

# Resettlement Planning Document

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**IND: Karnataka Integrated Urban Water  
Management Investment Program – Davangere  
Town (Packages No. 01DVG01 and 01DVG02)**

Prepared by Karnataka Urban Infrastructure Development and Finance Corporation,  
Government of Karnataka for the Asian Development Bank

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## CURRENCY EQUIVALENTS

(as of 4 April 2013)

Currency Unit	=	Indian rupee/s (Re/Rs)
Re1.00	=	\$0.02
\$1.00	=	Rs 54.48

## ABBREVIATIONS

ADB	—	Asian Development Bank
BPL	—	below poverty line
CBO	—	community-based organization
CC	—	city corporation
CDP	—	comprehensive development plan
CLIP	—	city level investment plan
CMC	—	city municipal council
CPMU	—	central project management unit
DC	—	deputy commissioner
DLRC	—	district level resettlement committee
DPR	—	detailed project report
DP	—	displaced person
EA	—	executing agency
ELSR	—	elevated level storage reservoir
GLSR	—	ground level storage reservoir
GoI	—	Government of India
GoK	—	Government of Karnataka
GRC	—	grievance redressal committee
IWRM	—	integrated water resource management
KMRP	—	Karnataka Municipal Reforms Project
KUIDFC	—	Karnataka Urban Infrastructure Development and Finance Corporation
KUWSDB	—	Karnataka Urban Water Supply and Drainage Board
LA	—	land acquisition
LAA	—	Land Acquisition Act
LA and R&R	—	land acquisition and resettlement and rehabilitation
MFF	—	multitranchise financing facility
MLA	—	member of Legislative Assembly
NGO	—	nongovernment organization
NKUSIP	—	North Karnataka Urban Sector Investment Program
O&M	—	operations and maintenance
PIU	—	project implementation unit
PMDSC	—	project management and design supervision consultant
PMU	—	project management unit
PWD	—	Public Works Department
RPMU	—	regional project management unit
RoW	—	right of way
SES	—	socioeconomic Survey
SPS	—	Safeguard Policy Statement
SR	—	storage reservoir
STP	—	sewage treatment plant
TMC	—	town municipal council

TOR	—	terms of reference
ULB	—	urban local body
WSS	—	water supply and sanitation
WTP	—	water treatment plant
WWTP	—	wastewater treatment plant

## **WEIGHTS AND MEASURES**

ha	—	hectare
kL	—	Kiloliter
km	—	kilometer
lpcd	—	liters per capita per day
mld	—	million liters per day
m	—	meter
m <sup>2</sup>	—	square meter

## **NOTES**

- (i) The fiscal year (FY) of the Government of India and its agencies begins on 1 April and ends on 31 March. "FY" before a calendar year denotes the year in which the fiscal year ends, e.g., FY2011 begins on 1 April 2011 and ends on 31 March 2012.
- (ii) In this report, "\$" refers to US dollars.

This 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.

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## EXECUTIVE SUMMARY

### A. Scope of Land Acquisition and Resettlement in Project

1. Land acquisition under the proposed project involves the acquisition of land for one sewage treatment plant (STP) and temporary disruption of income sources during pipe-laying works of the water supply distribution network and sewer network. As government land is not available, private land will have to be acquired for the construction of the STP. The construction of STP for the Sewerage District 3, using the waste stabilization pond technique, will require land of an area of about 3.3 hectares (ha). One sewage pumping station (PS) will be located on government-owned land. Much of the project's temporary impacts on communities and persons will be avoided by careful selection of pipeline alignments and limiting project work to non-business hours.

2. The expected project impacts are limited to the following: (i) acquiring land for the construction of the sewage treatment plan for Sewerage District 3; (ii) temporary disruption of on-street parking and business activities; and (iii) temporary shifting of vendors and hawkers during construction works from the right of way (RoW). The requirement of the land is shown in Table 1 below.

**Table 1: Land Requirement for Davengere Town Subproject**

Sl. no.	Component	Total Land Requirement	Remarks
1a	Construction of additional SR (11 units – 10 new, 1 replacement )	225 m <sup>2</sup> each x 11 SRs = 2,475 m <sup>2</sup>	The proposed SRs to be built within government/ULB land or existing facility.
1b	Water supply: distribution of treated water through trunk mains and network	15 km trunk main and 260 km distribution network	Replacement/improvement of distribution pipelines/ acilities proposed along existing road RoW. However, temporary impact of disruption of business likely for roadside hawkers/vendors.
2a	Wastewater: STP, pumping station (PS)	3.3 ha of land and approx. 225 m <sup>2</sup> for PS	Land for the STP is to be acquired by Land Acquisition Act. PS to be located within existing government premise.
2b	Sewerage network	Proposed total sewer network of about 300 km sewer trunk mains	Sewers can be laid in the middle of the roads and pathways. No impact envisaged
3.	Community toilet	43 toilet seats (ADB-funded) for 3,805 households	Government/ULB land of 110 m <sup>2</sup> area has to be identified.

3. The provision of community toilets for the poor and slum/non-slum dwellers is another component of KIUWMIP. Assessment has been made by the social development consultant through a social assessment survey, and an estimated 3,805 households within the project area require such a facility. As per adopted norm, 43 toilet seats need to be constructed and 110 m<sup>2</sup> area of land is required for that. The actual area required may increase to allow for setback area, as per municipal building by-laws. The ULB has assured land availability within government land; however, details of ownership and the exact location of the facility are yet to be determined during detailed design.

## **B. Temporary Resettlement Impact**

4. As the project includes laying of a trunk main and distribution network pipelines under water supply component, mostly along the existing RoW of the town roads, there would be temporary resettlement during the construction period. Temporarily affected mobile hawkers and vendors, including those running businesses in kiosks, will be assisted by the resettlement NGO in shifting to alternative locations during the brief period of construction, and allowed to return once construction is declared complete. The whole period of temporary shifting will consist of about 7 days. The proposed sewer lines will be laid in the middle of the roads, and no impact on roadside hawkers/vendors is expected. The roads are also not expected to be closed for the laying of sewer lines. Some of the trunk roads are highways with dividers, and the rest have sufficient width. However, to avoid any inconvenience, an engineering solution will be sought, and civil work can be done at night to avoid parking problems and allow the plying of public transport vehicles during daytime. However, if parking is essential, an appropriate environmental management plan (EMP) will be prepared. During detailed design, the exact alignments and any additional impacts, if any, will be known.

## **C. Socioeconomic Information and Profile**

5. Census and socioeconomic survey of the permanently displaced persons were undertaken during initial impact assessment. In all, seven families are likely to suffer involuntary resettlement impacts due to acquisition/sale of land. All families have agricultural land with ownership title, and are cultivating the lands themselves without engaging leaseholder/tenants.

6. Several rounds of transect walks were carried out with the consultant engineer along the trunk mains and distribution networks through high-, medium-, and low-density roads where proposed pipelines will be laid. Based on these transect surveys, temporary impacts on 16 hawkers and 87 mobile vendors, and parking for 340 two-wheelers, 159 three-wheelers (auto rickshaws), and 83 cars/matadors (small transport carriers) are envisaged during laying/rehabilitation of the water supply trunk mains and distribution network. Transect walks revealed that 23 hawkers/vendors and 64 mobile vendors among the temporarily affected persons were vulnerable, and needed to be assisted during the brief period of construction.

## **D. Categorization**

7. This project is classified as category B in accordance with ADB's Safeguard Policy Statement (SPS). ADB's SPS covers both temporary and permanent impacts to both titled and nontitled persons, and includes both physical and economic displacement.

## **E. Resettlement Budget and Financing Plan**

8. The resettlement cost for the WSS project of Davengere City Corporation is estimated at Rs 29,619,592 or \$ 550,550, which will be met with counterpart (government) funds. The budget will be updated as required to reflect the DMS based on the detailed design, and latest replacement costs.

**F. Implementation Schedule**

9. Project implementation period (civil works) is expected to require 36 months to complete. The RP implementation will need 18 months to complete all tasks, including payment disbursement, income restoration assistance, and other resettlement assistance.

**G. Monitoring and Reporting**

10. The RPMU, with the design consultants (PMDSC), will update the RP based on detailed designs, and conduct field inspections and resettlement surveys prior to displacement in sections ready for construction. A resettlement NGO will be engaged for implementing the RP and will be responsible for regular monitoring, with support from PIU/ULB, and will prepare monthly monitoring reports. The RPMU would prepare semi-annual monitoring reports on the progress of RP implementation and general safeguards compliance. The reports will be submitted to ADB on a quarterly basis. They will also be uploaded on the ADB website.

## **I. PROJECT BACKGROUND**

1. Karnataka Integrated Urban Water Management Investment Program (KIUWMIP) aims to invest in urban water supply and sanitation (UWSS) in selected towns. Water supply and wastewater systems suffer from under-investment throughout the state of Karnataka. Water supply is intermittent. Wastewater collection and treatment systems are either non-existent or poorly maintained. The absence of scientific wastewater treatment and sewer systems contaminates groundwater, posing a risk to public health. If the issues associated with the poor water management in the state are not resolved, the state's economic growth will be stunted, public health will deteriorate, and water resource disputes will escalate.

### **A. Project Investments**

2. Under this project, the following physical works will be constructed: (i) laying of pipes for replacement and reinforcement of water supply distribution and sewerage collection system; (ii) construction of 10 service reservoirs; (iii) construction of water supply strategic mains; (iv) installation of bulk meters and domestic meters; (v) construction of sewage treatment plant (STP) of District 3; and (vi) construction of community toilets.

3. This draft resettlement plan (RP) prepared for Davengere subproject is based on a technical feasibility study, and will be updated based on detailed design during project implementation. This is prepared based on ADB's Safeguard Policy Statement 2009 and the Land Acquisition Act, 1894 and its subsequent amendment in 1988. The concerned ULB will update and finalize the draft RP after final detailed design is finished.

## **II. PROJECT DESCRIPTION**

4. Table 2 describes the proposed water supply component as per design. There will be 11 additional service reservoirs (including one replacement), each with a capacity of 900 kl, to be constructed at various locations. The area required is about 225 m<sup>2</sup> for each, and the land belongs to ULB. No resettlement impacts are envisaged, as the sites for proposed service reservoirs are located in the ULB-owned land or park. However, two of these locations, one at KTJ Nagar and one in Banashankari, are not properly fenced and demarcated as corporation-owned land/property. One plot at Banashankari is vacant land, while the other at KTJ Nagar has been encroached upon and occupied by parked vehicles and small business enterprises. It is advised to hold construction of SRs at these two locations, to be included in Tranche 2 of the program, until some protection measure is taken by the city corporation to prevent encroachment and make the land available and free of encumbrances.

5. Strategic mains of 15 km will be laid all around the city, and distribution network will be laid throughout the town with a total length of 260 km. Pipe diameter will vary from 250 mm to 900 mm. The required space at pit head will be about 1 m by the roadside, avoiding utility lines and edge-of-the-road carriage width. The roads in the city are wide enough, with dividers in many places. Trenches will be dug in stretches so as not to disrupt access to the road and, to a large extent, to business activities and roadside shops. Traffic can be diverted on either side of the road while construction is in progress. All these measures will need proper traffic management and road diversion. These will be included in the EMP to be prepared for the project requirement. All these measures will help roads remain open all through construction work. Road closure is not envisaged.



6. For the sewage treatment plant (STP), 10 parcels of land have been identified by the ULB in the area of the Sewerage District (SD) 3 within Davengere city limits. The total land identified for the STP construction is 3.3 ha in area. The land has the advantage of location by the side of a natural stream. Sewer rising mains will cover SD 3 of the city, which is a newly developed area with properly laid-out plots and a road network. The locality is also sparsely populated, barring a few pockets. Since the sewer mains will be laid in the middle of the road, there will not be any temporary impact neither road closure is envisaged. The pumping station (PS) will be constructed on a ULB-owned plot where one public toilet was built but is not in use at present. The sewer network for the other two districts, apart from SD 3, is also proposed, for a total length of approximately 250 km. The laying of sewer rising mains and sewer lines network will be done mostly at night so as not to disrupt vehicular traffic or access to residences and shops.

7. Construction of community toilets for poor/slum households has been proposed in the program. An area of about 110 m<sup>2</sup> is required for construction of community toilets for 3,805 households. ULB has yet to confirm having government/ULB land available for the purpose. However, involuntary resettlement impact is not envisaged, as government/ULB land has to be identified to make this program viable.

