

Resettlement Plan

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India: Rajasthan Urban Sector Development Investment Program—Chittorgarh Heritage Subproject

Prepared by Local Self Government Department

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

ABBREVIATIONS

ADB	— Asian Development Bank
ASI	— Archaeological Survey of India
BPL	— below poverty line
CBO	— community-based organization
CLC	— City Level Committees
DPR	— Detailed Project Report
DSC	— Design and Supervision Consultants
GRC	— Grievance Redress Committee
IPIU	— Investment Program Implementation Unit
IPMC	— Investment Program Management Consultants
IPMU	— Investment Program Project Management Unit
JNNURM	— Jawaharlal Nehru National Urban Renewal Mission
LAA	— Land Acquisition Act
LSGD	— Local Self Government Department
MFF	— multitranche financing facility
NGO	— nongovernmental organization
NRRP	— National Resettlement and Rehabilitation Policy
OMC	— Operations and Maintenance Contractors
PAF	— project affected family
PAH	— project affected household
PIU	— Project Implementation Unit
PMU	— Project Management Unit
ROW	— right of way
RUIDP	— Rajasthan Urban Infrastructure Development Project
RUSDIP	— Rajasthan Urban Sector Development Investment Programme
SDS	— Social Development Specialist
SPS	— Safeguard Policy Statement
SRP	— Short Resettlement Plan
STP	— sewerage treatment plant
UIDSSMT	— Urban Infrastructure Development Scheme for Small and Medium Towns
ULB	— urban local body
WTP	— water treatment plant

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EXECUTIVE SUMMARY

1. The Local Self Government Department (LSGD) under the Urban Governance Department of Government of Rajasthan (the Government) is executing the Rajasthan Urban Sector Development Investment Program (RUSDIP) in fifteen towns namely, Alwar, Baran-Chhabra, Barmer, Bharatpur, Bundi, Sawai Madhopur, Churu, Dholpur, Jaisalmer, Jhalawar-Jhalarapatan, Karauli, Nagaur, Rajsamand, Sawai Madhopur, and Sikar with financial assistance from Asian Development Bank (ADB) under Multi Tranche Financing Facility (MFF). The investment program covers major urban infrastructure works viz., Water Supply, Waste Water Management, Solid Waste Management, Urban Transport and Roads, Social Infrastructure, Support Infrastructure for Cultural Heritage and Urban Drainage.

2. This Resettlement Plan has been prepared for the Chittorgarh Heritage Sites Subproject as part of Rajasthan Urban Infrastructure Development Program (RUIDP) Phase II. The subproject covers (i) construction of walkways, toilet facilities, drinking water stations, flat forms for temporary kiosks, and parking stands for vehicles and animals; (ii) improvement of road surfaces by paving; (iii) rain water disposal by providing proper surface gradient; (iv) repair of damaged walls; and (v) provision of street furniture like benches, dustbins, lights, and signages. The resettlement plan has been prepared based on the detailed engineering design and as per the Detailed Project Report (DPR). This subproject has been categorized as “B” for Involuntary Resettlement impact as per the ADB’s Safeguard Policy Statement, 2009 (SPS). Effort was made to avoid land acquisition and resettlement. Overall impacts would be further minimized through careful siting and alignment during subproject implementation.

3. **Summary of Resettlement Impact.** The subproject will not result in permanent land acquisition and resettlement impacts because it will be undertaken within the existing campus of the fort having sufficient and vacant rights of-way (ROW) which is also government land. The impacts are categorized as temporary impacts due to the loss of temporary livelihood during the shifting of small shops to permanent platform. A total of 26 small business shops will be shifted and will be relocated in the platform for which shifting allowances and loss of income during the construction will be provided to them. These 26 business activities are considered to be economically displaced on a temporary basis. Out of the total 26 small business activities, there are 7 clothe shops, 2 tea stall, 2 shoe shop, 11 Puja Samagri Shops (shops where people buy religious materials to offer to Hindu God during worship, 2 small general store and 2 music CD shops. Details are given in Table 2. The temporary impact on these business activities will have 26 economically displaced households.

4. **Public Consultations.** Consultations were carried out during resettlement plan preparation and will continue throughout the subproject cycle. A grievance redress mechanism has been formed as the City Level Committee (CLC) will act as grievance redress committee as explained in this resettlement plan.

5. **Policy Framework and Entitlements.** The policy framework and entitlements for the program are based on national laws: The Land Acquisition Act, 1894 (LAA, amended in 1984), and the National Resettlement and Rehabilitation Policy, 2007 (NRRP); ADB’s Safeguard Policy Statement, (SPS, 2009); and the agreed Resettlement Framework.

6. **Institutional Arrangements.** The LSGD is the executing agency responsible for overall technical supervision and execution of all subprojects funded under the Program. The Implementing Agency is the Investment Program Management Unit (IPMU) of the ongoing RUIDP, which has been expanded and assigned as the IPMU, to coordinate construction of subprojects and ensure consistency across the towns. The inter-ministerial Empowered Committee provides LSGD with central policy guidance and coordination. The IPMU is

assisted by: Investment Program Management Consultants (IPMC) who manages the Program and assure technical quality of the design and construction; and Design and Supervision Consultants (DSC), who are designing the Infrastructure, managing the tendering of contractors, and supervising construction. Nongovernmental organization (NGO) will be responsible for assisting in the resettlement plan implementation.

7. **Resettlement Plan Implementation and Monitoring.** All compensation is to be paid prior to displacement. Resettlement plan implementation will be closely monitored to provide the IPMU with an effective basis for assessing resettlement progress and identifying potential difficulties and problems. Internal monitoring will be undertaken by the Investment Program Implementation Unit (IPIU) with assistance from the IPMU. Monthly progress report will be prepared by the IPIU and will be compiled by the IPMU on a quarterly basis for its due submissions to ADB.

