

Resettlement Plan/Land Acquisition Plan

(This document is prepared in accordance to the ADB Resettlement Plan Requirement as described in ADB Safeguard Policy Statement, 2009)

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Subproject:

Pipeline Distribution System for 500 Hectares of Command Area

Prepared for the State Government of Madhya Pradesh (Water Resource Department) for submission to the Asian Development Bank.

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CURRENCY EQUIVALENTS

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\$1.00 = ₹67.626

ABBREVIATIONS

ADB	:	Asian Development Bank
AH	:	affected households
AP	:	affected people
BSR	:	basic schedule of rate
CSC	:	construction supervision consultant
DC	:	distribution chamber
DMS	:	Detailed Measurement Survey
DP	:	displaced people
DPR	:	detailed project report
FGD	:	focus group discussion
GRM	:	grievance redress mechanism
GRC	:	grievance redress committee
IP	:	Indigenous People
KIP	:	Kundalia Irrigation Project
LAF	:	land acquisition framework
LAP	:	land acquisition plan
LAR	:	Land Acquisition and Resettlement
LVC	:	Land Valuation Committee
MPIEIP	:	Madhya Pradesh Irrigation Efficiency Improvement Project
MPWRD	:	Water Resources Department Madhya Pradesh
NGO	:	nongovernment organization
PIU	:	project implementation unit
TA	:	Project Preparatory Technical Assistance
PS	:	pumping station
RF	:	resettlement framework
RoW	:	Right of Way
R&R	:	resettlement and rehabilitation
SC	:	Scheduled Caste
SIA	:	social impact assessment
SPS	:	Safeguard Policy Statement
ST	:	Scheduled Tribe
WRD	:	Water Resources Department
WUA	:	Water Users Association

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EXECUTIVE SUMMARY

A. Introduction

1. Madhya Pradesh Irrigation Efficiency Improvement Project (MPIEIP) is intended to achieve high irrigation efficiency and water productivity in the State. The MPIEIP includes the development of the Kundalia Irrigation Project (KIP), which is planned as a pressurized pipeline distribution system for 125,000 hectares (ha) cultivable command area (CCA) and for supply of water for potable and industrial use. The State Government of Madhya Pradesh is seeking loan from Asian Development Bank for implementation of the project. The Water Resources Department Madhya Pradesh (MPWRD) will be the executing agency for the project.

2. MPWRD is in the process of detailed design for the project with the help of a detailed design consultant. At this stage of project preparation, the detailed design is ready for only 500 ha of CCA covering two villages i.e. Kharpa and Rajaheri under Zeerapur Tehsil of Rajgarh District. Based on the detailed design it is estimated that secondary pipelines having a length of 1.2 kilometers (km) and tertiary pipelines of 2.9 km will be laid in these two villages. In addition to the pipelines, 17 outlet chambers will be constructed for about each 30 ha of land in both the villages. The secondary pipeline will be of 3 diameters and the tertiary pipeline will be of 0.35 diameters and each outlet chamber will be of 5X4 square meters (m²).

3. In compliance with the applicable Government of India, State Government of Madhya Pradesh and the Asian Development Bank (ADB) legal and policy framework, a Land Acquisition Plan (LAP) for 500 ha command area is prepared as per the availability of detailed design. The LAP also complies with the Land Acquisition Framework (LAF) for the project agreed between MPWRD and ADB and prepared as sample LAP. This subproject is considered as Category B¹ as per Involuntary Resettlement (IR) categorization is concerned.

4. The objective of this LAP is to assist the affected people to improve or at least restore their living standards to the pre-project level. The document describes the magnitude of impact, mitigation measures proposed, method of valuation of land, structure and other assets, eligibility criteria for availing benefits, baseline socio-economic characteristics, entitlements based on type of losses and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring.

B. Scope of Land Acquisition and Resettlement

5. Efforts have been made through appropriate project design to minimize adverse social impacts and to reduce disruption of livelihood by restricting the improvements to available government land. Under the subproject, permanent land acquisition will be limited to the area of construction of 17 outlet chambers only. It has been estimated that during the laying of secondary pipeline, a strip of 25 meters (m) of land will be required temporarily for about a period of 6 months. For tertiary pipelines, only 6 m strip of land will be temporarily required during construction phase. The pressurized pipeline will be placed at least 1 meter inside the ground and therefore the land will be impacted only for the time being when the pipeline is being

¹ According to ADB Safeguard Policy Statement (SPS-2009), Involuntary Resettlement Category A: Significant means 200 or more affected people will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating). Involuntary Resettlement Category B: Not Significant include involuntary resettlement impacts that are not deemed significant as per the ADB Operational manual Involuntary Resettlement Category C: No involuntary resettlement impacts. A resettlement plan is required in case of both category A and B project.

laid. After laying of the pipeline the land will be leveled and can be made available for cultivation.

6. Based on the detailed design of sample 500 ha of land in the command area of KIP, it was established that permanent land acquisition would be required for 17 outlet chambers to be constructed within the area. As per the technical specification, 20 m² of land will be required for each outlet chambers. It is estimated that a total of 0.034 ha of land will be permanently acquired under the subproject.

C. Land Acquisition Impacts

7. Being an underground pipeline irrigation scheme, the subproject has minimal requirement of land totaling only 4.814 ha out of which 0.034 ha will be acquired permanently and another 4.78 ha of land will be impacted temporarily. The private land acquisition is limited to only 0.032 ha for the subproject. All the lands are agricultural land including two pieces (plots) of land that are being used as orchard with only oranges.

8. Due to the subproject intervention, no residential or commercial land is being affected and only one private structure in the form of temporary hut used for agricultural rest shed is affected. In addition to the private structure, there is only one community structure being used as Dharamsala is affected under the subproject. Among other impacts, there are 51 non-fruit bearing trees, 8 fruit bearing trees and 5 wells affected under the subproject. These impacts are due to the temporary use of land for pipeline construction only. However, the impacts will be permanent.

9. The permanent acquisition is limited to only 20 m² of land required for each outlet chambers. None of the displaced peoples (DPs) are losing livelihood due to the permanent acquisition, as it is a very negligible portion of their landholding. For construction of pipeline, the strip of land will be used temporarily for about a period of six months and this will be generally done during non-cropping period. The land will be restored to its previous condition on which the farmers can do normal farming as usual. Thus, there will be no permanent livelihood impacts as such due to the pipeline construction work.

D. Stakeholders Consultations and Participation

10. During the socio-economic survey, public consultations were held at two places on 17 and 18 May 2016 in Kharpa and Rajahedi villages in Tehsil Zeerapur of District Rajgarh. All relevant aspects of project designs, details of impact to private property were physically assessed and discussed with the affected communities. A total of 223 persons (51 females and 172 males) of two villages participated in the two consultations. The perception of the affected peoples (APs) was sought regarding the upcoming project.

11. Aside from disclosure of information during the preparation of this LAP, to keep more transparency and active involvement of the affected peoples (APs) and other stakeholders the subproject information will be disseminated to APs at various stages. Information including magnitude of loss, detailed asset valuations, entitlements and special provisions, grievance procedures, timing of payments, displacement schedule, Civil works schedule will be disclosed during resettlement plan/LAP implementation. This will be done through public consultations and made available to APs as brochures, leaflets, or booklets in Hindi. The Hindi version of a summary of the LAP along with entitlement matrix and structure and process of grievance redresses will also be disclosed.

E. Legal Framework

12. The legal framework and principles adopted for addressing resettlement issues in the Project have been guided by the existing legislation and policies of the Government of India, the State Government of Madhya Pradesh, Asian Development Bank and the Resettlement Framework (RF) adopted for the project. Prior to the preparation of the RP, a detailed analysis of the existing national and state policies was undertaken and an RF has been prepared for the entire program. This LAP is prepared based on the review and analysis of all applicable legal and policy frameworks of the country and ADB policy requirements. The gaps between the Policies have been identified and addressed to ensure that the LAP adheres to the SPS (2009) requirements. All compensation and other assistances will be paid to all DPs prior physical/economic displacement.

13. The State Government of Madhya Pradesh has come up with a ‘Consent Land Purchase Policy’ for direct purchase of land through negotiation. In case of failure of any negotiation, the land acquisition in this subproject context will be accordingly to the process of RFCTLARR Act’2013.

14. The Madhya Pradesh Bhumigat Pipeline, Cable Avam Duct (Bhumi ki Upyokta ke Adhikaron Ka Arjan) Adhinyam, 2012 (No. 5 of 2013)” known as The Madhya Pradesh Pipeline Act, 2013) empowers the state government for temporary acquisition of right of user in private land to lay the underground pipeline, cable or duct. The government acquires user right by paying compensation for loss of crop income, compensation of trees and other losses from the land for the period of laying of underground pipeline, cable or duct. In addition, compensation shall be payable at the rate of fifteen percent of market value of that land.

F. Entitlements, Assistance and Benefits

15. The subproject will have only titleholder DPs and will experience two types of impacts; (i) permanent loss of agricultural land due for outlet chambers and (ii) temporary impacts on land for pipelines. However, there will not be any physical displacement under the subproject. This section deals with the entitlement provisions as per anticipated impacts.

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

17. In case of land acquisition, the date of publication of preliminary notification for acquisition under section 11 of the RFCT in LARR Act – 2013 will be treated as the cut-off date. For non-titleholders, the cut-off date will be the end of the census survey which is 16th December 2016. The cut-off date for non-titleholders will be officially declared by the IA along with the disclosure of LAP and additionally notified in the project area through newspaper and communicated to DPs during consultation. They, however, will be given sufficient advance notice, requested to vacate premises and dismantle affected structures prior to subproject implementation. Their dismantled structures materials will not be confiscated and they will not pay any fine or suffer any sanction.

G. Relocation of Housing, Income Restoration and Rehabilitation

18. The project impact will be limited to insignificant loss of permanent agricultural land and temporary loss of agricultural land. All permanent land acquisition will be done through consent and compensation will be paid on negotiated price. Since there will not be compulsory acquisition and payment will be on negotiated price, no further R&R provision of entitlement matrix shall apply for the Project. However, in case the negotiation fails and the land is acquired compulsorily, the provisions of entitlement matrix will apply.

19. For temporary loss of agricultural land for the period of construction, DPs will be given compensation for one crop loss along with 15% of the cost of the land as per prevailing market value of the land. After the construction part is over he can start his farming work once again. There will not be any permanent loss of their income or livelihood. Even temporary loss of livelihood will be avoided by scheduling the construction work during non-cropping season.

H. Land Acquisition Budget and Financing Plan

20. The WRD will make funds available as required to cover all compensation and resettlement assistance cost from its budgetary provisions. The proposed budget rates, as well as the costs, are based on field-level information and experience in resettlement management. The cost estimates for the implementation of LAP of this subproject is ₹4.07 million.

I. Grievance Redress Mechanism

21. During implementation of resettlement activities some grievances may arise so there is always a need of some mechanism to redress the grievances of the affected population. Therefore, a project level combined GRM will be in place for addressing social, environmental and project related grievances.

22. Other than disputes relating to ownership rights and apportionment issues on which the LARR Authority has jurisdiction, the GRC will review grievances involving all resettlement benefits, relocation and payment of assistances. The GRM should be in place at the time when disclosure of the LAP is initiated by WRD and should continue throughout the project implementation period.

J. Institutional Arrangement

23. The executing agency for the project is the Water Resources Department Madhya Pradesh (MPWRD). The existing Branch Office at Zeerapur Tehsil Head Quarter has already been established which will be the project implementation unit (PIU). This office will be functional for the whole Subproject duration. The executing agency will be supported by the Construction and Supervision Consultant (CSC) to ensure timely and effective implementation of RP. The office of Superintending Engineer will be over all in charge for implementation of established at Zeerapur.

24. The project management unit (PMU) headed by a Project Director (PD) is responsible for the overall Projects & already execution of the subproject. The PD will be responsible through has sub ordinate office for (i) overall implementation of R&R activities in accordance to the LAP and equally responsible for land acquisition and R&R activities in the field; (ii) ensure availability of budget for R&R activities; (iii) liaison with district administration for support for land acquisition and implementation of R&R.

K. Implementation Schedule

25. The time for implementation of the resettlement plan/LAP will be scheduled as per the overall subproject implementation. The commencement of civil works for each subproject will only start after all compensation and relocation has been completed.

L. Monitoring and Reporting

26. The LAP implementation for the subproject will be closely monitored by MPWRD. The PMU responsible for supervision and implementation of the LAP. The DBO contractor will prepare monthly progress reports on resettlement activities and submit to PMU. PMU will prepare semi-annual reports to be submitted to ADB.

I. PROJECT DESCRIPTION

A. Introduction

1. Madhya Pradesh Irrigation Efficiency Improvement Project (MPIEIP) is intended to achieve high irrigation efficiency and water productivity in the state. The MPIEIP includes the development of the Kundalia Irrigation Project (KIP), which is planned as a pressurized pipeline distribution system for 125,000 hectares (ha) cultivable command area (CCA) and for supply of water for potable and industrial use.

2. The State Government of Madhya Pradesh is seeking loan from Asian Development Bank for the implementation of the project. The Water Resource Department of Madhya Pradesh (MPWRD) will be the executing agency for the project. The feasibility design for piped distribution system including, pumping stations, substations and power supply system, transmission pipelines, valves, controls and associated structures has been planned by the project preparatory technical assistance (TA), with a design-build-operate (DBO) contractor to be engaged for detailed design and construction, and then manage the scheme operation for an initial period of 5 years, with support to hand-over the long term management to a joint management organization comprised of WRD, a private contractor, and a project-level water user association (WUA).

