum basis.</p> <p>c) Compensation assistance equaling to three months income based on type of business-small, medium, large on a case to case basis.</p>
7. Loss of Primary Source of income	Households affected	Additional Assistance for Income Restoration and Training	<p>a) Assistance will be provided for income generating vocational training and skill up gradation options as per APs choice, including starting suitable production or service activity.</p> <p>b) Economic rehabilitation support and training</p>

E: LOSSES OF NON TITLE HOLDERS			
8. Encroachers	Households affected by ROW	No Compensation for Land but assistance for assets to venerable	a) Encroachers will be notified time in which to remove the assets to be affected. b) Encroachers who are venerable (BPL) to be assisted case by case considering relevant facts on family income and existing assets. c) Compensation for structure at replacement cost to the venerable person.
9. Loss of Structure by squatters and informal settlers	Households affected by ROW	No compensation for Land but compensation for structure at replacement cost and other assistance	a) Compensation for loss of structure at replacement cost to be paid by the project b) A lump sum shifting allowance of Rs. 1500/- for temporary, Rs. 2000/- for Semi-temporary and Rs. 5000/- for permanent structure c) provision for training including income generating assistance linked to productive activity
F. LOSS OF COMMON PROPERTY RESOURCES			
10. Loss of common property resources	Affected community	Cash compensation/reconstruction	a) Cash compensation or reconstruction of community structure in consultation with the community
G: REHABILITATION MEASURES			
11. Additional Assistance to venerable groups	Households categorized as vulnerable(BPL female headed households, SC/STs disabled/elderly	Lump sum assistance	a) Additional lump sum assistance of Rs. 2000 per household to venerable groups such as female headed households, households with disabled family members, indigenous people etc.
12. Any unanticipated adverse impact due to project intervention	Any unanticipated consequences of the project will be documented and mitigated based on the spirit of the principles agreed upon in this policy framework.		

G. Stakeholder Participation and Disclosure of RP

21. Consultations were carried out with the affected persons in the sub-project area. Due consideration was also given for Stakeholder consultations and community participation at different levels in the preparation of the short RP.

22. Some of the major themes of the discussions comprised of - local people's awareness about the project, perceptions, advantages and disadvantages of the project as perceived by

them as well as their suggestions for successful implementation of the project. Likewise, consultations were also carried out with the affected families about the project's activities and likely resettlement impact during the census survey. In addition a public consultation and disclosure plan has been prepared for this sub project and is enclosed as **Annexure III**. The summary of the Public Consultation along with the signature sheet of participants is annexed as **Annexure-III (A)** and the schedule for Resettlement Plan is annexed as **Annexure-IV**.

23. Copies of short RP will also be made available for disclosure in local vernacular language at the local level public offices such as revenue offices to stakeholders for local inputs prior to award of civil work contract.

24. The final SRP will also be disclosed on the ADB Website and ERA website.

H. Implementation Arrangements & Grievance Redressal

25. ERA will be the Executing Agency (EA) for the Project. The Project Management Unit (PMU) in Srinagar will have the primary responsibility of the RP implementation. The PMU will be headed by a full-time Project Director, reporting to the CEO and will be supported by PMU staff comprising of a Social Development & Resettlement specialist.

26. The PMU will be responsible for the identification, formulation and implementation of all sub-project including ensuring conformance with state, national and ADB social and environmental safeguards policies.

27. The Design & Supervision Consultants (DSC) will assist the PMU in meeting the safeguard requirements as agreed in the loan covenant and updation of the subproject RP in keeping with the agreed Resettlement Framework for the Project. An experienced NGOs/Agency will be hired as part of the Project for assisting in implementation of RP. The PMU would further ensure monitoring any changes to subproject design which may require re-evaluation of the need for and adequacy of the RP

28. The Social Development & Resettlement Specialist at the PMU will supervise and undertake internal monitoring of the RP implementation. Provision will also be made as part of the project to provide training and orientation in resettlement management to the NGO/Agency staff by Social Development & Resettlement specialist at the PMU level. Focus will be laid on issues concerning - principles and procedures of land acquisition (in case it is unavoidable), public consultation and participation; entitlements and compensation disbursement mechanisms; Grievance Redressal and monitoring of resettlement operation.

29. Further, the PMU will ensure resettlement budgets are delivered on time to the entitled persons and the implementing NGOs/Agency for timely RP implementation.

30. A Grievance Redressal Committee (GRC) has already been established at the district level with the primary objective of providing a mechanism to mediate conflict and disputes concerning compensation payments and cut down on lengthy litigation. The GRC will

provide people, who might have objections or concerns about their assistance, a public forum to raise their objections and through conflict resolution, address these issues adequately. The committee is headed by the Deputy Commissioner (or his representative). Following is the composition of GRC.

