

Resettlement Plan

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IND: Madhya Pradesh District Roads II Sector
Project

Prepared by MPRDC (Madhya Pradesh Roads Development Corporation), Government of Madhya Pradesh for the Asian Development Bank.

CURRENCY EQUIVALENTS

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INR 1.00 = \$ 0.0147

\$ 1.00 = 68.00

ABBREVIATION

ADB	-	Asian Development Bank
CSC	-	Construction Supervision Consultant
DPR	-	Detailed project report
DP	-	Displaced Person
EA	-	Executing agency
FGD	-	Focus Group Discussion
GOI	-	Government of India
GoMP	-	Government of Madhya Pradesh
GRC	-	Grievance redress committee
GRM	-	Grievance redress mechanism
IA	-	Implementing Agency
IPPF	-	Indigenous People's Planning Framework
IR	-	Involuntary Resettlement
MDR	-	Major District Road
MPRDC	-	Madhya Pradesh Roads Development Corporation
PIU	-	Project Implementation Unit
PWD	-	Public Works Departments
R&R	-	Resettlement and Rehabilitation
RF	-	Resettlement Framework
RoW	-	Right of Way
SDDR	-	Social Safeguard Due Diligence Report
SPS	-	Safeguard Policy Statement 2009
TCS	-	Typical Cross Section

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CONTENTS

I.	PROJECT BACKGROUND.....	1
II.	SUBPROJECT COMPONENTS AND DESIGN CRITERIA.....	3
III.	SUBPROJECT PROFILE AND IMPACTS	4
IV.	CONSULTATION AND PARTICIPATION	5
V.	LEGAL FRAMEWORK.....	7
	A. Policy and Legal Framework.....	7
	B. Comparison of Government and ADB Policies.....	8
	C. Involuntary Resettlement Safeguard Principles for the Project.....	8
VI.	ENTITLEMENT MATRIX.....	10
VII.	BUDGET.....	12
VIII.	INSTITUTIONAL ARRANGEMENT	12
IX.	GRIEVANCE REDRESS MECHANISM	13
X.	GENDER ISSUE UNDER THE PROJECT	14
XI.	MONITORING AND REPORTING	15

APPENDICES

APPENDIX 1: RECORD OF PUBLIC CONSULTATIONS	16
APPENDIX 2: GRM DOCUMENT SHARED WITH DPS DURING CONSULTATION	20

LIST OF TABLES

Table 1: Selected Sample Subproject under the Project	1
Table 2: Profile of the Affected Households	5
Table 3: Subproject wise details of the Public consultation	5
Table 4: Summary of Issues Discussed During Consultations and Measures Taken to address these Issues	6
Table 5: Entitlement Matrix	11
Table 6: R&R Budget	12

LIST OF FIGURES

Figure 1: Subproject Maps (shown in pink color).....	2
Figure 2: Typical Cross Section	3
Figure 3: Grievance Redress Mechanism	14

I. PROJECT BACKGROUND

1. The State of Madhya Pradesh (MP) is the second largest state in India, with an area of about 308,000 sq.km and population of about 73 million.¹ Madhya Pradesh is amongst the poorer states in the country, and its per capita income is about 60% of the national average. However, the state's gross state domestic product (GSDP) grew at a compound annual growth rate of about 8.5% during FY2005-FY2014, being fostered through a series of development measures. These include the Pithampur–Dhar–Mhow region as a key node on the Delhi-Mumbai Industrial Corridor extent in Madhya Pradesh, many notified industrial areas, and industrial growth centers. However, agriculture is the mainstay of the state's economy and about 73% of the people live in rural areas. The dispersed nature of industrial development and agricultural production means that the road network is a critical element of the economic infrastructure. The state has a road network of about 127,000 km, out of which about 4700 km are National Highways (NHs), 11,000 km are state highways (SHs), and about 20,000 km are Major District Roads (MDRs) and other rural roads make up the balance road network.

2. The state is close to completing its program of upgrading its entire state highway network with a combination of budgetary allocations, ADB support in three previous loans, and public-private partnerships.² However, MDRs have had marginal attention, and major portions of the MDRs still need to be upgraded. Government of Madhya Pradesh (GoMP) through Madhya Pradesh Roads Development Corporation (MPRDC) has now taken up improvement of MDRs as a critical part of the state road core network, which is being improved in a planned manner. ADB has sanctioned one previous loan for improvement of MDRs.³ MDRs form a key link in the road network between the rural roads and the state highways. Continued development of this network will foster inclusiveness by enabling larger segments of the state's population to better access markets and basic services. The MPRDC specifically, targeting MDRs to form key linkage between rural, semi urban and urban areas and complete state road connectivity.

3. The GoMP has requested financing from the ADB to implement part of its proposed improvement plan for MDR through this proposed Madhya Pradesh District Roads II Sector Project (the Project). The Project constitutes (i) rehabilitating and upgrading of about 1,500 km of MDRs; (ii) cashless accident victim treatment facility piloting; and (iii) improving and mainstreaming an efficient accident response system. About 54 subprojects road sections packaged into 20 contract packages have been proposed for financing under this sector project.

4. Since the project will follow a sector loan modality, nine sample MDRs totaling about 250 km road length (Table 1) were selected to screen significance of potential social safeguard issues and determine the scope of mitigation measures to address these issues.

Table 1: Selected Sample Subproject under the Project

Sl. No.	MDR No.	Road Section	District	Length (Km)
1.	MP-MDR-37-07	Barghat-Kanhiwada road	Seoni	20.50
2.	MP-MDR-37-11	Dharna-Aata-Dondiwada-Dharmakua	Seoni	26.40
3.	MP-MDR-42-06	Waraseoni-Katangi road	Balaghat	30.00
4.	MP-MDR-44-16	Kharamseda-Kirhai-Ramgarh road	Satna	39.35

¹ Government of India, 2011. *Census Data 2011*. New Delhi

² The loans are: 1959-IND Madhya Pradesh State Roads Sector Development Project; 2330-IND Madhya Pradesh State Roads Sector Project (MPSRSP)-II; and 2736-IND Madhya Pradesh State Roads Project-III.