3. The pipeline irrigation system for the KIP will consist of two main pumping stations PS1-LB and PS2-RB² located on the left and right side of the Kundalia Reservoir to supply irrigation water from the Kundalia Reservoir to three Distribution Chambers (DCs). The main pumping stations PS1-LB and PS2-RB will be located at the end of concrete-lined approach channels constructed in the reservoir. The DCs are proposed on the nearby hills and the water from pumping stations will be pumped through raising mains (pipelines) to the DCs. Water will be discharged from DCs through pressurized secondary pipelines to the designated command areas. Further, water will travel through tertiary pipelines to various outlet chambers, from where; it will be distributed to the fields by quartery pipelines. All pipelines under this project will be underground only. The electric energy supply to the pumping stations will provided by a 132-kilovolt (kV) grid line system from the nearest existing substations at Zirapur and Nalkhedra Towns, which may need to be upgraded with new transformers and other equipment.

4. MPWRD is in the process of detailed design for the project with the help of a detailed design consultant. At this stage of project preparation, the detailed design is ready for only 500 ha of CCA covering two villages i.e. Kharpa and Rajaheri under Zeerapur Tehsil of Rajgarh District. Based on the detailed design it is estimated that secondary pipelines having a length of 1.2 kilometers (km) and tertiary pipelines of 2.9 km will be laid in these two villages. In addition to the pipelines, 17 outlet chambers will be constructed for about each 30 ha of land in both the villages. The secondary pipeline will be of 3 diameters and the tertiary pipeline will be of 0.35 diameters and each outlet chamber will be of 5x4 square meters (m²).

5. In compliance with the applicable Government of India, State Government of Madhya Pradesh and ADB legal and policy framework, a resettlement plan/LAP for 500 ha command area is prepared as per the availability of detailed design. The LAP also complies with the Resettlement Framework (RF) for the project agreed between WRD and ADB. Subsequent RPs

² Pumping Station-1 (Left bank) and Pumping Station-2 (Right Bank)

will be prepared during further project design period. This subproject is considered as Category-B³ as per Involuntary Resettlement (IR) categorization is concerned.

B. General Profile of the Subproject Area

6. The subproject area comprises of two villages i.e. Kharpa and Rajaheri under Zeerapur Tehsil of Rajgarh District. Rajgarh District is located in the Northern part of Malwa Plateau. It forms the North Western part of Division of Bhopal Commissioner. It has a Quadrangular shape with the Northern and Western sides longer than the Southern and Eastern sides respectively. The zigzag boundaries of the District resemble a pear. Rajgarh District is bounded by Shajapur District in the South as well as west. The District of Sehore, Bhopal, Guna and Jhalawar (Rajasthan) enclose it from the South-East, East, North-East, and North directions respectively. The total Geographical area of the District is 6,154 Sq.km. having a population of 15,45,814 according to Census of 2011.

7. Raigarh is one of the small districts of Madhya Pradesh both in respect of area and population. It is 145 kms from the State Capital Bhopal. The Composition of the Caste population indicates that there is 19.13% of Scheduled Caste (SC) population and 3.47% Scheduled Tribe (ST) population in Rajgarh District of Madhya Pradesh. There is a great representation of Other Backward Caste (OBC) in this district. This district has a sex ratio of 956 females for every 1000 males with a literacy rate of 61.21%. At present, there is acute shortage of irrigation facilities in the district so the local population is able to take only one crop in a year.

C. Subproject Impacts and Benefits

8. The proposed pressurized pipeline will give long-term benefits of irrigation to the local population of the area. Once the project is completed they will be able to take two crops in a year, which will improve their economic condition. This subproject has many positive impacts on the local population of the area.

9. Due to availability of water they will have an increased irrigation potential. The irrigation will be through underground-pressurized pipelines so there will not be any evaporation of water and may prove to be a low maintenance scheme of irrigation. Once they will be able to take two crops in a year they will have better living standards. Due to sustained availability of water there will be increased green cover in the area. The increased green cover in the area will help in conservation of forest.

10. The subproject area is mainly dependent on farming and therefore with the availability of irrigation facilities in the area the yield of the crop will be doubled. To sell the surplus grains there will be improved market facilities in the area. The availability of better marketing facilities in the adjoining areas will improve their economic condition resulting into better life style, status and in confidence building.

³ According to ADB Safeguard Policy Statement (SPS-2009), Involuntary Resettlement Category A: Significant means 200 or more affected people will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating). Involuntary Resettlement Category B: Not Significant include involuntary resettlement impacts that are not deemed significant as per the ADB Operational manual Involuntary Resettlement Category C: No involuntary resettlement impacts. A resettlement plan is required in case of both category A and B project.

11. The proposed subproject can be viewed as boosting economic growth and poverty reduction, which will bring substantial social and economic development in the region. The social benefits arising due to the subproject will be triggered off to improved irrigation potential and better market facilities, which will also open wider work and opportunities for increased frequency of interaction with outsiders. This will increase the awareness level of the people in the villages with regards to their health and nutrition, value of education and proper utilization of available resources.

12. Due to their exposure with adjoining developed areas and interaction with the government, non-government and other development agents will help people to gain new knowledge on improved farming, land development, development and maintenance of natural resources through the formation of various economic and social development groups.

D. Minimizing Land Acquisition

13. Efforts have been made through appropriate project design to minimize adverse social impacts and to reduce disruption of livelihood by restricting the improvements to available government land. Under the subproject, permanent land acquisition will be limited to the area of construction of 17 outlet chambers only. It has been estimated that during the laying of secondary pipeline, a strip of 25 meters (m) of land will be required temporarily for about a period of 6 months. For tertiary pipelines, only 6-m strip of land will be temporarily required during construction phase. The pressurized pipeline will be placed at least 1 meter inside the ground and therefore the land will be impacted only for the time being when the pipeline is being laid. After laying of the pipeline the land will be leveled and can be made available for cultivation.

14. The pipeline alignments are finalized by avoiding all human settlement areas and major community property resources. However, any unavoidable impacts on structures, trees, wells and fencing etc. will be compensated for the losses incurred to them. There will be no physical displacement of the affected population due to the subproject proposal and the impact on livelihood is also temporary and negligible for which they will be duly compensated.

E. Scope and Objectives of Land Acquisition Plan (LAP)

15. The objective of this LAP is to assist the affected people to improve or at least restore their living standards to the pre-project level. The document describes the magnitude of impact, mitigation measures proposed, method of valuation of land, structure and other assets, eligibility criteria for availing benefits, baseline socio-economic characteristics, entitlements based on type of losses and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring.

16. Implementation of the subproject will involve minimal land acquisition due to which there will not be any displacement of the population. However, installation of the pipelines in their agriculture fields will require construction time of maximum six months so the impact will be temporary and farmers will be paid for the loss of one crop along with 15% of the cost of the land impacted, any other structures, wells or groundwater wells being impacted and any trees coming in the way of pressurized pipelines will be compensated.

17. The aim of this LAP is to mitigate all unavoidable negative impacts caused due to the subproject and restore their livelihoods. This LAP has been prepared on the basis of subproject census survey findings and in consultation with various stakeholders. The LAP complies with

ADB Safeguard Policy Statement, 2009 (SPS) designed by ADB to protect the rights of the affected persons and communities. The issues identified and addressed in this document are as follows:

- (i) Type and extent of loss of land / non-land assets, loss of livelihood, loss of common property resources and social infrastructure;
- (ii) Impacts on vulnerable groups like poor, women and other disadvantaged sections of society including non-title holder DPs,
- (iii) Public consultation and peoples' participation in the subproject;
- (iv) Existing legal and administrative framework and formulation of resettlement policy for the subproject;
- (v) Preparation of entitlement matrix, formulation of relocation strategy and restoration of businesses / income;
- (vi) Resettlement and rehabilitation (R&R) cost estimate including provision for fund; and
- (vii) Institutional framework for the implementation of the plan, including grievance redress mechanism, monitoring & reporting.

F. Methodology adopted for Socio-economic Survey

18. For preparation of land acquisition (resettlement) plan, a detailed social impact assessment of the subproject area was carried out including resettlement screening, land acquisition planning, subproject census survey of affected assets and households and public consultation methods.

19. A structured census questionnaire was used to collect detailed information on affected households/properties for a full understanding of impacts in order to develop mitigation measures and LAP. The census survey includes the (i) inventory of the 100% land and non-land assets; (ii) categorization and measurements of potential loss; (iii) physical measurements of the affected assets/structures; (iv) identification of trees and crops; (v) collection of information on household characteristics, including social, economic and demographic profile; (vi) identification of non-titleholders; and (vii) assessment of potential economic and livelihood impact.

20. To ensure peoples' participation in the planning phase and aiming at promotion of public understanding and fruitful solutions of developmental problems such as local needs of farmers and prospects of resettlement, affected peoples, various other stakeholders were consulted through group consultations, individual interviews formal and informal consultations. The vulnerable groups and women were also included in this consultation process.

II. SCOPE OF LAND ACQUISITION

A. Land Acquisition Requirement

21. Based on the detailed design of sample 500 ha of land in the command area of KIP, it was established that permanent land acquisition would be required for 17 outlet chambers to be constructed within the area. As per the technical specification, 20 m² of land will be required for each outlet chambers. It is estimated that a total of 0.034 ha of land will be permanently acquired under the subproject.

22. In addition to the permanent land acquisition for outlet chambers, land will be required temporarily for laying of pipelines under this subproject. About 1,208 meters of secondary pipelines with 3.0 diameters will be laid within this 500 ha of command area. Another 2,940 meters of tertiary pipelines with 0.35 diameters will also be laid under the subproject. For construction of these secondary and tertiary pipelines, a strip of 25 m and 6 m will be used respectively. As per the survey of land, a total of 4.78 ha of land will be temporarily used for laying of both the pipelines. The details of land requirements for the subproject are presented in the Table: 1.

Table 1: Land Acquisition Requirement

Sl. No.	Components	Land Requirement	Area (in ha)
1	17 numbers of outlet Chambers	Permanent	0.034
2	1,208 meters of secondary pipelines	Temporary	3.020
3	2,940 meters of tertiary pipelines	Temporary	1.760
Total			4.814

B. Resettlement Impacts

23. Being an underground pipeline irrigation scheme, the subproject has minimal requirement of land totaling only 4.814 ha out of which 0.034 ha will be acquired permanently and another 4.78 ha of land will be impacted temporarily. The private land acquisition is limited to only 0.032 ha for the subproject. All the lands are agricultural land for growing crops except two pieces (plots) of land that are being used as orchard that essentially for oranges. The details of land ownership for the affected land are summarized in the Table 2.

Table 2: Ownership of Land Affected in the Subproject

Sl. No.	Type of Ownership	Household	Permanent	Temporary	Total
			(in ha)	(in ha)	(in ha)
1	Private Revenue	96	0.032	4.260	4.292
2	Government	0	0.002	0.400	0.402
3	Community Land	0	0.000	0.120	0.120
Total		96	0.034	4.780	4.814

24. The subproject census survey reveals that, a total of 96 households will be affected due to the land requirement. Out of 96 households, 59 will be affected due to permanent land acquisition and 37 households will be affected due to temporary land requirement. The total

persons affected due to the subproject are 464. The summary of DPs is presented in the Table: 3.

Table 3: Details of Displaced Persons in the Subproject

Sl. No.	Type of Impacts	Affected Households	Affected Persons
1	Permanent Acquisition	59	258
2	Temporary Use	37	206
Total		96	464

C. Loss of Structure in the Subproject

25. Due to the subproject intervention, no residential or commercial land is being affected and only one private structure in the form of temporary hut used for agricultural rest shed is affected. In addition to the private structure, there is only one community structure being used as Dharamsala is affected under the subproject.

D. Loss of Other Assets in the Subproject

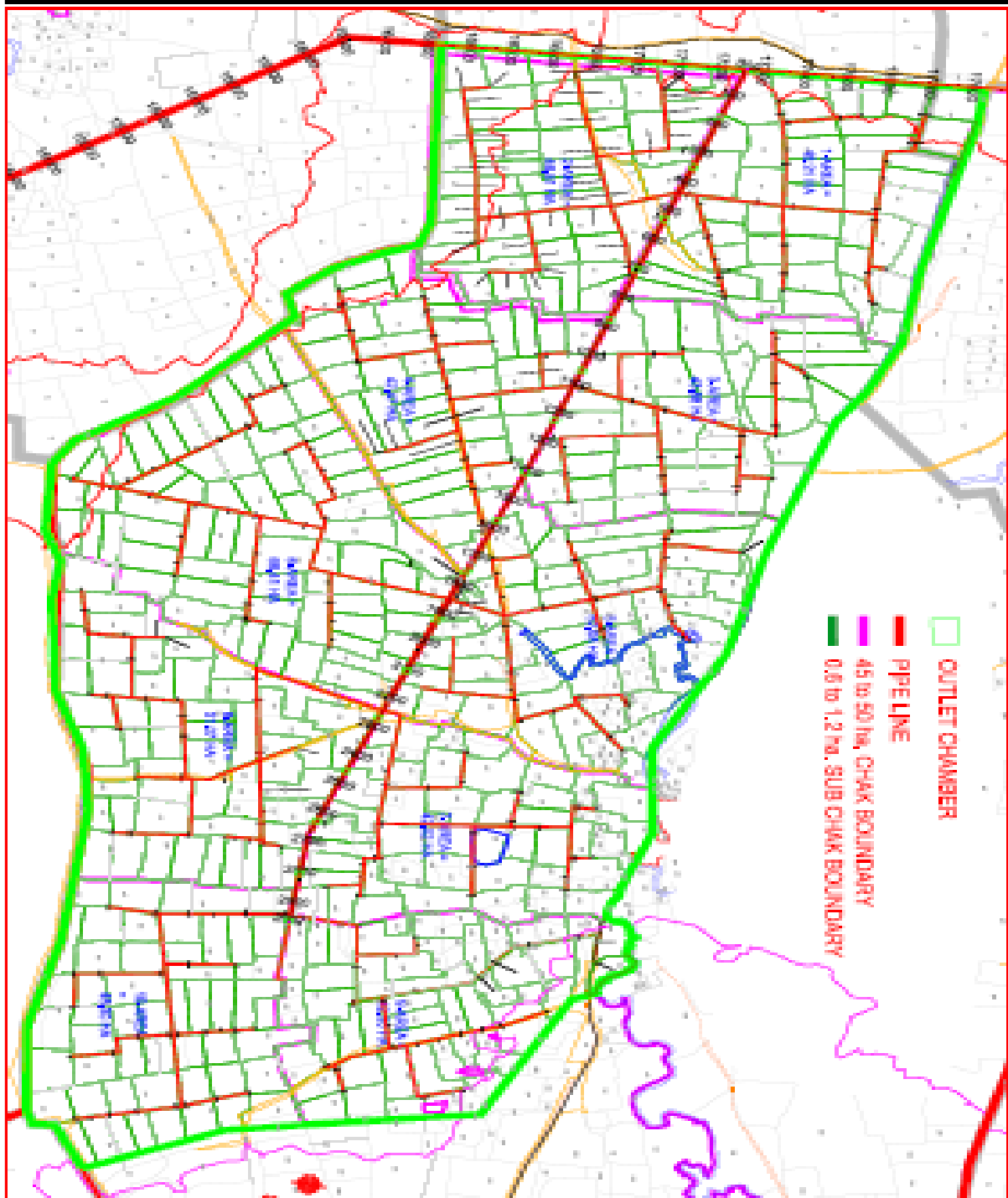
26. Among other impacts, there are 51 non-fruit bearing trees, 8 fruit bearing trees and 5 wells affected under the subproject. These impacts are due to the temporary use of land for pipeline construction only. However, the impacts will permanent.