I. PROJECT DESCRIPTION

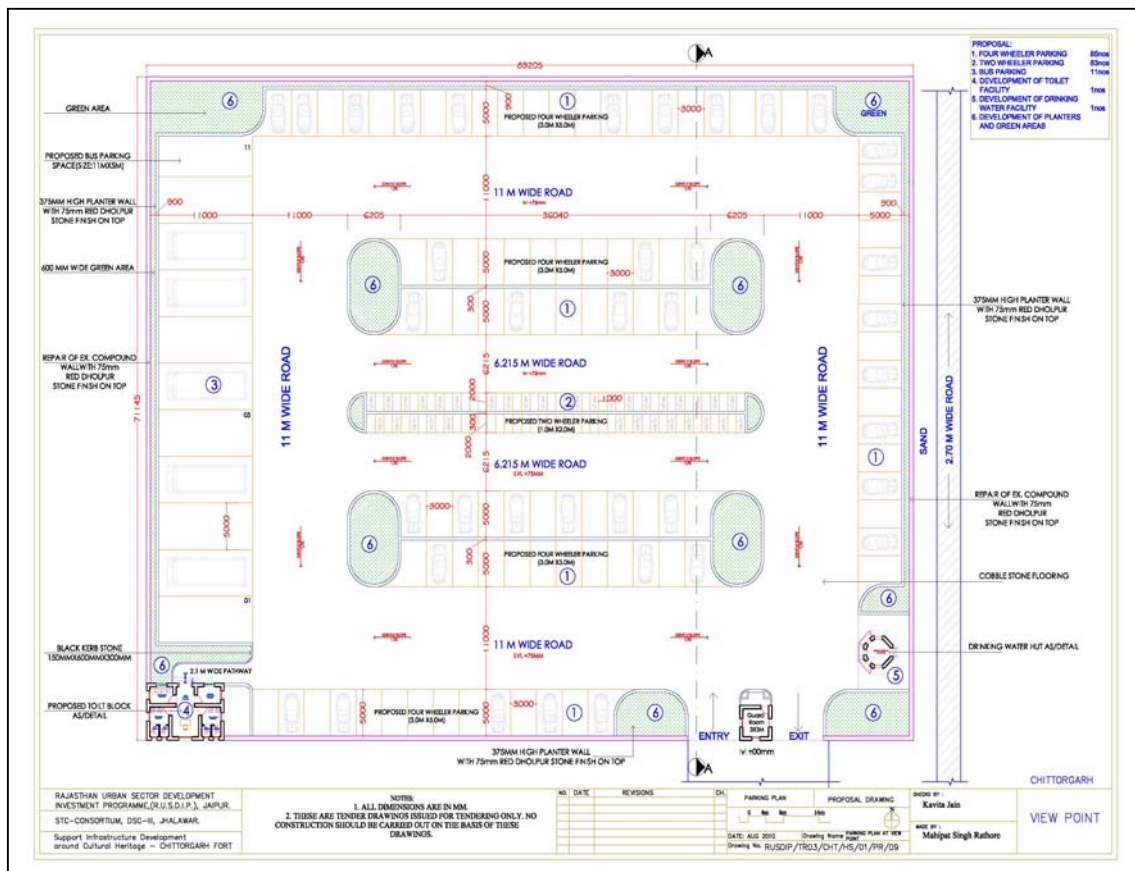
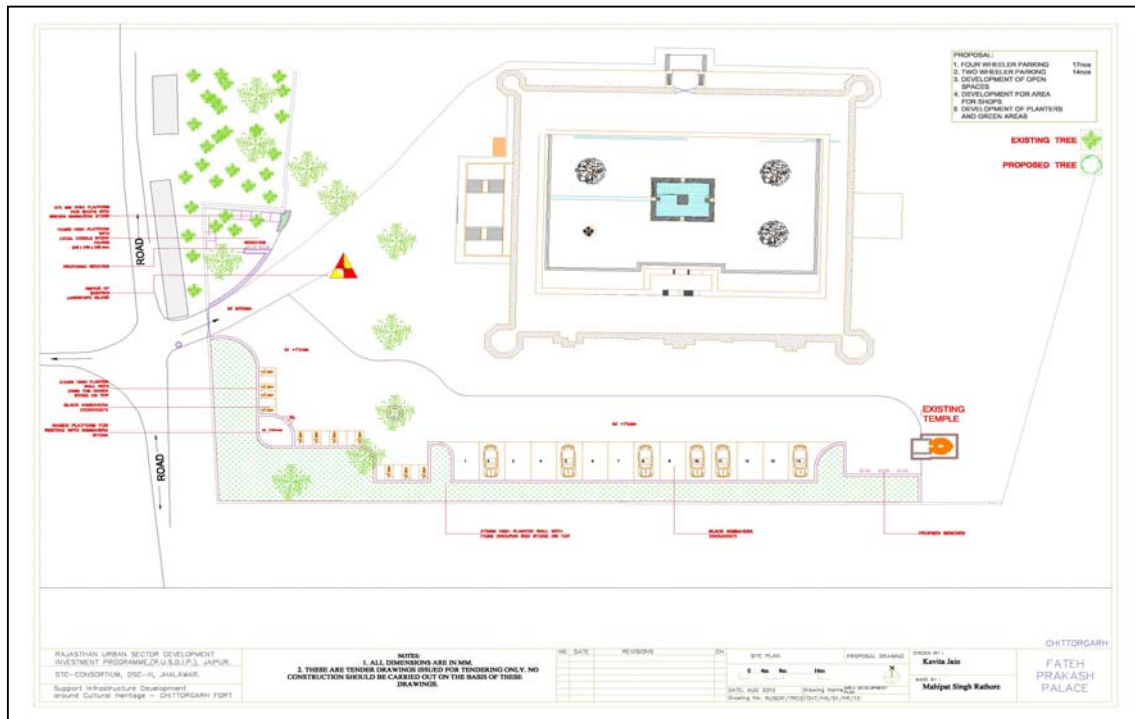
1. Rajasthan Urban Sector Development Investment Program (RUSDIP) is intended to optimize social and economic development in fifteen selected towns in the State, particularly district headquarters and towns with significant tourism potential. This will be achieved through investments in urban infrastructure (water supply; sewerage and sanitation; solid waste management; urban drainage; urban transport and roads), urban community upgrading (community infrastructure; livelihood promotion) and civic infrastructure (art, culture, heritage and tourism; medical services and health; fire services; and other services). RUSDIP will also provide policy reforms to strengthen urban governance, management, and support for urban infrastructure and services. The assistance will be based on the state-level framework for urban reforms, and institutional and governance reforms recommended by the Government of India (the Government) through the Jawaharlal Nehru National Urban Renewal Mission (JNNURM) and Urban Infrastructure Development Scheme for Small and Medium Towns (UIDSSMT).

2. Rajasthan Urban Infrastructure Development Program (RUIDP) Phase II is being implemented over a seven year period beginning in 2008, and being funded by a loan via a Multitranchise Financing Facility (MFF) of Asian Development Bank (ADB). The executing agency is the Local Self-Government Department (LSGD) of the Government of Rajasthan; and the implementing agency is the Investment Program Management Unit (IPMU) of the RUSDIP.

3. The subproject is located in Chittorgarh town of Chittorgarh District, in the state of Rajasthan in northwestern India. The subproject will involve: (i) construction of parking facility—vehicular parking facility and separated animal stands are proposed with the use of local materials; (ii) construction of water and sanitation facilities—drinking water and public toilet facilities will be provided; (iii) repair and improvement of road surfaces—damaged road surfaces will be repaired, paved pathways for pedestrians will be constructed, and interface of existing roads will be improved; (iv) provision of street furniture—informative signages, lighting, and dustbins will be provided; (v) landscaping—areas inside and adjacent to proposed parking facilities will be landscaped with small planters, benches, resting shelters for commuters and visitors. Platforms around existing trees will be repaired or replaced if necessary; (vi) improvement of storm water disposal—together with landscaping, slope gradient will be improvement; (vii) improvement of area used by kiosks—existing kiosks will be provided with separated and definite platforms; and (viii) improvement of other related structures—raking and filling of joints, repair of steps to temples, re-routing of wirings, re-plastering and repainting, and reconstruction of broken walls, transfer of existing overhead electrical wirings. Works under this subproject will (i) be limited on vacant lots and spaces allocated for general public; (ii) not directly on nor encroach any of the monuments inside the fort; and (iii) be closely supervised and monitored by Archaeological Survey of India (ASI). The subproject layout is illustrated in Figure 1 and the details on subproject components are given in Annexure 1:

4. This Resettlement Plan has been prepared for the Chittorgarh Heritage Sites Subproject as part of RUIDP Phase II Tranche 3. The resettlement plan has been prepared based on the detailed engineering design and as per the Detailed Project Report (DPR). Detailed design was completed by September 2010. This subproject has been categorized as “B” for Involuntary Resettlement impact as per ADB’s Safeguard Policy Statement, 2009 (SPS).

Figure 1: Subproject Layout



II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

5. Efforts have been made by the engineering team to minimize the resettlement impact by careful design as all the implementation activities under the subproject will be confined to the existing Right of Way (ROW). Most of the works are confined within the compound of existing facilities and vacant municipal land and will not have any resettlement impacts. Sub-project design minimized land acquisition and resettlement impacts. As per design it will not result in permanent impacts to structures (such as residential and commercial), and common properties. Keeping this in view all the proposed work will be accommodated within the existing campus. However, during construction of platform, this would have impact on temporary shops, and vendors close to the proposed site. Details on each components and its impact is given in Table 1.

Table 1: Subproject Components and its Impact on Land Acquisition and Resettlement

SI No	Name of the Components	Permanent Impact on Land Acquisition and Resettlement	Temporary Impact	Remarks
1	construction of walkways, toilet facilities, drinking water stations, platforms for temporary kiosks, and parking stands for vehicles and animals	No	Yes	Construction of parking area and developing platforms for existing vendors and Kalika Mata Temple and at Padmini Palace will have temporary livelihood impact due to loss of income during the construction on 26 shops which will be shifted to a permanent platform under the project.
2	Improvement of road surfaces by paving	No	Yes	No resettlement impact.
3	Rain water disposal by providing proper surface gradient	No	No	No resettlement impact
4	Repair of damaged walls	No	No	No resettlement impact
5	Provision of street furniture like benches, dustbins, lights, and signages	No	No	No resettlement impact

6. The subproject will not have any physical or economic displacement. None of these small business structures are to be demolished rather they will be shifted to a better platform for future operation. A total of 26 small business shops will be shifted and will be relocated in the platform for which shifting allowances and loss of income during the construction will be provided to them. These 26 business activities are considered to be economically displaced on a temporary basis. Out of the total 26 small business activities, there are 7 clothe shops, 2 tea stalls, 2 shoe shops, 11 Puja Samagri Shops (shops where people buy religious materials to offer to Hindu God during worship), 2 small general stores, and 2 music CD shops. Details are given in Table 2. The temporary impact on these business activities will have 26 economically displaced households. All of these are non titleholders.