**Table 2: Proposed Components, Davengere**

Sl.	Infrastructure	Function	Description	Location	Resettlement Impact
<b>Water Supply</b>					
1	Strategic mains	Distribution of water from water treatment plant to service reservoirs	Laying of strategic mains, with pipe diameters varying from 250 mm to 900 mm	Supply and laying of pipes on public roads interconnecting the WTP to the proposed service reservoirs	No impact envisaged
2	Service reservoirs	Temporary storage of treated water prior to distribution	Construction of 10 new service reservoirs of 900 KI each Replacement of service reservoir at ITI Nituvalli	Construction of reservoir on government land at: <ul style="list-style-type: none"> <li>■ Shivkumar Badavane</li> <li>■ Dange Park</li> <li>■ DCM Township</li> <li>■ Bharat Colony</li> <li>■ Devaraja Housing Colony</li> <li>■ Chowdeshwari Nagar</li> <li>■ Devaraja Urs Layout</li> <li>■ Ganesha Layout</li> </ul>	Temporary impact will affect some roadside hawkers and vendors and parking of vehicles
3	Distribution mains	Distribute treated water to customers, replacing existing pipes and expanding the network into new areas	Laying of 260 km of distribution network	Supply and laying of pipes on public roads covering entire town area	No impact envisaged
4	Bulk meters	Water audit; measure flows in raw/clear water mains, including each district metered area	Installation of bulk meters, 400 mm–100 mm	On raw/clear water pumping mains, inlet, and outlet of water treatment plants and service reservoirs On primary mains and secondary distribution network	No impact
5	Installation of domestic meters, including regularizing household connection	Water audit	45,000 domestic water meters to be installed	Water meters to be installed on each HH connection	Not applicable
<b>Wastewater Component</b>					
1	Sewage treatment plant	To treat sewage or wastewater generated in the Sewerage District (SD) 3, to meet the desired quality standards for recycling or discharging back into the stream	The STP is envisioned to treat about 10 mld of sewerage from SD 3, Davengere city	Approx. 3.3 ha agricultural land belonging to seven families located in Avergere area of the city	Land acquisition will be initiated and seven families will be permanently affected through loss of land, crops, and livelihood
2	Sewerage system	Sewerage system to collect the sewage or wastewater from the	About 150 km of main sewers and branches to	In SD 3 (Avergere area), and partly in SD 1 and SD 2 of	Temporary impact, if any, will be mitigated by

Sl.	Infrastructure	Function	Description	Location	Resettlement Impact
		SD 3 to convey to proposed trunk sewers under proposed trunk mains of NKUSIP in SD 1 of the city and proposed STP in SD 3.	connect the flows to the proposed NKUSIP trunk sewers in SD1; about 100 km main sewers and branches to connect the flows to the trunk sewer, under construction by KUWSDB in SD 2 and proposed sewer network of about 50 km in SD3	Davengere	proper measures. Traffic diversion and parking arrangement will be made in case of road closure. EMP will prescribe mitigation measures.
<b>Community Toilet Component</b>					
1	Community toilet/public toilet/mobile toilet. Wash basin, clothes washing platform, bathing rooms, men's urinals, and caretaker's room will be provided where land/space is available.	Provide hygienic sanitation facility to slum/non-slum poor households in a cost-effective manner and stop open defecation in the city of Davengere	In all, 3,805 HH will be benefitted; 43 toilets will be constructed under this project.	Community toilets in seven locations will be provided. For resettled households at Chandrodaya Nagar, temporary arrangement is needed until these families are relocated.	Land of 110 m <sup>2</sup> area will be needed close to slum localities. ULB will have to identify government/ULB land for construction of community toilets without any physical or economic displacement. No resettlement impact envisaged.

### III. SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACT

8. According to project design, the city of Davengere will require land for establishment of STP and pumping station. Land acquisition will be initiated to acquire land of required quantity and in appropriate location. This RP has been prepared to address involuntary resettlement impacts that will be caused by land acquisition.

9. Land for construction of STP has been identified in the Avergere area of Sewerage District (SD) 3 of Davengere city, which measures 3.3 ha. Land parcels spread over 10 plots and belonging to seven families will be acquired for construction of the STP. One piece of government land has been identified for the pumping station (PS), which houses an unused public toilet. Temporary impact due to laying of sewer network will be mitigated through careful work schedule, proper traffic arrangement, and road diversion. Road closure will be avoided.

10. Water supply storage reservoirs will be built/replaced within the premises of ULB-owned land and parks and will not involve land acquisition. For improved distribution of treated water supply, 15 km trunk mains and 260 km distribution networks will be laid along the roads and pathways within the RoW. The civil construction works for these improvements will be carried out, taking people's convenience in view wherever applicable. However, initial social assessment reveals that temporary resettlement impacts on hawkers and vendors and restrictions on the parking of vehicles are anticipated during laying of water trunk mains and distribution network. Sewer rising mains and sewer line network of about 50 km will be concentrated in the sparsely populated SD 3 and will not cause any temporary impact during laying of sewer lines. Apart from sewer lines in SD 3, a sewer network of a total of 250 km is also proposed for SD 1 and SD 2. This RP will provide assistance for the temporarily affected shop owners, vendors, and hawkers for loss of income, and alternate access to the roadside shops will be provided. The overall impacts will be further minimized, if required, through careful selection of construction sites and change in alignment at the detailed design stage, and by shifting construction work to nighttime.

11. For construction of community toilets, an area of about 110 m<sup>2</sup> will be required. The total area required may increase to allow for setback area, as per municipal building by-laws. The land provided by the ULB should be ULB/government land without any involuntary resettlement impact, which may involve physical or economic displacement. In the absence of ULB land, the option of land donation will be explored and land transfer process and ADB's SPS requirement followed as indicated in the resettlement framework (RF). Process of land availability will be monitored as part of social safeguard monitoring requirement.

Table 3 provides details of land requirement for the subproject.

**Table 3: Land Requirement for Subproject**

Sl. no.	Component	Total Land Requirement	Remarks
1a	Construction of additional SR (11 units – 10 new, 1 replacement )	225 m <sup>2</sup> each x 11 SRs = 2,475 m <sup>2</sup>	The proposed SRs to be built within government/ULB land or existing facility.
1b	Water supply: distribution of treated water through trunk mains and network,	15 km trunk main and 260 km distribution network	Replacement/improvement of distribution pipelines/facilities proposed along existing road RoW. However, temporary impact of disruption of business likely for roadside hawkers/vendors.

Sl. no.	Component	Total Land Requirement	Remarks
2a	Wastewater: STP, pumping station (PS)	3.3 ha of land and approx. 225 m <sup>2</sup> for PS	Land for the STP is to be acquired by Land Acquisition Act. PS to be located within existing government premise.
2b	Sewerage network	Proposed total sewer network of about 300 km sewer trunk mains	Sewers can be laid in the middle of the roads and pathways. No impact envisaged.
3.	Community toilet	43 toilet seats for 3,805 households	Government/ULB land of 110 m <sup>2</sup> area has to be identified.

#### A. Resettlement Framework

12. The resettlement framework (RF) prepared for KIUWMIP is based on the Land Acquisition Act (Karnataka), as amended in 1988; ADB's SPS of 2009; and the National Rehabilitation and Resettlement Policy (NRRP) of the Government of India, 2007, and adopts the following resettlement principles:

- (i) resettlement impacts of each subproject will be avoided or minimized, exploring all viable alternative subproject designs;
- (ii) where the resettlement impacts are unavoidable, the DPs should be assisted in improving or at least regaining their standard of living;
- (iii) the DPs will be consulted in subproject preparation planning and implementation, and resettlement information will be disclosed to all of them;
- (iv) vulnerable groups, including households headed by women, the elderly or disabled, indigenous groups, those without legal title to land and property, and those living below poverty line (BPL) will be given special assistance to facilitate improvement of their socioeconomic status;
- (v) the absence of formal title to land is not a bar to policy entitlements;
- (vi) compensation for all lost assets acquired or affected is based on the principle of replacement cost;
- (vii) restoration of livelihoods and residences of the DPs will be assisted with adequate resources, with a timebound action plan in coordination with civil works;
- (viii) DPs are to be assisted to integrate economically and socially into host communities where physical displacement takes place, so that adverse impacts on the host communities are minimized and social harmony are promoted;
- (ix) opportunities for negotiated land purchase by adopting the relevant Government of Karnataka LA Act and government orders/circulars will be explored. In cases of negotiated settlement and land donation, government will engage an independent third party for supervising and validating these procedures as per ADB SPS Safeguard Requirement 2, para 25; and
- (x) all payments, including compensation for loss of land, assets, structures, trees, income, and common properties will be made prior to physical or economic displacement and commencement of civil construction work.

13. Subprojects to which the framework will be applied would broadly have three types of resettlement impacts that will require mitigation measures. The types of impacts are (i) loss of assets, including land and houses; (ii) loss of livelihood or income opportunities; and (iii) loss of common property resources and loss of access or limited access to such resources.

## B. Entitled Person/ Displaced Person

14. According to ADB's safeguard requirement described in SPS, three kinds of displaced persons are eligible for compensation, assistance, and benefits. They are:

- (i) persons who lost land/asset in its entirety or in part, having formal legal title over land;
- (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws (such as customary right over land by tribal people); and
- (iii) persons occupying land over which they neither have legal title, nor have claims recognized or recognizable under national law.

15. ADB's IR policy applies to all three kinds of displaced persons. Adequate and appropriate compensation for land and structures at replacement cost will be provided to (i) the persons having legal title over land; (ii) those without legal title but with claims recognized under national laws; and (iii) those occupying land without legal title or claim recognized under national laws, who will be compensated for loss of structures and other assets except land. The displaced people under category (iii) are eligible for compensation and assistance only if they occupied the land prior to the project cutoff date

## C. Temporary Impact

16. Transect walks, reconnaissance surveys, and discussions with the consultant reveal that full closure of roads is not envisaged, and it will be possible to maintain access to shops and businesses. Display disruptions are not anticipated to affect livelihoods. The summary of both permanent and temporary resettlement impacts is presented in the table below (Table 4).

**Table 4: Summary of Resettlement Impacts**

S. No.	Details	No.
1	Permanent land acquisition	3.3 ha
2	Affected structures	Two pumphouses
3	Parking disruption (residential and commercial areas) - no. of affected two-wheelers	339
4	Parking disruption (commercial areas) - no. of three-wheelers (auto rickshaw)	159
5	Parking disruption (commercial areas) - no. of cars/matadors (small transport carriers)	83
6	Total temporarily affected hawkers and vendors	16
7	Temporarily affected mobile vendors	87
8	Affected immovable businesses	None
9	Temporarily affected employees of businesses	None

17. Transect walks and extensive reconnaissance surveys in the project area do not reveal the need for full closure of roads, hence no major impacts on businesses and their employees are anticipated. Opening a trench for pipe-laying on one stretch of the road at a time is likely to minimize disruptions and impacts. There is scope to minimize impacts on businesses through proper planning and implementation of mitigation measures to a level that will not affect income loss.

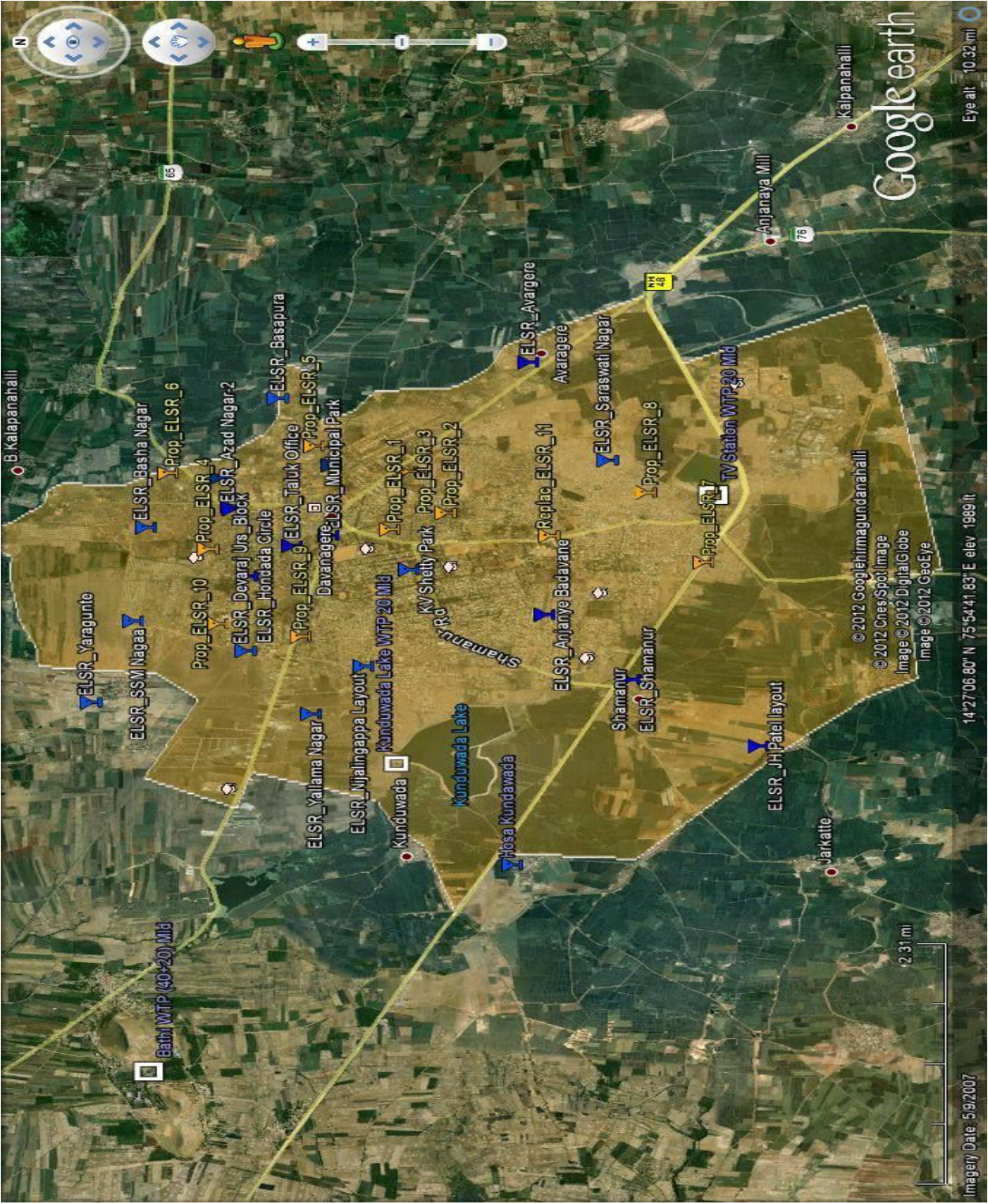
18. Affected hawkers and vendors will be assisted by contractors/NGO to move to the other side of the road or shift behind, wherever space is available, and returning after construction is completed. Where they are not required to shift, access will be ensured by the contractor. The construction period will be minimized, and is estimated to be about 7 days per section of work.