E. Loss of Livelihood in the Subproject

27. The permanent acquisition is limited to only 20 m² of land required for each outlet chambers. None of the DPs are losing livelihood due to the permanent acquisition, as it is a very negligible portion of their landholding. There is no DP that will experience major impacts as describe in ADB SPS 2009 (No DP will be physically displaced, and no DP will lose more than 10% of their productive assets).

28. For construction of pipeline, the strip of land will be used temporarily for about a period of six months and this will be generally done during non-cropping period. The land will be restored to its previous condition on which the farmers can do normal farming as usual. Thus, there will be no permanent livelihood impacts as such due the pipeline construction work.

Figure 1: Kundalia Pressurized Pipeline Planning of 500 ha Chuck Boundary



III. SOCIO-ECONOMIC INFORMATION AND PROFILE

A. Socioeconomic Survey

29. In addition to inventory of losses, detailed socio-economic characteristics, including demographic profile of member of the household, standard of living, inventory of physical assets, vulnerability characteristics, indebtedness level, health and sanitation, and ascertaining perceptions about project, resettlement options and compensation, was collected from all impacted household. Details of common property resources within the alignment were also recorded.

30. The affected peoples (APs) were categorized in a single category only as the impact of loss of their properties is mainly of temporary nature and there are insignificant losses of their properties (loss of less than 10% of the productive asset or structure) in this subproject.

B. Demographic Profile

1. Sex Ratio among the APs

31. In the selected 500 ha of land the alignment of pipeline is passing through the properties of 96 households. Therefore, 96 household heads and their 464 people were surveyed. Out of which, 250 are males and 214 females in both the villages namely Kharpa and Rajahedi located in Zeerapur Tehsil of District Rajgarh. The sex ratio among DPs in this sub-project areas is 856 women out of 1,000 men as presented in Table: 5.

Table 4: All Affected Persons by Sex

Name of village	Kharpa	Rajahedi	Total	Percentage
Male	154	96	250	53.88
Female	142	72	214	46.12
Total	296	168	464	100.00
Sex ratio = 856				

2. Household by Religion

32. All affected households (AHHs) were also surveyed based on their religion and the data analysis indicates that all 96 households are the followers of Hinduism. No Muslim or Christian families were found living in these two villages.

Table5: Displaced Household by Religion

Religion	Kharpa	Rajahedi	Total	Percentage
Hindu	63	33	96	100.00
Total	63	33	96	100

3. Household by Social Group

33. The Social Category of the AHs was also judged by the socio-economic survey, which indicates that there is majority of OBC population, comprising 88.54% of the total population in

these two villages. The General Category comprises of 9.38% of the population and SC and ST have a minimum representation of 1.04% of each category.

Table 6: Displaced Persons by Social Category

Social Category	Kharpa	Rajahedi	Total	Percentage
General	9	0	9	9.38
Other Backward Caste	53	32	85	88.54
Scheduled Caste	1	0	1	1.04
Scheduled Tribe	0	1	1	1.04
Total	63	33	96	100

4. Household by Size of Family

34. Family size of 4-5 members account for 33.33% followed by 26.04% having 1-3 members in the family. There is 25% of families having 6-7 Members and 15.63% families are having more than 7 Members in the family. Therefore, the common size of the family is of 4 to 5 Members in the family.

Table 7: Size of the household

Family Size	Kharpa	Rajahedi	Total	Percentage
1 to 3 Member	21	4	25	26.04
4 or 5 Member	15	17	32	33.33
6 or 7 Member	17	7	24	25.00
Above 7 Member	10	5	15	15.63
Total	63	33	96	100

5. Age Group of APs

35. Of the 464 DPs, 35.34% are in the age group of 21 years and below followed by 27.16% coming under age group of 22-35 years, followed by 17.03% coming under age group of 51-65 years and only 4.74% APs are more than 65 years of age. The analysis indicates that the life expectancy is not very high in these villages. Therefore, there is a great representation of age groups between 21 to 35 years of age as presented in the Table 8 below.

Table 8: Age Group of APs

Age Group	Kharpa	Rajahedi	Total	Percentage
Up to 21 Years	109	55	164	35.34
22 to 35 Years	76	50	126	27.16
36 to 50 Years	52	21	73	15.73
51 to 65 Years	45	34	79	17.03
Above 65 Years	14	8	22	4.74
Total	296	168	464	100

C. Socio-economic Profile

1. Educational level of APs

36. The data analysis of educational level indicates that 57.54% of APs are still not literate. Total 22.63% persons are only primary school pass, followed by 9.05% who are 9th to Class 12th passed. There are 7.97% DPs who are 6th to 8th Class passed followed by 1.51% and 1.29% who are graduates and post-graduates respectively. The analysis of the data indicates that more than 50% of the population is still illiterate.

Table 9: Educational level of APs

Education	Kharpa	Rajahedi	Total	Percentage
Up to 5 th	71	34	105	22.63
6th - 8th	27	10	37	7.97
9th - 12 th	32	10	42	9.05
Graduate	3	4	7	1.51
Post Graduate	6	0	6	1.29
Illiterate	157	110	267	57.54
Total	296	168	464	100

2. Occupation of APs

37. The occupation of AP's indicates that 20.69% are cultivators followed by 25% who are agricultural laborers, 54.09% are not in work force and only 0.22% salaried employees. Therefore, majority of population belongs to agricultural sector either as land/ orchard owner or agriculture laborers.

Table10: Occupation of APs

Occupation	Kharpa	Rajahedi	Total	Percentage
Salaried	1	0	1	0.22
Cultivator	63	33	96	20.69
Agricultural Laborer	65	51	116	25.00
Not in Workforce	167	84	251	54.09
Total	296	168	464	100

3. Income of Household

38. Household income of 50% affected households is above ₹7,000 per month followed by 10.42% having income of ₹5,001 to ₹7,000 per month. 33.33% affected households having monthly income as ₹3,001 to ₹5,000 per month followed by 6.25% having monthly income as ₹1,001 to ₹3,000 per month. Therefore 50% of population is earning more than ₹7,000 per month.

Table11: Monthly Household Income of AHs

Income	Kharpa	Rajahedi	Total	Percentage
Up to ₹3,000	3	3	6	6.25
₹3,001 to 5,000	16	16	32	33.33
₹5,001 to 7,000	8	2	10	10.42
Above ₹7,000	36	12	48	50.00
Total	63	33	96	100

4. Impact on Vulnerable Households (mutually exclusive)

39. The vulnerable population⁴ was also assessed amongst APs. The weakest section representing 83.50% is Below Poverty Line (BPL) followed by 14.56% are the women-headed households (WHHs). The analysis of data indicates that the majority of population belongs to BPL Category. The representation of ST population is very negligible. The vulnerable status of affected households in the Project, which is mutually exclusive in order of priority is presented in the following Table 13 below.

Table 12: Vulnerable (mutually exclusive)

Vulnerability Type	Kharpa	Rajahedi	Total	Percentage
Women-headed household	8	7	15	14.56
Below Poverty Line	49	37	86	83.50
Scheduled Tribes	0	1	0	0.97
Scheduled Caste	1	0	1	0.97
Total Vulnerable	58	45	103	100

⁴ The ADB SPS 2009's definition of vulnerable group has been used for preparing this report.

V. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

A. Public Consultations

40. In order to engage with the community and enhance public understanding about the Project and address the concerns and issues pertaining to compensation, rehabilitation and resettlement, individual interviews, focus group discussions (FGD) and meetings were undertaken amongst the various sections of APs and other stakeholders, during the socio-economic survey that was carried out as part of the project preparatory work for the project. The opinions of the APs, stakeholders and their perceptions were obtained during these consultations. The consultations with the APs and other stakeholders will continue throughout the LAP preparation and implementation period.

B. Methods of Consultation

41. Consultations and discussions were held during socio-economic survey period with both primary and secondary stakeholders. The primary stakeholders include project-affected persons (APs), project beneficiaries and implementing agency (WRD). The secondary stakeholder includes revenue officers and elected representatives of the local bodies.

42. During the socio-economic survey, consultations were held with AHs, officials of the district administration and elected members of the local Panchayats. The people's representatives of Kharpa and Rajahedi villages were consulted regarding the perception of the Project. Sarpanch of Kharpa Mr. Ramratan took part in the consultations and so did Bareman Bai who is the Sarpanch of Rajahedi. In order to address the concerns of the female folks of the village, women were encouraged to participate and opportunity was given to express their concerns during the consultations. The Lady Sarpanch in Village Rajahedi named as Bareman Bai is Primary School passed and was covering her face all the time as her in-laws were around so we discussed with her and with other females of the Village in isolation and took their perception about the upcoming Project.

Table 13: Consultation Methods

Stakeholders	Consultation Method
Affected Persons	Group Consultations
Local Communities	Group Consultations
Women Headed Households and Groups	Group Consultations
Local Elected Members	Individual interview, discussion
Concerned Officials from Government	Individual meeting /interviews, discussions
APs and General Public	Consultation Meetings

43. In addition to the web disclosure of the draft RP, this will be disclosed to the DPs and general public through public meetings held along the project. The LAP disclosure meetings will be held to explain the contents and provisions of the draft LAP and obtain the feedback, suggestions and objections, if any, on the draft LAP and accordingly make suitable amendments / corrections before finalizing the LAP.

44. Aside from direct consultation with APs during the socio-economic survey, group consultations were conducted in two places, one in Kharpa Village and the second one in Rajahedi Village. All relevant aspects of project design, details of impact to private property

were discussed with the affected communities. A total of 223 persons (51 females and 172 males) participated in the two consultations. The date, venue, number of participants and the photographs are provided below. The issues and concerns raised during the consultations are summarized and provided in the following table.

Table 14: Consultation Locations

Place	Date	Number of participants
Kharpa Village	17-05-2016	121
Rajahedi Village	18-05-2016	102

Consultation with Kharpa Villagers



Consultation with Rajahedi Villagers



C. Outcome of the Consultations

45. In this context consultations were carried out with the APs and owners of assets including their female population to share the information about the Project and to record their concerns and feedback. From both direct and group consultations, it is noted that people are aware about the project as various surveys had been going on but they were not aware of the extent of improvements proposed and the likely impacts and benefits of the Project. The salient points and their concerns are summarized in the following table:

Table 15: Summary of Consultation Outcome

Issues	Discussions / Suggestions	Mitigation Measures Proposed
Safety of their standing crops.	Try to avoid damage to their standing crops.	DPs will be given prior information of at least 60 days regarding construction work so that they are able to harvest their ready crops without being damaged.
Benefits of the project to be extended to the local population.	Local population should be benefited by the proposed Project.	It will be ensured that the displaced population is given priority in extending of the benefits available due to proposed project.
Engagement of Local Labor for construction work	The local labor should be engaged / employed in the Project related activities.	It will be ensured that the displaced population is given preference in hiring of casual labor for construction work undertaken by the Contractor.
Home Privacy and Security of Women	Home privacy and routine activities and safety and security of women should not be disturbed due to construction of the project.	Due measures should be taken to ensure that the privacy of women and girls should not be disturbed due to the construction of the Project e.g. by requiring contractors for placing contractor camps only in the areas that have no direct impact to the local communities
Prior Information before construction work.	Prior information should be given before commencement of the work so that DPs can harvest their crops before being damaged.	The DPs will be given at least sixty days before taking up the construction work in the fields so that they can harvest their crops if they are reaped.
Due entitlements should be given before construction work	The DPs should be paid their due entitlements before commencement of work.	It will be ensured by the implementing agency to extend all their due entitlements before starting the construction activities.
Prior Notice to be given.	Prior Notice should be given to the displaced population before taking up the construction work by the Contractor.	It should be ensured that the stakeholder is given a prior notice of at least a fortnight before taking up the construction work on their properties.
Consultation and participation of affected population.	People want more consultation during subproject implementation and want to participate in the subproject	Public consultation will continue throughout the subproject cycle. Implementing Resettlement Specialist will assist people in participation of the Subproject at various stages.

46. The project stakeholders include the APs, beneficiaries, the general public and women. Accordingly, consultations and focus group discussions were held with them in May and December 2016 to provide information about the proposed Project activities, expected impacts and their concerns. Other key stakeholders include representatives of government entities

involved in the planning, design, implementation and operation of the Project, which includes WRD, Horticulture Department and Revenue Department. The community consultations indicated that local population had been suffering acute shortage of water for drinking and irrigation purposes. Due to shortage of irrigation facilities, they are not able to take two crops in a year and the crop yields are also not up to their expectations. These factors have been the root cause of their low standard of living. The upcoming Project will open new horizons for them when they will be able to take two good crops every year. The proposed Project will not only improve the standard of living of the APs but it will be a source of bringing over all development of the population living in the adjoining areas also.