Table 2: Types of Temporary Impacts

SI No	Type of Temporary Impacts	Numbers	Percentage
1	Dressing Shop	7	27
2	Tea+Breakfast Shop	2	8
3	Shoe shop	2	8
4	Puja Samagri Shop/religious	11	42
5	General Store	2	8
6	Music CD Shop	2	8
Total		26	100

Source: Census and Socio-Economic Survey, October 2010.

III. SOCIOECONOMIC INFORMATION/PROFILE

7. A census and socio-economic survey was conducted in the month of October 2010 in the subproject area covering each sub components. The census survey covered the assessment of detailed impacts and gathered information related to the socioeconomic profile of the economically displaced households. Out of the 26 displaced persons, only three households belong to the vulnerable category of female headed households. The average household size amongst the surveyed affected households is 5.26. Petty business is the main source of income of the displaced persons. The average household income of the displaced persons is Rs.5976 per month. All the displaced persons have ration card and are enrolled in the voter list. They do not have legal documents for the small business structures and mostly found to be literate and the children are found to be studying in primary level. There is no impact on gender as the subproject will have only three female headed households. A summary of resettlement impact and the socio-economic details are given in Table 3 and the detailed socio-economic profile including the list of displaced persons is given in **Annexure 2**.

Table 3: Summary of Resettlement Impacts and Socio-Economic Details

Impact	Quantity
Permanent land acquisition	0
Temporary land acquisition	0
Affected Business Activities (Temporary)	26
Economically Displaced Persons on temporary basis (Displaced Persons)	26
Titled Displaced Persons	0
Non-titled Displaced Persons	26
Female-headed Affected Households	3
ST-headed Affected Households	0
BPL Affected Households	0
Scheduled Caste Affected Households	0
Physically Disabled Affected Households	0
Total Vulnerable Households ^a	3
Affected trees/crops	0
Affected common property resources	0
Average family size	5.26
Average household income (per month)	Rs 5976

BPL = below poverty line.

^a Vulnerable households consist of households belonging to Scheduled caste, Scheduled tribe, Woman headed, below poverty line, and physically disabled.

Source: Census and Socio-Economic Survey, October 2010.

IV. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

8. The Resettlement Plan was prepared in consultation with stakeholders. Meetings and individual interviews were held involving stakeholders, particularly with temporary displaced persons. Public consultation with primary and secondary stakeholders was conducted to understand the local issues and public views regarding the possible impact. The group discussion meeting was conducted by RUIDP after advertising in local newspapers. During subproject preparation, consultations were held with the official representatives of the line agencies, apart from the communities in the project area. The issues covered during these consultations included selection of subprojects and identification of key issues including addressing the current gaps in provision of basic services and improvement of the facilities in the fort for better tourist attraction.

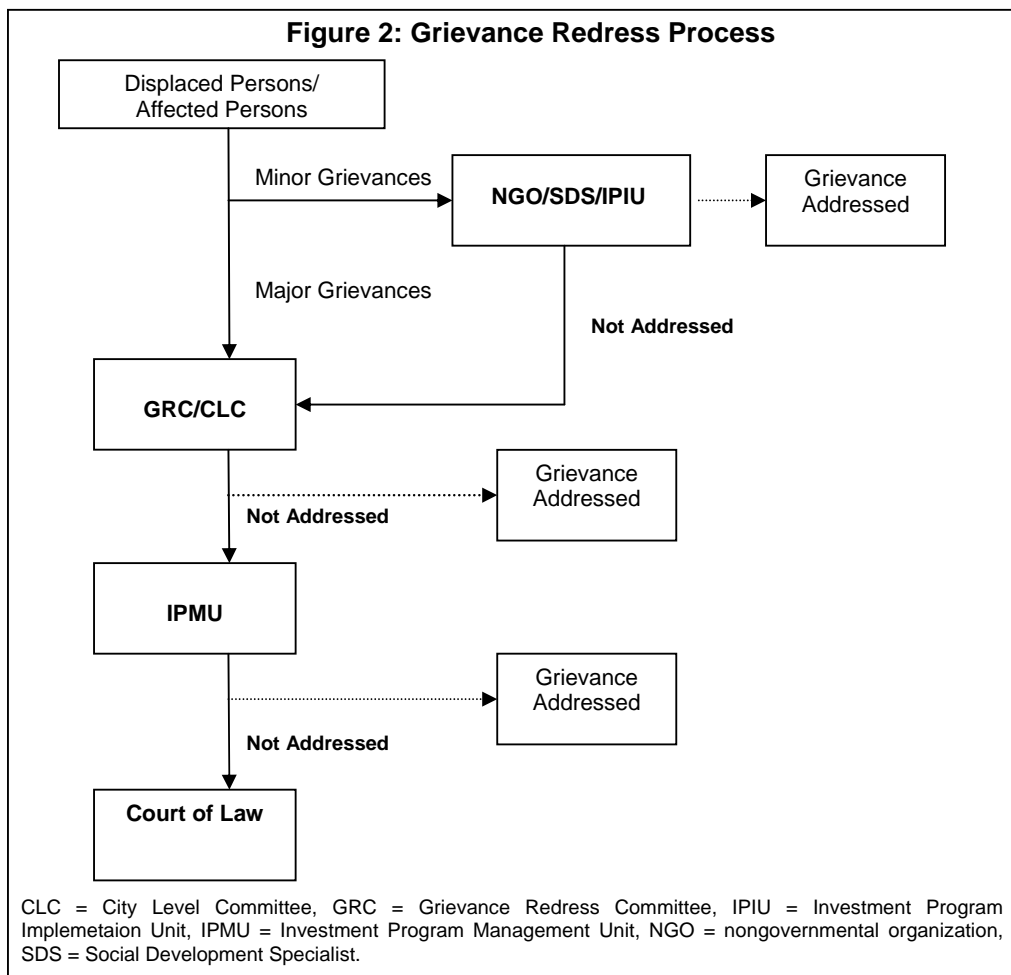
9. Following the model developed for the MFF, a town-wide stakeholder consultation workshop was conducted which provided an overview of the Program and subprojects to be undertaken in Chittorgarh and discussed the Government and ADB's resettlement policies and potential resettlement impacts of the subproject. During the workshop, Hindi versions of the Resettlement Framework were provided to ensure stakeholders understood the objectives, policy principles and procedures for any land acquisition, compensation and other assistance measures for any affected person. Consultations were held with the small shop owners on 24 October 2010 to solicit their cooperation for shifting to the new platform when it is built. During consultations, key issues raised were: (i) participants expressed satisfaction that there was a sub-project taking care of their needs which they have waited for 25-30 years; (ii) they are not hesitant to move or shift if necessary to accommodate the work; (iii) they are willing to provide labor for the sub-project; and (iv) they raised that it is important to repair the roads after sub-project construction. Additionally, consultations were also held with stakeholders as part of the environment assessment study of the subproject. Summary of social and environment consultation records are provided in **Annexure 3**.

10. Information dissemination and disclosure have been a continuous process since the beginning of the program. English and Hindi versions of the Resettlement Framework has been placed in the Urban Local Body, (ULB) office, Investment Program Management Unit (IPMU) office, Investment Program Implementation Unit (IPIU) office and in ADB's website. The finalized Resettlement Plan will also be disclosed in ADB's website, and the RUIDP website. The information will also be made available at a convenient place especially in all the relevant offices which will be accessible to the displaced persons/affected persons.

11. Project information will be continually disseminated through disclosure of resettlement planning documents. The documents will contain information on compensation, entitlement and resettlement management adopted for the subproject will be made available in local language (Hindi) and the same will be distributed to displaced persons/affected persons. The Social Development Specialist (SDS) through its IPIU will keep the displaced persons informed about the impacts, the compensation and assistances proposed for them and facilitate addressing any grievances. Additionally, the NGO engaged to implement Community Awareness and Participation Program (CAPP) will continue consultations, information dissemination, and disclosure. The nongovernmental organization (NGO) has been engaged and it has been working for community consultation and awareness program. A summary of NGO's activities is provided in **Annexure 4**. The consultation process will be carried out in the entire project cycle.