19. The following mitigation measures are proposed to avoid and/or reduce the temporary impacts to businesses during linear pipe laying works:

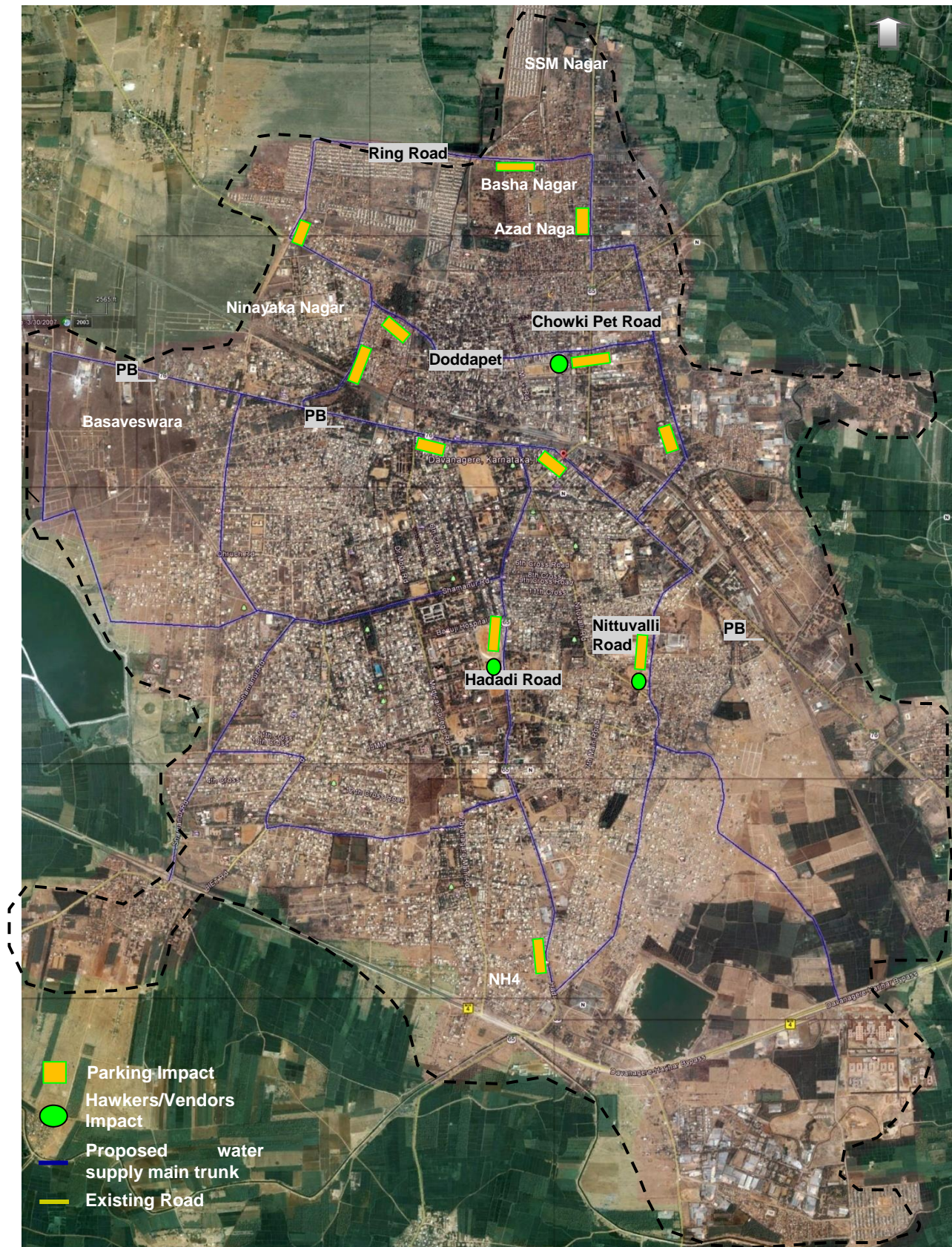
- (i) provision of advance notice to community to shift their merchandise, vending items, and mobile shops at least 30 days prior to construction work;
- (ii) conducting awareness campaigns through a media partner, if any, and the project resettlement and monitoring NGO with signage for road diversion, safety caution, etc.;
- (iii) maintaining access to shops by providing planks and leaving spaces to avoid disturbance to residents and businesses;
- (iv) open pits to be guarded properly against safety hazard, especially during daytime working period, near road crossings, near schools, etc.;
- (v) managing traffic flows as per the traffic management plan prepared by the contractor in coordination with local authorities and communities;
- (vi) conducting 60% works at night and 40% during the day;
- (vii) limiting period of time for open trenches;
- (viii) completing works quickly where large numbers of businesses are located;
- (ix) avoiding full road closure to the extent possible;
- (x) providing employment opportunities to the displaced persons (DPs) during construction works, especially vulnerable DPs, if they so desire;
- (xi) placing telephone hotlines on signs on visible areas to notify in case of emergency;
- (xii) making the community fully aware of the grievance redress mechanism;
- (xiii) providing contact number of responsible persons in the RPMU and ULB offices; and
- (xiv) providing assistance to vendors and hawkers in shifting to alternative nearby locations, and helping in the reinstallation of their businesses as early as possible.



Google Earth impression of Davengere City Corporation with road network and service reservoirs







**Davangere: Street map showing temporary impact**

#### IV. SOCIOECONOMIC INFORMATION AND PROFILE

20. Social, poverty, and gender analysis for Davengere was undertaken by the social development specialist of the team of consultants, with the overall program objective of improved urban services and quality of life in the city for all socioeconomic groups. Secondary data from Census of India and the urban local body, primary data from a baseline sample survey conducted in the town (comprising a mix of poor and non-poor communities in Davengere), and consultations/focus group discussions held have been used to define the existing situation in quantitative and qualitative terms. The analysis provides an understanding of the present levels of service access at household level by different socioeconomic groups, gaps, needs and preferences of households, poor and non-poor, opportunity costs incurred by households for alternative mechanisms to overcome shortfalls in service, affordability, and willingness to pay for improved services.

##### A. Demographic and Socioeconomic Profile of the Town

21. As per Census 2011 (provisional figures), Davengere City Corporation has a population of 435,128. Decadal population growth rate in the period 2001-2011 was 19.4%. The table below compares census data with the results of the primary survey. Sample households in Davengere have an average household size of 5.2, closer to Census 2001 data, and 16% of the population comprises scheduled castes and scheduled tribes (SC/ST). Refer to Table 5 below for details.

22. Work force participation rate for the sample population (33%) was similar to Census 2001 data (34%). Women's participation in work was low, with 14% only in 2001 and lower still among sample households at 10%. Female workers constituted a majority of the marginal workers with 38%; female workers in general comprised 69%. The proportion of female non-workers to total non-workers was high at 63%. While females constituted only 8% of cultivators, they comprised 73% of agricultural laborers and 53% of household industry workers. It was evident that more females were employed in lower-paid jobs in Davengere (Census 2001).



**Table 5: Demographic Profile of Davengere**

Indicator	Census 2001	Census 2011	Primary Data (Sample)
Population	364,523	435,128	1,620
Population (0-6 years)	46621 (12.79%)	44545 (10.24%)	NA
Decadal growth rate (2001-2011)	-	19.4%	NA
No. of households	71,437	NA	344
Average household size	5.1	NA	4.7
Slum population	74,667 (20.5%)	63,371 (14.6%)	316
SC, ST population	60,736 (16.66%)	NA	262 (16.2%)
Sex Ratio	939	973	924
Child sex ratio (0-6 Years)	933	946	NA
Sex ratio (SC)	945	NA	
Sex ratio (ST)	950	NA	
Total literacy	79%	84.9%	
Male literacy	85%	88.9%	
Female literacy	73%	80.8%	
Gender gap in literacy	12%	8.1%	
Workforce participation rate	34.02%	NA	33.2%

**Source:** Census, 2001, <http://www.byadagitown.gov.in/statistics>, and Baseline Survey, 2012.

**\*\*Davengere TMC (slum census data for Davengere not available).**

NA=Not available

23. In order to arrive at the distribution of poor and non-poor households in towns, households were classified on the basis of monthly per capita expenditure (MPCE) classes. The definition of below poverty line<sup>1</sup> for urban Karnataka as per the Planning Commission, Government of India was used to identify BPL households in the sample. The maximum, minimum, and average MPCE for the town were considered, and appropriate MPCE classes arrived at.

**Table 6: Distribution of Sample by Monthly Per Capita Expenditure (MPCE) Class**

MPCE Class (Rs.)	No. of Households in MPCE Class	% of Households in MPCE Class	Mean Household Expenditure per Month (Rs.)	Mean Monthly Per Capita Expenditure (Rs.)
0-588	6	1.7	2,396	584
589-1,249	66	19.2	4,570	1,115
1,250-2,499	150	43.6	8,306	2,026
2,500-4,999	68	19.8	16,013	3,906
5,000-7,499	32	9.3	26,990	6,583
>7,500	22	6.4	31,236	7,619
<b>Total</b>	<b>344</b>	<b>100.0</b>	<b>12,214</b>	<b>2,979</b>

Source: Baseline Survey, 2012. (N=344)

24. Using the MPCE classes so derived, only 6 sample households were defined as BPL, 66 in the second consumption class, and 150, 68, 32, and 22 in the third, fourth, fifth, and sixth consumption classes respectively.

<sup>1</sup> BPL= below poverty line. Poverty line is fixed by the Planning Commission of India as a daily per capita income of Rs 32 in urban areas and Rs 25 in rural areas. In a revised estimate, the Planning Commission has published the poverty line in Karnataka, with reference year of 2004-2005, to be determined as per capita monthly income of Rs 417.84 in rural areas and Rs 588.06 in urban areas.

**Table 7: Occupation of Chief Wage Earner (CWE) (% of HHs in MPCE Class)**

MPCE	No. of HH	Unskilled Worker	Skilled Worker	Business	Self-Employed	Government Service	Unemployed	Other	% of Total HH
0-588	6	0	0	0	0	33	0	67	100
589-1,249	66	15	21	0	0	21	21	21	100
1,250-2,499	150	24	11	6	0	19	14	26	100
2,500-4,999	68	32	9	3	0	15	26	15	100
5,000-7,499	32	13	27	13	7	33	7	0	100
>7,500	22	27	18	0	0	18	36	0	100
<b>Total</b>	<b>344</b>	<b>80</b>	<b>48</b>	<b>14</b>	<b>2</b>	<b>70</b>	<b>63</b>	<b>67</b>	<b>344</b>
%	100%	<b>23</b>	<b>14</b>	<b>4</b>	<b>1</b>	<b>20</b>	<b>18</b>	<b>19</b>	<b>100</b>

Source: Baseline survey, 2012

25. About one-fourth (23%) of chief wage earners in Davengere are unskilled workers and less than one-fifth (18%) are unemployed. Government employs a fairly large proportion, 20%, of the sample households, while skilled workers constitute 14% of chief wage earners. The occupational breakup of CWEs is presented in Table 7.

## **B. Socioeconomic Profile of Displaced Persons (DP)**

26. The sewage treatment component requires land of about 3.3 ha at a suitable location. After repeated efforts, suitable location for the proposed STP could be identified with the help of ULB engineers and land survey department officials. The land parcels are agricultural land located in the Avergere area of the Sewerage District (SD) 3 of Davengere.

27. The soil type is black cotton soil, with some facility of irrigation. The plots are owned by seven families residing in RMC Yard police station, ward no. 23 of Davengere. At present the cultivators use non-mechanised mode of cultivation, but some have irrigational facility, drawing water from the adjacent stream. Some of them also grow areca nut, a perennial tree, the produce of which is used as a cash crop. The lands are cultivated by family members only. Compensation for loss of land, crop produce, and loss of income for the cultivators will be provided adequately. List of the displaced families is provided in Annex 2.

**Table 8: Details of Land Available for Acquisition**

Sl. No.	Plot No.	Total Area in Acre	Total Area in Hectare (Ha)	Area Required (Ac)	Area Required (Ha)	Balance Area (Ha)
1	372/5	0.325	0.13	0.325	0.13	0
2	375/12	1.0	0.40	0.325	0.13	0.27
3	372/2	0.3	0.12	0.3	0.12	0
4	372/3	0.325	0.13	0.325	0.13	0
5	375/1	0.975	0.39	0.35	0.14	0.25
6	372/4	0.325	0.13	0.325	0.13	0
7	375/11	0.925	0.37	0.325	0.13	0.24
8	372/1	2.0	0.8	1.0	0.4	0.4
9	377/1	7.0	2.8	4.0	1.6	1.2
10	377/2	0.975	0.39	0.975	0.39	0
	<b>Total</b>	<b>14.15 acre</b>	<b>5.66 ha</b>	<b>8.25 acre</b>	<b>3.3 ha</b>	<b>2.36 ha</b>

Source: Registrar's Office, Davengere

28. In all, 10 plots of agricultural land with a total area of 14.15 acres (5.66 ha) lying on a continuous stretch is available in Avergere locality, District 3 of Davengere city. The area which will be needed for construction of STP is estimated at 8.25 acres (3.3 ha). Three plots (375/1, 11, and 12) are adjacent to the main road that passes through the locality, which can be used for transport of equipment. A natural stream flows along the eastern and northern sides of the area.

29. A brief household profile of the title owners is presented here, with the type of potential loss likely to be incurred. In all seven families, with a total population of 36 persons, will be economically displaced due to the land acquisition. Average family size is 5.1 and majority among them have a small family size with up to three members. Except for one, all the families are of nuclear family type. Nearly two-thirds (67%) of the population belongs to the age group of 15–59, who also are the main earning members. Very old and young persons are few, only four and two respectively.