- Deputy Commissioner, Kupwara.
- Land Collector J&K ERA
- Social and Resettlement Expert J&K ERA
- Deputy Project Manager ERA (I/C subproject)
- PRO J&K ERA
- Local Beopar Mandal/Welfare committee as representatives of APs

31. All compensation and other assistances will be paid to all APs prior to commencement of civil works.

I. Compensation and Assistance Disbursement to APs

32. The valuation of the acquired land and asset will be done based on the principle of compensation at the replacement value of the affected asset.

33. Compensation will be paid for loss of income and subsistence from standing crops including trees (if any affected due to subproject). The compensation packages shall reflect replacement value for all losses to both titled and non-titled owners and resettlement assistances and will be calculated in consultation with APs and calculating average of three years of registered sale and purchase records of transactions from the Revenue Department.

34. Those eligible for compensation will be given an advance notice of the date, time and place of payment through public announcements. Receipts should be signed by all those receiving compensation payments and Xerox copies of cheques will be retained for auditing purposes. The payment of compensation will be monitored and verified by NGO/Agency as well as representatives of the affected Families.

35. All payments will be made in a transparent manner. NGOs/Agency will provide support to the APs so as to prevent any defrauding of APs by officials. Orientation training will be organized for RO and NGO/Agency staff aiming to reinforce project pro-poor objectives. The Terms of Reference for the recruitment of NGO/Agency is enclosed as **Annexure-V**.

J. Budget

36. The total estimated cost for resettlement operation and management for the Project is Rs. **1394666**. The estimate includes all costs related to compensation for affected land, assets and other benefits as per the entitlement benefits including the NGO/Agency cost. The itemised subproject budget is enumerated in **Table 6** below.

37. The costs of the private land, structures have been derived in close consultation with the Revenue Officers, local people and affected persons based on the prevalent market value of such assets in the area.

Table 6: Consolidated Resettlement Budget & Cost Estimates

S. No.	Particulars/Items	Quantity	Rate of Entitlement (Rs)	Estimated Total (Rs)
A. Compensation for land, structures, etc				
1	Compensation for land(land under structures and open)	98.40 sq.m	1500/ sq.m	147600
1 (a).	Stamp Duty and Registration cost @ 7.5 %			11070
1 (b).	Solatum (15% of the sum of the market value in consideration of compulsory nature of the acquisition)(section 23(2), State LA Act 1990)			22140
1 (c).	Interest @6% p.a from the date on which possession of time so taking possession of land until it shall have been paid or deposited) (section 28 & 35 of the State L.A,1990)			8856
2.	Compensation for Single storey structure (Mosque)	87.15 sq.m (Semi Pucca)	5805	571212
3.	Compensation for trees (Non-fruit bearing)	7	1500	10500
	Compensation for walnut trees (Fruit bearing)	6	500000	300000
	Compensation for apple trees (Fruit bearing)	3	26500	79500
Sub-Total				1150878
B. Resettlement Grant				
1.	Additional Assistance for vulnerable	6 families	2000	12000
Sub-Total				12000
Sub-Total (A+B) Resettlement cost				1162878
C. RP Implementation / Administrative Grant				
1.	N.G.O/ Agency Service Charges	1	L.S. Computed on the basis of scope of work	45000
2.	Independent M & E	1	L.S. Computed on the basis of scope of work	60000
Sub-Total				105000
Sub-total (A+B+C)				1267878
1.	Contingency (10% of the total cost)			126787.8
Grand Total				1394666

- NB: 1) Based on assessment conducted by the consultant on the market value of land through interviewing patwaries (local revenue officer) and APs.
2) Based on the Basic Schedule of Rates 2003 by PWD/R&B department.
3) Compensation for trees calculated keeping in view production for next 15 years in case of fruit bearing trees and by assessing type of tree and value of timber in case of non fruit bearing trees.