V. GRIEVANCE REDRESS MECHANISMS

12. Grievances of displaced persons/affected persons will first be brought to the attention of the implementing NGO or SDS. Grievances not redressed by the NGO or SDS will be brought to the City Level Committees (CLC) set up to monitor project implementation in each town. The CLC, acting as a grievance redress committee (GRC) is chaired by the District Collector with representatives from the ULB, state government agencies, IPIU, community-based organizations (CBOs) and NGOs. As GRC, the CLC will meet every month. The GRC will determine the merit of each grievance, and resolve grievances within a month of receiving the complaint, failing which the grievance will be addressed by the inter-ministerial Empowered Committee. The Committee will be chaired by the Minister of Urban Development and LSGD, and members will include Ministers, Directors and/or representatives of other relevant Government Ministries and Departments. Grievance not redressed by the GRC will be referred to the IPMU. If necessary, grievances will be referred by displaced persons/affected persons to the appropriate courts of law. The IPIU will keep records of all grievances received including: contact details of complainant, date that the complaint was received, nature of grievance, agreed corrective actions and the date these were effected, and final outcome. The grievance redress process is shown in Figure 2. All costs involved in resolving the complaints will be borne by the IPMU. The GRCs will continue to function throughout the project duration.



VI. POLICY AND LEGAL FRAMEWORK

13. The policy framework and entitlements for the program as well as for this subproject are based on national laws: The Land Acquisition Act, 1894 (LAA, amended in 1984), and the National Resettlement and Rehabilitation Policy, 2007 (NRRP); ADB's Safeguard Policy Statement, 2009 (SPS); and the agreed Resettlement Framework. Based on these, the core involuntary resettlement principles applicable are: (i) land acquisition, and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative subproject designs; (ii) where unavoidable, time-bound Resettlement Plans will be prepared and displaced persons will be assisted in improving or at least regaining their pre-program standard of living; (iii) consultation with displaced persons on compensation, disclosure of resettlement information to displaced persons, and participation of affected persons in planning and implementing subprojects will be ensured; (iv) vulnerable groups will be provided special assistance; (v) payment of compensation to displaced persons including non-titled persons (e.g., informal dwellers/squatters, and encroachers) for acquired assets at replacement rates; (vi) payment of compensation and resettlement assistance prior to economic or physical displacement; (vii) provision of income restoration and rehabilitation; and (viii) establishment of appropriate grievance redress mechanisms. A detailed policy framework including the comparison of national laws and policies with ADB's SPS is given in **Annexure 5**.

VII. ENTITLEMENTS

14. All displaced persons who are identified in the subproject areas on the cut-off date will be entitled to compensation for their affected assets, and rehabilitation measures (as outlined in the entitlement matrix below) sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels. Compensation eligibility is limited by a cut-off date as set for this project on the day of the completion of the census survey which is 24 October 2010 in this case. Displaced persons who settle in the affected areas after the cut-off date will not be eligible for compensation and assistance. They however will be given sufficient advance notice (30 days) and will be requested to vacate premises and dismantle affected structures prior to project implementation. The IPIU and the NGO will provide the identity cards to each of the displaced persons. A sample copy of the identity card is provided in **Annexure 6**. The entitlement matrix for the subproject based on the above policies is in Table 4.

Table 4: Entitlement Matrix

	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
1	Temporary disruption of livelihood		Legal titleholders, non-titled displaced persons	<ul style="list-style-type: none"> • 30 days advance notice regarding construction activities, including duration and type of disruption. • Contractor's actions to ensure there is no income/access loss consistent with the IEE.^a • Assistance to mobile vendors/hawkers to temporarily shift for continued economic activity.^b • For construction activities involving unavoidable livelihood disruption, compensation for lost income or a transitional allowance for the period of disruption whichever is greater. 	Identification of alternative temporary sites to continue economic activity.	Valuation Committee will determine income lost. Contractors will perform actions to minimize income/access loss.
2	Impacts on vulnerable Displaced Persons	All impacts	Vulnerable Displaced Persons	Livelihood. Vulnerable households will be given priority in project construction employment.	Vulnerable households will be identified during the census.	NGO will verify the extent of impacts through a 100% surveys of Displaced Persons determine assistance, verify and identify

	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
						vulnerable households.
3	Any other loss not identified	-	-	Unanticipated involuntary impacts will be documented and mitigated based on the principles of the Resettlement Framework.	-	NGO will ascertain the nature and extent of such loss. IPMU will finalize the entitlements in line with the Resettlement Framework.

IEE = initial environmental examination, IPMU = Investment Program Project Management Unit, NGO = nongovernmental organization.

^a 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.

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

VIII. RELOCATION OF HOUSING AND SETTLEMENTS

15. Displaced persons will be provided 30 days advance notice to ensure no or minimal disruption in livelihood. If required, they will also be assisted to temporarily shift for continued economic activity. For example they will be assisted to shift to the other side of the road where there is no construction. Ensuring there is no income or access loss during subproject construction is the responsibility of contractors. Consistent with the initial environmental examination, contractors will ensure: 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. All the 26 displaced persons will be shifted to a permanent platform to be constructed by the project. During the shifting, they will be provided with livelihood assistance for the period of disruption if any.

IX. INCOME RESTORATION AND REHABILITATION

16. Should construction activities result in unavoidable livelihood disruption, compensation for lost income or a transitional allowance for the period of disruption whichever is greater will be provided. Vulnerable displaced persons will be given priority in project construction employment. Compensation and assistance to affected persons must be made prior to economic or physical displacement.

X. RESETTLEMENT BUDGET AND FINANCIAL PLAN

17. The resettlement cost estimate for the Chittorgarh Heritage Sites subproject includes resettlement assistance, as outlined in the entitlement matrix, support cost for RP implementation and contingency provision amounting to be 5% of the total cost. The state government will be responsible for releasing the funds for resettlement in a timely manner. The total resettlement cost for the subproject is INR 238,560. The resettlement cost items and estimates are outlined in Table 5.

Table 5: Resettlement Costs

Srl. No	Item	Unit	Quantity	Unit Cost	Amount
1	Assistance for Relocation & Transfer				
	Shifting assistance	Lump sum	26	200	5200
	Loss of Income Livelihood ^a	20 Days	26	200	104,000
	Additional assistance to Vulnerable groups ^b	20 Days	3	300	18,000
	Sub Total Item 1				127,200
2	Administrative & Implementation costs				
	Implementing NGO	Lump Sum			100,000
3	Total				227,200
4	Contingency	5%			11,360
5	Grand Total				238,560

NGO = nongovernmental organization.

^a The amount is based on the average per day income as derived from the census and socio-economic survey.

^b Additional Assistance to Vulnerable Vendors/Shop Owners for loss of Livelihood: Less than 3 days impact- @ Rs 500/-per day, Between 4 to 7 days impact-@ Rs 400/-per day, Between 8 to 15 days impact-@ Rs 350/-per day, Between 16 to 31 days impact-@ Rs 300/-per day, More than 31 days impact- A lump sum of Rs 10000/- which is based on assessment made during the census and socio-economic survey.

XI. INSTITUTIONAL ARRANGEMENTS

18. The LSGD is the executing agency responsible for overall technical supervision and execution of all subprojects funded under the Program. The Implementing Agency is the IPMU of the ongoing RUIDP, which has been expanded and assigned as the IPMU, to coordinate construction of subprojects and ensure consistency across the towns. The inter-ministerial Empowered Committee provides LSGD with central policy guidance and coordination. The IPMU is assisted by: Investment Program Management Consultants (IPMC) who manages the Program and assure technical quality of the design and construction; and Design and Supervision Consultants (DSC), who are designing the infrastructure, managing the tendering of Contractors, and supervising construction.

19. IPIUs have already been established in the project town, Chittorgarh to manage implementation of subprojects in their area. CLC will monitor subproject implementation in each town. They will appoint Construction Contractors to build elements of the infrastructure in a particular town (supervised by DSC). Once the infrastructure begins to operate, responsibility will be transferred to the appropriate state or local Government Agency, who will be given training, support and financial assistance through the Program where necessary to enable them to fulfill their responsibilities. They will employ local Operations and Maintenance Contractors (OMC) to maintain and repair the infrastructure as required.

20. Resettlement issues are coordinated by a Social Development Specialist (IPMU SDS) within the IPMU, who ensures that all subprojects comply with involuntary resettlement safeguards. A Resettlement Specialist who is part of the IPMC team assists the SDS. SDS, as part of the DSC, have been appointed to work with each IPIU to update the Resettlement Plan in the detailed design stage, and to prepare Resettlement Plans for new subprojects, where required to comply with the Government and ADB policies. NGO is appointed to assist the implement Resettlement Plans with close coordination with IPIU. Various institutional roles and responsibilities are described in Table 6.

