

Resettlement Planning Document

Short Resettlement Plan – Sharda-Kamalkote Road
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Prepared by Economic Reconstruction Agency, Government of Jammu and Kashmir for the Asian Development Bank (ADB)

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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)

Sharda Kamalkote Road

Baramulla District

September 2007

SHORT RESETTLEMENT PLAN
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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 proposed sub-project road Shadra-Kamalkote is located in Baramulla district of Kashmir division in the state of Jammu & Kashmir. It takes off from Km 105 of Srinagar - Uri - Muzaffarbad National Highway (NH-1A) (Km 4+500 from Uri) near village Salamabad. Srinagar - Baramulla - Uri Road is NH 1A and beyond up to LOC it is the extension of NH 1A previously known as Jhelum valley road. The road traverses through hilly terrain. The only means of transport is private vehicles like Sumo and cars. The existing road is in very bad condition and zigzag can not be used for heavy traffic as the narrow and as a result of this people of the adjoining areas face great problems for transporting goods to other parts through heavy vehicles like trucks etc. The people residing in the corridor of impact will get benefited indirectly by means of improved access to health and education services and improvement in the overall quality of life in their area.

In keeping with ADB's sector loan procedures; this short Resettlement Plan (RP) has been prepared for this subproject.

B. Scope of Land Acquisition & Impacts

The sample subproject as per the Technical design will require a strip of land measuring **144.07sq.m (government owned)** for the improvement and up gradation of the proposed road. Presently 4 families (with 24 members) have encroached said land and have constructed commercial structures for carrying out their business. Subproject is also likely to entail adverse impacts on these commercial structures (built on the encroached government land) belonging to 4 families comprising of 24 persons. . 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.

A Resettlement Plan has been prepared following the objectives of RRP whereby it is suggested to avoid land acquisition and Involuntary Resettlement in accordance with ADB's Resettlement Policy of 1995 as well as State Land Acquisition Act, 1990 with a view to minimize the adverse impacts. Keeping in view the objective of ADB's Policy only the required most portion of a strip of land is to be acquired. This is unavoidable for the right side approach of the bridge.

C. Objectives of the Short Resettlement Plan

This Short Resettlement Plan is prepared to deal with the limited aspects of land acquisition and resettlement impact resulting from the road construction. 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. In general terms, the people affected by the subproject will be entitled to Compensation for loss of land and crops/trees at replacement value, assistance for restoration of income and livelihoods, 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. The primary objective of this

short RP is to restore the income and living standards of the affected persons (APs), due to land 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

A census survey was conducted in June 2007, the resettlement impacts in this subproject are observed 'insignificant'. However, the subproject is likely to entail adverse impacts on commercial structures (built on the encroached government land) of 4 families comprising of 24 persons located around the subproject. The details of project impact on land and structures are mentioned in **Annexure II**. One family among the affected families is vulnerable. The annual income patterns of the project affected families are enumerated in **Table 6** in the main text while and their occupational background 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 indirectly by means of better access to nearby urban centers. They expect increase in frequency of buses plying on this road. In their view, the travel time would be saved. They added that indirectly it would lead to better access to health facilities and educational institutions. They envisaged no negative impact. 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). 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.

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 subproject is provided in **Table 7** in the main text.

G. Stakeholder Participation and Disclosure of RP

Consultations were carried out with the project affected persons in the subproject area. The list of affected persons duly signed is enclosed as **Annexure-II (A)**. Due consideration was also given for Stakeholder consultations and community participation in the preparation of the short RP.

H. Implementation Arrangements, Schedule & Grievance Redressal

ERA will be the Executing Agency (EA) for the Project. The Project Management Unit (PMU) with assistance of Social Development & Resettlement specialist, Design & Supervision Consultants (DSC) & experienced NGO/agency will have the primary responsibility of the RP implementation. The PMU would ensure monitoring if any changes occur to the subproject design which may require re-evaluation of the need for and adequacy 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 asset valuation of the acquired land and asset will be done based on the principle of compensation at the replacement value of the affected asset. 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. **295445**.

The detailed budget is given in **Table 8** in the main text.

K. Implementation Schedule

The timeframe for various activities of RP are given under **Table 9** 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 quarterly external monitoring of the subproject implementation. This expert will submit its reports quarterly via PMU to ADB.