K. Implementation Schedule

38. The timeframe for various activities of RP are given under **Table 7.**

Table 7: RP Implementation Schedule

Project component/ activities	Year (2008)												Year (2009)											
	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
Information campaign, Community Consultation & RP disclosure							■																	
Establishment of GRC(proposed to function from)		■																						
Preparation of L.A Plan by ERA							■																	
Recruitment of N.G.O /Agency(proposed)							■																	
Publication of notification under State Land Acquisition Act(proposed)							■																	
Finalization of AP list and distribution of ID cards to APs(proposed)							■																	
Payment of compensation for land, structures and other losses(proposed)								■																
Payment of other assistance(proposed)								■																
Appointment of Independent M & E Consultant(proposed)									■															
Internal monitoring by PMU(continuous process throughout the project duration)										■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
External monitoring(proposed)											■			■			■			■			■	
commencement of civil works (only the start time has been mentioned) (proposed)											■													

L. Training, Monitoring & Evaluation

39. The short RP will have both internal and external monitoring. Internal Monitoring will be a regular activity for PMU and DSC's Social Development & Resettlement Specialist. They will oversee the timely implementation of R&R activities.

40. An orientation and training in resettlement management will be provided under the Project to the NGOs/Agency by the Social Development & Resettlement specialist at the PMU level. Internal Monitoring will be carried out by the PIU and its agents, such as NGOs/Agency and will prepare monthly reports on the progress of RP Implementation. PIU will collect information from the subproject site and assimilate it in the form of monthly report to assess the progress and result of RP Implementation. The training activities will focus on issues concerning - (i) principles and procedures of land acquisition; (ii) the policies and principles agreed under the ADB loan; (iii) public consultation and participation; (iv) entitlements and compensation disbursement mechanisms; (v) Grievance redressal and (vi) monitoring of resettlement operation.

41. The NGO/Agency, assisting in implementation of the short RP, will submit monthly progress report of RP implementation to the PMU. The PMU will conduct regular internal monitoring of resettlement implementation and prepare monthly progress reports for submission to ADB. The reports will contain progress made in RP implementation with particular attention to compliance with the principles and entitlement matrix set out in the resettlement plan. The report will also document consultation activities conducted, provide summary of issues or problems identified and actions taken to resolve the issues, and provide summary of grievances or complaints lodged by families and actions taken to redress such complaints.

42. An independent agency/monitoring expert will be engaged by the PMU in agreement with ADB to undertake external monitoring of the subproject implementation. This expert will submit its reports quarterly to ADB through PMU. The Terms of Reference to hire an external Monitoring and Evaluation Agency/Consultant is enclosed as **Annexure-VI**.

|| Annexures

Annexure-I Socio-Economic Questionnaire

Name of the Enumerator: _____

Form No.: _____

Field Supervisor: _____

Structure No.: _____

1.0 GENERAL IDENTIFICATION:

1.1	Road section (Name):	1.6	Side: 1 - Left 2 - Right
1.2	District:	1.7	Chainage: From Kms. _____ to Kms. _____
1.3	Block::		
1.4	Village/Town:	1.8	Range between (Meters):
1.5	Location: (1-Rural, 2-Semi-urban, 3-Town)		1. 000-200, 2. 201-400, 3. 401-600, 4. 601-800, 5. less than 1000

2.0 FAMILY IDENTIFICATION:

2.1	Name of the head of the Family:	_____
2.2	Name of the Respondent:	_____
2.3	Relationship of the respondent with the head of the family:	

3.0 DETAILS OF AFFECTED STRUCTURE/LAND/OTHER ASSETS

Sl. No.	Type of Loss*	Typology of Structure 1.Katcha, 2.Semi pucca, 3.Pucca			Present use 1 - In use, 2 - Not use
*1	Residential	7	Toilets	13	Hand pump
2	Commercial (Shop)	8	Walnut Trees	14	Kiosks
3	Resi.-cum-Comm.	9	Cattle shed	15	Orchard
4	Factory	10	Pvt. Hospital	16	Agricultural Land
5	Petrol pump	11	Boundary wall	17	Others (specify)
6	Grain Store	12	Well/tubewell		
3.1	Measurement of the structure				

	a) Touching Point from Center of the Road _____ (in mtrs.)		
	b) Along the Road _____ (in mtrs.)		
	c) Perpendicular to the Road _____ (in mtrs.)		
3.2	Topology of Construction		
	(a) Roof	(b) Floor	(c) Wall
	1. Tin/Zinc sheets	1. Mud	1. Mud
	2. RCC	2. Stone	2. Brick Masonry
	3. Wood Singles	3. Concrete	3. Stone Masonry
	4. Thatched	4. Timber	4. Timber
		5. Others (specify)	5. Others (specify)
			5. Mud
3.3	Number of storeys: _____		
3.4	Do you have legal rights of this affected structure?		1 - Yes 2 - No
3.5	Is there any tenant in this affected structure?		1 - Yes 2 - No
3.6	If 'Yes' number of tenants: _____		
3.7	What is the market value of this affected structure as on today?		_____
3.8	How much house tax you are paying?		_____