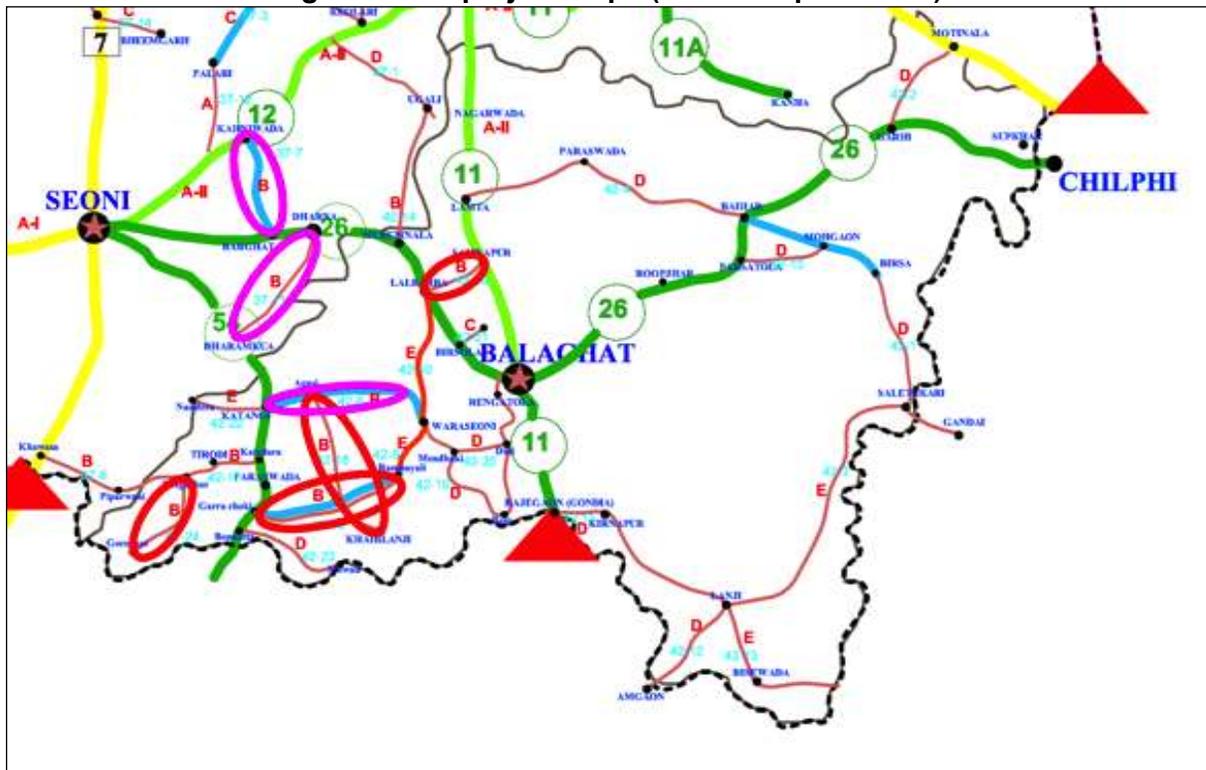
³ The loan is 3189-IND: Madhya Pradesh District Connectivity Sector Project.

Sl. No.	MDR No.	Road Section	District	Length (Km)
5.	MP-MDR-44-19	Jharkua-Raigaon-Karsara	Satna	24.20
6.	MP-MDR-46-03	Parsona-Mada road	Singroli	24.40
7.	MP-MDR-46-04	Ramgarh-Mada road	Singroli	22.60
8.		Jhurai-Sarai road	Singroli	35.40
9.	MP-MDR-46-08	Harfari Khaira-Misirgawan via Shivpurva road	Singroli	27.00
			Total	249.85

Source: Detailed Project Report (DPR), MPRDC

5. As a part of project preparation, detailed social impact assessment has been carried out for the nine sample subprojects. Based on the social impact assessment for these nine sample roads, this Resettlement Plan (RP) has been prepared for three subprojects where R&R impacts are identified. A Social Safeguard Due Diligence Report (SDDR) has been prepared for the remaining six sample subprojects and confirms that there are no negative social impacts within the right of way. The remaining non-sample roads are at various stages of planning and designing and the technical details are being finalized. This SDDR is based on the review of final detailed design report and social assessment of individual subprojects carried out during the project preparation. A Resettlement Framework (RF) and an Indigenous People's Planning Framework (IPPF) is already prepared for the entire project under Madhya Pradesh District Roads I Sector Project to guide the preparation of non-sample subprojects. The RF and IPPF are prepared in compliance with relevant policies and regulations of the Government of India, GoMP, and the ADB Safeguard Policy Statement 2009 (SPS). The subproject roads are shown in Figure 1.

Figure 1: Subproject Maps (shown in pink color)



II. SUBPROJECT COMPONENTS AND DESIGN CRITERIA

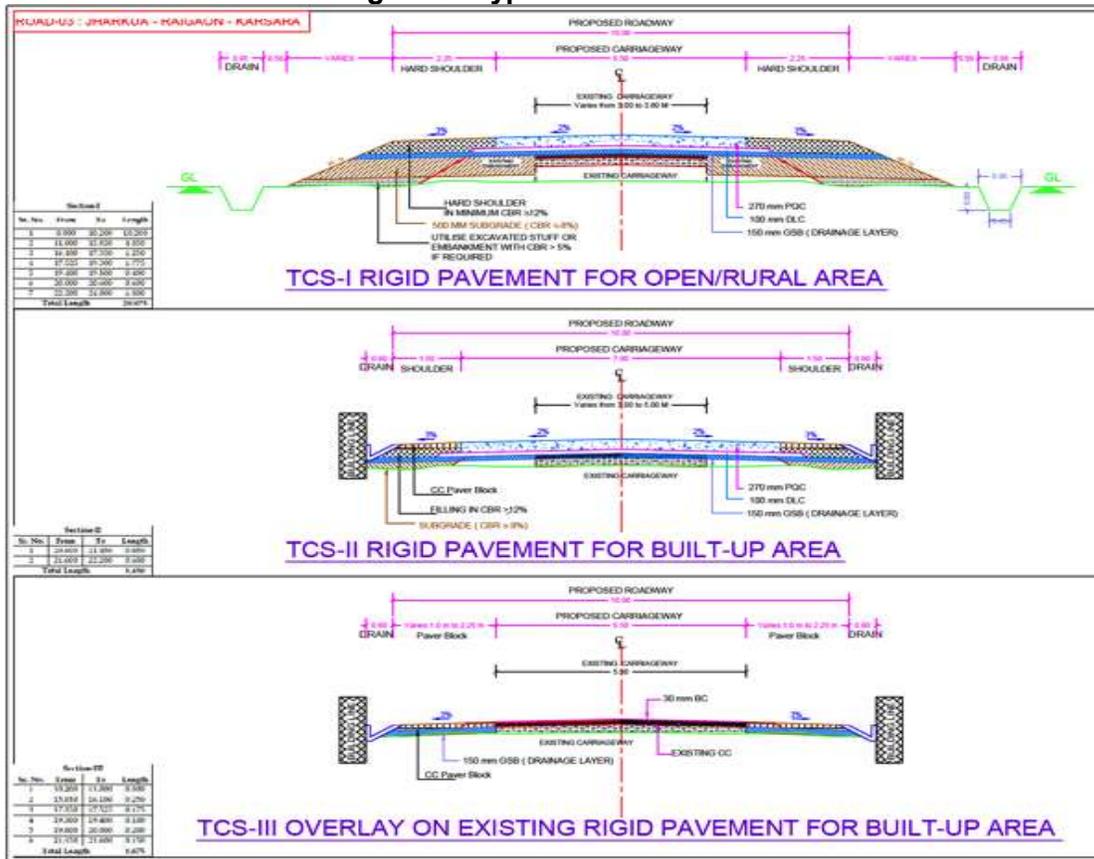
6. The subproject activities involve improvement of existing major district roads within available ROW. The road widening activities primarily will comprise of raising the embankment at certain locations and its stabilization including construction of retaining wall if required especially near water bodies overlay on the existing carriageway, junction improvement, and construction of minor bridges, culvert and RCC drain in built-up section.