Short Resettlement Plan of Shadra-Kamalkote road in Baramulla district

A. Description of the Sub-project

1. The proposed sub-project road Shadra-Kamalkote is located in Baramulla district of Kashmir division in the state of Jammu & Kashmir. It takes off from Km 105 of Srinagar - Uri - Muzaffarbad. National Highway (NH-1A) (Km 4+500 from Uri) near village Salamabad. Srinagar - Baramulla - Uri Road is NH 1A and beyond up to LOC it is the extension of NH 1A previously known as Jhelum valley road. The road traverses through hilly terrain. The only means of transport is private vehicles like Sumo and cars. The existing road is in very bad condition and zigzag can not be used for heavy traffic as the narrow and as a result of this people of the adjoining areas face great problems for transporting goods to other parts through heavy vehicles like trucks etc. The people residing in the corridor of impact will get benefited indirectly by means of improved access to health and education services and improvement in the overall quality of life in their area. Thus, the construction of the proposed bridge is utmost necessity for the concerned villages. The following villages/ settlements fall along the project road. During the initial reconnaissance study, an inventory of such settlements were made and presented in the following table.

Table 1: Villages Falling Along the Project Road

S. No.	Kilometre		Name of the Village / Town
	From	To	
1	0.000	2.500	Salamabad
2	2.500	4.500	Dachi
3	6.500	8.500	Basgran
4	9.500	11.300	Sultan Daki
5	12.500	15.500	Kamalkote

Source: census survey by consultants, June 2007

2. This short RP identifies the broad scope of the subproject and outlines the policy, procedures for acquisition of land, compensation and other assistance measures for affected persons and institutional requirements for this subproject under the loan.

3. 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

4. The sample subproject as per the Technical design will require a strip of land (government owned but presently encroached) measuring **144.07sq.m** for the improvement

and up gradation of the proposed road. Presently 4 families have encroached said land and have constructed commercial structures for carrying out their business. 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.

5. The Project has its objectives of avoiding involuntary resettlement wherever possible, by means of adopting an appropriate technical design, which leads to minimization of the resettlement impact. A census survey was conducted in June 2007, the resettlement impacts in this subproject are observed 'insignificant'. However, the subproject is likely to entail adverse impacts on commercial structures (built on the encroached government land) of 4 families comprising of 24 persons located around the subproject. One among the 4 affected families is BPL and adequate compensation provision as per the ADB guidelines is kept in the budget for this family. The details of project impact on land and structures are mentioned in **Annexure II**. 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 subproject area.

Table 2: Affected families in the subproject

Description	Units
Total Project Affected Families	4 families
Total Project Affected Persons	24 persons
Average Family Size of affected families	6 persons
Main Occupation of Affected families	Business , Agriculture

Source: Census Survey by Consultants, June 2007

6. **Project Impact on structures details:** **Table 3** below lists the Project Impact on structures type of loss identified in the subproject:

Table 3 Project Impact on structures

Type of structure	No. of Structure	Percentage
Commercial structure	4	100.00
Total	4	100.00

Source: Census Survey by Consultants, June 2007

7. **Titleholders and non-titleholders details:** **Table 4** below lists the ownership and user status against type of loss identified in the subproject:

Table 4 : Ownership & User Status Details for the subproject loss			
Type of Loss	Titleholders	Non-titleholders	
	Titleholders	Encroachers	Squatters
Encroached Government land under 4 commercial structures	0	4	0
Grand Total	0	4	0

Source: Census Survey by Consultants, June 2007

8. Land Loss: The land on which the commercial structures have been constructed belong to Government and thus, the people will not lose any land but the structures which have been constructed on this land will be affected. A total of **144.07sq.m** land is required which is Government land. Following table provides the details of land and ownership status of the subproject.

Table-5: Details of land loss on the subproject

Land/structures Requirement (in Sq. Meters)	Ownership of Land	Present Use	No. of Families
144.07sq.m	Government owned	Encroached by APs for Commercial purposes	4

Source: Census Survey by Consultants, June 2007

9. The total affected 4 families with a total of 24 persons comprise of an average family size of 6 members each.

C. Objectives of the Short Resettlement Plan

10. 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) due to land 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

11. Methodology for Resettlement Survey includes social impact assessment survey, census survey and 20% SES (socioeconomic survey) of the affected persons. Besides the methodology 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. Since all 4 affected families have encroached upon the government land and have no legal title holding of the land therefore they are not entitled for any compensation other than three months income loss as they are encroachers and Lump sum amount of additional rehabilitation grant for the vulnerable as well as the cost of the structure.

12. The key sources of income of the affected families are running of shops, agriculture and government service etc. Among the 4 families one falls below poverty line (BPL) and hence is venerable. Annual income patterns of the affected persons are incorporated below:

Table 6: Annual income patterns of the affected persons

S. No.	Income Level (In Rs./annum)	Structure's owner
1	0 - 25,000 (BPL)	1
2	25,000 - 50,000	3
Total		4

Source: Census Survey by Consultants, June 2007

13. The survey also aimed at identifying the socially vulnerable groups amongst those affected in 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, there is one BPL family falling under this sub project and adequate provision as per the ADB guidelines is kept for this family in the budget.