4.0	SOCIO-ECONOMIC PROFILE OF FAMILY		
4.1	Religious Group:		
	1. Muslim	2. Hindu	3. Sikh
	4. Others (specify) _____		
4.2	Social Stratification:		
	1. SC	2. ST	3. OBC 4. General 5. Others (specify): _____
4.3	Type of family:		
	1. Nuclear	2. Joint	3. Extended
4.4	Is the Head of the family a Female: 1-Yes 2 - No 4.5 Present Source of Income: -----		

5.0	RESETTLEMENT AND REHABILITATION OPTION		
5.1	What is your opinion about resettlement and rehabilitation option:		
	In case of Structure Loss		In case of Agricultural Land Loss
	1.	Constructed structure	1. Land for land
	2.	Land for structure	2. Cash compensation
	3.	Cash compensation	3. Assistance for allied activities

4.	Employment	4.	Employment
5.	Others (specify) :	5.	Others (specify) :

6.0	DETAILS OF BELOW POVERTY LEVEL (BPL):		
6.1	Do you have a BPL card?	1. Yes	2. No
6.2	Do you have land?	1. Yes	2. No
	a) If 'Yes', please give us details?		
	Land	Kanal	Marlas
	Irrigated		
	Non-irrigated		
	Barren		
	Others		
6.3	Do you have Pucca house?	1. Yes	
	2. No		
6.4	Is any member of your family earned more than Rs.1700/- per month?	1. Yes	
	2. No		
6.5	Details of family assets		
	a) Do you have following items in your house?		b) Do you have following Agriculture Implements?
	Items	1-Yes, 2-No	Items
			1-Yes, 2-No
	i) Television		vi) Tractor
	ii) Refrigerator		vii) Power tiller
	iii) Fan		viii) Thresher
	iv) Motorcycle / Scooter		ix) Sprayer
	v) Car/Jeep		x) Other (specify)

7.0 FAMILY DETAILS

7.1 Male <input type="checkbox"/>		7.2 Female <input type="checkbox"/>		7.3 Adult		7.4 Children <input type="checkbox"/>		7.5 Married <input type="checkbox"/>		7.6 Unmarried <input type="checkbox"/>	
S.No.	Name of family members	Relation with head of family @	Age	Sex Male=1 Female=2	Marital Status *	Education **	Usual activity ***	Occupation (If usual activity 1)	Income per Year (in Rs.)	Handicapped (Yes-1/No-2)	
1.											
2.											
3.											
4.											
5.											
6.											
7.											
8.											
9.											
10.											
Note: @	1.Self 2.Wife 3.Husband 4.Son 5.Daughter 6.Father	7.Mother 8.Brother 9.Sister 10.Father-in-law 11.Mother-in-law	12. Son-in-law 13.Daughter-in-law 14. Brother-in-law 15. Sister-in-law 16.Nephew 17. Niece	18.Paternal Uncle 19.Maternal Uncle 20.Paternal Aunt 21.Maternal Aunt 22.Cousin Sister	23. Cousin Brother 24. Adopted Son 25. Adopted Daughter 26. Grand father 27. Grand mother	28. Grand son 29. Grand Daughter 30. Grand Daughter-in-law 31. Servant 32. Others (Specify)	<p>* 1 - Married, 2 - Unmarried, 3 - Widow/Widower, 4 - Divorced, 5 - Others(Specify)</p> <p>** 1 - Illiterate, 2 - Literate but not attend School, 3 - Primary, 4 - Middle, 5 - Matric, 6 - Intermediate(10+2), 7 - Graduate, 8 - Post Graduate</p> <p>*** 1 - Employed, 2 - Unemployed, 3 - Family work, 4 - Student, 5 - Children, 6 - Old Person</p>				

8.0. Income/Employment Details

S. No	Employed Family Members	Workplace/ Distance	Type of Work	No. of working days/Month	Inco me/ Mon th	Remarks
01						
02						
03						
04						
05						
06						
07						
08						
09						
10						

8.1 Total monthly family Income: Rs.....

8.2 Expenditure Details for Families/SBEs

S. No	Head of Expenditure	Rs./Month
	Food	
	Clothing	
	Education	
	Taxes (incl: land, property,income/sales)	

	Miscellaneous	
--	---------------	--

8.3 Income Details of SBE owner only:

S.No	Monthly Income (Rs.)		Total Income (Rs.)	Remarks
	SBE	Other Sources		
	Self Member	Family		
1				
2				
3				
4				
5				
6				
7				
8				

8.4 Expenditure Details of SBE's only:

No	Expenditure Heads	In Rs./Month	Remarks
1	Maintanance/Rent		
2	Investment(recurring)		
3	Payment to Employees-Cash		
4	Payment to Employees-Kind		