Table 6: Institutional Roles and Responsibilities

Activities	Agency Responsible
Subproject Initiation Stage	
Finalization of sites/alignments for subprojects	IPMU
Issuance of Public Notice	IPMU
Meetings at community/household level with affected persons of land/property	IPMU/IPIU
Formation of Valuation Committees	IPMU
Resettlement Plan Preparation Stage	
Conducting Census of all affected persons	IPMU/IPIU/NGO
Conducting FGDs/meetings/workshops during SIA surveys	IPIU/NGO
Computation of replacement values of land/properties proposed for acquisition and for associated assets	VC/IPIU
Categorization of affected persons for finalizing entitlements	IPIU/IPMU
Formulating compensation and rehabilitation measures	IPIU/IPMU
Conducting discussions/meetings/workshops with all affected persons and other stakeholders	IPIU/NGO
Fixing compensation for land/property with titleholders	VC/IPMU/IPIU
Finalizing entitlements and rehabilitation packages	IPIU/IPMU/IPIU
Disclosure of final entitlements and rehabilitation packages	IPIU/NGO
Approval of Resettlement Plan	IPMU/ADB
Sale Deed execution and payment	IPMU
Taking possession of land	
Resettlement Plan Implementation Stage	
Implementation of proposed rehabilitation measures	NGO/SDS/IPIU
Consultations with affected persons during rehabilitation activities	NGO/SDS/IPIU
Grievances redressal	NGO/SDS/GRC/CLC
Monitoring	IPIU/IPMU

ADB = Asian Development Bank, FGD = focus group discussions, GRC = Grievance Redress Committee, LSGD= Local Self Government Department, NGO = nongovernmental organization, IPMU = investment program management unit, IPIU = investment program implementation unit, SDS = Social Development Specialist, SIA = social impact assessment, VC = Valuation Committee.

XII. IMPLEMENTATION SCHEDULE

21. The Resettlement Plan is to be cleared by ADB prior to contract award. All entitlements are to be paid prior to displacement. Written confirmation is required by the IPMU to ADB stating that all compensation has been paid to displaced persons. Only then can construction works begin on sections where compensation has been paid. A tentative implementation schedule is given in Table 7.

Table 7: Implementation Schedule

Activity	Months									
	1	2	3	4	5	6	7	8	9	10
Appointment of NGOs		♦								
Briefing of the CLC on GRC functions		♦								
Census and socio-economic surveys (issuance of identification cards)		♦	♦							
Consultations and disclosure		♦	♦	♦	♦	♦	♦	♦	♦	♦
Confirmation of government land to be used and transfer from other departments		♦	♦							
Resettlement Plan updating if required				♦						
Resettlement Plan review and approval (IPMU and ADB)					♦					
Issue notice to displaced persons					♦					
Compensation and resettlement assistance						♦	♦	♦		
Relocation as required						♦	♦	♦		
Takeover possession of acquired property									♦	
Monitoring					♦	♦	♦	♦	♦	♦

Activity	Months											
	1	2	3	4	5	6	7	8	9	10	11	12
Handover land to contractors										♦		
Start of civil works											♦	
Rehabilitation of temporarily occupied lands												

Immediately after construction

ADB = Asian Development Bank, CLC = City Level Committee, GRC = Grievance Redress Committee, IPMU = Investment Program Management Unit, NGO = nongovernmental organization.

XIII. MONITORING AND REPORTING

22. Resettlement plan implementation will be closely monitored to provide the IPMU with an effective basis for assessing resettlement progress and identifying potential difficulties and problems. Monitoring will be undertaken by the IPIU with assistance from the IPMU. The extent of monitoring activities, including their scope and periodicity, will be commensurate with the project's risks and impacts. Monitoring will involve (i) administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis; (ii) socio-economic monitoring during and after any resettlement impact utilizing baseline information established through the socio-economic survey undertaken during project sub-preparation; and (iii) overall monitoring to assess status of affected persons. The executing agency is required to implement safeguard measures and relevant safeguard plans, as provided in the legal agreements, and to submit periodic monitoring reports on their implementation performance. The executing agency will (i) monitor the progress of implementation of safeguard plans, (ii) verify the compliance with safeguard measures and their progress toward intended outcomes, (iii) document and disclose monitoring results and identify necessary corrective and preventive actions in the periodic monitoring reports, (iv) follow up on these actions to ensure progress toward the desired outcomes, and (v) submit quarterly monitoring reports on safeguard measures as agreed with ADB.

23. The IPMU monitoring will include daily planning, implementation, feedback and trouble shooting, individual affected person file maintenance, community relationships, dates for consultations, number of appeals placed and progress reports. The IPIU will be responsible for managing and maintaining affected person databases, documenting the results of the affected person census, and verifying asset and socioeconomic survey data, which will be used as the baseline for assessing resettlement plan implementation impact. The IPIU will provide monthly monitoring report to the IPMU and the IPMU will compile the IPIU report and will submit to ADB on a quarterly basis. Monitoring reports documenting progress on resettlement implementation and resettlement plan completion reports will be provided by the IPMU to ADB for review. Additionally, ADB will monitor projects on an ongoing basis until a project completion report is issued.

SUBPROJECT COMPONENTS

Location	Description	Existing Condition	Proposed Improvement
1 View Point	<ul style="list-style-type: none"> - Situated at the entrance of the Chittorgarh Fort Complex; and - Popular with tourists for its breathtaking view of Chittorgarh town. 	<ul style="list-style-type: none"> - maintained by local government - open space near View Point being used as parking space - lacks good street furniture 	<ul style="list-style-type: none"> (i) parking facility (ii) road surfaces (iii) street furniture (iv) landscaping (v) storm water disposal (vi) area improvement
2 Fateh Prakash Palace	<ul style="list-style-type: none"> - Built by Maharaja Fateh Singh in AD 1884-1930; - Transformed into a museum in 1968; and - Houses different artefacts such as coins, art, weapons, tribal life and wood crafts of the Bassi village and sculptures dating back to post-medieval periods 	<ul style="list-style-type: none"> - maintained by ASI - open space area near the palace is underdeveloped - improper parking facility - kiosks are present near the entrance of the palace 	<ul style="list-style-type: none"> (i) parking facility (ii) road surfaces (iii) landscaping (iv) storm water disposal
3 Kumbha Shyam Temple	<ul style="list-style-type: none"> - Built in 8th century AD; and - Situated near the Kumbha Palace 	<ul style="list-style-type: none"> - maintained by ASI - vacant lot near the temple is being used as parking space - lacks good street furniture 	<ul style="list-style-type: none"> (i) parking facility (ii) road surfaces (iii) landscaping (iv) storm water disposal
4 Victory Tower	<ul style="list-style-type: none"> - Also known as Vijya-Stambha or Kirti Stambha; - Built in AD 1448; - The tower is 37.19 meters high and is divided into 9 storeys; and - An inscription in the uppermost storey detailed chronological account of life and achievements of rulers of Chittorgarh. 	<ul style="list-style-type: none"> - maintained by ASI - open space near the tower is used as parking space - kiosks are present in the area - there is a public toilet facility near the tower developed by the government - there is also a coffee shop near the tower run by the Rajasthan Tourism Development Corporation 	<ul style="list-style-type: none"> (i) parking facility (ii) road surfaces (iii) street furniture (iv) landscaping (v) storm water disposal (vi) area improvement
5 Kalika Mata Temple	<ul style="list-style-type: none"> - Built by in the 8th century AD 	<ul style="list-style-type: none"> - maintained by ASI - open spaces near the temple are used as parking space - kiosks are present in the area - An elevated platform has been made 	<ul style="list-style-type: none"> (i) parking facility (ii) water and sanitation facilities (iii) road surfaces (iv) street furniture (v) landscaping

Location	Description	Existing Condition	Proposed Improvement
		at the site which is used for the preparation of food during festivals	(vi) storm water disposal (vii) area improvement (viii) other improvements
6 Padmini Palace	<ul style="list-style-type: none"> - The palace stands at the northern periphery of the Padmini pond; - A 3-story pavilion known as Jal Mahal stands in the middle of the pond; - One of the important buildings within the Fort complex; and - Famous for horse- and camel-picture taking activities 	<ul style="list-style-type: none"> - maintained by ASI - open spaces near the temple are used as parking space - kiosks are present in the area - improper area and facilities for horses and camels 	<ul style="list-style-type: none"> (i) parking facility (ii) road surfaces (iii) street furniture (iv) landscaping (v) storm water disposal (vi) area improvement
7 Streets from Padal Pol to Kalika Mata Temple	<ul style="list-style-type: none"> - Padal Pol is the first (out of 7) gateway to the Fort 	<ul style="list-style-type: none"> - garbage often piles up in streets and open areas - need for street-lighting - existing over-head electrical wirings 	<ul style="list-style-type: none"> (i) garbage bins in traditional design are proposed at regular intervals (ii) lampposts (ASI to approve designs) (iii) transfer to underground of overhead electrical wirings

ASI = Archaeological Survey of India.