14. 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

15. The state of Jammu and Kashmir is ranked 25 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.

16. The literacy rate of the project district is 44.57%, which is much 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 56.39% literacy rate for males, it is only 31.42% for females in the project district (Census 2001).

17. 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 indirectly by means of better access to nearby urban centers. They expect increase in frequency of buses plying on this road. In their view, the travel time would be saved. They added that indirectly it would lead to better access to health facilities and educational institutions. They envisaged no negative impact. Overall, they felt that the proposed rehabilitation would lead to the greater prosperity in their area.

¹ National Human Development Report 2005

F. Resettlement Principles and Policy Framework

18. 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 of *Involuntary Resettlement* (1995).

19. 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 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 including the non-titleholders in the subproject area.

20. 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 land and crops/trees at replacement value,

(ii) Assistance for restoration of income and livelihoods

(iii) 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.

21. The policy also asserts integrated income restoration measures for affected families losing their source of income and income opportunity. As mentioned earlier, the census survey identified 4 families whose commercial assets will be affected as such there will be significant income loss, therefore adequate provision as per the entitlement matrix (Appendix 10, RRP) is kept in the resettlement budget to compensate the income loss of all the affected families.

22. In case of land acquisition the date of notification for acquisition will be treated as cut-off date. For non-titleholders such as squatters and encroachers the date of project census survey or a similar designated date declared by the executing agency will be considered as cut-off date.

23. 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 7** below. This matrix is based on Appendix 10 of RRP.

Table7: ENTITLEMENT MATRIX
(As per Appendix 10 of RRP of the present project)

Type of loss	Identification of Affected Families	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 productivity. 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 families 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 vulnerable groups at the rate of RS. 3000/- per eligible person on a lump sum basis.</p> <p>c) Compensation assistance equalling 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	Families affected	Additional Assistance for Income Restoration	<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</p>

		and Training	service activity. b) Economic rehabilitation support and training
E: LOSSES OF NON TITLE HOLDERS			
8. Encroachers	Families affected by ROW	No Compensation for Land but assistance for assets to vulnerable	a) Encroachers will be notified time in which to remove the assets to be affected. b) Encroachers who are vulnerable (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 vulnerable person.
9. Loss of Structure by squatters and informal settlers	Families affected by ROW	No compensation for Land but 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 vulnerable groups	Families categorized as vulnerable(BPL female headed families, SC/STs disabled/elderly	Lump sum assistance	a) Additional lump sum assistance of Rs. 2000 per family top vulnerable groups such as female headed families, families 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

24. Consultations were carried out with the project affected persons in the subproject area. The list of affected persons duly signed is enclosed as **Annexure II (A)**. Due consideration was also given for Stakeholder consultations and community participation at different levels in the preparation of the short RP.

25. 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 schedule for Resettlement Plan is annexed as **Annexure IV**

26. 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.

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

H. Implementation Arrangements & Grievance Redressal

28. 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 the Director, reporting to the CEO and will be supported by PMU staff comprising of a Social Development & Resettlement specialist.

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

30. An experienced NGOs/agency will be hired 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

31. The Social Development & Resettlement Specialist at the PMU will supervise and undertake internal monitoring of the RP implementation work. Provision will also be kept in 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 given 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.

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

33. 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, Baramulla.
- 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

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

I. Compensation and Assistance Disbursement to APs

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

36. 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 land owners.

37. Those eligible for compensation will be given 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.

38. All payment will be made in a transparent manner in public. 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

39. The total estimated cost for resettlement operation and management for the Project is **Rs 295445**. The estimate includes all costs related to compensation for land and other benefits as per the entitlement benefits including the NGO cost. The itemised subproject budget is enumerated in **Table 8** below.

40. The costs of the private land have been derived in close consultation with the Revenue Officers (Patwaris etc), local people and affected persons based on the survey of prevalent market value of the land in the area.

Table 8: Itemised subproject Budget				
S.No.	Item	Total Unit	Unit Cost	Total (in Rs.)
A: Compensation for Structure				
1	Single storey Commercial Kutch structure belonging to 1 BPL family	36.9sq m	5375**	198337
Sub Total				198337
B: R&R Assistance & Activities				
1	Loss of income and workdays due to displacement	4 families	3 months respective income	40250
2.	Additional economic rehabilitation grant for vulnerable groups whose livelihood has been affected	1 family	3000	3000
3	Additional Assistance for vulnerable	1 family	2000	2000
Sub Total				45250
Sub total A+B(Resettlement Cost)				243587
C: Support for RP Implementation				
1.	NGO Assistance for RP updation and implementation	L.S. Computed on the basis of scope of work	10000	10000
2.	Independent M&E	L.S. Computed on the basis of scope of work	15000	15000
Sub Total				25000
TOTAL A+B+C				268587
Contingency (10% of the total)				26858
GRAND TOTAL				295445

** Based on Basic Schedule of Rates 2003 by PWD/R&B department.

K. Implementation Schedule

41. The timeframe for various activities of RP are given under **Table 9**.

Table9: 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)																								
Land Market Survey																								
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

42. 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.