30. All the households belong to the general caste community and are living above the poverty line at present. The poverty line has been estimated as monthly per capita income of Rs 588.06 in Davengere city, as per the Planning Commission's published source. There are no disabled persons in the families. There are three women-headed households, which will be defined as vulnerable families.

31. Six of all the potential displaced persons are illiterate, and 13 have education until the secondary level. Nine persons have attained a higher level of education, with three among them progressing up to graduation level. While three women heads of households are illiterate, other heads and chief earning members of the families have educational qualification at various levels.

32. Working status of the families is defined by the number of gainfully employed persons, and 13 out of the total population of 36 are workers, accounting for 36% of the working population. Most of them are cultivators, including the three women heads of households, and three are employed in service.

33. Paddy is the only crop grown, and productivity varies with irrigation facility, which only a few families can afford. Three families have also planted a few areca nuts and earn from the sale of crops from these perennial trees.

34. Based on annual household income, majority of them, four families, earn an income more than Rs 120,000 a year. Two families have annual income ranging from Rs 60,000 to Rs 120,000, while only one family has income below Rs 60,000 but more than Rs 12,000. The household income for the last financial year reveals the income from sale of agricultural crop, which accounts for the major share of the household income. Income from service is comparatively less.

**Table 9: Economic Status of the Displaced Persons (DPs)**

Status of Ownership	No. of HH	Total Population			Vulnerable	Working Status		Occupation	
		Total	Male	Female		Worker	Non worker	Main	Marginal
Owner	7	36	15	21	3 (WHH)	13	17	Cultivation (11)	Service (2)

Source: Household survey, October, 2012

### C. Temporary Impact

35. Of the proposed components, the laying of pipes for replacement or reinforcement of distribution system is anticipated to have temporary impacts on hawkers and vendors. Transect walks enabled an estimation of potential impacts on 16 stationary hawkers and 87 vendors with movable structures, who work in high-density commercial areas in the proposed project. Of all the hawkers/vendors, 23 have been identified as vulnerable, and include fruit and flower vendors, petty consumer service providers (like cobbler), and fast food mobile vendors.

36. The rapid survey of businesses undertaken as part of the transect walks revealed that 14% of affected persons were below poverty line and another 8% were women. Daily income of affected persons was found to range from Rs 250 to Rs 2,000, with an average daily income of Rs1,130. No permanent land acquisition/displacement of these hawkers/vendors was envisaged, as the pipelines were proposed to be laid along existing rights of way of the roads beyond carriage width, and the average pit depth will be about 1 meter.

**Table 10: Summary of Affected Persons in Temporary Impact Area (informal SBE Owners/ Hawkers, Vendors)**

Street Stretch	No. of Affected Persons	Daily Income Range (Rs)	Average Daily Income (Rs)	Types of Businesses	Remarks
A. High density (commercial)	103	250-2,000	1,130	Vegetable/fruit / others stalls/ cobbler	Vegetable/fruit sellers store their merchandise in wooden/tin/metal frame sheds in cycle carts or vans, or on plastic spread sheets on roadside. Parking for customers and commercial vehicle operators outside shops and businesses. Full closure of road will not be required; partial access for traffic can be maintained if work is done in stretches. Also, night schedule of work can help roads remain fully open during the day. Formal businesses are not likely to be affected as alternate access will be provided.
Mobile vendor	87				
b. Stationery hawkers/vendor	16				
c. BPL	14				
d. WHH	8				
B.High density (residential)	Nil	NA	NA	-	No hawkers and vendors on road/pipeline RoW. Access to shops and residences can be maintained.
C. Medium density (residential)		NA	NA	-	Access to businesses, residences, and institutions can easily be maintained by contractor by following IEE provisions. Display of wares by shops on road RoW was observed. This needs to be rearranged during construction period. Parking will not be affected.
D. Low density		NA	NA	-	No hawkers and vendors on road/existing pipeline RoW. Access to businesses, residences and institutions can easily be provided. Parking will not be affected.
Temporarily affected persons	0				
BPL	0				
WHH	0				

Source: Transect walk, 2012

#### **D. Gender Impact and Impact on Indigenous People**

37. Initial assessment of permanently affected families indicates that the project will not significantly affect the women, other than the loss of income from agricultural sources for the families in general. There are three women-headed families who are also among the chief earning members of the families. They will be especially affected if the land they cultivate is lost. To overcome that, they will be provided with alternate plots of land with equal productivity value, which will give them financial security, instead of cash compensation. Among temporarily affected persons, four women have been found to be earning from the sale of flowers and fruits by the roadside. They will have loss of income during the construction phase, which will be for a period of 7 days at the most, and will be additionally compensated to overcome temporary loss of livelihood. Shifting assistance will also be provided to them.

38. So far as impact on indigenous people is concerned, no such persons were found to be affected either permanently or temporarily. The vulnerable families affected due to disruption of business during construction are either women-headed families or families living below the poverty line. Further detailed surveys will be undertaken during implementation by the NGO to assess gender impact or impact on indigenous people. If such IP families are found to be affected due to involuntary resettlement, impact mitigation measures will be taken according to the provision in IPPF.

#### **V. CONSULTATION, PARTICIPATION, AND INFORMATION DISCLOSURE**

39. Consultation with the primary and secondary stakeholders is an important tool for the successful preparation and implementation of RP. The primary stakeholders include displaced persons (DP), the project beneficiaries, the host population (in cases where DPs need to be relocated elsewhere), and the implementing agency, the ULBs. The secondary stakeholders are other individuals or groups with interest in the project, and include elected representatives of the ULBs, local or national government, policy makers, advocacy groups, and NGOs.

40. At the draft RP preparation phase, project impact on involuntary resettlement was disclosed during SIA for initial consultation and feedback from potential DPs and the community. To provide for more transparency in planning and for further active involvement of displaced persons and other stakeholders, the project information will be disseminated through disclosure of final resettlement planning documents by ULB to the DPs, community leaders, and people's representatives, and will also be translated into local language to be published in regional newspapers. For effective disclosure of the RP, a brief RP containing project impact and entitlement options will be printed in the local language other than English. A copy of the brief RP prepared for disclosure will be sent to ADB. The same will be printed on pamphlets and posted prominently in government offices, ward councils, and ULB offices, apart from being distributed among the DPs.

41. During RP finalization and implementation phase, detailed procedural formalities for access to the entitlement benefits will be further disclosed to the DPs. The project implementation unit (PIU) at ULB level and under RPMU at KUIDFC will extend and expand the consultation and disclosure process during the detailed design and project implementation stage. The resettlement NGO will be entrusted to ensure ongoing consultations and public awareness programs during project implementation. This task will be carried out in coordination with the PIU, design consultant (PMSDC), and contractors to ensure the communities are made fully aware of project activities in all stages of construction. A community participation action plan will be prepared by the NGO in consultation with ULB. The community in general and the

affected families, vendor associations in particular, will be consulted and made aware of the civil works under project activities prior to construction, and about ADB policy on involuntary resettlement.

## **VI. GRIEVANCE REDRESS MECHANISM**

42. A project-specific grievance redress mechanism (GRM) will be established to receive, evaluate, and facilitate complaints and grievances of the DPs in relation to the project's social and environmental performances. The main objective of the GRM will be to provide timebound action and a transparent mechanism to resolve social and environment concerns.

43. A project GRM will cover the project's towns for all kinds of grievances, and will be regarded as an accessible and trusted platform for receiving and facilitating project-related complaints and grievances. The multi-tier GRM for the program will have realistic time schedules to address grievances and specific responsible persons identified to address grievances, and to whom the DPs have access, to interact easily.

44. Awareness on grievance redress procedures will be created through a public awareness campaign, with the help of print and electronic media and radio. The resettlement NGO will ensure that vulnerable households are also made aware of the GRM, and assured that their grievances to be redressed adequately and in a timely manner.

45. There will be multiple means of registering grievances and complaints: by dropping grievance forms in complaint/suggestion boxes at accessible locations, or through telephone hotlines, email, post, or writing in a complaint registrar book in ULB's project office. There will be a complaint registrar book and complaint boxes at the construction site office to enable quick response to grievances/complaints for urgent matters. The name, address, and contact details of the persons, with details of the complaint/grievance, location of problem area, and date of receipt of complaint will be documented. The RPMU's social development/resettlement officer will be responsible at the project level for timely resolution of the environmental and social safeguards issues and registration of grievances, and communication with the aggrieved persons. Annex 1 is the draft PID to be distributed to all affected communities and DPs, which includes the contact numbers of the respective ULB officers responsible for the KIUWMIP.

### **A. Grievance Redress Process**

46. There will be several tiers for the grievance redress process. Simple grievances for immediate redress will first be resolved onsite by the contractor. If the grievance is unaddressed for up to 7 days, the complainants may go to the PIU officer in the ULB responsible for resettlement/social issues. The project engineer and the resettlement NGO will assist in resolving the issues. Names, designations, and contact numbers of personnel responsible for grievance redress at ULB and RPMU will be posted at the contractor's and PMDSC's site offices in full view of the public. The NGO will be involved in community mobilization and awareness campaign among the communities. Grievances of an immediate nature should be resolved onsite or within ULB/PIU level within 15 days of registration of grievances.

47. All grievances that cannot be resolved by ULB/PIU within 15 days will be forwarded to RPMU's social safeguards/R&R officer and PMDSC specialist, who will review and resolve them within 15 working days of grievance registration with the assistance of the resettlement NGO and concerned PIU/ULB personnel, if required.



48. The grievances of a critical nature and those which cannot be resolved at RPMU level should be referred to the grievance redress committee (GRC)/steering committee (ST) set up at district level, to be settled within 30 days. All documents related to grievances and follow-up action taken to resolve them, along with explanatory note on the nature, seriousness, and time taken for grievance redress, shall be prepared by the RPMU social safeguard/R&R officer and circulated to GRC/SC members at least a week prior to scheduled meeting. The decision taken at the GRC/SC level will be communicated to the DPs by the RPMU social safeguards/R&R officer through the ULB/PIU and resettlement NGO.

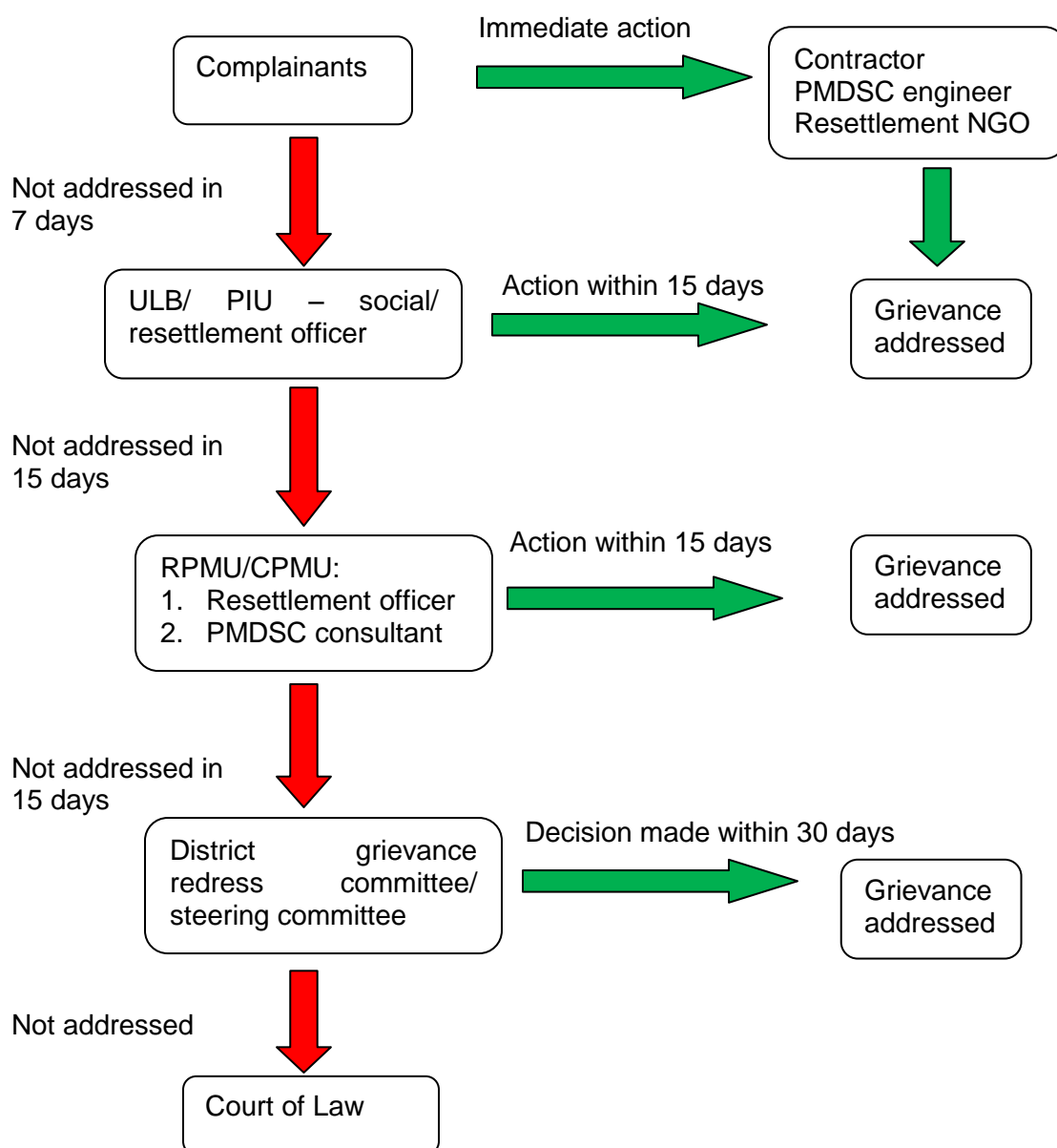
49. For any issues that remain unresolved by the GRC or SC, or if the decisions made at such meetings are not acceptable, the complainants /DPs can approach the Court of Law, as per Government of Karnataka legal procedure.