5	Electricity/Water if any		
6	Debts		
7	Taxes		
8	Miscellaneous		
	Total		

ANNEXURE-II															
LIST OF AFFECTED FAMILIES IN KRALGUND-ASHPORA-QAZIABAD SUB-PROJECT ROAD															
S.Number	Structure Number	Village/town	Name of Head of Family	Type of Loss	Typology: Kutcha-1, Semi-Pucca-2; Pucca-3	Area IN (sqm)	Along the Road(In mtrs)	Perpendicular to the Road(In mtrs)	Number of Storey	Occupation	Annual Income (in Rs.)	Vulnerability	Total	O=owner, T=tenant	Livelihood Loss for three months
1	NA	Kralgund	Gh. Hassan Khawaja	1 Walnut tree	NA	NA	NA	NA	NA	Agriculture	24000	BPL	6	Owner	NA
2	1L/1	Beigpora Nahama	Mosque (Community Structure)	Mosque	Semi-pucca	98.4	8.2	12	1	NA	NA	NA	NA	Community owned	NA
3	NA	Nahama	Mohd. Sutan Bhat	6 Poplar trees	NA	NA	NA	NA	NA	Agriculture	24000	BPL	12	Owner	NA
4	NA	Safalpora	Mohd. Mukhtar Bhat	2 Walnut trees	NA	NA	NA	NA	NA	Services	96000	None	7	Owner	NA
5	NA	Safalpora	Ali Mohd. Bhat	2 Walnut trees	NA	NA	NA	NA	NA	Agriculture	9600	BPL	7	Owner	NA
6	NA	Safalpora	Mohd. Maqbool Shah	1 Walnut tree	NA	NA	NA	NA	NA	Agriculture	9600	BPL	6	Owner	NA
7	NA	Behak Harweth	Mohd. Maqbool Mir	3 Apple trees	NA	NA	NA	NA	NA	Agriculture	9600	BPL	6	Owner	NA
8	NA	Ashpora	Ab. Subhan Sofi	1 Popular tree	NA	NA	NA	NA	NA	Agriculture	24000	BPL	11	Owner	NA

Note: NA = Not Applicable

ANNEXURE III

Public Consultation and Disclosure Plan

Activity	Task	Timing (Date /Period)	No of People	Agencies	Feedback/Issues/ Concerns Raised
Project information Dissemination	Informal Meetings with affected persons (APs)	March 2007	35 people and community representatives	Consultants	To disclose the Project and share its key social issues and impacts.
Socio-Economic Survey	Collect socio-economic information of AP's and their perception on the project	March 2007	07 families	Consultants	Information was collected on – <ul style="list-style-type: none"> • Socio-economic profile of the families; • Access to services • Awareness & perception of the families on the Project and its impact
Publicize the resettlement plan (RP)(Proposed date)	Distribute Leaflets or Booklets in local language	July 2008	Amongst the affected families	Consultants	To share with those affected the project impact and the entitlement provisions, timeline and grievance redress procedures under the Project.
Full Disclosure of the RP to Affected Families(Proposed date)	Distribute short RP in local language to APs	July 2008	Amongst the affected families	Consultants	
Web Disclosure of the short RP(Proposed date)	Short RP posted on ADB and/or EA website	July 2008	-	ERA & ADB	
Disclosure after Detailed Measurement Survey (DMS)	Disclose updated short RP to APs	August 2008	-	Consultants and ERA	-
Web Disclosure of the Updated short RP(subject to change of technical design)	Updated short RP posted on ADB and/or EA website	August 2008	-	ERA & ADB	-

ANNEXURE III (A)

SUMMARY OF THE PUBLIC CONSULTATION

Name of the Sub-Project : Kralgund-Ashpora-Qaziabad Road in Kupwara District
Location : Beighpora Nahama
Date of meeting : 27 -03-2007
Time of meeting : 12.30 p.m

Present Issues:

01. There present condition of the road is very bad and people face problems from dust and water lodging during rains is the most common problem for whole area.
02. Due to bad condition of the road only few vehicles ply over the road and as a result of this people face lot of problems of transportation.
03. People lack quick and timely access to the educational, medical and other administrative services.
04. Due to the absence of the proper road business community (shopkeepers) of the area are facing problems in transportation of their goods.

Future Prospectus:

01. The improvement/up-gradation of the road will cater to the problems of dust and water lodging.
02. The improved road will provide quick access to the medical, educational and other important facilities in the adjoining areas.
03. School going children, the service community etc can reach the schools, offices in time thus their time and energy will be saved.
04. The business community in the area will be benefited as they can transport their goods easily and more customers can reach them thereby increasing their income.
05. The women around the sub project area will get better access to medical, educational and other facilities.

Suggestions:

01. The width of the road should be increased.
02. The improvement/up-gradation of the road should be done as quickly as possible.
03. The road should be provided with drainage facility along its edges.
04. The road width should be such that the two vehicles can pass it easily at one time.
05. Those affected due to the road improvement/up-gradation should be compensated adequately.

KRALGUND - ASHPORA - QAZIABAD ROAD

Venue: Beshpora, Nehama
 Date: 27-03-2007
 Time: 12:30 PM.

LIST OF PARTICIPANTS IN PUBLIC CONSULTATION

S. No.	Name of the Participants	Age	Occupation	Signature/Thumb Impression
1	Ab. Anad Beigho	42	Govt. job	
2	Mushtaq Ahmad	32	Business	
3	Ab. Rashid Mir	40	Business	
4	Mohd Ashraf	23	Business	
5	Gm. Mohd Lone	55	Agriculture	
6	Mohd Ramzan	45	-do-	
7	Ab. Rashid Beigho	35	Business	
8	Gm. Nabi Beigho	45	-do-	
9	Gm. Nabi Mir	60	-do-	
10	Gm. Rasool Khan	40	Farming	
11	Maji Gm. Nabi Dal	48	Business	
12	Ab. Majid Bhat	40	Govt. job	
13	Ab. Anad Beigho	40	Farming	
14	Ab. Majid Khan	30	Govt. job	

Annexure-IV

The Schedule for the Resettlement Plan

Short Resettlement Plan for	Start dates of Public Consultation/dissemination of Information	Start dates of RP disclosure to the entitled APs	Close date of Public Consultation/dissemination of Information
Kralgund-Ashpora-Qaziabad Road in Kupwara district	March 2007	28 July 2008	03 August 2008

- **Project Authority:** Chief Executive Officer/Director, Economic Reconstruction Agency, Kashmir, J & K
- **Consultant Firm Name:** DSC-IV (Span Consultants Pvt. Ltd) and PMC, J&K ERA.
- **Government Ministry:** Government of Jammu & Kashmir.

ANNEXURE V

TERMS OF REFERENCE FOR THE NON-GOVERNMENT ORGANIZATION (NGO)/AGENCY

I. Project description

The Project namely **India/Multi-sector Project for Infrastructure Rehabilitation in J& K** includes investment in physical infrastructure plus proposals for capacity building and institutional strengthening of city and state authorities.

The Project intends to engage an experienced agency to assist with the implementation of the social and resettlement aspects of the Project namely the subproject Resettlement Plan (RP), Project Community Participation Strategy and implementation of the IPDP.

II. Scope of work

In general, the implementing agency will be responsible to the Project Management Unit (PMU), for the effective, timely and efficient execution of the RP. The key tasks of the selected organization will be responsible for the following: -

(i) Information Campaign on Resettlement Entitlements

The agency will design, plan and implement an information campaign in the affected areas primarily to inform the APs about the entitlement policy and how to avail their respective entitlements. In particular, the agency will be responsible for undertaking a public information campaign at the project areas to inform the affected persons regarding:-

- ❑ The need for Land Acquisition (LA), wherever necessary;
- ❑ The likely consequences of the project on the communities;
- ❑ The R&R policy and entitlements;
- ❑ Assist APs in getting the compensation for their land and properties acquired for the project;
- ❑ Ensure proper utilization by the APs of various grants available under the R&R package. The agency will be responsible for advising the APs on how best to utilize any cash that may be provided under the RP, with emphasis placed on using such funds in sustainable way e.g. purchasing replacement land for that acquired.

The campaign would include measures such as distribution of information booklets, leaflets, notices and other materials among the APs, community meetings, public announcements, and any other measures necessary to provide information to all the APs.

(ii) Identification of APs and Issuance of Identity (ID) Cards

The agency will identify and verify APs; on the basis of the resettlement census survey carried out and will facilitate the distribution of ID cards.

This work will include identification of APs based on a census survey, preparation of ID cards, taking photograph of APs in the field, issuance of ID cards to APs and updating of ID cards, if required. An identity card would include a photograph of the AP, his/her socio-economic profile

and vulnerability, the nature and extent of loss suffered due to the project construction, and the choice AP with regard to the mode of compensation and assistance (if applies, as per the RP).

The agency shall prepare a list of APs, enlisting the losses and the entitlements as per the RP, after verification. During the identification and verification of the eligible APs, agency shall ensure that each of the APs are contacted and consulted either in groups or individually. The agency shall especially ensure consultation with vulnerable groups namely (a) those who are below the poverty line (BPL); (b) those who belong to scheduled castes (SC), scheduled tribes (ST); (c) female-headed families; (d) elderly and (e) disabled persons.

(iii) Updation of AP Database and Creation/Computerization of Database and AP Files

The agency will be responsible for updating and preparing a comprehensive computerised database containing the data on land, structure, trees and other affected properties of the APs which will be used to prepare AP files and entitlements cards (EC). The database will contain information from land records and resettlement census data. The AP and EC files will be used for making payments of entitlements to the APs and monitoring the progress of resettlement work.

(iv) Participation in Grievance Redress

The agency will play a key role in assisting the APs in presenting their grievances or queries to the Grievance Redress Committee (GRC) which will be established at the District level with a representative from PMU with the primary objective of providing a mechanism to mediate conflict and cut down on lengthy litigation.

(v) Income Restoration

The agency will also play a key role in providing income restoration assistance to the affected families losing their primary sources of livelihood/income as a result of the Project. The agency shall undertake consultations with the affected families on finalizing the skills training and also undertake a market feasibility survey to ascertain the feasibility of the skills being imparted to those affected. Based on the outputs of these, the NGO/Agency will plan out livelihood restoration activities as per it. Emphasis will be paid on the vulnerable groups such as female headed families, SC & ST families, poor etc.

In addition, the development agency would also be responsible for liasoning with the various government departments, in order to create a link up between the existing government schemes and the affected groups.

(vi) Relocation assistance

The development agency shall facilitate the process of relocation of the affected families getting displaced as a result of the project as per/in keeping with the RP.

(vii) Community Participation

In addition to the resettlement activities, the NGO/Agency will implement 'Community Participation Strategy' for the Project. As part of this, the NGO/Agency will mobilize the various

stakeholders in the community and organize focus group discussions (FGDs)² at the subproject level, with community leaders, eminent citizens, Community based Organization (CBOs), Resident Welfare Associations (RWAs), as well as women and other socio-economically vulnerable groups such as Indigenous groups, scheduled caste and poor families, in order to establish direct public contact. The FGDs will aim at sharing information regarding the Project in each of the subproject area so as to ascertain views of the various groups in the community on their priorities, choice of technology, their views and concerns on the Project design and any other concern on safety and other issues. In particular the NGO/Agency will undertake the following:

- **Formation of Community based groups** in the subproject areas so as promote organized community participation and representation. Special focus will be made on formation of women's groups representing women belonging to various socio-economic groups to act as active agents and change makers in the process of participation thereby leading to their empowerment.
- **Awareness Building Component** would focus on conducting public awareness campaigns on the following issues -
 - **In case of Urban subprojects**(This is not required in present case)
 - **In case of Road subprojects**, awareness building campaigns would be undertaken on road safety especially in case of areas where road alignment is passing through built-up areas. Women would be especially encouraged in playing an active role as Community Action Groups in raising awareness and disseminating information of road safety measures.
- **Capacity Building Component:** Under this component, training and sensitization inputs would be provided to the community based organizations and groups mainly women's groups.

III. Time frame

The work is scheduled to start in and will continue till the end of the Project i.e. the agency should be fully prepared in terms of all logistics support to tackle and carry out the resettlement activities and tasks laid down above.

IV. Selection criteria, Staffing, Implementation Plan

The NGO/Agency to be selected for the tasks must have proven experience in resettlement planning and implementation. Specifically, key quality criteria include: -

- Experience in direct implementation of programs in local, similar and/or other states;
- Availability of trained staff capable of including APs into their programs;
- Competence, transparency and accountability based on neutral evaluations, internal reports, and audited accounts; and
- Integrity and experience to represent vulnerable groups against abuses and demonstrable mandate to represent local groups.
- Demonstrated experience in computerizing and managing resettlement-related database,
- Experience in resettlement survey, planning, monitoring and evaluation.

² Focus Group Discussion (FGD) is a qualitative method of in-depth interview with a small number from a homogeneous group, brought together to discuss various topics. Some examples of focused groups are – men, women, youth, farmers, panchayat representatives etc.

The agency chosen will have to agree to the terms and conditions under the RP. The following staffing provision may be necessary for smooth and effective implementation of the RP within the time frame:

- ❑ Team Leader ;
- ❑ Field coordinator ;
- ❑ Resettlement Implementation Worker

Interested agency should submit proposal for the work with a brief statement of the approach, methodology, and field plan to carry out the tasks. The proposal should include: -

- (i) Relevant information concerning previous experience on resettlement implementation and preparation of reports.
- (ii) The proposal should also include samples of ID cards, information brochures, AP files etc. to be used during the implementation phase.
- (iii) The field plan must address training and mobilization of resettlement workers.