7. The existing Right of Way (RoW) of the subproject roads are varies from 8 to 20 meters, which are not properly demarcated on ground. Keeping in view the unavailability of the uniform RoW and existing ribbon development along the subproject roads, multiple design criteria are adopted to ensure avoidance of any adverse impacts to the roadside settlers. It is confirmed that no additional land will be acquired under any of the subproject and therefore the standard design criteria adopted for the subproject roads are the following:

- Proposed carriageway for the open area will be from 5.5 meter to 7.0 meter depending on the availability of the land.
- Proposed carriageway for the built-up area will be from 3.75 meter to 5.5 meter depending on the availability of land.
- Proposed pavements will be concrete one and width of shoulders and provision of drains will be accommodated within the existing RoW.

8. The typical cross sections (TCS) in built-up area, rural areas, overlay locations are shown in Figure 2.

Figure 2: Typical Cross Section



III. SUBPROJECT PROFILE AND IMPACTS

9. Based on the review of detailed design report and social assessment report for individual subprojects, summary findings of these six subprojects are presented below:

10. **Barghat - Kanhiwada Road:** This road section is located in Seoni district of Madhya Pradesh. The project road starts at Barghat and ends at Kanhiwada passing via Barghat, Kosmi, Kharai, Buahaina Kalan, Jamun Tola, Maheen Tola, Maili, Pipariya, Bhate Khari, Kanhiwada Villages and covering a length of about 20.5 Km. The road passes mostly through plain area. The width of carriageway along the project road is generally found single lane i.e. 3.5 meters and formation width is 8 to 10 meters. The existing Right of Way (ROW) of the project road varies from 8 to 12.5m. The proposed subproject-widening proposal is limited to the available formation width in the village areas and will not have any negative impacts on structures. However, there are three households who will be temporarily losing their livelihoods during the road construction period.

11. **Dharna - Aata - Dondiwada:** Dharmakua Road: The road section is located in Seoni district of Madhya Pradesh. It starts from a 3-legged intersection at Dharna town and terminates at Highway near Daragada town covering total length of 26.400 km. Important settlement enroute are Mihgaon, Sukha, Dharmkuwa, Simariya, Pati, Khermai, Bijna and Kulon. The topography of the project area is mainly plain and only 1.8 km of the road section is passing through hilly/rolling terrain. The existing land use along the project road is mostly agricultural mixed with roadside open land. Existing road is an intermediate lane road with average carriageway width of about 5 m. Formation width varies from 5.5 to 8.1m. The existing Right of Way (ROW) of the project road varies from 8 to 12.5m. Proposed widening of this subproject is limited to available RoW and formation width as per availability and will not have any negative impacts. However, there is only one household who will be temporarily losing their livelihood during the road construction period.

12. **Waraseoni - Katangi Road:** The project road is a major district road located in Balaghat District of Madhya Pradesh. This MDR segment serves as the artery provides connectivity to State Highway SH-54. The Project Road starts at Nehru Chowk (T Junction) with existing MDR in Waraseoni and terminates at Y-Junction with SH-54 in Katangi Village covering a total length of 30.3 Kms. It passes through Waraseoni, Kanchanpur, Tumadi Tola, Dhani Tola, Budbuda, Chhoti Lochewahi, Seroar, Meda Tola, Agriu, Lakhanwada, Jam Tola, Agasi, Umari, and Katangi villages. The existing land use along the project road is mostly agricultural mixed with roadside development in plain terrain. Average carriageway width varies from 3.75 m to 7m. Formation width varies form 5.5 m to 12.2 m. The existing Right of Way (ROW) of the project is 15 to 20.0 meter in the built up sections and 22.0 to 24.0 meter in open areas. The proposed subproject-widening proposal is limited to the available formation width in the village areas and will not have any negative impacts on roadside structures. However, there are five households who will be temporarily losing their livelihoods during the road construction period.

13. These three sample subprojects are classified as Category 'B' from Involuntary Resettlement (IR) point of view. The profile of the affected households is presented in the Table: 2.

Table 2: Profile of the Affected Households

S. No.	Village	Name of owner	Type of Structure	Ownership Status	No. of Person	Social Category	Vulnerable Status
Barghat Kanhiwada Road							
1	Kosmi	Khelan	Shop	Vendor	5	OBC	-
2	Kosmi	Vranda	Shoe Shop	Vendor	5	SC	SC
3	Bhatekhari	Bhatekhari	Tea stall	Vendor	4	OBC	-
Dharna- Dharamkuwa Road							
1	Dharmkuwa	Ramesh	Opticals	Vendor	4	OBC	-
Waraseoni Katangi Road							
1	Agasi	Shri Vijay	Workshop	Vendor	5	General	-
2	Agasi	Shri Sanjay	Grocery	Vendor	4	General	-
3	Agri	Smt. Dhanwanta	Eatery	Vendor	5	General	WHH ⁴
4	Agri	Kashiram	Laundry	Vendor	4	SC	SC
5	Budbuda	RishiKumar	Workshop	Vendor	3	SC	SC

IV. CONSULTATION AND PARTICIPATION

14. Public consultations were held early and throughout the subproject preparation stages to allow the incorporation of relevant views of the stakeholders in the final project design, mitigation measures, implementation issues, and enhance the distribution of benefits. During the project preparation stage, 4 focus group discussions (FGDs) were organized within these sample subprojects involving 44 participants. Out of 44 participants, 35 (63%) female and 9 (37%) male participants. Table 3 show the details of the public consultations carried out along various road sections.