## **B. GRC/SC Composition and Selection of Members**

50. The GRC/SC for the project will be headed by the deputy commissioner (DC) of the district, with members as followed: (i) ULB commissioners of project towns; (ii) Revenue Department (Registrar) official; (iii) RPMU social safeguard/R&R officer of KIUWMIP; and (iv) ULB officer who will convene the periodic meeting of GRC and will shoulder responsibility of keeping records of grievances/complaints in detail, with help from the resettlement NGO. Other members, such as NGO/CBO representatives, ward council representatives, and DPs' representatives will be selected by the ULB commissioner to represent them in the GRC/SC meeting. The NGO should also deploy one person in the team who will be responsible for coordinating with all GRC members and the DPs for grievance redress.

51. In the event that the established GRM is not in a position to resolve the issue, the affected person also can use the ADB Accountability Mechanism (AM) through directly contacting (in writing) the Complaint Receiving Officer (CRO) at ADB headquarters or the ADB Indian Resident Mission (INRM). The complaint can be submitted in any of the official languages of ADB's DMCs. The ADB Accountability Mechanism information will be included in the PID to be distributed to the affected communities, as part of the project GRM. A grievance redress mechanism is shown in Figure 1.

**Figure 1: Grievance Redress Process**



## VII. POLICY FRAMEWORK AND ENTITLEMENT

### A. Policy Framework

52. The resettlement principles adopted in this framework recognize the Land Acquisition Act, Karnataka, 1894 (amended in 1988), National Resettlement and Rehabilitation Policy, Government of India as notified in 2007<sup>2</sup>, and the relevant Asian Development Bank's (ADB) Safeguard Policy Statement (SPS) of 2009 and Operations Manual F1 (2010) on Involuntary Resettlement.

### B. National Rehabilitation and Resettlement Policy (NRRP)

53. The principles of the NRRP are as follows<sup>3</sup>:

- (i) to minimize displacement and to promote, as far as possible, non-displacing or least-displacing alternatives;
- (ii) to ensure adequate rehabilitation packages 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 for 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.

### C. ADB's Involuntary Resettlement Policy

54. Basic principles of ADB's SPS where involuntary resettlement is unavoidable are noted below.

- (i) Involuntary resettlement should be avoided whenever feasible.
- (ii) Where population displacement is unavoidable, it should be minimized.
- (iii) All lost assets acquired or displaced will be compensated based on the principle of replacement cost.
- (iv) Each involuntary resettlement is conceived and executed as part of a development project or program. The displaced persons (DPs) need to be provided with sufficient resources to reestablish their livelihoods and homes with a timebound action plan in synchronization with civil works.
- (v) The DPs are to be fully informed and consulted in detail.
- (vi) The absence of a formal title to land is not a bar to entitlements.
- (vii) The DPs 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.
- (viii) Particular attention must be paid to vulnerable households, including those without legal title to land or other assets; households headed by women; the

<sup>2</sup> Gazette of India, Extraordinary, Part 1, Section I, dated 31 October, 2007.

<sup>3</sup> Ibid, Chapter II, pg 3

elderly or disabled; and indigenous groups. Assistance must be provided to help them improve their socioeconomic status.

- (ix) The full resettlement costs are to be included in the project costs and benefits.
- (x) All payments, including compensation for loss of land, assets, structures, trees, income, and common properties will be made prior to physical or economic displacement and commencement of civil construction work.

55. ADB's Safeguard Policy Statement for Involuntary Resettlement does not apply to negotiated settlements, unless failed negotiation leads to compulsory land acquisition by expropriation.<sup>4</sup> It also encourages the borrower/client to acquire land/other assets through negotiated settlement, thereby avoiding lengthy land acquisition procedures and legal battle. However, the borrower/client will ensure, through meaningful consultation with the displaced persons and those without legal title, adequate and fair price for land and other assets. The borrower/client will have to engage an independent external party to document the negotiation and settlement processes. The borrower/client will agree with ADB on consultation processes, policies, and laws that are applicable to such transactions; third-party validation; mechanisms for calculating the replacement costs of land and other assets affected; and record-keeping requirements. Similar process will be followed for voluntary donation of land, where an external independent entity will supervise and document the consultation process and validate the land donation process as per legal requirement.

#### **D. Karnataka Land Acquisition Act**

56. The Land Acquisition Act, 1894 was amended in the Karnataka Land Acquisition Act, 1988 with a view to facilitate land acquisition and make it more people-friendly. A few relevant amendments made to the Karnataka LAA are important to understand the legal requirement in case of land acquisition and other ways of facilitating land availability for public purpose. These are in the form of government orders and circulars, and mentioned in brief below.

- (i) According to the government order (G.O. No. VAE 26 HAM 2010, Bangalore, dated 13 April 2010) issued on 13 April 2010, a committee headed by the deputy commissioner of the district (DC) can decide the "guidance value" and even pay the landowner for compensation of land up to a maximum of 3 times more than the guidance value. Other members of the committee are the local member of the Legislative Assembly (MLA), assistant commissioner (AC), ULB president, and ULB commissioner.
- (ii) According to government circular no. RD 13 BHU.SWA.DHA. 2006 dated 24 February 2006, 50% of the award value for land will have to be submitted by the requiring body on the date Section 4(1) notification is served, and the rest of the full compensation payment to be submitted before Section 6(1) notice is served. There is a 1-year time period for issuance of notification of section 4(1) and section 6(1) and 2 years between issuing section 6(1) and award of compensation. If award exceeds more than the stipulated 2 years, the land acquisition process will lapse and a fresh LA procedure will have to be initiated.
- (iii) In the Circular No. RGRHCL 05 HSA 2006, dated 16 June 2008, *tehsildar* or AC of the district has been duly authorized by DC to purchase land for public purpose. This circular facilitates purchase of private land directly from the people for public purpose.
- (iv) Deputy commissioner of the district is empowered to pay a maximum of Rs. 1 crore (1 crore = 10 million) to an individual. Regional commissioner of a region is

<sup>4</sup> ADB Policy Paper: Safeguard Policy Statement, June 2009 Safeguard Requirements 2: Involuntary Resettlement

empowered to pay compensation up to a maximum of Rs 5 *crores* to an individual. If the compensation amount exceeds Rs 5 *crores* for an individual, the proposal should go to the principal secretary, Land Revenue Department, Government of Karnataka for his approval, and ultimately to be approved by the minister in charge of the Land Revenue Department.

57. The entitlement matrix of the Program fills the gaps between the above policies, as detailed in the KIUWMIP Resettlement Framework prepared for the Program, thus provides guidance for compensation, resettlement, and rehabilitation assistance planning. The entitlement matrix lists various types of losses, defines eligibility criteria and entitlements, and provides basic parameters for preparation of compensation and resettlement benefits.

**Table 11: Entitlement Matrix<sup>a</sup>**

Sl. No.	Type of Loss	Type of Impact	Type of Displaced Person	Compensation Entitlement
1	Land (residential / agricultural)	Permanent	Owner (s) with legal title/customary rights of land to be identified during detailed survey	<ol style="list-style-type: none"> <li>1. Cash compensation at replacement value or open market value of land and free of taxes.</li> <li>2. Subsistence cash allowance based on minimum wage rate of Rs 157.34 per head per day: (a) for a period of 6 months if residual land unviable; (b) for a period of 3 months if residual land viable.</li> <li>3. If displaced household is vulnerable, compensation for entire or part of land is by means of land-for-land if so desired by HHs, provided land of equal productivity is available. PIU should find alternate plot of equal productivity in lieu of land lost within close vicinity for the WHH to be provided as security for future. For other vulnerable DPs, if equal productive land is not available, cash compensation may be alternate option.</li> <li>4. Rehabilitation assistance for owners categorized as vulnerable (female/disabled family headed, indigenous persons, BPL c HH) in form of cash assistance to purchase income generating equipment or acquire skill training of their choice, subject to a limit of Rs. 40,000.d</li> <li>5. All fees, taxes, and other charges (registration, etc.) incurred for replacement land will be borne by the project.</li> </ol>
		Permanent	Tenants, leaseholders, and sharecroppers	<ol style="list-style-type: none"> <li>1. Cash assistance based on 3 months' income from land</li> <li>2. Reimbursement for unexpired lease in case of leaseholders</li> <li>3. Assistance to leaseholder to find new land/place;</li> <li>4. Rehabilitation assistance for tenants categorized as vulnerable (female/disabled family head, indigenous persons, BPLe HH) in form of cash assistance to purchase income-generating equipment or acquire skill training of their choice, subject to a limit of Rs. 40,000.f</li> </ol> <p>This provision includes the tenants of the negotiated land settlement.</p>
		Permanent	Encroachers: titled or nontitled land users who have extended their activities illegally into the government land	<ol style="list-style-type: none"> <li>1. Vulnerable HH will be given cash assistance to purchase income generating tools/equipment, or for skill development training of their choice subject to a limit of Rs 40,000</li> <li>2. Priority to be employed during construction, if so desired</li> </ol>
		Temporary	owner/occupant/land users	<ol style="list-style-type: none"> <li>1. Rental value during period of temporary occupation/ loss of access to land</li> <li>2. Compensation for lost income during temporary occupation</li> </ol>

2	Commercial/ industrial land	Permanent	Owner (titleholder, legalizable user)	<ol style="list-style-type: none"> <li>1. Cash compensation at replacement value or open market value of land and free of taxes</li> <li>2. Subsistence cash allowance based on minimum wage rate of Rs 157.34 per head per day: (a) for a period of 6 months if residual land unviable; (b) for a period of 3 months if residual land viable.</li> <li>3. If displaced household is vulnerable, compensation for entire or part of land is by means of land-for-land if so desired by HHs, provided land of equal productivity is available. The alternate plot should equal productivity in lieu of land lost and within close vicinity for the WHH to be provided as security for future. For other vulnerable DPs, if equal productive land is not available, cash compensation may be alternate option.</li> <li>4. Rehabilitation assistance for owners categorized as vulnerable (female/disabled family headed, indigenous persons, BPL c HH) in form of cash assistance to purchase income generating equipment or acquire skill training of their choice, subject to a limit of Rs. 40,000.d</li> <li>5. All fees, taxes, and other charges (registration, etc.) incurred for replacement land will be borne by the project.</li> <li>6. Provision of title for remaining land to legalizable user</li> </ol>
			Lessee, tenant	Cash refund at rate of rental fee proportionate to size of lost plot and duration of remaining lease period already paid
			Non-titled user (squatter, encroacher)	Provision of access to land under existing land allocation or legalization schemes; either as titled or rental/lease land
		Temporary	owner/occupant/land users	<ol style="list-style-type: none"> <li>1. Rental value during period of temporary occupation/ loss of access to land</li> <li>2. Compensation for lost income during temporary occupation</li> </ol>
3	Structures (residential/ commercial—such as houses, shops, barns, garage, outhouse) and other fixed assets (pumps, wells, fences, etc.)	Permanent	Owner(s) of structures to be affected by the project (with or without legal status to the land, including squatters/ encroachers)	<ol style="list-style-type: none"> <li>1. Replacement value of structure according to Basic Schedule of Rates plus cost of labor</li> <li>2. Where loss of structure is partial and the remaining portion is not viable for living any more, compensation should be for whole structure; otherwise, compensation will be for affected structure only.</li> <li>3. Free transport facility or shifting assistance of Rs. 3,000 (one-time payment)</li> <li>4. Registration cost and taxes, associated with new house, if any, will be borne by the project.</li> <li>5. Right to salvage material from existing structure</li> <li>6. Subsistence allowance in cash of Rs. 157.34 per day (for 3 months) based on minimum wage ratesg for vulnerable households</li> </ol>

		Permanent	Leaseholders occupying affected structures	<ol style="list-style-type: none"> <li>1. Reimbursement of unexpired lease</li> <li>2. Free transport facility or shifting assistance of Rs. 3,000 (one-time payment)</li> <li>3. Subsistence allowance of Rs157.34 per day (for 3 months) based on minimum wage rates for vulnerable households</li> <li>4. Replacement value of assets created by lessee according to Basic Schedule of Rates and cost of labor</li> <li>5. Right to salvage material from structure created by lessee</li> <li>6. Vulnerable households will be given cash assistance to purchase income generating equipment/tools or get training of their choice subject to a limit of Rs. 40,000.</li> </ol>
4	<b>Loss of access to the commercial structure within the subproject area</b>	Permanent	Tenants/leaseholders occupying affected structures	<ol style="list-style-type: none"> <li>1. For tenants, 3 months' rental assistance to be provided based on rental value which DP is currently paying</li> <li>2. For leaseholder, reimbursement of unexpired lease</li> <li>3. Subsistence allowance for 3 months based on minimum wage rates of Rs. 157.34 for vulnerable households</li> <li>4. Cash assistance for purchase of income generating equipment/skill training if they so desire, for vulnerable households</li> <li>5. Free transport facility or shifting assistance of Rs. 3,000 (one-time payment)</li> <li>6. Right to salvage material from existing structure, if any part thereof was built/extended by the tenant/ lessee</li> </ol>
		Permanent	Squatters/encroachers using the affected structure	<ol style="list-style-type: none"> <li>1. All DPs will be given advance intimation of 60 days to shift from the public land.</li> <li>2. Free transport facility or shifting assistance of Rs. 3,000 (one-time payment)</li> <li>3. Subsistence allowance for 3 months based on minimum wage rate of Rs. 157.34 for the vulnerable households</li> <li>4. Cash assistance for purchase of income generating equipment/skill training if they so desire, for vulnerable households</li> </ol>