43. 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.

44. 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.

45. An independent agency/monitoring expert will be engaged by the PMU in agreement with ADB to undertake quarterly external monitoring of the subproject implementation. This expert will submit its reports quarterly via PMU to ADB. 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. 000-200, 2. 201-400, 3. 401-600, 4. 601-800, 5. less than 1000
1.5	Location: (1-Rural, 2-Semi-urban, 3-Town)		

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	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 <input type="checkbox"/>		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)	* 1 - Married, 2 - Unmarried, 3 - Widow/Widower, 4 - Divorced, 5 - Others(Specify) ** 1 - Illiterate, 2 - Literate but not attend School, 3 - Primary, 4 - Middle, 5 - Matric, 6 - Intermediate(10+2), 7 - Graduate, 8 - Post Graduate *** 1 - Employed, 2 - Unemployed, 3 - Family work, 4 - Student, 5 - Children, 6 - Old Person				

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	Family		
	Member			
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		

LIST OF AFFECTED FAMILIES

Annexure-II

S. No	Structure Number	Village/town	Side	Chainage	Name of Head of family	Type of Loss	Typology: Kutchha-1, Semi-Pucca-2; Pucca-3	Area IN (sqm)	Touching Point from the center of the Road (In mtrs)	Along the Road(In mtrs)	Perpendicular to the Road(In mtrs)	Number of Storey	Occupation	BPL Card Provision- Yes-1, No-2	No. of Males	No. of Females	Total family composition	Annual Income in Rs.	Livelihood Loss for three months
1	3L/1	Dachi	Left	3.600 km	Ghulam Jeelani*	Commercial	Pucca	18.49	3.7	4.3	4.3	1	Business	2	3	2	5	42000	10500
2	3L/2	Dachi	Left	3.600 km	Fazal Hussain*	Commercial	Semi pucca	11.18	3.7	2.6	4.3	1	Business	2	5	4	9	36000	9000
3	3R/1	Dachi	Right	3.650 km	Umer Ali*	Commercial	Semi pucca	73.8	2.6	8.2	4.5	2	Business	1	3	2	5	23000	5750
4	14L/1	Kamalkote	Left	14.700 km	Mohd. Afzal*	Commercial	Pucca	77.5	3.1	15.5	5	1	Business	2	2	3	5	60000	15000

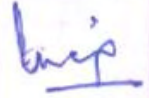
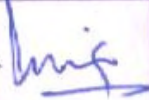
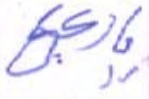

*Note: All of the 4 occupants of land are encroachers, and thus are not entitled for any compensation for land and structure except cost of structure for 1 vulnerable family.

ATTENDANCE LIST OF AFFECTED PERSONS

Annexure-II (A)

Sub-project Name: Shadra - Kamalkote Road

Date: 20/6/07 Time: 10:30 a.m

S. No	Structure No.	Village/ town	Name of the Affected person	Parentage & Address	Name of the Respondent	Age	Occupation	Type of loss	Typology of structure	No. of store y	Owner/ Tenant	Signature/thu mb impression
1		Dachi	Gh. Jaalani	S/o Sher Ali R/o Dachi (Uti)	Self	66	Business	Commercial Structure	Pucca	01	Owner	
2		Dachi	Fazal Hussain	S/o Sher Ali R/o Dachi (Uti).	Abdulhamid Jaalani	75	Business	Commercial Structure	Semi Pucca	01	owner	
3		Dachi	Umer Ali	S/o Hassan Ali R/o Dachi	Yasir Ali Brother of Umer Ali	80	Business	Commercial	Semi pucca	02	owner	
4		Kamalkote	Mohd Afzal	S/o Fazees-ul-lah R/o Kamalkote	Self	45	Business	Commercial	Pucca	01	owner	

LTF

Public Consultation and Disclosure Plan

ANNEXURE III

Activity	Task	Timing (Date /Period)	No of People	Agencies	Feedback/Issues/ Concerns Raised
Project information Dissemination	Informal Meetings with affected persons (APs)	May 2007	24 people	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	June 2007	4 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 and communities	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 and communities	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	Updated short RP posted on ADB and/or EA website	August 2008	-	ERA & ADB	-

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
Shadra-Kamalkote road in Baramulla district	May 2007	10 July 2008	16 July 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.

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.

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.

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. 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.