Table 3: Subproject wise details of the Public consultation

Name of the Road Section	No.	Name of Village	Date of Consultation	Number of Participants		
				Male	Female	Total
Barghat-Kanhiwada road	1	Kosmi	12/07/14	9	3	12
Dharna-Aata-Dondiwada-Dharmakua	2	Pandhauavi	14/01/16	9	-	9
	3	Dharamkuwa	14/01/16	9	5	14
Waraseoni-Katangi road	4	Budbuda	14/07/14	8	1	9
Total				35	9	44

15. The local communities' responses to the subproject are summarized below and details are provided in Table 4.

- **Project Awareness:** The majority of the beneficiary, especially men communities were found aware of the Project activities.
- **Effects on business and living conditions:** Almost all of the community expect a positive impact of the sub-project in terms of improved living standards.
- **Job Opportunities:** The communities requested to be hired for unskilled to semi- skilled jobs during the construction and operation of the project activities. In such case, priority will be given to women headed households identified during socioeconomic survey.

⁴ Women Headed Household

- **Provision of Drainage:** almost all the villagers reside along the road has made request of appropriate and effective drainage system.
- **Road Safety:** traffic on the existing road is low but after improvement, traffic will increase and will be a major issue of road safety; therefore road safety measures are necessary.
- **Road Quality:** Villagers are not sure about the quality because of past experience; local people should be involved in quality check and monitoring. Road must be up to the standards and road should be constructed within given time.

Table 4: Summary of Issues Discussed During Consultations and Measures Taken to address these Issues

Date and Location	Issues Discussed	Measures to be Taken	Participant
At 4 villages along the sample subproject roads during field surveys between June 2014 and January 2016	<ul style="list-style-type: none"> • People are facing acute problem related to poor condition of the road. • Where the road passing through the settlements there should be provision of Speed breakers • Design shall take into hydrological aspects into consideration • Avoid loss of structures and provision of jobs during construction • Adequate measures shall be taken to avoid water logging during normal rainfall. • They suggested that existing alignment shall also be improved and maintained properly • The local community stressed on adequate safety provisions to be made along the road. 	<ul style="list-style-type: none"> • Proposed widening and strengthening of the road will provide better level of services in terms of improved riding quality and smooth traffic flow • There will be considerable reduction in the number of accident and level of pollution • Accessibility to social health and educational infrastructure will increase through all-weather road. • Generation of employment during construction phase of the road. • Drainage provision is made in built-up area and earthen drainage for rural area. • Road safety features like traffic signs, Overhead Sign Boards, Road Illumination, Delineators, pavement marking, pedestrian path and rumble strips has been included in the design. 	<ul style="list-style-type: none"> • Total 44 participants (9 female and 35 male). • Participants included local villages, affected people, school teachers, farmers, shop owners, women groups etc.

16. The Details of Participants and Public Consultation photographs are attached in Appendix 1. In addition information on the GRM procedures and formats in local language (Hindi), which was shared with the local people during consultation are provided in Appendix 2.

17. Information will be disseminated to DPs at various stages. In the subproject implementation phase, the PIU will be responsible for issue of public notice about starting of the civil work through newspaper. The summary subproject RP will be translated in Hindi and disclosed at PIU or other appropriate places, which is in access to local communities. Electronic version of the framework as well as the RPs will be placed on the official website of the EA and ADB after approval from ADB and endorsement by the EA.

V. LEGAL FRAMEWORK

A. Policy and Legal Framework

18. The policy framework and entitlements for the project are based on national laws: The Right to Fair Compensation and Transference in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and ADB SPS, 2009. Land Acquisition (Madhya Pradesh Amendment) Act, 1959 has not been included since it is only applicable to Bhopal (state capital) area.

1. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013

19. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 has been effective from January 1, 2014 after receiving the assent of the President of Republic of India. This Act extends to the whole of India except the state of Jammu and Kashmir. The Act replaced the Land Acquisition Act, 1894.

20. The aims and objectives of the Act include: (i) to ensure, in consultation with institutions of local self-government and Gram Sabhas established under the Constitution of India, a humane, participative, informed and transparent process for land acquisition for industrialization, development of essential infrastructural facilities and urbanization with the least disturbance to the owners of the land and other affected families; (ii) provide just and fair compensation to the affected families whose land has been acquired or proposed to be acquired or are affected by such acquisition; (iii) make adequate provisions for such affected persons for their rehabilitation and resettlement; (iv) ensure that the cumulative outcome of compulsory acquisition should be that affected persons become partners in development leading to an improvement in their post-acquisition social and economic status and for matters connected therewith or incidental thereto.

21. Section 27 of the Act defines the method by which market value of the land shall be computed under the proposed law. Schedule I outlines the proposed minimum compensation based on a multiple of market value. Schedule II through VI outline the resettlement and rehabilitation entitlements to land owners and livelihood losers, which shall be in addition to the minimum compensation per Schedule I.

2. ADB's Safeguard Policy Statement (SPS), 2009

22. The objectives of ADB's SPS (2009) with regard to involuntary resettlement are: (i) to avoid involuntary resettlement wherever possible; (ii) to minimize involuntary resettlement by exploring project and design alternatives; (iii) to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and (iv) to improve the standards of living of the displaced poor and other vulnerable groups.

23. ADB's SPS (2009) covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of; (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers displaced persons whether such losses and involuntary restrictions are full or partial, permanent or temporary.

24. The three important elements of ADB's SPS (2009) are: (i) compensation at replacement cost for lost assets, livelihood, and income prior to displacement; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to enhance, or at least restore, the livelihoods of all displaced persons relative to pre-project levels and to improve the standard of living of displaced poor and other vulnerable groups.

B. Comparison of Government and ADB Policies

25. A comparison between Government Statutes and ADB's involuntary resettlement safeguards policy that provides gap-filling measures reflected in the entitlement matrix is presented as Appendix-3. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013', which has integrated provisions of NRRP with that of LA Act 1894, recognizes titleholders and non-titleholders affected by land acquisition. Wherein, the squatters, encroachers and those present in RoW and other government lands are excluded from the purview of the Act.⁵

26. The key difference between the Government and ADB's involuntary resettlement safeguards policy is with regard to the cut-off date for determining the eligibility for compensation and R&R assistance to all those who are affected by the project irrespective of the ownership title to the land. As per the provisions of RFCTLARR Act, the cut-off-date for title holders is the date of SIA notification [Sec 4(2)] and for non-titleholders affected by the acquisition of such land; they should have been living/working three years or more prior to the acquisition of the land. To bring the RF in line with ADB's requirements, the RF mandates that in the case of land acquisition, the date of issue of notification will be treated as the cut-off date for title holders, and for non-titleholders such as squatters and encroachers, whom the act does not recognize, the cut-off date will be the start date of the subproject census survey. In case of all affected non-title holders, suitable compensation (ex-gratia payments) for loss of assets and R&R assistance is proposed in the entitlement matrix.

27. A significant development in Government statute is the notification of 'The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013', which has repealed the Land Acquisition Act of 1894 (as amended in 1984). This Act would both complement the revision of the NRRP (2007) and decrease significantly the gaps between the LA Act 1894 and ADB's SPS. In particular, the Act would require social impact assessments for projects involving land acquisition. The Act also expands compensation coverage of the principal act by requiring that the value of structure, trees, plants, or standing crops damaged must also be included and the solatium being 100 percent of all amounts inclusive. The Act furthermore meets ADB requirement of all compensation to be paid prior to project taking possession of any land and provision of R&R support including subsistence grant and transportation cost.

C. Involuntary Resettlement Safeguard Principles for the Project

28. Based on the above analysis of government provisions and ADB policy, the following resettlement principles are adopted for this Project:

⁵ Non-titleholders are recognized in this sector loan through this Resettlement Framework and meets ADB SPS requirement.

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks. Measures to avoid and minimize involuntary resettlement impacts include the following: (i) explore alternative alignments or locations which are less impacting, (ii) ensure the appropriate technology is used to reduce land requirements, (iii) modify the designs, cross sections, and geometrics of components to minimize the ROW and ensure involuntary resettlement is avoided or minimized.
- (ii) Carry out meaningful consultations with displaced persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of displaced persons. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- (iii) Improve, or at least restore, the livelihoods of all displaced persons through; (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement cost for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement⁶ to ensure that those people who

⁶ ADB SPS 2009 (Safeguards Requirements 2) does not apply to negotiated settlements. The policy is encourages acquisition of land and other assets through a negotiated settlement wherever possible, based on meaningful consultation with affected persons, including those without title to assets. A negotiated settlement will offer adequate and fair price for land and/or other assets. Also, an independent external party will be engaged to document the negotiation and settlement processes. In cases where the failure of negotiations would result in expropriation through eminent domain or the buyer could acquire

- enter into negotiated settlements will maintain the same or better income and livelihood status.
- (vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for all compensation, relocation and rehabilitation measures, except land. .
 - (viii) Prepare a resettlement plan elaborating on the entitlements of displaced persons, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule. This resettlement plan will be approved by ADB prior to contract award.
 - (ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced persons and other stakeholders.
 - (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
 - (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
 - (xii) Monitor and assess resettlement outcomes, their impacts on the standard of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

VI. ENTITLEMENT MATRIX

29. In accordance with the resettlement and rehabilitation (R&R) measures suggested for the project, all displaced households and persons will be entitled to a combination of compensation packages and resettlement assistance depending on the nature of ownership rights on lost assets and scope of the impacts including socio-economic vulnerability of the displaced persons and measures to support livelihood restoration if livelihood impacts are envisaged. The displaced persons will be entitled to the following five types of compensation and assistance packages:

- a. Compensation for the loss of land, crops/ trees at their replacement cost;
- b. Compensation for structures (residential/ commercial) and other immovable assets at their replacement cost;
- c. Assistance in lieu of the loss of business/ wage income and income restoration assistance;
- d. Assistance for shifting and provision for the relocation site (if required), and
- e. Rebuilding and/ or restoration of community resources/facilities.

the property regardless of its owner's decision to sell it or not, will trigger ADB's involuntary resettlement policy. The Safeguard Requirements 2 will apply in such cases, including preparing a resettlement plan.

30. Displaced persons meeting the cut-off date requirements (for title holders, the date of first notification will be treated as the cut-off date, and for non-titleholders the start date of project census survey will be the cut-off date), will be entitled to a combination of compensation measures and resettlement assistance, depending on the nature of ownership rights of lost assets and scope of the impact, including social and economic vulnerability of the displaced persons. Unforeseen impacts will be mitigated in accordance with the principles of this RF. An Entitlement Matrix has been developed summarising the types of losses and the corresponding nature and scope of entitlements; and is in compliance with National Laws and ADB SPS. The subproject specific entitlement matrix is presented in the Table 5.

Table 5: Entitlement Matrix

Sl. No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
Temporary Loss of Livelihood						
1	Temporary disruption of livelihood	Access to land and other livelihood sources	Legal titleholders, non-titled DPs	<ul style="list-style-type: none"> • 60 days advance notice regarding construction activities, including duration and type of disruption. • Cash assistance based on the minimum wage/average earnings per month for the loss of income/livelihood for the period of disruption, and contractor's actions to ensure there is no income/access loss consistent with the EMP.⁷ • Assistance to mobile vendors/hawkers to temporarily shift for continued economic activity.⁸ 	Identification of alternative temporary sites to continue economic activity.	Valuation Committee will determine income lost. Contractors will perform actions to minimize income/access loss.
Common Resources						
2	Loss and temporary impacts on common resources	Common property resources	Communities	Replacement or restoration of the affected community facilities – including public water stand	Follow SPS ADB	PIU and Contractor.

⁷ This includes: leaving spaces for access between mounds of soil, providing walkways and metal sheets to maintain access across trenches for people and vehicles where required, increased workforces to finish work in areas with impacts on access, timing of works to reduce disruption during business hours, phased construction schedule and working one segment at a time and one side of the road at a time.

⁸ For example assistance to shift to the other side of the road where there is no construction.

Sl. No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
				posts, public utility posts, temples, shrines, etc.		
Other						
3	Any other loss not identified	Land, structure, crops, trees, livelihood	Individual or Community	Unanticipated involuntary impacts will be documented during the implementation phase and mitigated based on provision made in the RF.	-	PIU will finalize the entitlements in line with ADB's SPS, 2009.

31. During the project implementation, assistance will be paid as per the above entitlement matrix to those households losing livelihood temporarily during civil work. These households will be consulted further during the implementation period and efforts will be made by the EA to minimize or avoid the temporary impacts.

VII. BUDGET

32. As per the Project RF, DPs are eligible for compensation and various assistances. However, with regards to the three subprojects identified with R&R impacts, the DPs are eligible for certain assistances. In the case of assistance and other rehabilitation measures, the PIU will directly pay the money or any other assistance as stated in the resettlement plan to displaced persons by means of a cheque payment into their individual accounts. Based on the subproject impacts and their eligibility of entitlements, the R&R budget is worked out for Rs. 0.88 million and presented in the Table 6.

Table 6: R&R Budget

Sl. No.	Item/Description	Unit	Cost in Rs.
1	Assistance for temporary livelihood loss @ Rs. 250 ⁹ per day for 3 months (90 days)	9 DPs X Rs. 22,500	2,02,500
2	Conducting Public Consultation	3 Subprojects X Rs. 1,00,000	3,00,000
3	Grievance Redress	3 Subprojects X Rs. 1,00,000	3,00,000
Sub-total			8,02,500
4	Contingency	@ 10% of R&R Cost	80,250
Grand Total			8,82,750

VIII. INSTITUTIONAL ARRANGEMENT

33. The Executing Agency for the project is GoMP through MPRDC. MPRDC is wholly owned by GoMP and has been equipped with adequate capacity to implement the project. A General Manager (GM) at MPRDC headquarter has been designated as person in charge for project implementation. The Environmental and Social Cell at MPRDC headquarters, reporting to the General Manager, will be responsible for ensuring compliance with environmental and social safeguards of project roads. MPRDC has seven division offices (Bhopal, Jabalpur, Sagar,

⁹ Rs. 250/day is the minimum wage rate in Madhya Pradesh in the prevailing year i.e. 2016

Gwalior, Ujjain, Indoor, Seoni, and Rewa) acting as Project Implementation Units (PIUs), each headed by a Divisional Manager (Tech.) will be responsible for project road implementation in the field. MPRDC will engage Construction Supervision Consultants (CSC) to act as the engineer for the construction contracts. The Social and R&R Expert from CSC will assist the PIUs for managing social and R&R activities under the project.

IX. GRIEVANCE REDRESS MECHANISM

34. A project-specific grievance redress mechanism (GRM) will be established to receive, evaluate and facilitate the resolution of displaced people's concerns, complaints and grievances about the social and environmental performance at the level of the Project. The GRM will aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns linked to the project. The project-specific GRM is not intended to bypass the government's own redress process, rather it is intended to address displaced people's concerns and complaints promptly, making it readily accessible to all segments of the displaced people and is scaled to the risks and impacts of the project. The complainant may access the formal legal system at any time.

35. During project preparation, information regarding GRCs will be disclosed as part of the public consultation process. Grievances related to the implementation of the project will be acknowledged, evaluated, and responded to the complainant with corrective action proposed. The outcome shall also form part of the semi-annual monitoring report that will be submitted to ADB. The decision of the GRCs is binding, unless vacated by the court of law. The GRC will continue to function, for the benefit of the DPs, during the entire life of the project including the maintenance period. The cost of GRM will be included in the budget under subproject RP.

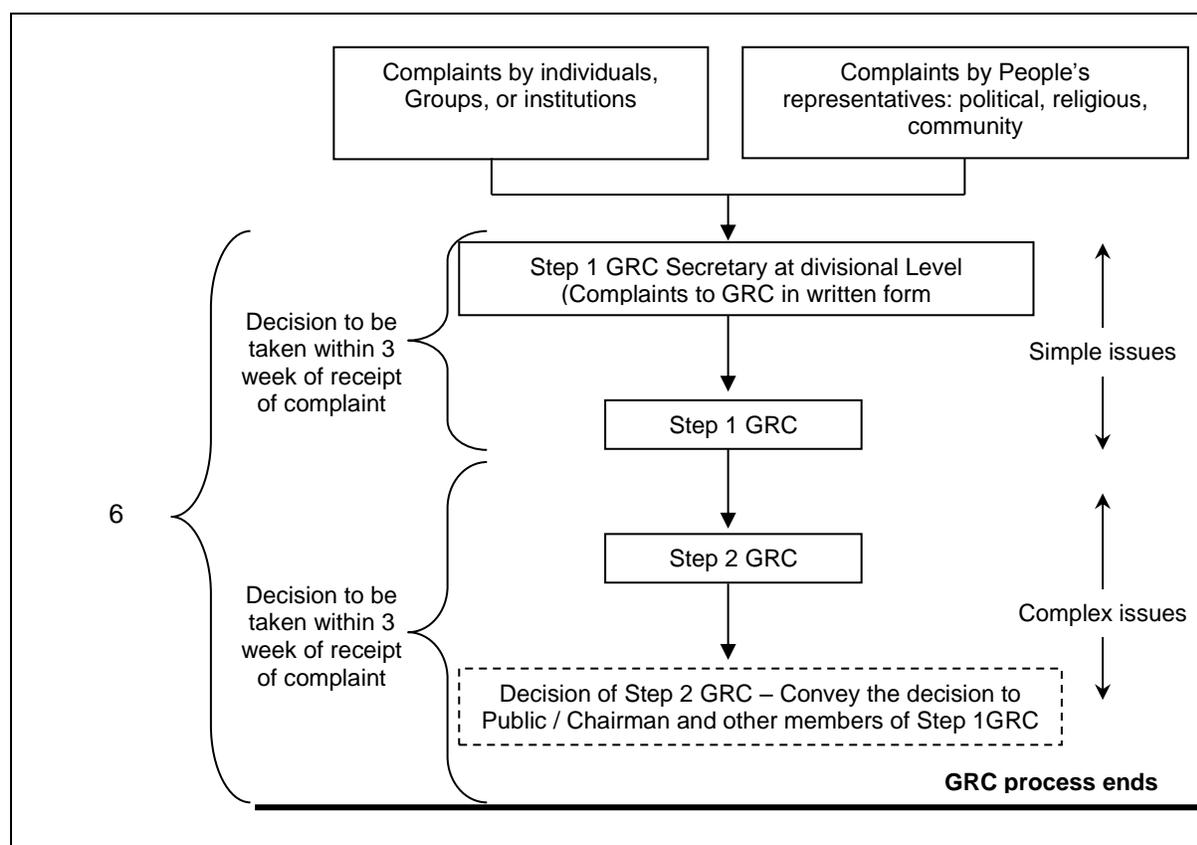
36. A Grievance Redress Committee (GRCs) will be established at the MPRDC state level and at the PIU level to assure accessibility for DPs. The GRCs are expected to resolve grievances of the eligible persons within a stipulated time of 3 weeks at the PIU level and 3 weeks at the state level. The State level GRC will comprise of the:

- i) General Manager, MPRDC, Bhopal
- ii) Superintended Engineer, PWD, Bhopal
- iii) DGM, MPRDC, Bhopal
- iv) Manager (Environment & Social), MPRDC, Bhopal
- v) A representative from IP community or NGO for IP related issue

37. The PIU level GRC will comprise of the:

- i) Divisional Manager from MPRDC
- ii) Executive Engineer, local PWD office
- iii) A representative from local NGOs or a local person of repute and standing in the society, elected representative from Zila Parisad /District Council.
- iv) A representative for women from a relevant agency which could be from the government, or NGO or local community
- v) A representative from IP community or NGO for IP related issue.

38. One of the above members in the PIU level GRC will be a woman. The following flow chart defines the process of the GRM.

Figure 3: Grievance Redress Mechanism

39. The response time prescribed for the GRCs would be three weeks at each level. Since the entire resettlement component of the project has to be completed before the construction starts for the whole project, the GRC will meet at least once in three weeks to resolve the pending grievances. Other than disputes relating to ownership rights under the court of law, GRC will review grievances involving all resettlement benefits, relocation, payment of compensation and other assistance. The subproject specific Resettlement Plans will detail out the step-by-step mechanism for grievance redress.

40. People who are, or may in the future be, adversely affected by the project may submit complaints to ADB's Accountability Mechanism. The Accountability Mechanism provides an independent forum and process whereby people adversely affected by ADB-assisted projects can voice, and seek a resolution of their problems, as well as report alleged violations of ADB's operational policies and procedures. Before submitting a complaint to the Accountability Mechanism, affected people should make a good faith effort to solve their problems by working with the concerned ADB operations department. Only after doing that, and if they are still dissatisfied, should they approach the Accountability Mechanism.¹⁰

X. GENDER ISSUE UNDER THE PROJECT

41. During the FGD, the women members expressed the view, that construction of road will definitely ease the trouble, especially during the monsoon. Better quality road will help students,

¹⁰ For further information see: <http://www.adb.org/Accountability-Mechanism/default.asp>.

especially girls to attend schools. The bicycle journey to school will become comfortable for them. Improved road will increase women's mobility, especially those who go for distance unskilled jobs, local markets, and health centers etc. Due to better road, visit of health staff, especially school teachers will increase.

42. Women's contribution to the project area economy is very low because of under estimation of the role of women in various sectors of economy. There are differences in men's and women's pay, unequal access to stable employment. Women are engaged in "hidden work" unpaid but economically necessary in the domestic, agriculture and informal sectors.

43. Women use the road for transport of water, fuel, farm inputs and products, animal fodder, and building materials as well as their participation in rural production are significant. Improved road will provide them smooth and all weather access to various amenities and markets.

XI. MONITORING AND REPORTING

44. The EA will internally monitor the RP implementation process and report to ADB on semi-annual basis. The R&R expert from the CSC team will be responsible for assisting the EA to monitor the progress for resettlement implementation. The monitoring will ensure recording of DP's views on resettlement issues such as; DP's understanding of entitlement policies, options, and alternatives, site conditions, compensation/assistance valuation and disbursement, grievance redress procedures, and staff competencies, grievance redress, consultation etc. The monitoring reports will be disclosed in the website of EA and ADB.

APPENDIX 1: RECORD OF PUBLIC CONSULTATIONS

A. PHOTOGRAPHS DURING CONSULTATION



Group Discussion along Barghat Kanhiwada Road



Household Survey on Barghat Kanhiwada Road



Key Informant Interview on Barghat Kanhiwada Road



Household Survey (women) on Barghat Kanhiwada Road



Interview with Local Shopowners along Dharna-Aata-Dondiwada-Dharmakua



Discussion with School Teachers along Harfari Khaira-Misirgawan road

B. ATTENDANCE SHEET



Madhya Pradesh Road Development Corporation (MPRDC), Bhopal

Reporting of Public Consultation:

Public Consultation no (Mixed).

Date and time:

25/8/2014

Location:

जमुना (खिपौल भण्डा)/संतोष जी का मकान

Name of Facilitators: 1.....

2.....

Attendance Sheet

Name of the participant	Male	Female	Signature
नन्दकिशोर सोनिया	L		
ब्रजवान दीन सोनिया	L		ब्रजवान दीन
दिनेश सोनिया	L		दिनेश
समय लाल सोनिया	L		समय लाल
मतनिया सोनिया	L	L	
आरुणा सोनिया		L	आरुणा सोनिया
सतीश सोनिया	L		सतीश सोनिया
सुमित्रा सोनिया		L	सुमित्रा सोनिया
अशु सोनिया	L		अशु
राम भानु सोनिया	L		राम भानु
संतोष सोनिया	L		संतोष सोनिया
प्रका सोनिया		L	प्रका सोनिया
रितु सोनिया		L	रितु
नीता सोनिया		L	नीता

Signature of Facilitators

1.....

2.....



Madhya Pradesh Road Development Corporation (MPRDC), Bhopal

Reporting of Public Consultation:

Public Consultation no (Environment)

Date and time: 5:00 - 05/01/15 Location: मंदिर के पास / बसनी

Name of Facilitators: 1..... कालिम खान 2..... कुशीप अमल

Attendance Sheet

Name of the participant	Male	Female	Signature
राजेश्वराम एलवारु	L		राजेश्वराम
रुनील एलवारु	L		रुनील
देल धसार नारी	L		
राम लाल साहू	L		राम लाल साहू
शिव दास साहू	L		शिव दास साहू
लाल भी साहू	L		लाल भी
भोवरी लाल साहू	L		
ए.के. मण्डल	L		Aruna Mandal
राम कलेश शिवरानी	L		राम कलेश शिवरानी
अमित कुमार साहू	L		अमित कुमार साहू
वैशव दीप जाधव	L		वैशव दीप जाधव
कुसुम देवी गोस्वामी	F	L	कुसुम देवी
शिव कुमारी साहू		L	शिव कुमारी
चौरसिया देवी		L	

Signature of Facilitators

1..... Kashw

2..... Kuship

APPENDIX 2: GRM DOCUMENT SHARED WITH DPS DURING CONSULTATION

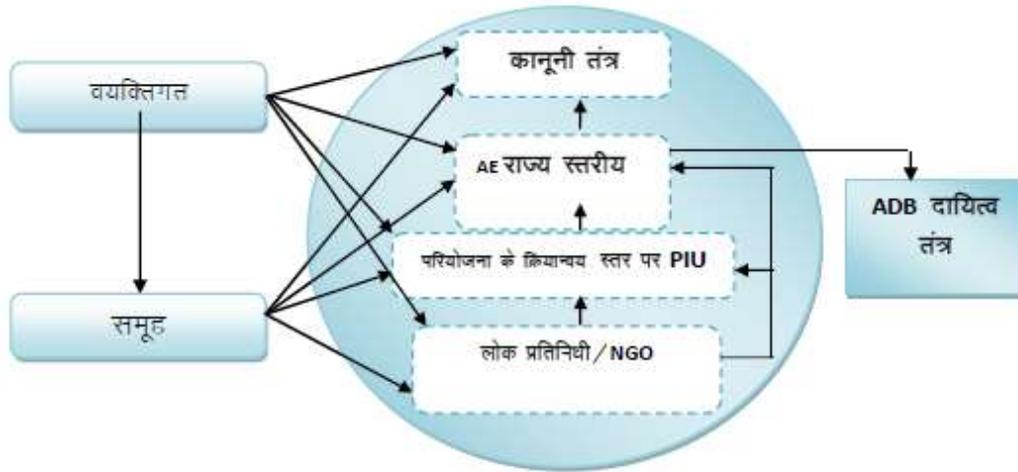
(गवाह/साक्षी में गांव के सरपंच, ग्राम पंचायत के सदस्य, डी.पी.आर. कंसलटेंट के प्रतिनिधि, गैर शासकीय संगठनों के प्रतिनिधि तथा ग्राम के बुजुर्ग/वरिष्ठ नागरिकों को शामिल किया जा सकता है)

शिकायत निवारण तंत्र

- 5.1 सड़क निर्माण परियोजना से संबंधित विशेष शिकायत निवारण तंत्र (GRM) स्थापित किया जायेगा जिसके तहत विस्थापित व्यवसायिक इकाईयों, संबंधित शिकायतों, सामाजिक तथा पर्यावरण संबंधित शिकायतों का निराकरण करने की सुविधापरियोजना स्तर पर प्रदान की जायेगी, यह तंत्र सामाजिक तथा पर्यावरण संबंधी समस्या, शिकायत या शंकाओं के निवारण में सहायक सिद्ध होगा। यह परियोजना प्रभावित व्यक्तियों की शंकाओं तथा समस्या निराकरण करने के उद्देश्य से निर्मित किया गया है। GRM का उद्देश्य शासन की निवारण प्रक्रिया को नज़र अंदाज करना नहीं है बल्कि जन साधारण को निर्माण से होने वाले लाभ को बताना तथा पारदर्शिता के साथ समस्या तथा शंकाओं का निवारण करना है।
- 5.2 निवारण प्रक्रिया (RP) यह तंत्र प्रभावी तरीके से जन साधारण/लोक सामान्य को इस कार्य के लाभ बतलाते हुए सार्वजनिक सहमति प्राप्त करेगा शिकायत निवारण सहमति (GRC) एक समय सीमा में समस्या निवारण कार्य करेगी। कमेटी का निर्णय मा. न्यायालय के आदेश पूर्व बाध्यकारी होगा इस समिति को MPRDC के प्रबंध संचालक की अध्यक्षता में गठित किया जायेगा। PIU स्तर पर प्रबंधक (PM) पुर्नवास अधिकारी, NGO के प्रतिनिधि, समाज के प्रतिष्ठित व्यक्ति, जन प्रतिनिधि, जिला परिषद प्रतिनिधि, कमजोर तबके के व्यक्ति तथा 2 महिला प्रतिनिधि शामिल होंगे जो परियोजना कार्य पूर्ण होने तक पदस्थ रहेंगे।
- 5.3 शिकायत निवारण समिति द्वारा शिकायत के 3 सप्ताह के दौरान प्रतिक्रिया करेगी। निर्माण कार्य के पूर्व समस्त शिकायतों व शंकाओं का समाधान कर लिया जायेगा।

शिकायत निवारण समिति की बैठक 3 सप्ताह में कम से कम एक बार अवश्य होगी, माननीय न्यायालय के तहत स्वामित्व अधिकारी से संबंधित विवादों के अलावा यह समित्त समस्त पुर्नवास स्थानान्तरण, मुआवजे के भुगतान तथा अन्य सहायता हेतु चरण बद्ध कार्य करेगी।

शिकायत निवारण प्रक्रिया तंत्र



अनुलग्न 1

(B) शिकायत का प्रकार

- घर की दीवार और छत को कंपन/विस्फोट/भारी वाहनों के कारण नुकसान
- उपयोग में आ रही सड़क, पुलिया, नहरो को नुकसान
- सड़क के उपयोग में आ रहे अवरोध
- निजी संपत्ति को नुकसान
- विस्फाट के कारण निजी या सार्वनिक जल स्रोतों में जल स्तर की कमी या जल में प्रदुषण
- व्यावसायिक इकाई को/ व्यावसायिक परिसर में नुकसान
- दूषित जल का जमाव या बाढ़
- घरों के समीप (सॉलिड) कचरे को फेंकना
- मूर्तिया अथवा स्मारको को नुकसान होने का भय
- विस्थापना की स्थिति में वैकल्पिक भूमि या अधिग्रहित भूमि के मुआवजे के लिये अनुरोध पत्र
- भूमि स्वामित्व के अधिकार संबंधित किसी प्रकार का विवाद