5	<b>Loss of standing crops/trees within subproject area</b>	Permanent/ temporary	Owner (titled/untitled) of trees/ crops/: encroachers cultivating government land, informal land users	<ol style="list-style-type: none"> <li>1. Notice will be given to crop/tree owners to minimize the loss.</li> <li>2. Cash compensation for lost standing crops and loss of future harvest (maximum of 2 years) will be paid. Compensation for cash crop will be based on market rate of that harvesting season.</li> <li>3. Compensation for perennial crops to be calculated as annual net product value multiplied by number of productive years remaining. For trees, it will be based on the market value of timber in case of timber-bearing trees and replacement cost in case of fruit-bearing trees. If the trees are yet to reach age of maturity for calculating economic value, cost of seedlings, saplings, and agricultural inputs will be added to the compensation valuation.</li> <li>4. For vulnerable households, subsistence allowance for one cropping cycle in case of seasonal crop</li> </ol>
6	<b>Loss of livelihood/ income</b>	Permanent	Owner of business (registered and informal)	<ol style="list-style-type: none"> <li>1. Cash compensation equal to lost income for one year, based on tax record or, in its absence, comparable rates from registered businesses of the same type with tax records</li> <li>2. Provision of re-training, job-placement, additional financial grants and income generating equipment and organizational/logistical support to establish DP's alternative income generation activity</li> </ol>
		Permanent	Employees working in commercial establishments	<ol style="list-style-type: none"> <li>1. Assistance to persons affected due to employer being displaced, based on (1) actual wage as recorded in the formal contract or (2) minimum wage rate for 3 months' income</li> <li>2. Assistance to be linked to project related employment opportunities, if so desired</li> </ol>
		Temporary	Employees working in commercial establishment	<ol style="list-style-type: none"> <li>1. Cash compensation equal to duration of wages lost</li> </ol>
		Temporary	Owner of business including hawkers/vendors, agricultural laborers temporarily affected during construction	<ol style="list-style-type: none"> <li>1. Cash assistance equivalent to an average of maximum daily net income to be paid or the number of days /weeks of temporary disruption</li> <li>2. Free transport facility or one-time shifting assistance of Rs. 3,000 will be provided.</li> </ol>
		Permanent	Farm/agricultural worker	<ol style="list-style-type: none"> <li>1. Assistance based on minimum wage rate for 3 months</li> <li>2. For vulnerable persons: <ol style="list-style-type: none"> <li>a.) Cash assistance for purchase of income-generating equipment subject to a maximum of Rs. 40,000</li> <li>b.) Skill development training, if they so desire</li> <li>c.) Assistance to be linked to project related employment opportunities, if so desired</li> </ol> </li> </ol>

7	Relocation	Permanent/ temporary	Owners, tenants of the affected structures/ assets	1. Shifting assistance will be provided to the DPs to move from the place proposed for acquisition to a new place. The amount of the shifting assistance will be decided based upon volume of material/assets to be shifted and distance to new place. ULB may provide free transport facility for this
8	Loss of community/social facility (such as cultural/religious heritage objects/place of worship, etc.)	Permanent	Community or local body owning the structure/ assets /place or object of worship	1 Restoration/replacement and improvement of community assets, such as water pumps, wells, school, temples, shrines, and cultural heritage sites 2 Enhancement of community resources and replacement of resources likely to be depleted
9	Any other loss not identified			Unidentified involuntary impacts shall be documented and mitigated based on principle provided in the ADB's SPS

<sup>a</sup> **Terms used in entitlement matrix:**

**Subsistence allowance** is a transitional allowance offered to all DPs whose livelihood will be affected due to subproject and which will be utilized/ consumed by DPs. Subsistence allowance will be decided based on minimum wage rate as defined/fixed by Karnataka state (current rate being Rs 157.34). For vulnerable households, subsistence allowance will be supplemented by income-generating/skill development training.

**Shifting assistance** will be provided to the DPs to move from the place proposed for acquisition to a new place.

<sup>b</sup> Vulnerable households include women-headed households (WHH), families belonging to BPL category, disabled-headed household, and indigenous people.

<sup>c</sup> **BPL- below poverty line.** Poverty line is fixed by the Planning Commission of India as a daily per capita income of Rs 32 in urban areas and Rs 25 in rural areas. In a revised estimate, the Planning Commission has published the poverty line in Karnataka, with reference year of 2004-2005, to be determined as per capita monthly income of Rs 417.84 in rural areas and Rs 588.06 in urban areas.

<sup>d</sup> NGO will assist in identification and purchase of income generating equipment/asset.

<sup>e</sup> Minimum wage rates are fixed by Government of Karnataka each year, comprising basic pay and variable dearness allowance according to Gazette Notification no. KAE 96 LMW 2005 dt 31 July 2007. Minimum wage rate for agricultural works has been fixed at Rs 157.34 per day for the year 01 April 2012 to 31 March 2013.

## **VIII. INCOME RESTORATION**

58. The objective of income restoration activities is to ensure that no DP shall become worse off compared to pre-project status due to project. Income restoration schemes are designed based on the information collected from a socioeconomic survey (SES) during the project preparatory stage as part of SIA. Resource base and existing skill of the DPs, as well as their socioeconomic status and cultural pattern, will be considered while formulating income restoration programs.

### **A. Income Restoration Strategy**

59. As per initial social assessment for involuntary resettlement, seven families have been identified who stand to be affected permanently due to land acquisition of 3.3 ha. There are three WHH among the potential displaced families. The resettlement NGO will assess the potential economic status of these vulnerable families, and if this will further deteriorate due to land acquisition. If the NGO's assessment is in favor of income restoration after consultation with the displaced family and judging by the willingness of the DPs, that option will be developed with full consultation of the families. The NGO will be responsible for identification of the alternate income option for the DPs according to need assessed, skill possessed, willingness, and capacity of the potential trainee.

60. However, it has often been observed that income restoration training schemes turn out to be ineffective, as the beneficiary either cannot take full advantage of training or does not have faith in the training courses. It is advisable to provide cash assistance to be earmarked as seed money to purchase tools, equipment, etc. for enhancing income-augmentation skills or production instead of giving skill development training. The three families headed by women will be given the option of an alternate piece of agricultural land to cultivate themselves. This option is important for the WHH, who are more accustomed to cultivation than any other non-land-based occupation. Land-for-land option will ensure their economic status and social security.

61. Cash assistance for income restoration can be utilized by the DP to best suit his need. The resettlement NGO will ensure that the financing, in the form of seed money or cash assistance, is spent in the proper manner for which it was allotted, and report accordingly to the PMU. The NGO will also assist the DP in procuring equipment/tools or skills training resources, if they so desire. This activity will be included and prescribed in the final RP together with the detailed timeline and dedicated budget.

## **IX. RESETTLEMENT BUDGET AND FINANCING PLAN**

62. The resettlement budget includes cost of land, other assets, standing crops, loss of income for the families suffering permanent impact, potential income losses to vendors, and additional allowances (25% over and above actual income losses or minimum wage rate, whichever is higher) for vulnerable APs. These costs will be borne by counterpart funds. The budget will be updated as required to reflect the DMS based on the detailed design, and latest replacement costs. The land acquisition and resettlement budget shall include: (i) detailed costs of land acquisition, relocation, if applicable, and livelihood and income restoration; (ii) source of funding; (iii) administrative costs; (iv) monitoring costs; (v) cost of hiring NGO; and (vi) arrangement for approval and flow of funds and contingency arrangements. All land acquisition, compensation, relocation and rehabilitation, administrative, monitoring, consultant, and income and livelihood restoration costs will be borne by the RPMU, which will ensure timely disbursement of funds to the deputy commissioner's office for land acquisition, to the ULB for

disbursement of resettlement and rehabilitation assistances, and for hiring resettlement NGOs for RP implementation.

63. The cost of all compensation and R&R activities will be an integral part of the overall project cost, which will be borne by KIUWMIP. The RPMU will allocate funds for all land acquisition and resettlement activities, and instruct appropriate departments for disbursement, in this case, the district collectorate and ULB. For payment of land and other assets under LA or through negotiated settlement, if such situation arises, RPMU will place funds with the deputy commissioner of the district for disbursement through him or the DLRC. For payment of resettlement assistance and income restoration, if required, funds will be placed with the ULB for disbursement to the DPs through DLRC/RO. The ULB will take due care to preserve documents of payment disbursement due to all land purchase through negotiation, and towards compensation payment for land acquisition and R&R activities.

64. The subproject funds for necessary disbursement for land purchase/LA and R&R activities, if necessary, will be kept in custody of the requisitioning authority, that is, the subject ULBs, based on the valuation computed by DLRC, and the requisitioning body will deposit the funds with the deputy commissioner (DC) for disbursement of land and assets compensation and purchase of land. The funds shall be placed 1 month prior to disbursement to keep the time frame of resettlement schedule effective. An indicative budget is shown below.

**Table 12: Indicative Budget for RP Implementation**

S. no.	Compensation for Type of Loss	Quantity	Unit Rate (INR)	Total Amount (INR)	Total Amount (USD)	Source of Fund	Timeline
<b>A.</b>	<b>LA Cost</b>						
1.	Loss of private agricultural land – owner: 7 HH						
a)	Cost of land	3.3 ha	3,750,000 <sup>a</sup>	12,375,000	230,018	RPMU will provide fund; to be disbursed by deputy commissioner (DC)	RPMU to place fund in custody of DC, after compensation calculated by DLRC and 1 month prior to disbursement
b)	Solatium	One time	30%	3,712,500	69,005	Same as above	Same as above
c)	Interest	3 years	12%	4,455,000	82,806	Same as above	Same as above
	<b>Subtotal of A.<sup>b</sup></b>			<b>20,542,500</b>	<b>381,829</b>		
<b>B.</b>	<b>Loss of Standing Crops (Seasonal)</b>						
2	Loss of standing crops at market price – owner: 1 HH	3.3 ha paddy	Lump sum	1,540,000 <sup>c</sup>	28,625	Same as above	Same as A
3.	Loss of perennial crop – areca nut tree	3 HH	Lump sum	2,520,000 <sup>d</sup>	46,840		
	<b>Subtotal of B</b>			<b>4,060,000</b>	<b>75,465</b>		
<b>C.</b>	<b>Cost of Structures</b>						
4	Pumphouse, pump sets, and pipes	2 units (20 m <sup>2</sup> x 2)	55,000 <sup>e</sup>	110,000	2,045		
	<b>Subtotal of C</b>			<b>110,000</b>	<b>2,045</b>		

S. no.	Compensation for Type of Loss	Quantity	Unit Rate (INR)	Total Amount (INR)	Total Amount (USD)	Source of Fund	Timeline
<b>D.</b>	<b>Resettlement Cost: Permanent Impact</b>						
5	Subsistence allowance for 3 months	3 households x 90 days	157.34 <sup>f</sup>	42,482	796	RPMU to place fund with ULB, to be disbursed by DLRC/ULB	Prior to 1 month of disbursement and after calculation done by DLRC
6	Income restoration program	3 households	40,000	120,000	2,231	Same as above	Same as above
	<b>Subtotal of D</b>			<b>162,842</b>	<b>3,027</b>		
<b>E.</b>	<b>Resettlement Cost: Temporary Impact</b>						
7	Income loss – stationary vendor/hawker	16 persons x 7 days	1,130	126,560	2,353	RPMU to place fund with ULB, to be disbursed by DLRC/ULB	Prior to 1 month of disbursement and after calculation done by DLRC
8	Parking arrangement at night – security placement	8 location x 7 days x 2 persons	500 per head per day/night	56,000	1,041	Same as above	Same as above
9	Shifting assistance for vulnerable fruit vendor	23 persons	3,000 per head	69,000	1,283	Same as above	Same as above
	<b>Subtotal of E</b>			<b>251,560</b>	<b>4,677</b>		
<b>F.</b>	<b>Other Costs</b>						
10	Resettlement NGO – 18 months	18 months	1,00,000	1,800,000	33,457	Same as above	Payment to be made every quarter
	<b>Subtotal of F</b>			<b>1,800,000</b>	<b>33,457</b>		
	<b>Total of A+B+C+D+E+F</b>			<b>26,926,902</b>	<b>500,500</b>		
	<b>Contingency</b>		<b>10%</b>	<b>2,692,690</b>	<b>50,050</b>		
	<b>Grand Total</b>			<b>29,619,592</b>	<b>550,550</b>		

<sup>a</sup> Unit rate of land @ Rs 15 lakhs per acre as per registered cost of land valid for the year 2012-2013, as declared by Central Valuation Committee

<sup>b</sup> Land cost includes solatium @ 30% and interest @ 12% for 3 years

<sup>c</sup> Rs. 6,95,000 for 2 years for 7 families

<sup>d</sup> Perennial crop @ 120,000 per family for 7 remaining productive years (approx) of areca nut trees.

<sup>e</sup> Final cost of structure will be based on Basic Schedule of Rates, published by Government of Karnataka, plus materials to be salvaged

<sup>f</sup> Minimum wage rate as per Karnataka State, valid from 1 April 2012 to 31 March 2013.

## X. INSTITUTIONAL ARRANGEMENTS AND IMPLEMENTATION

### A. Existing Institutional Structure and Capacity

65. Karnataka Urban Infrastructure Development and Finance Corporation (KUIDFC) is the nodal executing agency (EA) responsible for implementing KIUWMIP. KUIDFC is a fully owned Government of Karnataka company incorporated under the Companies Act, 1956. In the context of KIUWMP, KUIDFC will establish a central project management unit (CPMU) and regional project management unit (RPMU) at the district level. The RPMU will assign a special resettlement officer (RO) for to manage resettlement activities, supervise, and monitor them. The persons should be selected based on their experience in handling resettlement activities for similar external aided projects. The PMDSC resettlement specialist as well as the resettlement NGO will support the assigned resettlement officer at RPMU to manage the resettlement activities of the project.