SOCIO-ECONOMIC DETAILS

S.No	Name of Owner^a	Type of Business	Vulnerability	Family Member	Monthly Income	Nature of Impact
1		Dressing Shop	NA	5	9000	Temporary
2		Dressing Shop	NA	5	7500	Temporary
3		Dressing Shop	NA	5	7500	Temporary
4		Dressing Shop	NA	5	9000	Temporary
5		Tea+ Breakfast Shop	NA	6	4500	Temporary
6		Dressing Shop	NA	5	9000	Temporary
7		Dressing Shop	NA	6	7500	Temporary
8		Shoe shop	NA	5	4500	Temporary
9		Dressing Shop	NA	3	7500	Temporary
10		Tea+ Breakfast Shop	NA	3	4500	Temporary
11		Shoe shop	NA	2	4500	Temporary
12		Puja Samagri Shop	NA	6	4500	Temporary
13		Puja Samagri Shop	NA	5	6000	Temporary
14		Puja Samagri Shop	NA	10	6000	Temporary
15		Puja Samagri Shop	NA	5	4500	Temporary
16		Puja Samagri Shop	NA	6	7500	Temporary
17		Puja Samagri Shop	WHH	5	6000	Temporary
18		Puja Samagri Shop	NA	5	4500	Temporary
19		Puja Samagri Shop	NA	5	6000	Temporary
20		Puja Samagri Shop	NA	3	4500	Temporary
21		Puja Samagri Shop	NA	10	3000	Temporary
22		General Store	NA	6	5400	Temporary
23		CD Shop	NA	3	4500	Temporary
24		CD Shop	NA	2	4500	Temporary
25		General Store	WHH	5	6000	Temporary
26		Puja Samagri Shop	WHH	11	7500	Temporary

^a Names deleted to maintain privacy.

SUMMARY RECORDS OF CONSULATIONS

A. Public Consultation Social Survey

Location	Issue Discussed	
Location: Kalka Mandir Date: 24.10.2010 Time: 12.30 pm Number of Participants: 04 Name of participants: Lalit Mehta Ghisi Bai Mahendra Jain Chanda Bai Ramu Jain	<ul style="list-style-type: none"> • Awareness and extent of the project and development components • Benefits of Project for the economic and social Upliftment of Community • Labour availability in the Project area or requirement of outside labour involvement • Local disturbances due to Project Construction Work • Water logging and drainage problem if any • Drinking water problem • Rehabilitation and resettlement issues 	<ul style="list-style-type: none"> • People are not much aware of the project. DSC consultant informs the people about the proposed projects and invest plan on different component of the project. • They urge that local people of the area should be engaged during implementation of the same. • Some people need associated infrastructure developments like toilet, drinking water facilities, drainage etc. • People get water supply from PHED. People exploring water through hand pumps, natural reservoir and wells. • Sufficient labour will be available in this area. • They want the conservation of the heritage structures and some other facilities like toilet, drinking water etc. • No requirement of land, only open space, near heritage site come under the project. • Some temporary shops are located in front of Kalka Mata Mandir and Padmini Palace which will be shifting to platform without any objection • There will be temporary impact on 26 APs. and compensation will be provided for their loss of income. • They all are very happy to know that the platform will be constructing for their betterment of business. They have also agreed to shift other side during construction of platform.



B. Public Consultation-Environment**Issues discussed**

- Awareness and extent of the project and development components
 - Benefits of Project for the economic and social Upliftment of Community
 - Labour availability in the Project area or requirement of outside labour involvement
 - Local disturbances due to Project Construction Work
 - Necessity of tree felling etc. at project sites
 - Water logging and drainage problem if any
 - Drinking water problem
 - Forest and sensitive area nearby the project site
 - Movement of wild animal if any
 - Other problems, encountered, if any
- **Area:** Chowki village near intake site, Date & time of Consultation: 05.07.2010, 5.50 P.M., 6.7.10
 - **Area:** Segwa Housing Board Colony, Date & Time of consultation: 06.07.2010, 12.10 P.M.
 - **Area:** Ghosunda dam, Date & Time of consultation: 06.07.2010, 3.30 PM

Issues of the Public Consultation-Design Phase

Sr. No.	Key Issues/Demands	Perception of community	Action to be Taken
1	Awareness of the project—including coverage area	Yes people of nearby area like vill. Chanderia, vill Chowki are aware of the project as water intake plant is already working there	
2	In what way they may associate with the project	At the construction phase some people can work as laborers, after completion water supply to nearby areas shall be improved	
3	Presence of any forest, wild life or any sensitive / unique environmental components nearby the project area	It was reported by local people that there is existence of some crocodiles in the Berdash mines water reservoir	Forest departments officials should be contacted to explore the actual position of crocodiles and care should be take in operation phase
4	Presence of historical/cultural/religious sites nearby	No any, only one sculpture of Lord Ganesha is situated at a distance of about 50 mtrs near the site	Proper care should be taken to preserve that sculpture of Lord Ganesha
5	Unfavorable climatic condition	Excessive hot in Summer about 48 Degree Celsius and excessive cold about up to 3 Degree Celsius in winters	
6	Occurrence of flood	No such case is reported Rarely Bedach river is flooded in monsoon when heavy rain occurs	
7	Drainage and sewerage problem facing	No any	
8	Present drinking water problem – quantity and quality	Sufficient quantity and good quality of water is available in nearby areas	
9	Present solid waste collection and disposal problem	No, entire area is mines area and is isolated from habitation	
10	Availability of labor during construction time	Yes, labours are easily available in the nearby villages	
11	Access road to project Site	Yes existing bitumen road	
12	Perception of villagers on tree felling and afforestation	Not required for the project	
13	Dust and noise pollution and disturbances during construction work	Request for arresting of dust and protection of habitation from noise pollution	
14	Setting up worker camp site within the village/project locality	Project area is having sufficient space for workers camp	
15	Safety of residents during construction phase and plying of vehicle for construction	No habitation near the project area particularly intake site. But near treatment plant site housing colony exist	

Sr. No.	Key Issues/Demands	Perception of community	Action to be Taken
	activities		
16	Conflict among beneficiaries down stream users – water supply project using of river water	People do not use the water reservoir for any purpose, except the Birla Cement Factory who also uses this water	
17	Requirement of enhancement of other facilities	No any	
18	Whether local people agreed to sacrifice their lands (cultivable or not) for beneficial project after getting proper compensation	Not required for the project	

NAME AND POSITION OF PERSONS CONSULTED:

1. Balu Ram Rawat- Villager, Vill. Chowki
2. Manoj Kumar Meena- Pump operator, vill chowki
3. Bhawarji Meena- Pump operator, vill. Chowki
4. Ram Lal- vill. Chanderia
5. Banshi lal, Vill Chanderia
6. Bhawani, vill. Chowki
7. Govind, vill Chanderia
8. Gopal Dhobi- Resident of 2D 30, Segwa Housing Board Colony
9. Shahzad Khan- Resident of 2E 15, Segwa Housing Board Colony
10. Kamla Choudhary- Resident of 2E 16, Segwa Housing Board Colony
11. Arbina- Resident of 2E 14, Segwa Housing Board Colony
12. Roop Sing Rathore- Resident of 2D 27, Segwa Housing Board Colony
13. Banoo- Resident of 2D-29, Segwa Housing Board Colony
14. Tolaram- Fitter, Hindustan Zinc Ltd.
15. Heera Singh- Labor contractor, vill. Hapavas
16. Narain Singh- Vill Hapavas
17. Amar Singh- Vill Hapavas
18. Bhairon Singh- Vill Hapavas
19. Girdhari Singh- Vill Hapavas
20. Mohan Singh- Labour, Vill Hapavas

Summary of Outcome:

The project area is already having the intake pumping facility. Additional augmentation is necessary. Required infrastructure like road and transmission line already exists. Some crocodiles are reported in the reservoir water. So it is required to explore their existence and legal position. Water conflicts may arise due to parallel uses of water by Birla Cement Factory, so conservation should be made with Birla Cement officials and concerned Government departments. Water intake and pump house proposed on Ghosunda Dam on the river Bedach is already having water intake pump house which supplies a great deal of water to Zinc factory. Proper conversation should be made with factory officials and concerned govt. officials. The site area is having all the infrastructure facilities. Segwa housing board colony (WTP site) is facing the problem in terms of quality and quantity of water. People expect much more from this project for future supply of good quality water from this project. No Environmental issue may arise here for the project. People wish to work in the project and cooperate in all aspects.