47. Consultations and participation with primary stakeholders will further be held in second phase to ensure their understanding about the potential impacts of the Project on their livelihoods. To understand the perception and attitude of the people about the Project, detailed interviews, FGDs and group discussions will be developed and conducted by the Safeguard Resettlement Specialist with stakeholders. This will bring very fruitful results when stakeholders will be involved from the origination of the Project and even throughout the implementing stage. They will consider themselves to be a part of the proposed Project resulting into their 100% cooperation in its implementation. Their full-fledged cooperation will enhance the speed of the implementation of the Project.

D. Mitigation Measures to Address Community Concerns

48. The Contractor will fence the area and construction activity need to be carried out within the construction limits only. The access roads will be made available for use of the community. The local community will be given priority in the labor work when need arises. Due measures will be taken for the safety of the women. Prior notice before taking up the work in the area will be intimated to the APs at least 60 days before. Prior notice will give them time for harvesting their crops. Safety measures will be adopted while construction of the project is going on. There will be sufficient light at the construction site and in the adjoining areas also to take care of any unforeseen situation. During construction, the labors should use helmet, gumboots and gloves for the safety purposes. They will be covered by a Group Insurance Scheme. There will be same wages for male and female laborers. When the trenches are made for laying the pipeline there will be some symbols indicating it to be a Danger Zone. There will be first aid box available at the construction site.

E. Conclusions of the Public Consultations

49. From both direct and group consultations, it is noted that people are well aware about the upcoming Project as various surveys had been going on and by the word of mouth from each other. Despite this they were not fully aware of the extent of manifold benefits proposed and the likely impacts of the Project. During consultations their doubts were cleared and benefits of the project was explained to them. In this project there is temporary impact on their properties and when the construction activities are over their land will be back to its pre-project condition. Therefore, the stakeholders are well aware now of the fact that they will have some problems in the transitional phase, which is nothing in comparison to the benefits they will get from the Project. There is no IR found in these two villages based on which the LAP has been prepared. There is no resistance found regarding the implementation of the Project instead there is great acceptance of the upcoming project.

50. During implementation of the project particular attention must be given to socio-cultural considerations, such as the cultural or religious significance of the land, the vulnerability of the

affected population. Since the Project will have many benefits for the local population with minimum negative impacts, cooperation by the APs will be rendered to the implementing agency at its fullest avoiding occurrence of any litigation. The upcoming Project will open new horizons for the overall development in the project area.

51. Consultations with stakeholders in the first phase held on 17–18 May 2016 indicate that the stakeholders are very supportive and apprehensive about the project and are more than willing to undergo any temporary effect on their properties for the long-term benefits to be accrued by them through the proposed KIP. They are more than willing to give 100% cooperation during construction stage of the project.

52. Mr. Ramratan is the Sarpanch of Kharpa Panchayat and Mrs. Bareman Bai is the Lady Sarpanch of Rajahedi Panchayat. Both the People's representatives were involved in public consultations and their perception about the proposed project was taken. Since the impact on the properties of AP's will be only temporary so there is no resistance of the Project. There will not be much permanent land acquisition of the properties or displacement of the local population due to the proposed project. After the consultations the local population is now very well aware of the benefits of the proposed project.

F. Plan for further Consultation and Disclosures

53. The effectiveness of the R&R program is directly related to the degree of continuing involvement of those affected by the Subproject. Several additional rounds of consultations with APs will form part of the further stages of subproject preparation and implementation. The Social Development Officer/Resettlement officer from PMU who will oversee the implementation of LAP will be entrusted with the task of conducting these consultations during LAP implementation, which will involve disclosure on compensation, assistance options, and entitlement package suggested for the subproject. The consultation will continue throughout the subproject implementation period. The following set of activities will be undertaken for effective implementation of the LAP:

- (i) In case of any change in engineering alignment planning the APs and other stakeholders will be consulted in selection of pipe alignment for minimization of resettlement impacts, development of mitigation measures etc.
- (ii) The Social Development Officer of PMU will conduct information dissemination sessions in the subproject area and solicit the help of the local community/ leaders and encourage the participation of the AP's in Plan implementation.
- (iii) During the implementation of LAP, Social Development Officer/Resettlement officer will disclose information regarding implementation progress project works, proposed alignment of the pipeline, and other construction works.

54. Further public consultation and disclosure will be prepared by PMU with the following proposed format as mentioned below:

Table 16: Format for Public Consultation and Disclosure Plan

Activity	Task	Agencies
Public Notification	Notify eligibility cut-off date	PMU
Disclosure of LAP	Make LAP accessible to APs e.g. LAP report given to APs or place the report in local public office Panchayat / Village Gram Sabha	PMU
Internet disclosure of the LAP	Post LAP on ADB and / or EA website	ADB/PMU
Disclosure of updated LAP if any	Disclosure after joint measurement survey	PMU
Internet disclosure of the updated LAP	Updated LAP posted on ADB and /or MPWRD website	ADB/PMU
Implementation of the LAP	Adequate time will be provided to allow HHs to harvest their crops and cut the trees	PMU/PIU and contractors

55. MPWRD will provide relevant LAP information, including information from the above mentioned documents in a timely manner, in accessible places such as local PMU office and Panchayat / Village Gram Sabha translated in local language, if necessary. LAP information will be disseminated to APs at various stages. Information including magnitude of loss, detailed asset valuations, entitlements and special provisions, grievance procedures, and timing of payments, Civil works schedule will be disclosed during LAP implementation.

VI. GRIEVANCE REDRESS MECHANISMS

56. The grievance redress mechanism (GRM) will be established to provide avenue for grievances that may arise. A two-tier GRM for the project is proposed which has been outlined below.

57. The first tier grievance redress committee (GRC) at Project or PMU level will comprise of:

- (i) Sub Divisional Magistrate (SDM), Revenue Department as Chairperson
- (ii) Executive Engineer (EE), Local WRD Office as Secretary
- (iii) R&R Officer/Social development officer, WRD
- (iv) A representative from local NGOs or a local person of repute and standing in the Society or an Elected Representative from the locality.
- (v) A representative from APs.

58. The second tier GRC at District level will comprise of:

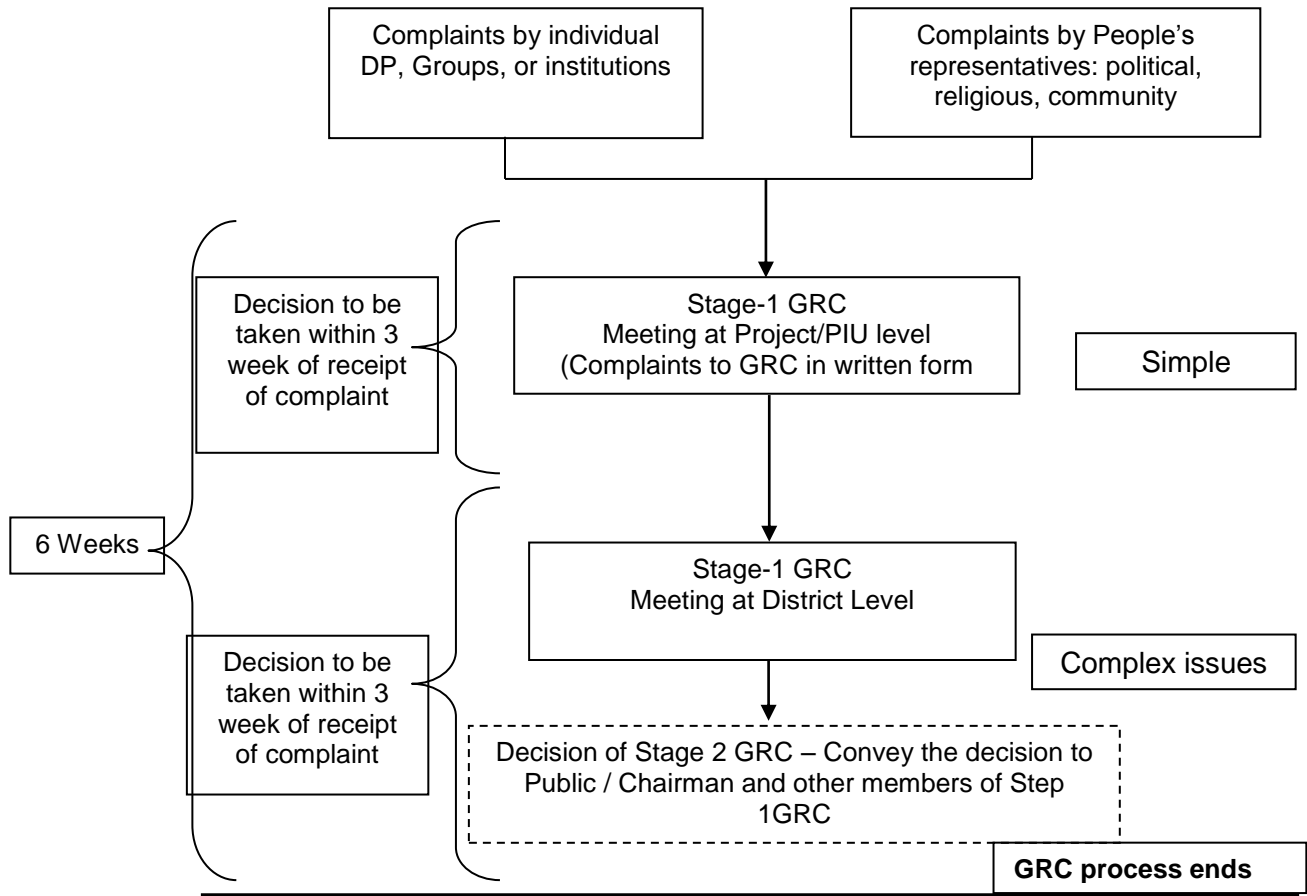
- (i) District Collector (DM) as Chairperson
- (ii) Executive Engineer, WRD as Secretary
- (iii) Social development Officer/R&R Officer at PMU Level, WRD
- (iv) A representative from local NGOs or a local person of repute and standing in the Society or an Elected Representative/ Jilla Parisad Member.

59. The GRC at PMU level will meet once every month, if required during the implementation of LAP, but if necessary more meetings will be called for as required to resolve a complaint. The AEE of project will act as the secretariat of GRC, and will keep records of all complaints, such as: date of receiving complaint; meetings to resolve the complaint; action taken and date of communication sent to complainant. The contractor's site office and PMU office will display notices indicating whom to contact if anybody has any grievance. The APs will be informed that they could submit grievances either to PIU office or to GRC secretary, or the representative of APs. The complaint/grievance will be redressed in 3 weeks time, and written communication will be sent to the complainant.

60. For the second tier GRC at District level, the EE will act as the secretary of GRC. The second tier will focus on finding resolutions for the complainants, and with time frame not more than 4 weeks. The second tier GRC is also expected to resolve a grievance that could not be resolved by the first tier GRC. This GRM is not substitute or part of the Land Acquisition Rehabilitation and Resettlement (LARR) authority; the complainants are free to approach the jurisdictional LARR Authority to have their grievance resolved. The complainant can access the appropriate Land Acquisition Rehabilitation and Resettlement (LARR) Authority at any time and not necessarily go through the GRC.

61. Other than disputes relating to ownership rights and apportionment issues on which the LARR Authority has jurisdiction, the GRC will review grievances involving all issues related with land acquisition for the project and payment of compensations. The establishment of GRM should be initiated by WRD and should continue throughout the project implementation period.

Figure 2: An Overview of the Grievance Redress Mechanism



VII. LEGAL FRAMEWORK

A. Introduction

62. The legal framework and principles adopted for addressing resettlement issues in the subproject have been guided by the existing legislation and policies of the Government of India (GOI), the Government of Madhya Pradesh, Asian Development Bank and the Land Acquisition Framework (LAF) adopted for the project. Prior to the preparation of the LAP, a detailed analysis of the existing national and state policies was undertaken and a LAF has been prepared for the entire program. The section below provides details of the various national and state level legislations studied and their applicability within this framework. This LAP is prepared based on the review and analysis of all applicable legal and policy frameworks of the country and ADB policy requirements. A summary of applicable acts and policies is presented in the following paragraphs and the detailed policy analysis is provided in the LAF.

B. Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCT in LARR), 2013

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

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

65. Section 27 of the Act defines the method by which market value of the land shall be computed under the proposed law. Schedule I outlines the proposed minimum compensation based on a multiple of market value. Section 31 of the Act specifies rehabilitation and resettlement award for the affected families and the entitlements are defined in the Schedule II and III. Under Schedule II various R&R assistance like house construction allowance, land development assistance, option for annuity and employment, subsistence grant, transport allowance etc. are made and under Schedule III it specifies various infrastructural facilities and basis minimum amenities to be provided at new resettlement site in case of project based relocation.

C. The Madhya Pradesh Pipeline Act, 2013

66. The Madhya Pradesh Bhumigat Pipeline, Cable Avam Duct (Bhumi ki Upyokta ke Adhikaron Ka Arjan) Adhinyam, 2012 (No. 5 of 2013) known as The Madhya Pradesh Pipeline Act, 2013 empowers State Govt for temporary acquisition of right of user in private land to lay

the underground pipeline, cable or duct. Government acquires user right by paying compensation for loss of crop income, compensation of trees and other losses from the land for the period of laying of underground pipeline, cable or duct. In addition, compensation shall be payable at the rate of fifteen percent of market value of that land on the date of publication of the declaration under sub-section (1) of section 4 of the Act. As per the Act, if the laying of underground pipeline, cable or duct is not completed within the stipulated period by the State Government or the Corporation, as the case may be, it shall be liable to pay the loss for such additional period which was taken beyond the stipulated period and also be liable for additional payment at the rate of five percent of the market value of that land. After laying the underground pipeline, cable or duct, the land shall be leveled and restored as good as before, by the user agency and the possession of land shall be handed over to the occupier as per the Act.

D. Madhya Pradesh Consent Land Purchase Policy

67. The Madhya Pradesh Government Order No. F 12-2 / 2014 / 07 / 2A Dated 12.11.2014 regarding the 'Consent Land Purchase Policy' is applicable where there is a need to acquire Private Land for construction of permanent structures for the project. A lump sum compensation / grant / consideration amount is being given to the affected household and his private properties are purchased by the Government with the mutual consent of the affected person or affected household.

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

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

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

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

F. Comparison of Government and ADB Policies

71. 'The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013', which has integrated provisions of National Rehabilitation and Resettlement Policy (2007) with that of The Land Acquisition Act (LAA) of 1894 (as amended in 1984), recognizes titleholders and non-titleholders affected by land acquisition. Whereby, squatters and encroachers are excluded from the purview of the act.

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

73. The RFCT in LARR Act - 2013 decrease significantly the gaps between the LA Act 1894 and ADB's SPS. In particular, the Act would require social impact assessments for projects involving land acquisition. The Act also expands compensation coverage of the principal act by requiring that the value of structure, trees, plants, or standing crops damaged must also be included and the solatium being 100 percent of all amounts inclusive. The Act furthermore meets ADB requirement of all compensation to be paid prior to project taking possession of any land and provision of R&R support including subsistence grant and transportation cost.

74. Permanent land acquisition under the project shall be executed as per the Government of Madhya Pradesh's land purchasing policy by directly purchase of land with mutual consent and negotiated price.

75. The compensation for temporary use of land is covered and well addressed by the Madhya Pradesh Pipeline, Cable and Duct Act. Under the Act, full compensation for non-land assets such as tree, crops, and structures will be paid. In addition to the compensation for non-land assets, 15% of market value of land will also be paid to the landowners as one-time compensation for future use of the Row during maintenance. However, any loss during the maintenance period will also be compensated.

76. Adoption of the below principles for the project has ensured that both are covered in their application to this project.

G. R&R Policy Principles for the Subproject

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

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks if any. Determine the scope of resettlement planning through a survey and / or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks. Measures to avoid and minimize involuntary resettlement impacts include the following: (i) explore alternative alignments or locations which are less impacting, (ii) ensure the appropriate technology is used to reduce land requirements, (iii) modify the designs, cross sections, and geometrics of components to minimize the ROW and ensure involuntary resettlement is avoided or minimized.
- (ii) Carry out meaningful consultations with displaced persons, host communities, and concerned non-government organizations. Inform all displaced persons of

their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of displaced persons. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.

- (iii) Improve, or at least restore, the livelihoods of all displaced persons through; (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement cost for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement⁵ to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for all compensation, relocation and rehabilitation measures, except land.
- (viii) Prepare a resettlement plan/LAP elaborating on the entitlements of displaced persons, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule. This resettlement plan/LAP will be approved by ADB prior to contract award.

⁵ ADB SPS 2009 (Safeguards Requirements 2) does not apply to negotiated settlements. The policy encourages acquisition of land and other assets through a negotiated settlement wherever possible, based on meaningful consultation with affected persons, including those without title to assets. A negotiated settlement will offer adequate and fair price for land and/or other assets. Also, an independent external party will be engaged to document the negotiation and settlement processes. In cases where the failure of negotiations would result in expropriation through eminent domain or the buyer could acquire the property regardless of its owner's decision to sell it or not, will trigger ADB's involuntary resettlement policy. The Safeguard Requirements 2 will apply in such cases, including preparing a resettlement plan.

- (ix) Disclose a draft resettlement plan/LAP, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan/LAP and its updates to displaced persons and other stakeholders.
- (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement if any. Implement the resettlement plan/LAP under close supervision throughout project implementation.
- (xii) Monitor and assess resettlement outcomes, their impacts on the standard of living of displaced persons, and whether the objectives of the resettlement plan/LAP have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.
- (xiii) For temporary use of land under the subproject, compensation and assistance will be paid to the DPs as per the provisions of Madhya Pradesh Pipeline Act 2012.
- (xiv) Permanent land acquisition under the subproject will be carried out as per the provisions of "Consent Land Purchase Policy" vide GOMP order dated 12.11.2014 in which the required land is purchased by the Government with the Mutual Consent of the DPs. In case of failure of negotiations⁶ land will be acquired through RFCTLARR Act-2013.

H. Valuation of Assets

78. Land surveys for determining the payment of compensation would be conducted on the basis of updated official records and ground facts. The land records containing information like legal title, and classification of land will be updated expeditiously for ensuring adequate cost compensation and allotment of land to the entitled displaced persons. In cases of areas, where official land records don't exist, formal land/property boundaries of private property owned by the tribal households can be determined through the process of community consultation and discussion with village head and village council members. Based on such information, land can be classified and land record can be updated and compensation assessment can be made. Records as they are on the cut-off date will be taken into consideration while determining the current use of land. The uneconomic residual land remaining after land acquisition will be acquired as per the provisions of RFCT in LARR Act, 2013. The owner of such land/property will have the right to seek acquisition of his entire contiguous holding/ property provided the residual land is less than the average land holding of the District.

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

79. The methodology for verifying the replacement cost for each type of loss will be as per the provision made in the RFCT in LARR Act -2013. But before going into lengthy and time taking procedure of LAQ it is advisable to negotiate with owner of the required land to sell his land to the Concerned Government Department following the principle of "Consent Land Purchase Policy" vide GOMP Circular dated 12.11.2014. In case of failure of negotiations, the required land will to be acquired by RFCTLARR Act 2013.

1. Valuation of Land

80. The District Collector/Deputy Commissioner shall determine the market value of the land with assessment of (a) the market value, if any, specified in the Indian Stamp Act, 1899 for the registration of sale deeds or agreements to sell, as the case may be, in the area, where the land is situated; or (b) the average sale price for similar type of land situated in the nearest village or nearest vicinity area; or (c) consented amount of compensation as agreed upon, whichever is higher.

81. Where the market value as per above section (1) cannot be determined for the reason that: (a) the land is situated in such area where the transactions in land are restricted by or under any other law for the time being in force in that area; or(b) the registered sale deeds or agreements to sell for similar land are not available for the immediately preceding three years; or(c) the market value has not been specified under the Indian Stamp Act, 1899; the appropriate authority, the State Government concerned shall specify the floor price or minimum price per unit area of the said land based on the Price calculated in the manner specified in the above section (1) in respect of similar types of land situated in the immediate adjoining areas.

82. The market value calculated as per above section (1) shall be multiplied by a factor of (a) 1 (one) to 2 (two) in rural areas based on the distance of project from Urban Area as notified by the Government of Madhya Pradesh; and (b) one in urban areas.

83. Solatium is an approach to ensure that people will receive compensation in market value, which is normally higher than the replacement costs. The solatium amount is equivalent to 100% of the market value calculated on the basis of above (1 or 2) x 3.

Hence:

The cost of land in rural areas = $X + 100\%$ of X ,

The cost of land in urban areas = $X + 100\%$ of X

Where X = Market Value as determined above x 1 to 2.

2. Valuation of Building and Structure

84. The District Collector/Deputy Commissioner in determining the market value of the building and other immovable property or assets attached to the land or building which are to be acquired shall use the services of a competent engineer or any other Specialist in the relevant field, as may be considered necessary by him. The cost of buildings will be estimated based on updated Basic Schedule of Rates (BSR) as on date without depreciation. Solatium of 100% will be added to the estimated market value of the structure as per the provision of RFCT in LARR Act 2013. For valuation of structure/building following parameters should be taken into account:

- (i) From where they used to buy materials
- (ii) Type of shops (Private or State-owned)
- (iii) Distance to be traveled

- (iv) Sources (local or foreign) and the cost of various materials
- (v) Who will build the structures (owner or contractor) and whether they will use the hired labor or their own labor (cost of labor will be considered);
- (vi) Obtaining cost estimates by meeting at least three contractors/suppliers in order to identify cost of materials and labor
- (vii) Identifying the cost of different types of houses of different categories and compare the same with district level prices.

3. Valuation of Trees

85. Compensation for trees will be based on their full replacement cost. The District Collector/Deputy Commissioner for the purpose of determining the market value of trees and plants attached to the land acquired, use the services of experienced persons in the field of agriculture, forestry, Horticulture, Sericulture, or any other field, as may be considered necessary by him.

86. Even after payment of compensation, DPs would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for the same. In case of any structures not removed by the DPs in stipulated 60 days period, a notice to that effect will be issued intimating that DPs can take away the materials so salvaged within 48 hours of their demolition; otherwise, the same will be disposed by the project authority without giving any further notice.

87. Trees standing on the land owned by the Government will be disposed of through open auction by the concerned Revenue Department/ Forest Department. DPs will be provided with an advance notice of three months prior to relocation. Further, all compensation and assistance will be paid to DPs at least 60 days prior to displacement or dispossession of assets.

88. For temporary impact on land and common resources, any land required by the project on a temporary basis will be compensated in consultation with land owners and will be restored to previous or better quality. Implementation issues can be found in the Entitlement Matrix.

VIII. ENTITLEMENTS, ASSISTANCE AND BENEFITS

A. Introduction

89. The subproject will have only titleholders APs and will experience two types of impacts: (i) permanent loss of agricultural land due for outlet chambers and (ii) temporary impacts on land for pipelines. However, there will not be any physical displacement under the subproject. This section deals with the entitlement provisions as per anticipated impacts.

B. Cut-off-Date for Entitlement

90. In case of land acquisition, the date of publication of preliminary notification for acquisition under section 11 of the RFCT in LARR Act – 2013 will be treated as the cut-off date. For non-titleholders, the cut-off date will be the end of the census survey which is 16th December 2016. The cut-off date for non-titleholders will be officially declared by the IA along with the disclosure of LAP and additionally notified in the project area through newspaper and communicated to DPs during consultation. They, however, will be given sufficient advance notice, requested to vacate premises and dismantle affected structures prior to subproject implementation. Their dismantled structures materials will not be confiscated and they will not pay any fine or suffer any sanction.

C. Subproject Entitlement

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

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

D. Loss of land

92. Loss of land will be compensated at replacement cost plus refund of transaction cost (including land registration cost, and stamp duties) incurred for purchase of replacement land. If the residual plot(s) is (are) not viable, i.e., the DP becomes a marginal farmer, three options are to be given to the DP, subject to his acceptance which are (i) The DP remains on the plot, and the compensation and assistance paid to the tune of required amount of land to be acquired, (ii) Compensation and assistance are to be provided for the entire plot including residual part, if the owner of such land wishes that his residual plot should also be acquired by the executing agency, the executing agency will acquire the residual plot and pay the compensation for it and (iii) If the DP is from vulnerable group, compensation for the entire land by means of land for land will be provided if AP wishes so, provided that land of equal productive value is available.

The replacement of land option will be considered by the District Collector while acquiring land wherever feasible alternate land is available. All fees, stamp duties, taxes and other charges, as applicable under the relevant laws, incurred in the relocation and rehabilitation process, are to be borne by MPWRD.

93. The compensation measures suggested in this land acquisition (resettlement) plan based on the LARR Act -2013, which includes, market value, solatium, transition cost, interest in case of delay along with other assistance items aligns with the criteria of replacement cost of the assets.

E. Loss of Structures

94. Loss of Structures will be compensated at replacement value with other assistance to both titleholders and non-titleholders. The details of entitlement will be as:

- (a) Compensation for structure at the replacement cost to be calculated as per latest prevailing basic schedules of rates (BSR) without depreciation.

F. Loss of livelihood due to loss of primary source of income

95. Loss of livelihood if any will be compensated through rehabilitation assistances. There are various categories of entitled persons under this category which are (i) titleholders losing income through business, (ii) titleholders losing income through agriculture, (iii) non-titleholders losing primary source of income. Details of entitlements for the above categories are described below:-

- (a) Skill up-gradation training to DPs opted for (one member of the affected family) income restoration.
- (b) Preference in employment under the project during construction and implementation.

G. Loss of trees and crops

96. Loss of trees and crops will be compensated by cash compensation. The entitlements to the DPs losing trees and crops will be:

- (a) Advance notice to harvest crops, fruits, and timbers.
- (b) Compensation for standing crops in case of such loss, based on an annual crop cycle at market value
- (c) Compensation for trees based on timber value at market price, and compensation for perennial crops and fruit trees at annual net product market value multiplied by remaining productive years; to be determined in consultation with the Forest Department for timber trees and the Horticulture Department for other trees/crops.

H. Additional assistance to vulnerable households

97. Vulnerable households include BPL, SC, ST, WHH, disabled, elderly and non-titleholders will be paid with special assistance as detailed below.

- (a) One time lump sum assistance of ₹25,000 to vulnerable households. This will be paid above and over the other.
- (b) Receive preference in income restoration training program under the project.
- (c) Preference in employment under the project during construction and implementation.
- (a) Access to basic utilities and public services.

I. Loss of community infrastructure/common property resources

98. This will be compensated either by cash compensation at replacement cost to the community (registered trust, society or village committee as appropriate) or reconstruction of the community structure in consultation with the affected community.

J. Temporary Impacts

99. Temporary impacts on agricultural land due to plant site for contractor, etc. will be eligible for cash compensation for loss of income potential including:

- (b) Any land required by the Project on a temporary basis will be compensated in consultation with the landholders.
- (c) Rent at market value for the period of occupation
- (d) Compensation for assets at replacement cost
- (e) Restoration of land to previous or better quality
- (f) Location of construction camps will be fixed by contractors in consultation with Government and local community.
- (g) 60 days advance notice regarding construction activities, including duration and type of temporary loss of livelihood.
- (h) Cash assistance based on the minimum wage/average earnings per month for the loss of income/livelihood for the period of disruption, and contractor's actions to ensure there is no income/access loss.
- (i) Any unanticipated impacts due to the subproject will be documented during the implementation phase and mitigated based on provision made in the Entitlement Matrix of this resettlement plan/LAP.

K. Entitlement Matrix

100. An Entitlement Matrix has been developed, that summarizes the types of losses and the corresponding nature and scope of entitlements; and in compliance with National Laws and ADB SPS-2009 (refer to Table 32). All compensation and other assistances⁷ will be paid to all DPs prior to physical or economic displacement. After payment of compensation, DPs would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for the same. The cost of salvaged materials will not be deducted from the overall compensation amount due to the DPs. A notice to that effect will be issued intimating that DPs can take away the materials.

⁷ While compensation is required prior to dispossession or displacement of affected people from their assets, the full resettlement plan implementation, which may require income rehabilitation measures, might be completed only over a longer period of time after civil works have begun. Displaced people will be provided with certain resettlement entitlements, such as land and asset compensation and transfer allowances, prior to their displacement, dispossession, or restricted access.

Table 17: Entitlement Matrix

S.N.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issue	Responsible Agency
Land						
1-a	Loss of private land	Agricultural land ⁸ , homestead land or vacant plot	Legal titleholders/ Family with traditional titleholders ⁹	<ul style="list-style-type: none"> • Compensation at replacement cost or land-for-land where feasible.¹⁰If land-for-land is offered, titles will be in the name of original landowners. • One time Resettlement allowance¹¹ of ₹50,000 per affected family¹² • Each affected family shall be eligible for choosing one time assistance option from: (i) Where jobs are created through the project, employment for at least one member of the affected family with suitable training and skill development in the required field; or (ii) One-time payment of ₹500,000 per affected family. • Displaced families¹³belong to 	<ul style="list-style-type: none"> • Compensation accounts for all taxes and fees, and does not account for any depreciation. • Vulnerable households will be identified during the census. • Re-titling to be completed prior to project completion • For option of choosing job created through project, job will be paid at living wage and monitored by CSC. 	District Collector/Deputy Commissioner shall determine the market value of the land and multiply by the factors and add 100% solatium as specified in LARR Act. PIU will ensure provision of notice. PIU will verify the extent of impacts through a 100% survey of APs, determine assistance, and identify vulnerable households.

⁸ The LARR, 2013 Act says no irrigated multi cropped land shall be acquired under this Act, except in exceptional circumstances, as a demonstrable last resort. Wherever such land is acquired, an equivalent area of cultivable wasteland shall be developed for agricultural purposes or an amount equivalent to the value of land acquired shall be deposited with the appropriate Government for investment in agriculture for enhancing food-security. Such costing shall also reflect while preparing Resettlement Budget.

⁹ Traditional land rights refer to households with customary rights to land, and shall be treated equivalent to titleholders. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 defines "Forest Dwelling Scheduled Tribes" as the members or community of the Scheduled Tribes who primarily reside in and who depend on the forests and forest lands for bona fide livelihood needs and includes the Scheduled Tribe pastoralist communities. The act provides right to in situ rehabilitation including alternative land in cases where the Scheduled Tribes and other traditional forest dwellers have been illegally evicted or displaced from forest land of any description without receiving their legal entitlement or rehabilitation prior to the 13th of December 2005.

¹⁰ Including option for compensation for non-viable residual portions.

¹¹ The LARR Act–2013 specifies that each affected family shall be given one time Resettlement Allowance of Rs.50,000/- only.

¹² 'Family' includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on him. Widows, divorcees and women deserted by families shall be considered separate family. An adult of either gender with or without spouse or children or dependents shall be considered as a separate family – as defined under LARR Act–2013.

S.N.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issue	Responsible Agency
				<p>Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time Rs. 50,000 as subsistence allowance.</p> <ul style="list-style-type: none"> • Additional assistance to Vulnerable Households 		
1-b	Loss of private land	Agricultural land, homestead land or vacant plot	Tenants and leaseholders (whether having written tenancy/lease documents or not / Sharecroppers	<ul style="list-style-type: none"> • Compensation for rental deposit or unexpired lease (such amount will be deducted from the compensation of land owners). • Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time ₹50,000 as subsistence allowance • Additional assistance to Vulnerable Households 	<ul style="list-style-type: none"> • Land owners will reimburse tenants and leaseholders land rental deposit or unexpired lease • Vulnerable households will be identified during the census. 	PIU will confirm land rental and ensure tenants and leaseholders receive reimbursement for land rental deposit or unexpired lease, and report to PIU. PIU will ensure provision of notice.
2-a	Loss of Government land	Vacant plot, Agricultural land, homestead land	Leaseholders	<ul style="list-style-type: none"> • Compensation for rental deposit or unexpired lease (such amount will be deducted from the compensation of the lessee). • Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time ₹50,000 as subsistence allowance. • Additional assistance to Vulnerable Households 	<ul style="list-style-type: none"> • Vulnerable households will be identified during the census. 	PIU will ensure provision of notice and identify vulnerable households.
2-b	Loss of	Vacant plot,	Non-Title	<ul style="list-style-type: none"> • At least 60 days 	<ul style="list-style-type: none"> • As per ADB 	PIU will ensure

¹³Displaced family" as defined by the LARR Act–2013, means any family, who on account of acquisition of land has to be relocated and resettled from the affected area to the resettlement area. According to ADB SPS-2009, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. Thus, under this RF, the subsistence allowance is applicable for all affected families losing land irrespective of their nature of physical or economic displacement.

S.N.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issue	Responsible Agency
	Government land	Agricultural land, homestead land, RoW of road	Holders/Squatters ¹⁴ , Encroachers ¹⁵	<p>advance notice to shift from occupied land.</p> <ul style="list-style-type: none"> • Notice to harvest standing seasonal crops and compensation. • Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time ₹50,000 as subsistence allowance • Additional assistance as Vulnerable Households 	SPS-2009, all NTH are considered as vulnerable households.	provision of notice. PIU will identify vulnerable households.
Residential Structures¹⁶						
3-a	Loss of residential structure	Residential structure and other assets ¹⁷	<p>Legal titleholders</p> <p>Family with traditional land right</p>	<p>Each affected family shall be eligible for choosing one time assistance option from:</p> <p>(i) Replacement cost of the structure and other assets (or part of the structure and other assets, if remainder is viable) without depreciation; or</p> <p>(ii) In Rural area, the displaced family will be provided with the option of constructed house as per Indira Awaas Yojana specifications in lieu of cash</p>	<ul style="list-style-type: none"> • Compensation accounts for all taxes and fees, and does not account for any depreciation. • Vulnerable households will be identified during the census. • Wherevers DPs opt for self-construction, land and structures will be compensated at replacement cost • Assessment of viability of remaining structure will be made in consultation 	District Collector/Deputy Commissioner shall determine the market value of the structure and add 100% solatium as specified in LARR Act. Valuation committee will verify replacement value. PIU will verify the extent of impacts through a 100% survey of AHs determine assistance, verify and identify vulnerable households.

¹⁴Squatters are those who have no recognizable rights on the land that they are occupying.

¹⁵ Encroachers are those who build a structure which is in whole or is part of an adjacent property to which he/she has no title.

¹⁶Some of the entitlements under section are the same as previous rows as it is structured separately for each affected category and should not be duplicated in reading

¹⁷ Other assets include, but is not limited to walls, fences, sheds, wells, etc.

S.N.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issue	Responsible Agency
				<p>compensation;</p> <p>(iii) In Urban area, the displaced family will be provided with the option of constructed house of minimum 50 sq. m. plinth area in lieu of cash compensation.</p> <ul style="list-style-type: none"> • Fees, taxes, and other charges related to replacement structure. • Right to salvage materials from structure and other assets with no deductions from replacement value. • One-time Resettlement allowance of ₹50,000 per affected household • One time financial assistance of ₹25,000 to the families losing cattle sheds for reconstruction • All displaced families will receive one time shifting assistance of ₹50,000 towards transport costs etc. • Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time ₹50,000 as subsistence allowance. • Additional assistance to Vulnerable Households 	with DPs	
3-b	Loss of residential structure	Residential structure and other assets	Tenants and leaseholders	<ul style="list-style-type: none"> • Replacement cost of part/whole of structure constructed by the tenant/leaseholder 	Land/structure owners will reimburse tenants and leaseholders	Valuation committee will verify replacement value. PIU will

S.N.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issue	Responsible Agency
				<p>without depreciation, and this will be deducted from the compensation amount of the owner.</p> <ul style="list-style-type: none"> • Compensation for rental deposit or unexpired lease. • Right to salvage materials (of the portion constructed by tenants or leaseholders) from structure and other assets • One time Resettlement allowance of ₹50,000 per affected family • One time financial assistance of ₹25,000 to the families losing cattle sheds for reconstruction. • All displaced families will receive one time Shifting assistance of ₹50,000 towards transport costs etc. • Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time ₹50,000 as subsistence allowance. • Additional assistance to Vulnerable Households 	<p>rental deposit or unexpired lease.</p> <p>Vulnerable households will be identified during the census.</p>	<p>verify the extent of impacts through a 100% surveys of AHs determine assistance, verify and identify vulnerable households.</p>
3-c	Loss of residential structure	Residential structure and other assets	Non-Title Holders/ Squatters, Encroachers	<ul style="list-style-type: none"> • Replacement cost of structure constructed by the squatter without depreciation • Right to salvage materials from structure and other assets • One time Resettlement allowance of ₹50,000 	<p>Vulnerable households will be identified during the census.</p>	<p>PIU will verify the extent of impacts through a 100% survey of AHs determine assistance, verify and identify vulnerable households.</p>

S.N.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issue	Responsible Agency
				per affected family <ul style="list-style-type: none"> All displaced families will receive one time shifting assistance of ₹50,000 towards transport costs etc. Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time ₹50,000 as subsistence allowance. Additional assistance to Vulnerable Households 		
Commercial Structures						
4-a	Loss of commercial structure	Commercial structure and other assets	Legal titleholders Family with traditional land right	<ul style="list-style-type: none"> Replacement cost of the structure and other assets (or part of the structure and other assets, if remainder is viable) without depreciation Fees, taxes, and other charges related to replacement structure. Right to salvage materials from structure and other assets with no deductions from replacement value. One time Resettlement allowance of ₹50,000 per affected family One time financial assistance of ₹25,000 to the families losing shop for reconstruction of shop. All physically displaced families will receive one time shifting assistance of ₹50,000 towards transport costs etc. Displaced families 	<ul style="list-style-type: none"> Compensation accounts for all taxes and fees, and does not account for any depreciation. Vulnerable households will be identified during the census. 	Valuation committee will determine replacement value. PIU will verify the extent of impacts through a 100% survey of AHs determine assistance, verify and identify vulnerable households.

S.N.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issue	Responsible Agency
				<p>belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time ₹50,000 as subsistence allowance.</p> <ul style="list-style-type: none"> • Additional assistance to Vulnerable Households 		
4-b	Loss of commercial structure	Commercial structure and other assets	Tenants and leaseholders	<ul style="list-style-type: none"> • Replacement cost of part/whole of structure constructed by the tenant/leaseholder without depreciation, and this will be deducted from the compensation amount of the owner. • Compensation for rental deposit or unexpired lease. • Right to salvage materials (of the portion constructed by tenants or leaseholders) from structure and other assets • One time Resettlement allowance of ₹50,000 per affected family • All displaced families will receive one time shifting assistance of ₹50,000 towards transport costs etc. • Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time ₹50,000 as subsistence allowance. • Additional assistance to Vulnerable Households 	<p>Land/structure owners will reimburse tenants and leaseholders land rental deposit or unexpired lease.</p> <p>Vulnerable households will be identified during the census.</p>	Valuation committee will determine replacement value. PIU will verify the extent of impacts through a 100% survey of AHs determine assistance, verify and identify vulnerable households.
4-c	Loss of commercial	Commercial structure	Non-Title Holders/Squatters,	<ul style="list-style-type: none"> • Replacement cost of structure constructed 	Vulnerable households will	PIU will verify the extent of

S.N.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issue	Responsible Agency
	structure	and other assets	Encroacher	<p>by the squatter without depreciation</p> <ul style="list-style-type: none"> • Right to salvage materials from structure and other assets • One time Resettlement allowance of ₹50,000 per affected family • All displaced families will receive one time shifting assistance of ₹50,000 towards transport costs etc. • Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time ₹50,000 as subsistence allowance. • Additional assistance to Vulnerable Households 	be identified during the census.	impacts through a 100% surveys of AHs determine assistance, verify and identify vulnerable households.
Livelihood						
5	Loss of livelihood	Livelihood	<p>Legal titleholder losing business/commercial establishment</p> <p>Family with traditional land right</p> <p>Commercial tenant</p> <p>Commercial leaseholder</p> <p>Employee in commercial establishment</p> <p>Agricultural laborer (long term)</p> <p>Artisans</p> <p>Squatters</p>	<ul style="list-style-type: none"> • One time financial assistance of minimum ₹25,000. • Skill up-gradation training to APs opted for (one member of the affected family) income restoration. • Preference in employment under the project during construction and implementation. • Monthly Subsistence allowance of ₹3,000 for one year (total ₹36,000) from the date of award • Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional 	Vulnerable households will be identified during the census.	<p>PIU will verify the extent of impacts through a 100% survey of AHs determine assistance, verify and identify vulnerable households.</p> <p>For Agricultural laborer (long timer) Only those who are in fulltime / permanent employment of the land owner will be eligible for this assistance. Seasonal agricultural laborers will not</p>

S.N.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issue	Responsible Agency
				one-time ₹50,000 as subsistence allowance. • Additional assistance to Vulnerable Households		be entitled for this assistance.
Trees and Crops						
6	Loss of trees and crops	Standing trees and crops	Legal titleholder Family with traditional land right Agricultural tenant/leaseholder Sharecroppers Non-Title Holders Squatter	<ul style="list-style-type: none"> • Advance notice to harvest crops, fruits, and timbers. • Compensation for standing crops in case of such loss, based on an annual crop cycle at market value • Compensation for trees based on timber value at market price, and compensation for perennial crops and fruit trees at annual net product market value multiplied by remaining productive years; to be determined in consultation with the Forest Department for timber trees and the Horticulture Department for other trees/crops. 	<ul style="list-style-type: none"> • Harvesting prior to acquisition will be accommodated to the extent possible • Work schedules will avoid harvest season. • Seasonal crops will be given at least 60-day notice. If notice cannot be given, compensation for standing crops will be compensated at market value. • Market value of trees/crops has to be determined. 	PIU will ensure provision of notice. Valuation Committee will undertake valuation of standing crops, perennial crops and trees, and finalize compensation rates in consultation with APs.
Vulnerable						
7	Impacts on vulnerable APs	All impacts	Vulnerable APs	<ul style="list-style-type: none"> • One time lump sum assistance of ₹25,000 to vulnerable households. This will be paid above and over the other assistance provided in items 1-a, 1-b, 2-a, 2-b, 3-a, 3-b, 3-c, 4-a, 4-b, 4-c, and 5. • Receive preferential in income restoration training program under 	Vulnerable households will be identified during the census and implementation of project.	PIU will verify the extent of impacts through a 100% surveys of AHs determine assistance, verify and identify vulnerable households. The PIU with support from the

S.N.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issue	Responsible Agency
				<p>the project.</p> <ul style="list-style-type: none"> • Preference in employment under the project during construction and implementation. • Access to basic utilities and public services 		<p>CSC and NGO¹⁸ will conduct a training need assessment in consultations with the displaced persons so as to develop appropriate income restoration schemes.</p> <p>Suitable trainers or local resources will be identified by PIU and NGO in consultation with local training institutes.</p>
Temporary Loss						
8	Temporary loss of land ¹⁹	Land temporarily required for sub-project construction	Legal titleholders Family with traditional land right	<ul style="list-style-type: none"> • Any land required by the Project on a temporary basis will be compensated in consultation with the landholders. • Rent at market value for the period of occupation • Compensation for assets at replacement cost • Restoration of land to previous or better quality²⁰. • Location of construction camps will be fixed by contractors in consultation with Government and local 	<p>Assessment of impacts if any on structures, assets, crops and trees due to temporary occupation.</p> <p>Site restoration.</p>	<p>Valuation Committee will determine rental value and duration of construction survey and consultation with APs. PIU will ensure compensation is paid prior to site being taken-over by contractor. Contractor will be responsible for site restoration.</p>

¹⁸ When suitable NGO is not available, the PIU will be staffed with qualified and experienced social workers to assist the IA in LAP implementation

¹⁹ Temporary possession of land for project purpose can be taken only for three years from the date of commencement of such possession/occupation.

²⁰ If the land has become permanently unfit to be used for the purpose for which it was used immediately before the commencement of such term, and if the persons interested shall so require, the appropriate Government shall proceed under the Act to acquire the land as if it was needed permanently for a public purpose.

S.N.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issue	Responsible Agency
				community.		
9	Temporary disruption of livelihood	Legal titleholders, non-titled APs	<ul style="list-style-type: none"> 60 days advance notice regarding construction activities, including duration and type of disruption. Cash assistance based on the minimum wage/average earnings per month for the loss of income/livelihood for the period of disruption, and contractor's actions to ensure there is no income/access loss consistent with the EMP.²¹ <p>Assistance to mobile vendors/hawkers to temporarily shift for continued economic activity.²²</p>	<ul style="list-style-type: none"> Identification of alternative temporary sites to continue economic activity. 	Valuation Committee will determine income lost. Contractors will perform actions to minimize income/access loss.	
Common Resources						
10	Loss and temporary impacts on common resources	Common resources	<ul style="list-style-type: none"> Communities 	<ul style="list-style-type: none"> Replacement or restoration of the affected community facilities – including public water stand posts, public utility posts, temples, shrines, etc. 	Follow ADB SPS	PIU and Contractor.
Other						
11	Any other loss not identified		<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> Unanticipated involuntary impacts will be documented during the implementation 	PIU will finalize the entitlements in line with ADB's SPS, 2009.	

²¹ This includes: leaving spaces for access between mounds of soil, providing walkways and metal sheets to maintain access across trenches for people and vehicles where required, increased workforces to finish work in areas with impacts on access, timing of works to reduce disruption during business hours, phased construction schedule and working one segment at a time and one side of the road at a time.

²²For example assistance to shift to the other side of the road where there is no construction.

S.N.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issue	Responsible Agency
				phase and mitigated based on provision made in the RF.		

IX. RELOCATION, INCOME RESTORATION AND REHABILITATION

A. Basic Provision for Relocation and Rehabilitation

101. As mentioned earlier, the Project impact will be limited to insignificant loss of permanent agricultural land and temporary loss of agricultural land. All permanent land acquisition will be done through consent and compensation will be paid on negotiated price. Since there will not be compulsory acquisition and payment will be on negotiated price, no further R&R provision of entitlement matrix shall apply for the Project. However, in case the negotiation fails and the land is acquired compulsorily, the provisions of entitlement matrix will apply.

102. For temporary loss of agricultural land for the period of construction, DPs will be given compensation for one crop loss along with 15% of the cost of the land as per prevailing market value of the land. After the construction part is over he can start his farming work once again. There will not be any permanent loss of their income or livelihood. Even temporary loss of livelihood will be avoided by scheduling the construction work during non-cropping season.

X. LAND ACQUISITION BUDGET AND FINANCING PLAN

A. Introduction

103. The LAP cost estimate for this subproject includes compensation for loss of land, loss of structures, loss of trees and crops as per the impacts and eligibilities.

B. Compensation for Private Assets

104. Private Land: For the purpose of cost estimate, the unit rate for agricultural land has been estimated on the basis of latest official rate and prevailing market value assessment during census survey. However, the actual compensation for land at replacement cost will be determined by the Land Valuation Committee headed by District Collector as prescribed in the RF.

105. Private Structure: The compensation for private structures of various categories are estimated by collecting its latest BSR rates without depreciation.

106. Private Trees: For cost estimate in the resettlement plan/LAP for affected private trees enumerated during the census survey, a lump sum rate of ₹15,000/- for fruit bearing trees and ₹3,000/- for non-fruit bearing trees has been considered based on the market assessment.

C. Compensation for Community Property Resources

107. The unit cost for community land and structures is calculated as per market value in consultation with APs. The average rate of RCC construction is ₹6,400/m² and temporary structures have been calculated at the rate of ₹1,000/m².

108. The public/government land will be transferred in the name of WRD by respective departments and therefore not included in the cost.

D. LAP Implementation and Support Cost

109. WRD will have the Social Development Officer/R&R Officers to oversee implementation of R&R activities. The implementation support cost including Hiring of R&R specialist, conducting public consultation, grievance redress cost etc. will be borne by administrative expenses of WRD. A 5% contingency has been added in order to adjust any cost escalation during subproject implementation.

E. Sources of Funding and Fund Flow Management

110. The cost related to land acquisition will be borne by MPWRD. MPWRD will ensure allocation of funds and availability of resources for smooth implementation of the subproject R&R activities. MPWRD will, in advance, initiate the process and will try to keep the approval for the R&R budget in the fiscal budget through the ministry of finance. In the case of assistance and other rehabilitation measures, if any, MPWRD either through contractor will pay the money or any other assistance as stated in the LAP. The cost estimate presented in the Table: 20 for the LAP implementation is ₹4.07 million.

Table: 18: Estimated Budget for Implementation of the LAP

Sl. No.	Item	Unit	Rate	Amount
A	Compensation for Land	in ha/₹		in Rupees
1	Compensation for Private Land (17 Outlet Chambers there has to be a concrete base of 4x5 meters)	0.032 (ha)	550,000	17,600
2	Solatium of Permanent Private Land Acquisition for 17 Outlet Chambers	17,600 (₹)	100%	17,600
	Subtotal A			35,200
B	Compensation for Crop Loss	in ha/Nos	Rupees	in Rupees
1	Compensation for temporary land acquisition and standing crops for underground pipe lines, piped canals and distribution system*	4.38 (ha)	92,000	402,960
2	In addition to the compensation of Crop Loss, 15% of the market value of that impacted land will be added as per Special Provision of Pipeline Act of GOMP 2013	4.38 (ha)	82,500	361,350
3	Compensation for standing orange orchard including cost of planting material, manures and fertilizers, Insecticides and pesticides, land leveling, cost of labor and fencing etc.	2 (Nos.)	175,000	350,000
	Subtotal B			1,114,310
C	Compensation for Structure	in Sq. mtr.	Rupees	
3	Compensation for Temporary Structure	56	1,000	56,000
4	Compensation for CPR (Structures)	140	6,400	896,000
	Subtotal C			952,000
D	Compensation for Trees & Wells	Number	Rupees	
1	Fruit Bearing Tree	8	15,000	120,000
2	Timber / Other Trees	51	3,000	153,000
3	Private Wells	5	300,000	1,500,000
	Subtotal D			1,773,000
	Total (A+B+C+D)			3,874,510
	Contingency (5%)			193,725.5
	GRAND TOTAL			4,068,235.5

XI. INSTITUTIONAL ARRANGEMENTS AND CAPACITY DEVELOPMENT

A. Institutional Requirement

111. For implementation of LAP, there will be a set of institutions involved at various levels and stages of the subproject. For successful implementation of the LAP the proposed institutional arrangement with their role and responsibility has been outlined in this section. The primary institutions, which will be involved in this implementation process, are the following:

- (a) Project Management/Implementation Unit
- (b) Land Valuation Committee (LVC)
- (c) Village Level Committee (VLC)
- (d) Grievance Redress Committee

B. Executing Agency

112. The executing agency for the Project is the Water Resources Department Madhya Pradesh. The existing Branch Office at Zeerapur Tehsil Head Quarter has already been established which will be the project implementation unit (PIU). This office will be functional for the whole Subproject duration. The executing agency will be supported by the Construction and Supervision Consultant (CSC) to ensure timely and effective implementation of RP.

C. Resettlement Management at PMU

113. PMU headed by a Project Director (PD) responsible for the overall execution of the subproject. The PD will be responsible for (i) overall implementation of R&R activities according to the LAP and equally responsible for land acquisition and R&R activities in the field; (ii) ensure availability of budget for R&R activities; (iii) liaison with district administration for support for land acquisition and implementation of R&R.

114. The PMU will appoint/depute one full-time Manager level official as the R&R Officer (RO) for the entire duration of the project implementation, with relevant experience in land acquisition and R&R issues. The PMU will maintain all databases and work closely with APs and other stakeholders. Based on regularly updated data, a central database will also be maintained by PMU.

115. The PMU officials and RO will require to enhance their capacities in R&R implementation, especially related with provisions of ADB policy and the relevant country laws.

116. The RO will work closely with the District Collector to expedite the payments of compensation for land acquisition and assistance to ADPs. The RO will be assisted by the other support staff and CSC Social Development consultant for planning and implementation of resettlement activities in the subproject. Some of the specific functions of the PMU with regards to resettlement management will include:

- (a) Overall responsibility of implementation and monitoring of R&R activities in the Project;
- (b) Ensure availability of budget for R&R activities;
- (c) Liaison lined agencies support implementation of R&R;
- (d) Coordinating with line Departments.
- (e) Translation of LAP in local language;

- (f) Liaison with district administration for dovetailing government's income generating and developmental programs for the DPs;
- (g) Ensure the inclusion of those DPs who may have not been covered during the census survey;
- (h) facilitate the opening of accounts in local banks to transfer assistance to DPs, and organize the disbursement of cheque for assistance in the affected area in public;
- (i) Monitor physical and financial progress on land acquisition and R&R activities;
- (j) Participate in regular meetings in GRC; and
- (k) Organize monthly meetings to review the progress on R&R.

117. The roles and responsibilities of various agencies to be involved in resettlement planning process and implementation of resettlement activities are summarized in Table 36.

Table 19: Agencies Responsible for Resettlement Implementation

XII. Key Agency	XIII. Responsibility
Executing agency (MPWRD) through its PMU and assisted by CSC	<ul style="list-style-type: none"> • Make final decision on pipelines alignment to be included under the project • Overall responsibility for project design, feasibility, construction and operation and guide PIU • Ensure that sufficient funds are available to properly implement all agreed social safeguards measures • Ensure establishment of Grievance Redress Committee at the district level for grievance redress with assistance from DPR Consultant • Ensure that all subprojects comply with the provisions of ADB's SPS 2009 and GOI's policies and regulations • Review LAPs prepared by the DBO contractor and submit to ADB for Approval • Review monthly progress report from contractor on implementation of LAPs for temporary land acquisition • Submit semi-annual safeguards monitoring reports to ADB
Field level PMU	<ul style="list-style-type: none"> • Disclosure of project information in public spaces and through relevant media. • Disseminate project information to the community in coordination with local authority • Facilitate the socioeconomic survey and census carryout to prepare LAPs • Facilitate consultation by contractor with community throughout implementation • Oversee land acquisition and coordinate with Deputy Commissioner • Supervise the mitigation measures during implementation and its progress • Conduct internal monitoring and prepare report on implementation of LAP
DBO Contractor	<ul style="list-style-type: none"> • Recruit R&R staff and establish LA team/unit. The team leader should have experience in R7R preparation and implementation • Consult community and PMU regarding location

XII. Key Agency	XIII. Responsibility
	<p>of alignment and other construction facilities camps</p> <ul style="list-style-type: none"> • Prepare LAP in accordance to the LAF, and submit to PMU for approval • Sign agreement with titleholder for temporary use of land, pay compensation for temporary acquisition, and restore the land to equal or better condition upon completion • Establish systematic filling system to keep all record and documentations related with implementation of LAP especially on temporary land acquisition • Record the progress on implementation of LAP on temporary acquisition and prepare monthly/quarterly report submitted to the PMU • Commence construction only when compensations to Aps are fully paid, and alignment is free of encumbrance • Respond in a timely fashion to recommendations from GRCs
District level officials	<ul style="list-style-type: none"> • Provide any existing socioeconomic information, maps and other related information to DPR Consultant prior to the field data/information collection activities. • Act as the local focal point of information dissemination • Execute land acquisition process
Community Based Organizations	<ul style="list-style-type: none"> • Ensure the community participation at various stages of the project • Coordination with stakeholder organizations • Assist in Monitoring of the project
Village Level Committee	<ul style="list-style-type: none"> • Provide correct data and information from project formulation stage • Assist the project team in redressal of grievances and to implement the project smoothly • Arrange proper community participation
ADB	<ul style="list-style-type: none"> • Review LAF and due diligence / LAP and endorse or modify the project classification • Approve LAPs prepared by DBO contractor that

XII. Key Agency	XIII. Responsibility
	<p>are submitted by MPWRD</p> <ul style="list-style-type: none"> • Review planning documents, semi-annual LAP implementation report as Monitoring report, and disclose the draft and final reports on the ADB's website as required • Monitor implementation through review missions • Provide assistance to MPWRD of subprojects, if required, in carrying out its responsibilities and for building capacity for safeguard compliance • Monitor overall compliance of the project to ADB SPS

D. Capacity Building on Land Acquisition MPWRD

118. All concerned project staff both at head office and field level, contractor staff, involved in land acquisition and resettlement activities will undergo an orientation on ADB resettlement policy and management that should be conducted by R&R expert of CSC. Broadly, the orientation training will cover various topics such as (i) Principles and procedures of land acquisition; (ii) Public consultation and participation; (iii) Entitlements and Compensation & assistance disbursement mechanisms; Grievance redress; and (iv) Monitoring of resettlement operations.

XIV. IMPLEMENTATION SCHEDULE

119. Implementation of LAP mainly consists of compensation to be paid for compensation of affected land, structures, trees and crops. The time for implementation of LAP will be scheduled as per the overall subproject implementation as soon as possible after taking the decision to lay the pipeline. All activities related to the land acquisition and resettlement must be planned to ensure that compensation is paid prior to displacement and commencement of civil works. The EAs and PMU will ensure that no physical or economic displacement of displaced households will occur until: (i) compensation at full replacement cost has been paid to each affected person for project components or sections that are ready to be constructed; and (ii) other entitlements listed in the plan are provided to the affected persons;

120. If the detailed design and alignment for piping system for this particular 500 ha CCA is changed, an update LAP needs to be prepared in accordance of LAF, and approval for update LAP should be obtained prior making compensation payment. All LAPs submitted by the DBO contractor will be reviewed by PMU prior to submitting for approval by ADB. Public consultation, monitoring and grievance redress will be undertaken intermittently throughout the subproject duration.

XV. MONITORING AND REPORTING

121. Monitoring and reporting are critical activities in managing land acquisition and resettlement in order to effectively address problems faced by the APs and develop solutions immediately. For this particular LAP prepared for 500 ha CCA, the following monitoring activities need to be carried out: (i) monitor whether the detailed designed will be changed, if so, the update LAP should be prepared immediately by the contractor after confirmation on the detailed design; (ii) if update LAP is not required then monitoring the implementation should start simultaneously with the implementation of this LAP.

122. The scope of monitoring will cover the following important substances: (i) delivery of correct information to affected peoples; (ii) payment compensation based on the result of inventory of losses and eligibility for entitlement; and (iii) grievance handling. Aside from monitoring important substances, the PMU will also monitor the capacity of the contractor in preparing and implementing LAPs as well as the capacity in handling grievances. The PMU will monitor whether the commencement of civil work comply with the LAP requirements and also monitor contractor's compliance with ADB and Government's regulations.

123. Progress report on implementing LAP will need to be submitted by the contractor to PMU in monthly basis. The PMU with assistant of CSC will undertake field monitoring in quarterly basis. The PMU will prepare a progress report on implementation LAP based on the contractor monthly report and field monitoring as part of the project quarterly report. A standalone report on implementation overall LAPs for the Project will be prepare by PMU and submitted to ADB in semi-annual basis.

124. All LAP monitoring reports will be disclosed to APs as per procedure followed for disclosure of LAP/RP documents by MPWRD. The Project Quarterly progress report will include report on implementation LAPs. However, the stand-alone LAP monitoring report will be submitted to ADB on semi-annual basis. The ADB will disclose all reports on ADB Website.

Annexure 1: Summary of Affected Persons and Common Property Resources

MAIN PIPELINE (PIPE DIAMETER – 3 METER)

S.No.	Khasra No.	Area of Land	Name Of Khatedar	S/O Or W/O	VILLAGE	Affected Area (ha)	Affected Fruit Trees	Affected Other Trees	Affected Well
1	49/1	1.032	Balu Singh	Bheru Singh	Rajahedi	0.27		1	1 Pucca
2	49/2	0.316	Kanchan Bai	Kani ram	Rajahedi				
3	50/1	1.011	Parthi Singh	Ram singh	Rajahedi	0.39	1	1	
4	50/2	0.526	Kalu Singh	Babulal	Rajahedi				
5	50/3	0.526	Ghisa lal	Babulal	Kharpa				
6	55/1	7.793	GOVT.		Kharpa	0.34			
	55/2	2							
7	65/1/1	0.616	Ramesh	Nanda	Kharpa	0.37	Orange Garden	2	
8	65/1/2	0.616	Phool Singh	Bheru Singh	Rajahedi				
9	65/2	1.232	Narayan Singh	Rodji	Rajahedi				
10	66/1/1	0.632	Lal singh	Bheru Singh	Rajahedi				
11	66/1/2	0.633	Sultan Singh	Bheru Singh	Rajahedi	0.30		13	
12	66/2/2	0.571		Bheru Singh	Kharpa				
13	66/2/1	0.57	Chatra Bai	Poora	Raja hedi				
14	68	0.91	Prem Singh	Bhawani Singh	Rajahedi	0.25			
15	69/1	0.532	Heera lal	Hindu Singh	Kharpa	0.25			
16	69/2	0.532	Bhagwan Singh	Lal Singh	Kharpa				
17			Kamla Bai		Kharpa				
18			Geeta Bai		Kharpa				
19			Ratan Bai		Kharpa				
20	72	-	-	-	-	0.03			
21	73/1	2.311	Gyan Singh	Sujaan Singh	Limboda	0.56	1, Orange Garden	1	
22	73/2	1.25							
23	74/1	1.009	Ram Chandr	Shiv Singh	Rajahedi	0.27			
24	74/2	0.504	Narayan Singh	Rodji	Rajahedi				
25	74/3	0.505							
26	474	2.618	Bane Singh	Laxman Singh	Kharpa				
27			Manohar Singh						
28			Aamaan Bai						
Total						3.02	3	18	1

SECONDARY PIPE LINE (PIPE DIAMETER -0.35m)

S.NO.	KHASRA NO.	Area of Land	NAME OF KHATEDAAR	S/O OR W/O	VILLAGE	Affected Area (ha)		Affected Fruit Trees	Affected Other Trees	Affected Well	
						Temp	Perma- nent				
1	59/1	0.497	Hari Singh	Gulab	kharpa	0.05	0.001		1		
2	59/2	0.496	Sultan Singh	Gulab	Rajahedi						
3	59/3	0.051	Shiv Singh	Mangilal	Rajahedi						
4	60	1.291	Ratan Bai	Gulab	Rajahedi	0.06	0.001				
5	61/1	0.799	Babulal	Omkaar	Rajahedi				1		
6	61/2/1	0.379	Daryav Singh	Ramlal	Rajahedi	0.03	0.001				
7	61/2/2	0.42	Prabhu Lal	Ramlal	Rajahedi						
8	64/1/1	1.521	Bande Singh	Ghisa	kharpa	0.11	0.002				
	64/2/1										
10	64/1/2	0.425	Anaar Singh	Kaal Singh	Rajahedi						
11	64/2/2	0.425	Bhagwan Singh								
12	64/5	0.669	Hari Singh								
13	64/3	0.669	Gora bai	Bahadur Singh	kharpa						
14	64/4	0.669	Maan Singh	Gagannath	kharpa						
15	65/1/1	0.616	Ramesh	Nanada	kharpa	0.06					
16	65/1/2	0.616	Phool Singh	Bheru Singh	Rajahedi						
17	65/2	1.232	Narayan Singh	Rodji	Rajahedi						
18	71	3.096	Lal Singh	Ganga Ram	Rajahedi						
19	84	3.682	Shiv Singh	Mangilal	Rajahedi	0.10	0.003	2			
20	85/1	1.959	Babulal	Omkaar	Rajahedi	0.06					
	132/1										
21	85/2/1	1	Daryav Singh	Ramlal	Rajahedi						
	132/2/1										
22	85/2/2	0.959	Prabhu Lal	Ramlal	Rajahedi						
	132/2/2										
23	104/2	0.304	Ramratan	Bhavar lal	kharpa	0.07	0.001		8		
24			Kailash								
25			Banshilal								
26			Vijay singh								
27	107	0.591	BaalMukund	Badrilal	kharpa	0.04	0.001		2	1	
28			Laxmi Narayan								
29			Kailash chand								

30			Mangilal								
31			Shanti bai								
32	108	0.494	Shri Ram Mandir	Collector, Govt.	kharpa						
33	109/1	1.536	Braj Mohan	Ganga Ram	kharpa	0.07	0.001		1		
34	109/2/1	0.1	Ashok Kumar	Braj mohan	kharpa						
	109/3/1	0.513									
35	109/2/2	0.1	Ram babu	Shivlal	kharpa						
	109/3/2	0.516									
36	121/1	0.481	Mahendra Singh	Ramlal	Rajahedi	0.05	0.002		2		
37	121/2	1	Naurang Bai	Shiv Singh	Rajahedi						
38	123	0.947	Shri MahaDev Mandir	Collector, Govt.	kharpa						
39	124	1.037	Kalu	Behru	kharpa	0.02	0.001				
40	126/1	1.568	Kanwar lal	Ghisa	kharpa	0.09	0.001		1		
41	126/2	0.5	Jagannath	Ghisa	kharpa						
	133	2.416				0.09	0.002				
	134/2	1.043									
42	127/1/1	0.544	Mangilal	Rama	kharpa	0.05					
	135/1/1										
43	127/1/2	0.544	RamChandra	Ramlal	kharpa						
	135/1/2										
44	127/1/3	0.543	Badrilal	Ramlal	kharpa						
	135/1/3										
45	127/2	1.629	Ratan	Moti	kharpa						
	135/2										
46	134/1/1/1	0.314	Kaloo Singh	Nanada	kharpa	0.07	0.002				
47	134/1/1/2	0.25	RamChandra	Ramlal	kharpa						
48	134/1/2	0.279	Ram kala Bai	Kaalu Singh	kharpa						
49	400/1	0.162	Karan Singh	Nanoo Ram	kharpa						
50			Nao Rang Bai								
51			Gandi Bai								
52	400/2	0.162	Hari Singh	Nanoo Ram	kharpa						
53			Kanchan Bai								
54	402/1	0.4	Nanoo Bai	Bal Singh	kharpa	0.03					
55	402/2	0.292	Hari Singh	Nanoo Ram	kharpa						
	403/3	0.061									
	408/1/1/2	1.719				0.08					

56			Kanchan Bai									
57	403/1/1	0.498	Badaam Bai	Shiv puri lal	kharpa	0.03	0.001		3	1		
58			Prakask									
59			Bhagwan Singh									
60			Inder singh									
61	403/1/2	0.032	Govt.		kharpa							
62	408/1/1/1	1.72	Karan Singh	Nanoo Ram	kharpa		0.002		5			
63			Naurang Bai									
64			Gandi Bai									
65	408/1/2	2.484	Dhapoo Bai	Dev singh								
66	449/1	0.474	Sarda bai	Bapulal	kharpa							
67	449/2	0.154	Kanti Bai	Hindu Singh	kharpa							
68	453/1	0.474	Ratan Bai	Kanhaiya lal	kharpa	0.10	0.002					
69			Mahesh kumar									
70	453/2	2.248	Mangilal	Poora	kharpa			1	3			
71			Lila Bai									
72	474	2.618	Bane Singh	Laxman	kharpa	0.10	0.001					
73			Manohar Singh							3		
74			Aamaan Bai									
75	477/1/1	0.24	Ram Kanvari Bai	Poorahе Maharaj	kharpa							
76	477/1/2	1.411	Mangilal	Kaisar Singh	kharpa	0.06	0.001					
77			Roshan singh									
78			Keshalya Bai									
79			Shusheela bai									
80			Gulab Bai									
81	477/1/3	0.493	Ram Kanvari Bai	Poorahе Maharaj	kharpa							
82	477/2/1	0.121	Satya Narayan	Poor singh	kharpa							
83	477/2/2	0.122	Bheru singh	Gulab	kharpa			1				
84			Nanoo Bai									
85	481/2/1	0.073	Bhagwan Singh	Baje Singh	kharpa	0.05	0.001					
86			Jiwan Singh	Hari Singh								
87			Hari Singh	Bhavar lal								

88	483/1	0.243	Baje Singh	Bhavar lal	kharpa	0.05	0.001			
89			Hari Singh							
90			Rodi Bai							
91			Ram Kanya							
92	483/3	0.049	Bhagwan Singh	Hari Singh	kharpa					
93			Jiwan Singh							
94	490/1	0.36	Govt.		kharpa	0.01	0.002			
95	532/1	0.43	Ghissa	Poora	kharpa	0.05	0.002			
96	532/2	0.431	Bani Singh	Poora	kharpa					
97			Aiji Bai							
98	532/3	0.43	Kanvariya	Poora	kharpa					1
99	72	-	Govt. Land	Govt. Land		0.03				
100	106	-	Govt. Land	Govt. Land		0.01				
101	458	-				0.05		1	3	1
102	459	-	Govt. Land	Govt. Land		0.01				
103	444	-				0.01				
104	Missing	-	-	-	-	0.07	0.002			
	Total					1.76	0.034	5	33	4