66. The subproject ULB of Davengere will be the implementing agency (IA), supported by the project implementing unit (PIU) to implement subproject components of water supply and wastewater, including resettlement activities. ULB staff, officers, and even the commissioner of Davengere CC will need to be trained and educated in ADB's involuntary resettlement policy as stated in SPS. RPMU, along with the ULBs, in its capacity as PIU, should ensure that the staff and officers are updated with recent safeguards requirements of SPS, 2009. If required, an orientation course should be organized to develop their capacity to understand and implement involuntary resettlement activities.

67. The NGO will have an important role to carry out in RP implementing activities, from project preparation until completion of the RP, including income restoration activities, if any. The NGO's key personnel should have a thorough understanding and knowledge of ADB's safeguard policies/guidelines, preferably with experience in implementing RP activities for ADB or other external financing agencies. The NGO should also undergo a capacity development and orientation course on ADB safeguard requirements. Most importantly, the NGO has a key role in income restoration and livelihood rehabilitation activities for the vulnerable people who are entitled to such assistance. The NGO should deploy experts in identifying skill development training if the situation demands, after the updated RP is prepared and approved for implementation.

## **B. Implementation**

68. The RP finalization and implementation activities will cover the following:

- (i) identification of cut-off date, RP updating/finalization, conducting census, preparation of photo identity cards and notification for land acquisition, if any, and final consultations with the affected peoples. All eligible DPs will be issued identity cards containing details and types of loss and entitlement as early as possible to avoid encroachers and squatters taking possession of land after cut-off date. These identity cards will be verified by PIU, NGO, and the DPs with signatures of all involved;
- (ii) preparing the affected vendors/hawkers for physical shifting through consultation, and identification of vulnerable persons for providing shifting assistance in cash;
- (iii) temporarily affected APs to get sufficient notice to vacate their place of occupancy by roadside before civil works begin. All resettlement assistance payment schedules will be completed in 1 year;
- (iv) the economic and physical displacements, including payment of compensation and assistance, must be completed before the start of civil works. APs will get sufficient notice to vacate their property before civil works begin;
- (v) preparing the eligible DPs for economic rehabilitation and assistance for income restoration. However, economic rehabilitation activities that include an income restoration program may take longer time to complete, depending on the nature of trainings. The vocational training will commence after physical displacement, if any, and payment of compensation and assistance is likely to continue for a period of 3–6 months depending on nature of trainings;
- (vi) during implementation, NGO to submit monthly progress reports on the RP implementation to the RPMU through the ULB (PIU). The RPMU, supported by the RO and PMDSC specialist, will conduct regular internal monitoring of resettlement implementation, and prepare semiannual monitoring reports for submission to CPMU, which will be further submitted to ADB for review and disclosure. The reports will contain progress made in RP implementation, with

- particular attention to compliance with the principles and entitlement matrix set out in the resettlement framework. The report will also document consultation activities conducted, and provide summary of grievances or problems identified, complaints lodged by the DPs, and actions taken to redress such complaints;
- (vii) the resettlement officer at RPMU, ULB officials, and the NGO staff will undergo an orientation and training program designed for resettlement management. The training activities will focus on issues concerning (i) principles and procedures of land acquisition; (ii) ADB's safeguard policy requirement; (iii) public consultation and participation; (iii) entitlements and compensation disbursement mechanisms; (iv) GRM; and (v) monitoring of resettlement operation. The orientation and training will be financed by the central or regional PMU and will occur prior to commencement of RP preparation, at the beginning of RP implementation, and midway through RP implementation. The RPMU will ensure that resettlement budgets are delivered on time to the ULB and the PIU for timely RP implementation. NGO's financial support will also be provided by the RPMU, and included in project cost.

69. The roles and responsibilities of the various Institutions/organizations are listed in Table 13 below.

**Table 13: Roles and Responsibilities of Institutions**

SI No.	Activities	Responsible Authority/Agency	Time Schedule
<b>RP Finalization Stage</b>			
1	Census enumeration/SIA survey of DPs for updating RP, identifying temporary impact, preparation and distribution of photo identity cards  Formal announcement of project cutoff date	Design consultant to conduct census to update RP, as recommended by RPMU. NGO will prepare photo Identity cards after verification of DPs  ULB's, RPMU RO, and ward council	15 days for census verification 15 days for preparation of updated RP and distribution of identity cards At the completion of final AP census and DMS activities
2	Conduct FGD/meetings/workshop during SIA/census survey	RO/NGO/PIU (ULB) staff to convene meetings/workshop depending on project requirement	To continue throughout project implementation
3	Categorization of all DPs for entitlement eligibility and preparation of micro-plan	NGO to categorize DPs, including those having temporary impact, as per entitlement eligibility/type of loss and prepare micro-plan	15 days
4	Calculation of replacement costs of land/property/assets for acquisition	DLRC will compute replacement cost of all assets to be acquired based on market value	15 days
5	Formulating all compensation and assistance for the DPs and economic rehabilitation measures, if required Conduct consultation/meeting with the DPs for compensation/assistance as per entitlement matrix	DLRC to calculate resettlement assistance for disbursement as per micro-plan with assistance from RO ULB to organize consultation/meeting with DPs to disclose detailed information on loss, entitlement, compensation, and assistance	30 days  30 days (both activities to continue simultaneously)
6	Finalizing compensation and rehabilitation packages and preparation of updated/final RP	Design consultant to finalize compensation and resettlement packages in consultation with DLRC and ULBs and will prepare updated/final RP RPMU to evaluate RP in the light of ADB compliance and RP budget and send for ADB's approval	30 days  15 days
7	Disclosure of updated RP, particularly final entitlement and rehabilitation packages to all DPs	ULB to circulate copies of updated RP with entitlement packages to all stakeholders in disclosure meeting, where NGO/CBOs/DP's representatives will be present DPs to approve/accept entitlement and rehabilitation measures in the LARP	15 days  15 days
8	Approval of final RP	ADB to approve final RP RPMU to arrange for translation and disclosure of final RP among the DPs and stakeholders	15 days  15 days



SI No.	Activities	Responsible Authority/Agency	Time Schedule
<b>RP Implementation stage</b>			
9	Payment of compensation of land/assets to the landowners  Alternately, payment of land cost through negotiated settlement  Payment of resettlement assistance to eligible DPs, including assistance for vulnerable DPs for income restoration	CPMU will provide fund allocation Disbursement of land compensation/ negotiated price of land by DLRC with support of NGOs and LA officer at RPMU level  Independent third party evaluator to monitor and evaluate process of land purchase/donation Disbursement of resettlement assistance to be monitored by social safeguard/development officer at RPMU level	30 days for actual disbursement, to be paid after completion of all LA process—within 1 year from issuing Section 4 (1). 7 days (for third party evaluation) to submit report 15 days for disbursement of assistance
10	Grievance redress NGO to coordinate with RPMU, assist DPs, especially the vulnerable ones, with access to GRC/SC	RPMU to set up GRC at district level and SC at program level ULB to address grievances at initial stage More serious grievances to be addressed by GRC at district level, or by SC at program level	To continue throughout RP implementation
11	Monitoring and reporting	ULB will prepare quarterly progress reports with assistance from NGO/RO and send to RPMU RPMU will monitor activities of ULB/ DLRC (for LA payment only) CPMU to report RP activities to ADB with safeguard compliance report	Every quarter during RP implementation Throughout RP implementation

## **XI. TRAINING AND CAPACITY BUILDING**

70. The ADB requirement on involuntary resettlement does not always conform to the Government of Karnataka's LA Act, and this project with ADB financial assistance will need to comply with ADB's safeguard policy, apart from LA requirement of the state of Karnataka. The RPMU and PIU staff and officials are likely to be acquainted with LA procedures of the state government, but may not be aware of ADB's policy on IR, particularly entitlement for the nontitled affected persons and requirement to assist persons for temporary impact during construction.

71. The project management design and supervision consultants (PDMSC) also need to be aware of the policy, since the final impact assessment should be commensurate with detail design, and all types of impacts will need to be noted. The resettlement NGO will be instrumental in assigning importance to the need for recording the impact during detail design finalization and at implementation stage. The NGO has a key role in monitoring all implementation activities, which will include identification of AFs, types of impact, eligibility, and entitlement as per approved RP.

72. To implement all these activities, the NGO will need to have a comprehensive knowledge of ADB's safeguard policy requirement. Keeping all these in view, one orientation training course will be organized for awareness on ADB policy and project implementation in compliance with ADB safeguards policy among the RPMU personnel, consultants, and contractors. A rigorous orientation training will be arranged for the NGO, who will be primarily responsible for (i) updating and implementing of RP; (ii) making the APs, particularly the vulnerable ones, aware of their rights and entitlement; (iii) making GRM effective; and last but not the least, (iv) monitoring all RP activities according to plan.

73. Since ULB is the major implementing authority, the personnel responsible for RP implementation will be given training in ADB safeguard policy, as well, along with RPMU and NGO. The training activity will be conducted by the KUIDFC resettlement officer and/or assigned national safeguard specialist with qualified experience and familiar with ADB SPS (2009) and requirements of ADB-financed projects.

## **XII. IMPLEMENTATION SCHEDULE**

74. The project is to be implemented over a period of 3 years. The detailed design stage is expected to commence in 2013, and the construction period will cover 36 months. The RP implementation schedule is shown in Figure 2.

### Figure 2: Implementation Schedule

Activities	Base Year Prior to Start of Implementation												Year 1				Year 2				Year 3			
	M1	M2	M3	M4	M5	M6	M7	M8	M9	M10	M11	M12	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Establish RPMU, including safeguards officer																								
Engage safeguards personnel in ULB																								
Establish GRC and SC																								
Appoint contractor with safeguards personnel																								
Appoint NGO																								
Conduct IR training for the NGO, consultants, project staff, and contractors for awareness building																								
Conduct detailed measurement surveys/business surveys																								
Update draft RP to reflect final impact and vulnerable DPs according to final design																								
Identification of vulnerable APs for involvement/employment in project construction work if applicable																								
Consultations and disclosure of updated RP to ULB																								
Review and approval (by CPMU and ADB), proceed with RP disclosure to DPs, including entitlement, GRM																								
Issuance of ID cards, as required																								
Issuance of notice to DPs, as required																								
Compensation prior to start of construction and assistance as required, including vulnerable APs *																								
Assets registration and transfer of acquired property in the name of ULB																								
Start of civil works																								
Internal monitoring, including surveys of APs on entitlements, satisfaction surveys																								
Repair/reconstruction of affected facilities, structures, connections, utilities if any													Immediately, in co-ordination with other departments, as required											

Note: M=month, Q=quarter. Schedules are indicative and will be finalized during detailed design. The RP will be updated based on final detailed design and DMS/business surveys. Disclosure of final RP will be undertaken.

\*\* Since DMS/business surveys will be based on detailed design, a time lag is shown in the schedule above, for completion of detailed design.

\*Compensation and assistance will be paid prior to start of construction.

### **XIII. MONITORING AND REPORTING**

#### **A. Monitoring**

75. Monitoring involves periodic checking to ascertain whether resettlement activities are progressing according to RP. Monitoring will cover physical and financial components and provides a feedback to keep the program on schedule. The RPMU, through ULBs, will conduct regular internal monitoring of resettlement implementation and prepare 6-monthly monitoring reports for submission to ADB. The reports will contain progress made in RP implementation, with particular attention to compliance with the principles and entitlement matrix set out in the resettlement plan. The report will also identify potential difficulties and issues hindering RP implementation in coordination with civil construction works. The report will provide a summary of issues or problems identified and actions taken to resolve the issues, as well as a summary of grievances or complaints lodged by households and actions taken to redress such complaints. The resettlement NGO will prepare internal quarterly reports in consultation with RO, post these at ULBs, and submit these to RPMU.

76. In RP implementation, the internal monitoring system will perform the following key tasks:

- (i) carry out administrative monitoring to ensure that implementation is on schedule, funds for RP execution released in a timely manner, and grievances dealt with adequately;
- (ii) prepare a sample baseline database on socioeconomic condition of the DPs, with pre-project information derived from SIA database at RP preparation stage, and a comparison will be made with the present condition of the DPs during RP implementation stage and after the relocation process, if involved; and
- (iii) obtain feedback on rehabilitation measures to ensure that people are settled and recovering from the resettlement process. This will be part of impact evaluation that will assess effectiveness of the RP and reestablishment of the DPs after resettlement.

#### **B. Reporting**

77. Resettlement NGOs to be hired by the EA in agreement with ADB will monitor and evaluate the RP implementation and economic rehabilitation activities during the entire project. The monitoring report will contain evaluation of the RP implementation and its efficacy, and provide valuable insight into the constraints in the way of implementation of RP.

78. The monitoring indicators for evaluation of the objectives achieved under the resettlement and rehabilitation program are of three kinds:

- (i) process indicators, indicating project inputs, expenditure, staff deployment, etc. and the effectiveness of consultation undertaken during RP implementation;
- (ii) output indicators, indicating results in terms of numbers of affected people compensated/assisted and resettled, skill development training organized, credit disbursed, and number of DPs capable of reorganizing their economic livelihood; and
- (iii) impact indicators, related to the long-term effects of the project on people's lives, including social network regained, economic standard sustained, etc.

79. The project does not envisage a significant involuntary resettlement impact, and is considered as "B" category an Independent external monitor will not be engaged.