SUMMARY ACTIVITIES ON COMMUNITY AWARENESS AND PARTICIPATION PROGRAMME (CAPP)

1. Appreciating the fact that the long term success of the project dependence on the willingness of local communities to sustain improved services and facilities provided by the project, Community awareness and participation program (CAPP) has been designed as an integral part of RUIDP with objective of fostering greater awareness and involvement of the communities for participation in all aspects of project decision making. The objectives of CAPP are to:

- (i) Promote participatory community involvement in the project and to contribute to the delivery of sustainable urban service.
- (ii) Cover community awareness, participation, and education with respect to implementation and management of the project facilities, and to educate communities about environmental sanitation and health linkages.
- (iii) Inform the project beneficiaries about implications to the community in terms of benefits and responsibilities, including the need to pay for sustainable urban and civic amenities.
- (iv) Stimulate civic concern about environmental quality and responsibility.
- (v) Ensure that the communities develop a sense of "ownership" of the new and rehabilitated infrastructure and services.
- (vi) Ensure community involvement during planning and implementation of all components of the project activities

2. To mobilize, motivate, participation and awareness of community a CAPP is taken under the RUSDIP. M/s Indian Institute of Rural Management, Jaipur has been engaged as CAPP consultant from August, 2008. Community mobilization will be activated through various Public Meetings, Campaign and media means. CAPP will be undertaken to make the public aware of the short-term inconveniences and long-term benefits of the project in order to gain full support of the beneficiaries for the Project. CAPP will be helpful to make beneficiaries aware of preventive care to avoid environmental health-related hazards and of their responsibilities to avoid the wastage of water, including issues such as water rates, user charges and property tax reform, etc. for achieving the goals of the Project. In addition, it will provide feedback to the IPMU with a view to adjusting the work program based on the impact of the campaign and concerns raised by the beneficiaries.

3. In order to achieve desired goal several awareness campaigns, seminars, orientations, trainings, sewer and water connectivity camps have been organized at different levels on various facets health, hygiene, water and sanitation, solid waste management, sewerage, property connection, road safety and other RUIDP related sector. IEC material is also being brought out on the above issues. The programs are designed to help enhance the understanding of the project and through people's participation ensure sustainability of the assets/services provided.

A. Overview of CAPP Activities

- (i) Formation of Groups
- (ii) Public Meeting at the community level
- (iii) Jajam baithaks
- (iv) Individual contact
- (v) Site visits
- (vi) School campaign
- (vii) Street Play, Nukkad Natak and Puppet Shows
- (viii) Observance of Important National / International Day
- (ix) Road Safety Programs
- (x) Cultural Event

- (xi) Exhibitions
- (xii) Jhanki Display
- (xiii) Women Participation and Income Generation Activities
- (xiv) Organization Camps
- (xv) IEC Activities
 - (a) Print Media
 - (b) Display of Posters
 - (c) RUIDP Calendar
 - (d) Preparation of Brochure and Folders
 - (e) Preparation of Pamphlets
 - (f) Stickers
 - (g) Preparation and release of Nav Aakar
 - (h) Release of News Letter
 - (i) Release of News and Appeals
- (xvi) Electronic Media
 - (a) Interactive Phone in program through AIR
 - (b) Display of film on Water Conservation
 - (c) Film Show for Environment Improvement
 - (d) Display of Cinema Slides
 - (e) Documentary Film on RUIDP – 'Pragati Path'
 - (f) Display of Scroll Messages
 - (g) Display of Banners / Flexes
 - (h) Press Conference
- (xvii) Training Programme and Workshops

SUMMARY POLICY FRAMEWORK

A. Policy and Legal Framework

1. The policy framework and entitlements for the Program are based on national laws: The Land Acquisition Act, 1894 (LAA, amended in 1984) the National Resettlement and Rehabilitation Policy, 2007 (NRRP); and ADB's Policy on Involuntary Resettlement, 1995. The salient features of Government and ADB policies are summarized below.

1. Government Policy

a. National Resettlement and Rehabilitation Policy, 2007

2. The NRRP 2007 was adopted by the Government of India on 31 October 2007 to address development-induced resettlement issues. The NRRP stipulates the minimum facilities to be ensured for persons displaced due to the acquisition of land for public purposes and to provide for the basic minimum requirements. All projects leading to involuntary displacement of people must address the rehabilitation and resettlement issues comprehensively. The State Governments, Public Sector Undertakings or agencies, and other requiring bodies shall be at liberty to put in place greater benefit levels than those prescribed in the NRRP. The principles of this policy may also apply to the rehabilitation and resettlement of persons involuntarily displaced permanently due to any other reason. The objectives of the Policy are:

- (i) to minimize displacement and to promote, as far as possible, non-displacing or least-displacing alternatives;
- (ii) to ensure adequate rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of the affected families;
- (iii) to ensure that special care is taken for protecting the rights of the weaker sections of society, especially members of the Scheduled Castes and Scheduled Tribes, and to create obligations on the State for their treatment with concern and sensitivity;
- (iv) to provide a better standard of living, making concerted efforts for providing sustainable income to the affected families;
- (v) to integrate rehabilitation concerns into the development planning and implementation process; and
- (vi) where displacement is on account of land acquisition, to facilitate harmonious relationship between the requiring body and affected families through mutual cooperation.

3. The NRRP is applicable for projects where over 400 families in the plains or 200 families in hilly or tribal or Desert Development Program (DDP) areas are displaced. However, the basic principles can be applied to resettling and rehabilitating regardless of the number affected. NRRP's provisions are intended to mitigate adverse impacts on Project Affected Families (PAFs). The NRRP comprehensively deals with all the issues and provides wide range of eligibility to the affected persons and meets most of the requirement of ADB's Policy on Involuntary Resettlement (1995). The non title holders, under NRRP, are recognized as the people living in the affected area not less than three years after the declaration of the area as affected area. The NRRP addresses the vulnerable families with adequate entitlements and provides special provisions for Scheduled Castes (SC) and Scheduled Tribes (ST) Families. The NRRP takes in to account all the transparency as far as consultation, dissemination of information, disclosure and grievance is concerned. However, the law relating to the acquisition of privately owned immoveable property is the Land Acquisition Act of 1894 (LAA, amended 1984) which is discussed in the following section.

b. Land Acquisition Act, 1894 as Amended in 1984

4. The LAA provides a framework for facilitating land acquisition in India. LAA enables the State Government to acquire private land for public purposes. LAA ensures that no person is deprived of land except under LAA and entitles affected persons to a hearing before acquisition. The main elements of LAA are:

- (i) Land identified for the purpose of a project is placed under Section 4 of the LAA. This constitutes notification. Objections must be made within 50 days to the District Collector (the highest administrative officer of the concerned District).
- (ii) The land is then placed under Section 6 of the LAA. This is a declaration that the Government intends to acquire the land. The District Collector is directed to take steps for the acquisition, and the land is placed under Section 9. Interested parties are then invited to state their interest in the land and the price. Under Section 11, the District Collector will make an award within one year of the date of publication of the declarations. Otherwise, the acquisition proceedings shall lapse.
- (iii) In case of disagreement on the price awarded, within 6 weeks of the award, the parties (under Section 18) can request the District Collector to refer the matter to the Courts to make a final ruling on the amount of compensation.
- (iv) Once the land has been placed under Section 4, no further sale or transfer is allowed.
- (v) Compensation for land and improvements (such as houses, wells, trees, etc.) is paid in cash by the project authorities to the State Government, which in turn compensates landowners.
- (vi) The price to be paid for the acquisition of agricultural land is based on sale prices recorded in the District Registrar's office averaged over the three years preceding notification under Section 4. The compensation is paid after the area is acquired, with actual payment by the State taking about two or three years. An additional 30% is added to the award as well as an escalation of 12% per year from the date of notification to the final placement under Section 9. For delayed payments, after placement under Section 9, an additional 9% per annum is paid for the first year and 15% for subsequent years.

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

5. The three important elements of ADB's involuntary resettlement policy are (i) compensation to replace lost assets, livelihood, and income; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to achieve at least the same level of well-being with the project as without it.