Full CVs (2-3 pages) of key personnel (for e.g. the Team Leader, Field Co-coordinator) must be submitted along with the proposal. The Team Leader must have degree in social science (preferably economics, sociology, anthropology, development studies). The Field coordinator must have prior experience in resettlement operation and management.

The agency must be an established organization registered with the Government of India.

V. Budget

Copies of the proposal - both technical and financial - should be submitted. The budget should include all expenses such as staff salary, training, computer/database, transport, field and any other logistics necessary for resettlement implementation. Additional expense claims whatsoever outside the budget will not be entertained.

ANNEXURE VI

TERMS OF REFERENCE FOR AN EXTERNAL MONITORING & EVALUATION CONSULTANT/AGENCY

I. Sub-Project Description

The stated Project i.e. **Multi sector Project for Infrastructure Rehabilitation in J&K** will include investment in physical infrastructure plus proposals for capacity building and institutional strengthening of city and state authorities.

The Project includes a provision for monitoring and evaluation of the implementation of the subproject resettlement plan by an external monitor. Therefore, the Economic Reconstruction Agency (ERA), which is the Executing Agency (EA) for this project, requires services of a reputed individual/consultancy firm for monitoring and evaluation of RP implementation.

II. Scope of work - Generic

- ❑ To review and verify the progress in resettlement implementation as outlined in the RP;
- ❑ To monitor the effectiveness and efficiency of PMU, DSC and NGO/Agency in RP implementation.
- ❑ To assess whether resettlement objectives, particularly livelihoods and living standards of the Affected Persons (APs) have been restored or enhanced;
- ❑ To assess the efforts of PMU & NGO/Agency in implementation of the 'Community Participation strategy' with particular attention on participation of vulnerable groups namely (a) those who are below the poverty line (BPL); (b) those who belong to scheduled castes (SC), scheduled tribes (ST); (c) female-headed families; (d) elderly and (e) disabled persons.
- ❑ To assess resettlement efficiency, effectiveness, impact and sustainability, drawing both on policies and practices and to suggest any corrective measures, if necessary.
- ❑ To review the project impacts on Indigenous People and groups and assess the effectiveness of the mitigative actions taken;

III. Scope of work- Specific

An Independent monitoring agency will be involved in ongoing monitoring of the resettlement efforts by the ERA. The major tasks expected from the external monitor are:

1. To develop specific monitoring indicators for undertaking monitoring for Resettlement, Indigenous People Development Plan and the Community Participation Strategy;
2. Review results of internal monitoring and verify claims through random checking at the field level to assess whether land acquisition/resettlement objectives have been generally met. Involve the affected people and community groups in assessing the impact of land acquisition for monitoring and evaluation purposes.
3. Identify the strengths and weaknesses of the land acquisition/resettlement objectives and approaches, implementation strategies.

4. To review and verify the progress in land acquisition/resettlement implementation of subproject on a sample basis and prepare quarterly reports for the ERA and ADB.
5. Evaluate and assess the adequacy of compensation given to the APs and the livelihood opportunities and incomes as well as the quality of life of APs of project-induced changes.
6. To evaluate and assess the adequacy and effectiveness of the consultative process with affected APs, particularly those vulnerable, including the adequacy and effectiveness of grievance procedures and legal redress available to the affected parties, and dissemination of information about these.

IV. Time Frame and Reporting

The independent monitoring agency will be responsible for overall monitoring of both the Executing Agency (EA) and will submit quarterly review directly to ADB and determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/ enhanced and suggest suitable recommendations for improvement.

V. Qualifications

The monitoring agency will have significant experience in resettlement policy analysis and RP implementation. Further, work experience and familiarity with all aspects of resettlement operations would be desirable. Candidates with degrees in anthropology, sociology, and development studies will be preferred.

Interested agencies/consultants should submit proposal for the work with a brief statement of the approach, methodology, and relevant information concerning previous experience on Monitoring of resettlement implementation and preparation of reports.

The profile of agency along with full CV of monitors to be engaged must be submitted along with the proposal. The agency must be an established organization registered with the Government of India.

VI. Budget and Logistics

Copies of the proposal - both technical and financial - should be submitted and the budget should include all cost and any other logistics details necessary for resettlement monitoring. Additional expense claims whatsoever outside the budget will not be entertained.