80. At least two types of monitoring reports have to be prepared/ submitted by CPMU to ADB for review and disclosure:

- (i) Quarterly project progress report with section on RP implementation progress included
- (ii) Semi-annual social safeguard monitoring report

## **ANNEXURE 1: DRAFT PAMPHLET ON PROJECT INFORMATION DISCLOSURE (PID)**

### **A. Program Background**

1. Karnataka Integrated Urban Water Management Investment Program (KIUWMIP) is an ADB-financed program on improvement of sustainable urban service of water supply and sanitation (UWSS) for selected towns/ULBs of Karnataka. The towns suffer from irregular and insufficient urban service in the state. The towns were selected based on IWRM principles and manageability of program implementation through the PPP model. Selection process of the towns was in consultation with the project proponent, KUIDFC, and subject towns through a series of stakeholder consultations.

### **B. Project Description and Component**

2. The urban local body (ULB) of Davengere is the statutory entity responsible for providing water and wastewater service to the people. However, the ULB suffers from a resource crisis, without capacity or capability to operate and maintain these civic infrastructure systems. At present, the city's Sewerage District (SD) 3 does not have any wastewater treatment facility. The water supply system also needs renovation, the water distribution network needs augmentation, and additional service reservoirs are required for storage of treated water.

3. There will be 11 additional service reservoirs with a capacity of 900 KI each, 10 of which will be constructed at various locations within ULB-owned land, and one SR will be replaced. Strategic mains with a length of 15 km will be laid encircling the town, and a 260 km distribution network will be laid throughout the city. For wastewater facility, one sewage treatment plant (STP) and one pumping station (PS) will be constructed within SD 3, and sewer main network will be laid in sections covering all the sewerage districts.

4. Community toilets for 3,805 slum households will be constructed in ULB on identified ULB/government land to improve health among the slums/poor households by providing a hygienic sanitation facility. These toilets will be built in various locations.

### **C. Involuntary Resettlement impact**

5. For construction of STP, land parcels with a total area of 3.3 ha will be acquired. In all, seven families are likely to be affected, all of whom are landowners cultivating their land. Three among the landowners are women-headed households and considered vulnerable.

6. For the laying of water supply pipeline, temporary impact is envisaged. In all, 16 hawkers/vendors and 87 mobile vendors will lose their business for about 7 days, and parking for about 582 vehicles will be disrupted for about the same number of days. Sewer lines will not cause any impact, since the excavation for pits will be done in the middle of the roads, most of which have sufficient width, and some with dividers for easy traffic diversion.

### **D. Policy and Principle of RP Implementation**

7. The resettlement principles for mitigating involuntary resettlement impact will adopt Land Acquisition Act, Karnataka, 1894 (amended in 1988); the National Resettlement and Rehabilitation Policy, Government of India, as notified in 2007; and the relevant ADB Safeguard Policy Statement (SPS) of 2009 and Operations Manual F1 (2010). The RP has been prepared

keeping all these policies and principles in view, and will be implemented after updating impact during detailed design and measurement survey.

#### **E. Entitlement**

8. Compensation for land will be based on highest registered value paid within recent years, plus, as per the central valuation committee, a solatium at the rate of 30% and a yearly interest of 12% for 3 years. Crop compensation will be paid for seasonal standing crops and compensation for perennial crops at market price. The vulnerable families will receive crop compensation for 2 years for the standing crops. In addition, subsistence allowance for a period of 3 months and cash assistance for income restoration measures will be paid to the vulnerable families. The hawkers/vendors having temporary loss of income during construction period will be paid subsistence allowance at the rate of highest daily income and a lump sum shifting assistance. Temporary car parking will be arranged at a suitable place and provision for security personnel will be made for the duration of construction. A tentative budgetary provision of Rs 29,619,592 or \$ 550,550 has been made.

#### **F. Institutional Arrangement**

9. Davengere ULB will be the PIU responsible for implementation of RP, and KUIDFC, represented by the RPMU, will have a social safeguard/development officer to guide ULB and monitor RP activities. The ULB will appoint one staff for monitoring the RP implementation, and one NGO will be employed at ULB level to assist RPMU's RO and ULB to implement all RP activities, as well as carry on consultation with the DPs. For computation and disbursement of LA compensation and resettlement assistance, a district level resettlement committee (DLRC) will be set up.

#### **G. Grievance Redress Mechanism**

10. To resolve all project-related grievances and complaints, a common social and environmental grievance redress mechanism will be in place. The common and simple grievances will be sorted out at project site level by RO and NGO within 7 days. More serious ones will be sent to RPMU and forwarded to GRC at district level, to be resolved within a period of 1 month. If the DPs are not satisfied with the SC's decision, they can approach Court of Law of the state.

#### **Details for inquiries:**

Name: Designation: Project implementation unit KIUWMIP Telephone no: E-mail: Address: Harihar/Davengere/Byadgi/Ranebennur	Name: Designation: Regional project management unit KIUWMIP Telephone no: E-mail: Address: Haveri/Davengere
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**ANNEXURE 2: NAMES OF AFFECTED PERSONS AND HOUSEHOLD DETAILS**

<b>Sl. No.</b>	<b>Name of Owner</b>	<b>Type of Loss</b>	<b>Status of Ownership</b>	<b>Family Size</b>	<b>Social Category</b>	<b>Vulnerability</b>	<b>Occupation of CWE</b>	<b>Average Annual HH Income (Rs)</b>
1	Kallappa; S/o Toriayappa	Agricultural land	Owner	4	General caste	Nil	Cultivation	80,000
2	Shakuntamma; w/o Late Shekharappa	Agricultural land	Owner	2	General caste	WHH	Cultivation	60,000
3	Nagarajappa; S/o Toriyappa	Agricultural land	Owner	3	General caste	Nil	Cultivation	80,000
4	Kamamma; W/o Late Mahadevappa	Agricultural land	Owner	2	General caste	WHH	Cultivation	80,000
5	M Kaleshappa; S/o Siddappa	Agricultural Land	Owner	8	General caste	Nil	Cultivation	270,000
6	Nagappa; S/o Karibasappa	Agricultural land	Owner	3	General caste	Nil	Cultivation	150,000
7	Parvatamma; W/o Late Channabasappa	Agricultural land	Owner	6	General caste	WHH	Cultivation	85,000



### **ANNEXURE 3: TERMS OF REFERENCE OF NONGOVERNMENT ORGANIZATION (NGO)**

#### **A. Project Background**

1. Karnataka Integrated Urban Water Management Investment Program (KIUWMIP) has been initiated by the Asian Development Bank (ADB) with the Government of India to invest in urban water supply and sanitation (UWSS) for selected Tranche 1 towns within the context of an integrated water resource management (IWRM) approach. Water supply and wastewater systems suffer from under-investment throughout the state of Karnataka, and desired level of public service is extremely constrained. Water supply is intermittent and available only for limited periods, with limited capacity to meet public demand. The need to purchase water from tankers has serious economic consequences. Wastewater collection and treatment systems are either non-existent or poorly maintained. The absence of scientific wastewater treatment and sewer systems often leads to contamination of groundwater supplies and poses a risk to public health. If the issues associated with poor water management in the state are not resolved, economic growth will be stunted, public health will deteriorate, and water resource disputes will escalate.

2. The ULB will be the implementing agency for the project, and will be responsible for preparing social analysis and resettlement plans for all subprojects, in accordance with this framework. The ULB/PIU/PMDSC will prepare a resettlement plan (RP) and submit the same to the regional project management unit (RPMU) for review and approval prior to commencement of the project.

#### **B. Scope of Work**

3. The objectives of the NGO appointed for the implementation of the RP are:
- (i) to support ULB with grassroots skills and capacity for field activity in the implementation of the RP;
  - (ii) to identify, through census survey, potential displaced persons (DP), prepare and distribute identification cards to the DPs, and educate them on their entitlements and obligations under the resettlement plan;
  - (iii) to assist the DLRC/ROs in disbursement of compensation and resettlement assistance and ensure that DPs obtain their full entitlements under the RP. Where options are available, the NGO shall provide advice to displaced persons on the relative benefits of each option;
  - (iv) to conduct a market survey for income restoration program, link the DPs to the respective vocational trainings for income restoration, and assist in relocation to identified sites, if applicable;
  - (v) to assist the DPs in the redressal of grievances through the grievance redress mechanism established as part of the RP;
  - (vi) to assist the ULBs in preparing internal monitoring reports; and
  - (vii) to organize consultation and discussion meetings with the DPs, the community leaders, and other stakeholders throughout RP preparation and implementation phases.

#### **C. Tasks**

4. The NGO will work as a link between the ULB, the community leaders, and the DPs. The NGO will be responsible for assisting the DPs during physical resettlement, if any, and the rehabilitation process, and shall ensure that all of the provisions laid down in the RP are

implemented appropriately and effectively. The NGO's responsibilities will be as follow, but will not be restricted to these alone:

- (i) to develop rapport between the DPs and the project authorities. This will be achieved through regular meetings with the ULB personnel and consultations with the DPs. Meetings with the ULB will be held at least fortnightly, and regular consultation with DPs will be held as and when necessary throughout the implementation. All meetings and decisions made are to be documented;
- (ii) to assist the ULB in undertaking a public information campaign in Kannada, at the commencement of the project, to inform the affected communities of:
  - the need for shifting squatters and encroachers from the temporary impact zone along construction sites;
  - the need for LA;
  - the resettlement policy, resettlement framework, and entitlement packages; and
  - the likely consequences of the project on the communities/persons' economic livelihood;
- (iii) to identify and verify project beneficiaries through survey, and distribute identity cards to the eligible beneficiaries only.
- (iv) to assist DPs in getting the compensation for their land and properties acquired for the project, and in receiving resettlement assistances as per RP;
- (v) to make the DPs aware of GRM at several levels. To sort out grievances and assist the DPs in accessing the various tiers of grievance redress mechanism, including the contractors onsite and the ROs at ULBs, and finally the district level GRC or steering committee (SC). If necessary, the NGO will accompany the aggrieved DPs, especially the vulnerable ones, to appropriate GRC members and see through the grievance redress mechanism until the DPs get redressed;
- (vi) to assist DPs in identifying suitable land for relocation, wherever necessary. Where suitable government land is not available, the NGO will assist the DP in locating a landowner willing to sell his land, and will assist in the negotiation of the purchase price;
- (vii) to assist project authorities in making arrangements for the smooth relocation of the APs and their business. This will involve close consultation with the DPs to ensure that the arrangements are acceptable to them;
- (viii) to ensure proper utilization of the compensation money by the DPs, particularly the vulnerable DPs, to purchase equipment and tools received under the economic rehabilitation program;
- (ix) to assist DPs in getting benefits from various government development programs, particularly for income restoration/generation, if desired by the DPs. The NGO will coordinate the training programs for sustainable livelihood and assist in identifying the required skills for livelihood rehabilitation and the training institutes to impart skills. The NGO shall coordinate with other government departments and other NGOs working in the area to ensure that all the skill development trainings are known to the DPs, to select the appropriate training from the list;
- (x) to develop micro-level plans for resettlement and rehabilitation in consultation with the DPs and the ULB where relevant. A plan shall be prepared and agreed for each DP, and will include:
  - list of options for loss of land, assets, and livelihoods, to be made known to the DPs. The NGOs will explain to the DPs the options available and assist them in selection;

- arrangements for shifting, if required;
  - existing government development programs, of which the DPs will be made aware;
  - data on inputs, outputs, and impact indicators for the ULB to monitor RP implementation and prepare internal monitoring report; and
  - any other responsibility as may be assigned for the welfare of the affected households; and
- (xi) to assist in the identification of sites for the relocation of cultural properties and community assets, especially for the affected indigenous peoples' community, if affected due to project. This is to be done in consultation with the affected IP community and the ULB.

#### **D. Methodology**

5. In order to carry out the above tasks, employees of NGOs are to be stationed in the subproject area. Besides interaction with the DPs on an individual basis to update the baseline information, group meetings will be conducted by the NGOs on a regular basis. The frequency of such meetings will depend on the requirements of the DPs, but should occur at least once a month, to allow the DPs to remain up-to-date on project developments. NGOs will encourage participation of individual DPs in such meetings by discussing their problems regarding LA, R&R, and other aspects relating to their socioeconomic lives. Such participation will make it easier to find a solution acceptable to all involved.

#### **E. Reporting**

6. The NGO shall submit an inception report with detailed action plan, manpower deployment, time schedule, and detailed methodology within 30 days of the commencement of the assignment. The NGO should also submit quarterly progress reports on the activities carried out and proposed activities for the coming month. The quarterly progress reports will include data on indicators as required by the ULB.

- (i) Updated data on APs and data on additional APs coming due to changes will be submitted within 2 months of the commencement of the assignment.
- (ii) Micro-level plans for each AP on the project will be submitted to the ULB for information within 3 months of the commencement of the services. Where changes occur during the project implementation, necessary changes in the micro-level plans will be reflected, and the NGO will update the relevant plans and resubmit them to the ULB.
- (iii) Upon completion of the assignment, the NGO shall submit a final report summarizing the actions taken during subproject implementation, the methodology and manpower used to carry out the work, and a summary of assistance given to each AP under the subproject.

#### **F. Time Schedule**

7. It is estimated that the NGO services will be required for 18 months for implementation of RP. However, this may be rescheduled based on the exact nature of the activity and change, if any, in project plan.

**G. Key Personnel**

8. Apart from the support staff, a team leader and social development specialist will be required to carry out the activities. The key professionals should have combined professional experience in the areas of socioeconomic surveys, resettlement and rehabilitation, participation, community development, and training for economic rehabilitation activities. The staffing requirements may be reviewed based on field requirements.