6. For any ADB operation requiring involuntary resettlement, resettlement planning is an integral part of project design, to be dealt with from the earliest stages of the project cycle, taking into account the following basic principles:

- (i) Involuntary resettlement will be avoided whenever feasible.
- (ii) Where population displacement is unavoidable, it should be minimized.
- (iii) All lost assets acquired or affected will be compensated. Compensation is based on the principle of replacement cost.
- (iv) Each involuntary resettlement is conceived and executed as part of a development project or program. Affected persons need to be provided with sufficient resources to re-establish their livelihoods and homes with time-bound action in co-ordination with civil works.

- (v) Affected persons are to be fully informed and closely consulted.
- (vi) Affected persons are to be assisted to integrate economically and socially into host communities so that adverse impacts on the host communities are minimized and social harmony is promoted.
- (vii) The absence of a formal title to land is not a bar to ADB policy entitlements.
- (viii) Affected persons are to be identified and recorded as early as possible to establish their eligibility, through a census which serves as a cut-off date, and prevents subsequent influx of encroachers.
- (ix) Particular attention will be paid to vulnerable groups including those without legal title to land or other assets; households headed by women; the elderly or disabled; and indigenous groups. Assistance must be provided to help them improve their socio-economic status.
- (x) The full resettlement costs will be included in the presentation of project costs and benefits.

B. Comparison of Borrower's Policy with the Resettlement Framework

7. The NRRP represents a significant milestone in the development of a systematic approach to address resettlement issues in India. LAA, 1894 however gives directives for acquisition of land in public interest and provides benefits only to titleholders. Table A5.1 presents a comparison of Government policies (LAA and NRRP) in comparison with the Resettlement Framework which is consistent with ADB's involuntary resettlement policy.

Table A5.1: Comparison between the Borrower's and ADB's SPS

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed Resettlement Framework with ADB's SPS
1.	Involuntary resettlement should be avoided where feasible.	X	✓	LAA is applicable wherever private land is to be acquired by Government for public purpose.	This is addressed in the Resettlement Framework. The locations for project components have been identified in such a manner that involuntary resettlement is avoided to the extent possible. These involuntary resettlement impacts shall be further minimized during detailed designs.
2.	Where population displacement is unavoidable, it should be minimized by exploring viable project options.	X	✓	LAA is applicable wherever private land is to be acquired by Government for public purpose.	This is addressed in the Resettlement Framework. The locations for project components have been identified in such a manner that involuntary resettlement is avoided to the extent possible. These involuntary resettlement impacts shall be further minimized during detailed designs.
3.	If individuals or a community must lose their land, means of livelihood, social support systems, or way of life in order that a project might proceed, they should be compensated and assisted so that their economic and social future will generally be at least as favorable with the project as without it. Appropriate land, housing,	X	✓	According to the ADB's involuntary resettlement policy full Resettlement Plan is required when 200 or more people will experience major impacts. A Short Resettlement Plan is required when resettlement is insignificant when less than 200 people will	The Resettlement Framework addresses the involuntary resettlement impacts. The entitlements to the affected persons are outlined in the Entitlement Matrix.

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed Resettlement Framework with ADB's SPS
	infrastructure, and other compensation, comparable to the without project situation, should be provided to the adversely affected population, including indigenous groups, ethnic minorities, and pastoralists who may have usufruct or customary rights to the land or other resources taken for the project.			experience major impacts. According to the NRRP, Resettlement Plan should be prepared when it involves resettlement of more than 500 families (roughly about 2,000 persons) in plain areas and 200 families (roughly about 1,000 people) in hilly areas, Desert Development Programme (DDP) blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India.	
4.	Any involuntary resettlement should, as far as possible, be conceived and executed as a part of a development project or program and resettlement plans should be prepared with appropriate timebound actions and budgets. Resettlers should be provided sufficient resources and opportunities to reestablish their homes and livelihoods as soon as possible.	X	✓	According to the ADB's involuntary resettlement policy full Resettlement Plan is required when 200 or more people will experience major impacts. A Short Resettlement Plan is required when resettlement is insignificant when less than 200 people will experience major impacts. According to the NRRP, Resettlement Plan should be prepared when it involves resettlement of more than 400 families (roughly about 2,500 persons) in plain areas and 250 families (roughly about 1,250 people) in hilly areas, Desert Development Programme (DDP) blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India.	The Resettlement Framework addresses the involuntary resettlement impacts. The entitlements to the Affected persons are outlined in the Entitlement Matrix.
				LAA does not provide for resettlement. However, it specifies the time limit for acquisition, though the project/program for which it is conceived need not necessarily be time-bound.	A time-bound action plan and implementation schedule for the involuntary resettlement activities is outlined. The key Resettlement Plan activities are identified and the responsibilities for the same outlined.
5.	The affected people should be fully informed and closely consulted on	X	✓	LAA recognizes only titleholders, who are to be notified prior to	Consultations have been carried out with affected persons. This will be further

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed Resettlement Framework with ADB's SPS
	resettlement and compensation options. Where adversely affected people are particularly vulnerable, resettlement and compensation decisions should be preceded by a social preparation phase to build up the capacity of the vulnerable people to deal with the issues.			acquisition.	consolidated by the Resettlement Plan implementing NGO. The plan for information disclosure in the project, including the Resettlement Framework.
6.	Appropriate patterns of social organization should be promoted, and existing social and cultural institutions of resettlers and their hosts should be supported and used to the greatest extent possible. Resettlers should be integrated economically and socially into host communities so that adverse impacts on host communities are minimized. One of the effective ways of achieving this integration may be by extending development benefits to host communities.	×	✓	-	This is addressed in the Entitlement Matrix.
7.	The absence of formal legal title to land some affected groups should not be a bar to compensation. Affected persons entitled to compensation and rehabilitation should be identified and recorded as early as possible, preferably at the project identification stage, in order to prevent an influx of illegal encroachers, squatters, and other nonresidents who wish to take advantage of such benefits. Particular attention should be paid to the needs of the poorest affected persons including those without legal title to assets,, female-headed households and other vulnerable groups, such as indigenous peoples, and appropriate assistance provided to help them improve their status.	×	✓	LAA provides for every affected person to receive a notification prior to acquisition and for a hearing in case of any objection. Acquisition under the Act is permitted within one year from the date of declaration of intent to acquire, failing which, the process has to start again. LAA does not regard non-titleholders as affected persons. <i>The Rajasthan Urban Housing and Habitat Policy, 2006</i> aims to provide tenurial rights to urban slum dwellers with special emphasis on persons belonging to scheduled castes, scheduled tribes, weaker sections, physically handicapped and widows. This is consistent with recognizing those without legal titles and	The process for verification of impacts and establishing the eligibility of the affected persons is outlined in the Resettlement Framework.

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed Resettlement Framework with ADB's SPS
				the vulnerable.	
8.	The full costs of resettlement and compensation, including the costs of social preparation and livelihood programs as well as the incremental benefits over the "without project" situation, should be included in the presentation of Project costs and benefits.	X	✓	According to the ADB's involuntary resettlement policy full Resettlement Plan is required when 200 or more people will experience major impacts. A Short Resettlement Plan is required when resettlement is insignificant when less than 200 people will experience major impacts. According to the NRRP, Resettlement Plan should be prepared when it involves resettlement of more than 500 families (roughly about 2,500 persons) in plain areas and 250 families (roughly about 1,250 people) in hilly areas, Desert Development Programme (DDP) blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India.	The Resettlement Framework addresses the involuntary resettlement impacts. The entitlements to the affected persons are outlined in the Entitlement Matrix.
				The NRRP's concept of replacement cost is not clearly defined. However, the NRRP does consider various compensation packages to substitute the losses of affected persons.	This is addressed in the Entitlement Matrix
9.	To better assure timely availability of required resources and to ensure compliance with involuntary resettlement procedures during implementation, eligible costs of resettlement and compensation may be considered for inclusion in Bank loan financing for the project, if requested.	X	✓	-	The impacts have been assessed and Resettlement Plan costs according to the entitlement matrix have been worked out. These costs are included in the Project Costs.

ADB = Asian Development Bank, DDP = Desert Development Programme, LAA = Land Acquisition Act, NGO = nongovernmental organization, NRRP = National Resettlement and Rehabilitation Policy, SPS = Safeguard Policy Statement.

Copy of Identity Cards

R&R IDENTITY CARD FOR RUSDIP	
Name of AP	Sex Age
House No	Road/Lane
Town	Block
District	
No. of family members:	
Adults Male	Female Children Male Female
No. of working members:	
Main occupation of head of household:	
Type of Loss:	
Entitlements:	

Signature of the representative of AP:	
Signature of the CEO/CEO representative:	
Name of the Executive engineer:	
Signature of Executive engineer:	
Date of issue:	Office Seal: