

# Resettlement Plan

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July 2019

## IND: Rajasthan State Highway Investment Program- Tranche 2

Package 3: Losal-Salasar-Ratangarh Subproject Road

Prepared by Public Works Department, Government of Rajasthan for the Asian Development Bank.

## CURRENCY EQUIVALENTS

(as of 10 June 2019)

|               |   |                   |
|---------------|---|-------------------|
| Currency unit | – | Indian rupees (₹) |
| ₹1.00         | = | \$ 0.0144         |
| \$1.00        | = | ₹69.4071          |

## ABBREVIATIONS

|          |   |  |
|----------|---|--|
| ADB      | – | Asian Development Bank   |
| DC       | – | District Collector   |
| GOI      | – | Government of India  |
| GRC      | – | Grievance Redressal Committee  |
| IAY      | – | Indira Awaas Yojana  |
| RFCTLARR | – | The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 |
| RLAB     | – | Draft Rajasthan Land Acquisition Bill  |
| NGO      | – | Nongovernment organization   |
| PD       | – | Project Director   |
| PIU      | – | Project implementation Unit  |
| PRoW     | – | Proposed Right-of-Way  |
| SDRS     | – | Social Development and Resettlement Specialist   |
| RoW      | – | Right-of-Way   |
| SO       | – | Safeguards Officer   |
| SH       | – | State Highway  |
| SPS      | – | Safeguard Policy Statement   |
| SoR      | – | PWD Schedule of Rate   |

## NOTES

- (i) The fiscal year (FY) of the Government of India and its agencies ends on 31 March. “FY” before a calendar year denotes the year in which the fiscal year ends, e.g., FY2019 ends on 31 March 2019.
- (ii) In this report, “\$” refers to US dollars

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## EXECUTIVE SUMMARY

1. Government of Rajasthan has proposed to upgrade its road network under Rajasthan State Highway Investment Program (RSHIP) and as part of this endeavour, Public Works Department (PWD) of Rajasthan has been mandated to undertake improvement and upgradation of various State Highways and Major District Roads at different locations in Rajasthan. As part of this mandate, the Public Private Partnership (PPP) Division of Rajasthan Public Works Department has identified the roads requiring improvement that would improve the connectivity to national highways, major towns and industrial belts. The proposed investment program supports up gradation and improvement of the identified roads. Under tranche 1, 16 road projects totalling of about 1,009 kilometers (km) spread across the State of Rajasthan is under implementation. Tranche 2 will finance 11 road projects totalling of about 754.463 km spread across 14 Districts in the State of Rajasthan.

2. The PPP Division of the Public Works Department has prepared this resettlement plan for Losal-Salasar-Ratangarh of section SH-07 and SH-92 proposed under Tranche 2 for improvements under RSHIP. This resettlement plan addresses social issues arising out of acquisition of land and other assets, eviction of squatters and removal of encroachments resulting in social and / or economic displacement to households / individuals / community, either direct or indirect and is in compliance with ADB's Safeguard Policy Statement, 2009 and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. The start point of the subproject road is from Losal (Haripura Mode) at Km 0.000 and ends at Ratangarh with the existing length being 94.912 km and the design length of the project stretch is 91.995 km. The project road passes through Sikar, Nagaur and Churu district of Rajasthan and the major settlements along the project corridors are Haripura, Losal, Singrawat, Sudarsan Jagir, Mordunga, Mandoli, Shahpura, Rampura urf Dahar ka bas, Jhajhar, Jhilmil, Nechwa, Salasar, Gudawari, Shobhasar, Khudi, Malasi, Dakhawali, Kadwari, Menasar, Kushumdesar, Chhabri Khari, Bhinchari, Sangasar, Loonch, Ratangarh, and Deshrajsar. The alignment passes through plain terrain, predominantly surrounded by barren / agricultural lands. The land use along the subproject road is mainly agriculture. The existing alignment in some locations especially in built up areas has deficient geometrics.

4. The project involves acquisition of private land measuring 42.2817 ha. belonging to 198 agricultural landowners and 15 landowners having structures in their land. In addition, 31 kiosk will face temporary disruption during civil works. Further, the project will require transfer of 13.376 ha of government land. The impact to 15 private structures will cause physical displacement to 10 households, economic displacement to 2 households and impact to the remaining 3 households is non-significant.

5. The objective of this resettlement plan is to assist the affected people to improve or at least restore their living standards to the pre-project level. This resettlement plan captures the involuntary resettlement impacts arising out of the proposed improvements to the subproject road Losal-Salasar-Ratangarh section of SH-07 and SH-92 proposed under Tranche 2 of RSHIP. The document describes the magnitude of impact, mitigation measures proposed, method of valuation of land, structure and other assets, eligibility criteria for availing rehabilitation and resettlement assistances, baseline socioeconomic characteristics, entitlements based on type of loss and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring.

6. The private land required for the improvements is 42.2817 ha, comprising of 14.2233 ha of wet land and 28.0584 ha of dry land. In addition, transfer of 13.376 ha of government land is also required. The private land proposed for acquisition is mostly strips of land, with the width varying from 5-10 m, and abutting the existing road and includes the land required for bypasses and realignments. As required by law, the land acquisition plans have been prepared for implementation, including identifying the titleholders who may be properly registered, through a joint verification survey.

7. The improvements proposed will impact to 46 private structures comprising of 12 residential structures, 2 commercial structures, 1 cattle shed and 31 kiosks. No tenants or employees is affected in this subproject. Furthermore, 45 common property resources will be affected. The private land acquisition will affect 198 agricultural landowner with no structures on the land and 15 landowners with structures on the land. The subproject will affect 68 vulnerable households, comprising of 42 scheduled caste households followed by 13 below poverty line households, 9 women headed households, 3 scheduled tribe households and 1 disable headed household.

8. During the census and socioeconomic survey, 19 FGDs were conducted in villages along the subproject road Losal-Salasar-Ratangarh in settlements and sections where impacts were recorded. A total of 325 persons (including 137 females) participated in the consultation meetings. All relevant aspects of subproject design, details of land required and impact to private property were discussed with the affected communities.

9. Information will be disseminated to affected persons 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 by the PIU with assistance from the NGO hired for assisting in resettlement plan implementation. This will be done through public consultation and made available to affected persons as brochures, leaflets, or booklets, etc. in Hindi. The Hindi version of executive summary of the resettlement plan along with entitlement matrix and structure and process of GRC will also be disclosed.

10. The policy framework and entitlements for the RSHIP are based on national laws: The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013, State laws and regulations and ADB's Safeguard Policy Statement (SPS), 2009.

11. For title holders, the date of SIA notification [Sec 4(1)] of intended acquisition as per the provisions of RFCTLARR Act will be treated as the cut-off date, and for non-titleholders the start date of project census survey for the subproject will be the cut-off date.

12. An Entitlement Matrix has been developed, that summarizes the types of losses and the corresponding nature and scope of entitlements; and is in compliance with National/State Laws and ADB SPS. The matrix presents the entitlements corresponding to the tenure of the affected persons and the same has been approved and endorsed by Government of Rajasthan. The total resettlement cost for the subproject is Rs.422.66 million.

13. Grievance Redressal Committee (GRC) will be established at two-levels, one at the PIU level and another at PMU level, to receive, evaluate and facilitate the resolution of displaced persons' concerns, complaints and grievances.

14. The jurisdictional Additional Collector will be the administrator for Land Acquisition, Resettlement and Rehabilitation (LARR). The jurisdictional Additional Collector being the competent authority for land acquisition, he will also look into Resettlement and Rehabilitation and s/he will be supported by the Project Director, PIU in implementation of resettlement plan.

15. The PPP Division, PWD, Government of will be the Project Management Unit (PMU) and will be overall in charge of coordination between the four Project Implementation Units (PIU) and for social safeguards compliance. The PIU will be responsible for screening subprojects, categorization based on involuntary resettlement impacts, conducting the social assessment, preparation and implementation of resettlement plans. The PIU will supported by a resettlement plan implementation support NGO.

16. In view the significance of resettlement impacts under the facility, the monitoring mechanism for this project will have both monitoring by PIU and monitoring by an external agency / expert.



## I. PROJECT DESCRIPTION

### A. Background

1. Government of Rajasthan has proposed to upgrade its road network under Rajasthan State Highway Investment Program (RSHIP) and as part of this endeavour, Public Works Department (PWD) of Rajasthan has been mandated to undertake improvement and upgradation of various State Highways and Major District Roads at different locations in Rajasthan. As part of this mandate, the Public Private Partnership (PPP) Division of Rajasthan Public Works Department has identified the roads requiring improvement that would improve the connectivity to national highways, major towns and industrial belts. The proposed investment program supports up gradation and improvement of the identified roads and under Tranche 1, 16 road projects totalling of about 1,009 kilometers (km) spread across the State of Rajasthan is under implementation. Tranche 2 will finance 11 road projects totalling of about 754.463 km spread across 14 Districts in the State of Rajasthan. The road subprojects proposed under Tranche 2 and their packaging details is given below.

**Table 1: List of Subprojects Roads under Tranche 2**

| SNo                 | Name of Road  | Length (Km)    | District                   | Package           |
|---------------------|---|----------------|----------------------------|-------------------|
| <b>EPC Mode</b>     |   |                |                            |                   |
| 1                   | Jodhpur- Sojat Road                                       | 75.700         | Jodhpur, Pali              | ADB-II/EPC/01     |
| 2                   | Bhinmal - Pantheri Posana - Jeevana                       | 51.580         | Jalore                     |                   |
| 3                   | Bidasar - Sri Dungargarh - Kalu                           | 82.200         | Churu, Bikaner             |                   |
| 4                   | Sadulshahar - Sangaria - Chaiyan                          | 95.300         | Hanumangarh, Sriganganagar | ADB-II/EPC/02     |
| 5                   | Losal-Salasar-Ratangarh                                   | 78.603         | Nagaur, Sikar, Churu       | ADB-II/EPC/03     |
| 6                   | Siwana - Samdari - Balesar                                | 90.65          | Jodhpur, Barmer            | ADB-II/EPC/04     |
|                     | <b>Total EPC</b>  | <b>474.033</b> | 11 Districts               |                   |
| <b>Annuity Mode</b> |   |                |                            |                   |
| 7                   | Beawar-Masuda-Goyla                                       | 67.01          | Ajmer                      | ADB-II/Annuity/01 |
| 8                   | Arain- Sarwar   | 44.260         | Ajmer, Tonk                |                   |
| 9                   | NH-12 – Laxmipura – Dora – Dabi – Ranaji Ka Guda (Mining) | 49.500         | Bundi                      |                   |
| 10                  | Nasirabad-Mangliyawas-Padukalan                           | 62.960         | Ajmer, Nagaur              | ADB-II/Annuity/02 |
| 11                  | Beawar-Pisangan-Tehla-Kot-Alniyawas                       | 56.700         | Ajmer, Nagaur              |                   |
|                     | <b>Total Annuity</b>                                      | <b>280.43</b>  | 4 Districts                |                   |
|                     | <b>Grand Total</b>  | <b>754.463</b> | 14 Districts               |                   |

2. The PPP Division of the Public Works Department has prepared this resettlement plan for Losal – Salasar - Ratangarh (Highway-II) road subproject proposed under Tranche 2 for improvements under RSHIP. This resettlement plan addresses social issues arising out of acquisition of land and other assets, eviction of squatters and removal of encroachments resulting in social and / or economic displacement to households<sup>1</sup> / individuals / community, either direct or indirect and is in compliance with ADB's Safeguard Policy Statement, 2009 and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

<sup>1</sup> Household or family means affected family in accordance with the Sec 3(c) of RFCTLARR Act, 2013.

## **B. Profile of the Subproject Area**

3. The subproject road proposed is spread across 3 districts of Rajasthan State. The subproject road Losal-Salasar-Ratangarh section of SH-07 and SH-92 passes through three districts viz, Sikar, Nagaur and Churu.

4. Sikar district is bounded on the north by Jhunjhunu district, in the north-west by Churu district, in the south-west by Nagaur district and in the south-east by Jaipur district. It also touches Mahendragarh district of Haryana on its north-east corner. The district is situated between 27°21' and 28°12' north latitude and 74°44' and 75°25' east longitude. Sikar District has a population of 26,77,333 accounting for 3.9 percent of the State's population. Urban population accounts for 23.7 percent of the district's population and rural population is 76.3 percent. The percentage of male population (51.4%) is slightly higher than the percentage of female population (48.6%) and the sex ratio is 947, higher than the State average of 928. The literacy rate in the district is 61.7 percent, higher than the State literacy rate (55.8%) and the male literacy rate (72.4%) is much higher than the female literacy rate (50.4%). There are 37.6 percent workers, of which main workers account for 69.4 percent and marginal workers 30.6 percent. Main workers comprise of 44.8 percent cultivators and 6.1 percent agricultural workers, totalling 50.9 percent dependent on agriculture. Other workers comprising service, industry, etc account for 46.8 percent of the main workers.

5. Nagaur district is bounded by Bikaner District to the northwest, Churu District to the north, Sikar District to the northeast, Jaipur District to the east, Ajmer District to the southeast, Pali District to the south and Jodhpur District to the southwest and west. The district lies in the Marwar region of Rajasthan, in the North western thorn scrub forests belt surrounding the Thar Desert. The district is situated between 26°25' and 27°40' north latitude and 73°10' and 75°15' east longitude. Nagaur District has a population of 33,07,743 accounting for 4.8 percent of the State's population. Urban population accounts for 19.3 percent of the district's population and rural population is 80.7 percent. The percentage of male population (51.3%) is slightly higher than the percentage of female population (48.77%) and the sex ratio is 950, higher than the State average of 928. The literacy rate in the district is 53.2 percent, lower than the State literacy rate (55.8%) and the male literacy rate (65.0%) is much higher than the female literacy rate (40.7%). There are 43.1 percent workers, of which main workers account for 69.1 percent and marginal workers 30.9 percent. Main workers comprise of 51.3 percent cultivators and 12.5 percent agricultural workers, totalling 63.8 percent dependent on agriculture. Other workers comprising service, industry, etc account for 33.9 percent of the main workers.

6. Churu district is bounded by Hanumangarh District to the north, the Haryana state to the east, the Jhunjhunu and Sikar districts to the southeast, the Nagaur District to the south, and the Bikaner District to the west. The district is situated between 28°18' north latitude and 74°58' east longitude. Churu District has a population of 20,39,547 accounting for 2.98 percent of the State's population. Urban population accounts for 28.3 percent of the district's population and rural population is 71.7 percent. The percentage of male population (51.6%) is slightly higher than the percentage of female population (48.4%) and the sex ratio is 940, higher than the State average of 928. The literacy rate in the district is 56.3 percent, higher than the State literacy rate (55.8%) and the male literacy rate (66.3%) is much higher than the female literacy rate (45.8%). There are 44.3 percent workers, of which main workers account for 69.6 percent and marginal workers 30.4 percent. Main workers comprise of 60.8 percent cultivators and 6.6 percent agricultural workers, totalling 67.4 percent dependent on agriculture. Other workers comprising service, industry, etc account for 30.6 percent of the main workers.

### C. Subproject Road Description

7. The subproject road passes through Sikar, Nagaur and Churu district of Rajasthan and the major settlements along the project corridors are Haripura, Losal, Singrawat, Sudarsan Jagir, Mordunga, Mandoli, Shahpura, Rampura urf Dahar ka bas, Jhajhar, Jhilmil, Nechwa, Salasar, Gudawari, Shobhasar, Khudi, Malasi, Dakhawali, Kadwari, Menasar, kushumdeshar, Chhabri Khari, Bhinchari, Sangasar, Loonch, Ratangarh, Deshraisar. The existing SH-7 and SH-92 is single/intermediate lane/two lane comprising of flexible and rigid pavement with moderate conditions except at few distress locations. The width of road varies from 3.50m to 7.00m with 1.0m to 1.5m wide shoulder. There is no existing bypass on the subproject road. A large number of major/minor bituminous roads (SH) meet the subproject stretch at various locations. The subproject road passes through plain terrain.

8. The subproject road starts from Losal (Haripura Mode) at km 0.000 and ends at Ratangarh with the existing length being 94.912 km and the design length of the subproject stretch is 91.995 km.

### D. Subproject Impacts

9. The towns and villages along the subproject road would have improved connectivity with State Highways (SH), National Highways (NH), major trading, educational and administrative centres. Further, the improved road will reduce the travel time to the residents of this area to work place, schools, hospitals and markets. Agriculturist too will benefit by being able to quickly transport their produce without delay and can expect buyers coming to their doorstep to procure food grains. Better connectivity to the SH/NH will lead to industrial growth along the subproject road that will result in employment generation. However, the subproject will require private land and removal of encroachments and squatting for improving the road, resulting in negative impacts to some people living along the corridor.

10. 44.0589 ha

11. The project involves acquisition of private land measuring 42.28 ha belonging to 213 agricultural landowners, 12 residential owners, 2 shop owner, 1 owner who will lose cattle shed and 31 kiosks will face temporary disruption and during civil works Further, the project will require transfer of 13.376 ha of government land. There are 36 common property resources that will be impacted in this subproject. Altogether the subproject will cause impact to 244 households. The involuntary resettlement impact has been summarized in Table 2.

**Table 2: Summary of Involuntary Resettlement Impacts**

| Impact   | Extent/Numbers          |  |
|--|-------------------------|--|
|  | Losal-Salasar-Ratangarh |  |
| Private Land Acquisition (ha) – Wet                    | 14.2233 ha              |  |
| Private Land Acquisition (ha) – Dry                    | 28.0584 ha              |  |
| Government Land Required                               | 13.376 ha               |  |
| Temporary Land Acquisition (ha)                        | Nil                     |  |
| Affected Households                                    | 244                     |  |
| Physically Displaced Households<br>(Loss of Residence) | 10                      |  |
| Economically Displaced Households<br>(Loss of Shop)    | 2                       |  |

|  |     |                 |
|--|-----|-----------------|
| Economically Displaced Titleholders losing land <sup>2</sup>                     | 101 |                 |
| Physically and Economically Displaced Households<br>(Loss of Residence cum Shop) | -   |                 |
| Non-Significant Impact <sup>3</sup>  | 34  |                 |
| Titleholders Losing strip of land <sup>4</sup> (Non-significant impact)          | 97  |                 |
| Tenants  | -   |                 |
| Total Affected Persons   |     | 1100            |
| Titled affected persons  |     | 961             |
| Non-titled affected persons <sup>5</sup> (kiosks)                                |     | 139             |
| Affected employees   |     | -               |
| Affected Structures  |     | 46 <sup>6</sup> |
| Affected Private Trees   |     | 806             |
| Affected Common Property Resources   |     | 45              |

12. The subproject will cause impact to 68 vulnerable households, comprising of 42 scheduled caste households, followed by 13 BPL households, 9 women headed households, 4 scheduled tribe households and 1 disabled headed household. These vulnerable households are mutually exclusive in the order presented below in Table 3.

**Table 3: Impact to Vulnerable Category (mutually exclusive)**

| Vulnerable Category <sup>7</sup> | Numbers                 |
|----------------------------------|-------------------------|
|                                  | Losal-Salasar-Ratangarh |
| Women Headed Household (WHH)     | 9                       |
| Scheduled Tribe (ST)             | 3 <sup>8</sup>          |
| Scheduled Caste (SC)             | 42 <sup>9</sup>         |
| BPL <sup>10</sup> household      | 13 <sup>11</sup>        |
| Disabled Headed Households (DHH) | 1 <sup>12</sup>         |
| Landless                         | -                       |
| <b>Total</b>                     | <b>68</b>               |

Source: Census and Social Survey, May 2018.

## E. Minimizing Involuntary Resettlement

13. Measures were taken to minimise adverse involuntary resettlement impacts by adopting concentric widening in built-up sections and reducing the proposed right-of-way to 9m. The

<sup>2</sup> Landowners losing 10% or more of their land.

<sup>3</sup> Where the impact to structure is less than 10 percent of the total area or impact is only to the boundary wall, and the impact is to Kiosks, then such impacts are categorized as non-significant impacts as the DP is neither physically nor economically displaced.

<sup>4</sup> The affected families losing less than 10% of the agricultural land have been considered as facing non-significant impact as the loss of land will not result in physical or economic displacement.

<sup>5</sup> Encroached households are those who own the adjoining land and the impact is to the structure in the right-of-way.

<sup>6</sup> Including 31 kiosks.

<sup>7</sup> Vulnerability identified amongst the affected households is presented which are mutually exclusive in the order presented in the table.

<sup>8</sup> There are 4 scheduled tribe households, of which 1 affected household is a women headed household.

<sup>9</sup> There are 45 scheduled caste households, of which 3 affected household are women headed household.

<sup>10</sup> Below Poverty Line families are those identified by the State as below poverty line and issued with separate public distribution card

<sup>11</sup> There are 33 below poverty line households, of which 2 affected household are women headed household, 17 are scheduled caste households and 1 is a scheduled tribe household.

<sup>12</sup> There are 3 disabled headed households, of which 1 affected household is a scheduled caste household and 1 is a below poverty line household.

available right-of-way (RoW) was utilised to the maximum, thereby reducing the additional land requirement for the proposed widening. Based on the design requirements, 7 bypasses and realignments in 6 locations have been proposed along the existing road which further reduced the impacts in these built up sections. The existing RoW (16-24 mt) has been confirmed with the Revenue Department and physically verified on ground,

#### **F. Impact to Indigenous Peoples**

14. The census and socioeconomic survey and consultations had along the project area confirm that there are no indigenous people in the settlements along the subproject roads and further the subprojects does not impact any indigenous people. Further, there are 4 scheduled tribe households who will be affected in this subproject and they are part of the mainstream and do not maintain distinct culture or religion or identity.

#### **G. Scope and Objective of Resettlement Plan**

15. The objective of this resettlement plan is to assist the affected people to improve or at least restore their living standards to the pre-project level. This resettlement plan captures the involuntary resettlement impacts arising out of the proposed improvements to the subproject road *Losal Salasal Ratangarh* proposed under Tranche 2 of RSHIP. The document describes the magnitude of impact, mitigation measures proposed, method of valuation of land, structure and other assets, eligibility criteria for availing rehabilitation and resettlement assistances, baseline socioeconomic characteristics, entitlements based on type of loss and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring.

## II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

### A. Introduction

16. The start point of the subproject road is at Y-junction towards Kuchaman at km 38.400 of MDR-24 and ends in Ratangarh (km 94.912) at T-junction with NH-11 at km 429.050 with overlapping of another road (SH-20 and part of NH-65) from Nechwa to Salasar (12.651 km) which is not included in the project road. State PWD intends to rehabilitate and up-grade the existing single lane/intermediate/two lane between Losal-Salasar-Ratangarh of SH-7 and SH-92 to 2-lane with granular shoulders.

### B. Scope of Land Acquisition

17. The land acquisition for proposed Losal-Salasar-Ratangarh State Highway will be acquired in Sikar, Nagaur and Churu District. The private land required for the improvements is 42.2817 ha consists of 14.2233 ha private wet land and 28.0584 ha dry land. Major impact assessed will be displacement of affected families from their residential and commercial complexes. The private land proposed for acquisition is mostly strips of land, with the width varying from 5-10m, and abetting the existing road. The land acquisition plans have been prepared and the precise number of titleholders and extent of land lost will be updated once the joint verification of the land plan schedule is completed.

**Table 4: Category of Land being acquired**

| Type of Ownership | Extent in Hectare |
|-------------------|-------------------|
| Private Wet       | 14.2233           |
| Private Dry       | 28.0584           |
| <b>Total</b>      | <b>42.2817</b>    |

Source: LAP prepared by DPR Consultants, June 2016.

18. Based on the detailed design 7 bypasses and realignments at 6 locations have been proposed along Losal-Salasar-Ratangarh subproject road of 82.261 km (design length is 78.603 km), excluding overlap section (Nechhwa to Salasar (SH-20) of 13.392 km).

19. The land proposed for acquisition categorised by its use is presented in the following table.

**Table 5: Classification of Loss of Private Land and Impacts**

| Use of Land                | Number of Affected Household | Hectare        |
|----------------------------|------------------------------|----------------|
| Agricultural               | 198                          | 41.1713        |
| Residential                | 12                           | 0.6362         |
| Commercial                 | 2                            | 0.2022         |
| Residential cum Commercial | -                            | -              |
| Compound Wall              | -                            | -              |
| Cattle shed and others     | 1                            | 0.2720         |
| <b>Total</b>               | <b>213</b>                   | <b>42.2817</b> |

Source: Census and Social Survey June 2018.

20. The land being acquired has been categorized based on the extent of land lost and those landowners losing 10 percent and more of their land is 101 affected households, being the significantly affected households in this subproject. The remaining 97 affected households

lose less than 10 of their land. The extent of land lost by number of affected households is given in the following table.

**Table 6: Intensity of Land Impact**

| Scale of Impact                 | Number of Affected Household |
|---------------------------------|------------------------------|
| Up to 10%                       | 97                           |
| 10% and Below 25%               | 47                           |
| 25% and Below 50%               | 21                           |
| 50% and Below 75%               | 6                            |
| Above 75%                       | 27                           |
| Non-significant impact (CW etc) | -                            |
| <b>Total</b>                    | <b>198</b>                   |

Source: Census and Social Survey, June 2018.

### **C. Impact to Structures**

F. The improvements proposed will cause impact to private structures, comprising of 12 residential structures, 2 commercial structures, 1 cattle shed and 31 kiosk. Further, 45 common property resources will be impacted under the subproject. There are no tenants and no employees affected in this subproject. The private land acquisition involves acquisition of 42.2817 ha land belonging to 198 agricultural landowners without structure, 15 landowners having structures in their land and 31 kiosks. The kiosks will face temporary disruption to their business during civil works.

### **D. Loss of Private Structures**

21. All the structures getting affected belong to titleholder and there are 31 kiosks on the right-of-way of the subproject road. The ownership details of the private structures getting affected is presented in the following table.

**Table 7: Ownership of Private Structures**

| Tenure               | Number of Structures | Percentage |
|----------------------|----------------------|------------|
| Owner                | 15                   | 32.6       |
| Encroacher           | -                    | -          |
| Squatter             | -                    | -          |
| Kiosk (in Govt land) | 31                   | 67.4       |
| <b>Total</b>         | <b>46</b>            | <b>100</b> |

Source: Census and Social Survey, June 2018.

22. Twenty six percent of the private structures getting affected are temporary in nature followed by 4 percent that are permanent in nature and 2 percent that are semi-permanent in nature. The 31-kiosks will face temporary disruption to their business during civil works. The type of construction of the affected structures is presented in the following table.

**Table 8: Type of Construction of the Affected Structures**

| Type of Structure | Number of Structures | Percentage |
|-------------------|----------------------|------------|
| Permanent         | 2                    | 4.3        |
| Semi-permanent    | 1                    | 2.2        |
| Temporary         | 12                   | 26.1       |
| Kiosk             | 31                   | 67.4       |
| <b>Total</b>      | <b>46</b>            | <b>100</b> |

Source: Census and Social Survey, June 2018.

23. Twenty six percent of the structures getting affected are used for residential purpose followed by 4 percent being used for commercial purpose and 2 percent structures are used for other purposes. Sixty seven percent of the private structures that are getting affected are kiosks. The use of the affected structure is presented in the following table.

**Table 9: Use of the Affected Structures**

| Use of Structure                        | Number of Structure | Percentage |
|---|---------------------|------------|
| Residential                             | 12                  | 26.1       |
| Commercial                              | 2                   | 4.3        |
| Residence cum Commercial                | -                   | -          |
| Compound wall                           | -                   | -          |
| Others (sitting place, cattle shed etc) | 1                   | 2.2        |
| Kiosk                                   | 31                  | 67.4       |
| <b>Total</b>                            | <b>46</b>           | <b>100</b> |

Source: Census and Social Survey, June 2018.

#### **E. Magnitude of Impact on Structures**

24. The subproject will cause impact to 46 structures and out of them 12 structures will face significant impact, comprising of 10 residential structures and 2 commercial structures. The 31 kiosks will be able to continue, with temporary disruption during civil works, in the nearby space available. The significantly impacted structures have been considered for replacement cost for the full structure as the viability of the structure will be known only at the time of implementation during the assessment done by the PWD engineer for valuation purpose. Further, the owner has the option of seeking acquisition of the whole structure in line with Sec 94(1) of RFCTLARR Act. The extent of loss to structure and its use is presented in the following table.

**Table 10: Use by Extent of loss to the Affected Structures**

| Impact            | Residence | Commercial | Residence cum Commercial | Cattle shed | Kiosk     | Total     |
|-------------------|-----------|------------|--------------------------|-------------|-----------|-----------|
| Up to 10%         | 2         | -          | -                        | 1           | -         | 3         |
| 10% and Below 25% | 2         | -          | -                        | -           | -         | 2         |
| 25% and Below 50% | 4         | -          | -                        | -           | -         | 4         |
| 50% and Below 75% | -         | -          | -                        | -           | -         | -         |
| Above 75%         | 4         | 2          | -                        | -           | -         | 6         |
| Temporary         | -         | -          | -                        | -           | 31        | 31        |
| <b>Total</b>      | <b>12</b> | <b>2</b>   | <b>-</b>                 | <b>1</b>    | <b>31</b> | <b>46</b> |

Source: Census and Social Survey, June 2018.



## F. Loss of Livelihood

25. The subproject will cause significant impact on loss of livelihood to about 103 households, comprising of 101 affected households who would be losing 10% and above of their agricultural land holding and 2 households who will be losing their shop. The category of households whose livelihood is affected is presented in the following table.

**Table 11: Loss of Livelihood**

| Category of Loss                                      | Number of Affected Households | Number of Affected Persons |
|---|-------------------------------|----------------------------|
| Owners of Business                                    | 2                             | 9                          |
| Commercial Tenants                                    | -                             | -                          |
| Agricultural Labourer                                 | -                             | -                          |
| Employees   | -                             | -                          |
| Kiosk   | -                             | -                          |
| Agricultural Landowners<br>(losing ≥ 10% of the land) | 101                           | 454                        |
| <b>Total</b>  | <b>103</b>                    | <b>463</b>                 |

Source: Census and Social Survey, June 2018.

## G. Loss of Trees

26. The project will require removal of 806 private trees belonging to the affected households. The remaining trees getting affected in this project belong to the government and the re-establishment of government trees will be done in accordance with the Forest Act. Further, the LPS that has been prepared will be taken up for scrutiny by the revenue authorities and at that time, if there are a greater number of trees in the land being acquired, they will be compensated in accordance with the provisions contained in the EM.

## H. Loss of Common Property Resources

27. The project will affect 45 common property resources and out of these 22 percent are places of worship. The PIU with the support of RP implementation support NGO will consult the trustees of the places of worship and in consultation with the local panchayat will facilitate in the relocation of these places of worship. Other common property resources will be re-constructed in consultation with the line department. The common property resources that are getting affected in the subprojects is presented in the following table.

**Table 12: Loss of Community Structures**

| Type of Community Asset                  | Number of Structures | Percentage |
|--|----------------------|------------|
| Place of worship                         | 10                   | 22.2       |
| Hand pump / Bore well / Water tank, etc. | 14                   | 31.1       |
| Government Buildings, Community etc.     | 21                   | 46.7       |
| <b>Total</b>                             | <b>45</b>            | <b>100</b> |

Source: Census and Social Survey, June 2018.

### III. SOCIOECONOMIC INFORMATION PROFILE

#### A. Involuntary Resettlement Impacts

28. This resettlement plan is based on the census and socioeconomic survey carried out between May and March 2015 and updated in June to August 2018 based on final and detailed design of the road subproject. The census survey identified 244 households losing their land and / or structures and the salient findings are presented in the following sections.

#### B. Methodology Adopted

29. The census survey enumerated all private assets/properties and common property resources within the proposed right-of-way (PRoW) of 16m in rural sections, 9m-12m in urban sections and 45m in bypass sections. For every affected household, a pretested structured questionnaire was administered during the census survey. The survey recorded details of: (i) identity of the affected household; (ii) tenure; and (iii) type, use and extent of loss to the DH.

30. In addition to recording the above information, detailed socioeconomic characteristics, including demographic profile of members of the household, standard of living, inventory of physical assets, vulnerability characteristics, indebtedness level, health and sanitation, perception about the project and resettlement preferences was collected from all affected households. All structures were photographed and numbered for reference and record. The common property resources within the PRoW that were getting affected were also enumerated.

31. The affected households were categorised based on the severity of impact as significant (loss of 10 percent and above of the productive asset or structure) and non- significant (loss of less than 10 percent of the productive asset or structure). The summary of affected households and the summary of affected common property resources are presented in Appendix-1.

32. The census survey identified households that would be affected by the subproject. The socioeconomic survey was carried out amongst 244 households and the details of the same are analysed and presented in the following sections.

#### C. Demographic Profile of Project Affected Households

33. Household by Sex: Four percent of the affected households are headed by women and the remaining households (96%) are headed by men. Males account for 51 percent and female account for 49 percent amongst Displaced Persons (DPs)

**Table 13: Head of Affected Household by Sex**

| Gender       | Number     | Percentage |
|--------------|------------|------------|
| Male         | 235        | 96.3       |
| Female       | 9          | 3.7        |
| <b>Total</b> | <b>244</b> | <b>100</b> |

Source: Census and Social Survey, June 2018.

34. Household by Religion: Hindus account for 89 percent of the household getting affected and Muslims constitute about 11 percent.

**Table 14: Household by Religion**

| Religion     | Number     | Percentage |
|--------------|------------|------------|
| Hindu        | 218        | 89.3       |
| Muslim       | 26         | 10.7       |
| Jain         | -          | -          |
| <b>Total</b> | <b>244</b> | <b>100</b> |

Source: Census and Social Survey, June 2018.

35. Household by Social Group: Sixty six percent of the households belong to the other backward caste, followed by 18 percent belonging to scheduled caste, 14 percent belonging to general category and 2 percent belong to scheduled tribe. The affected schedule tribe households are part of the mainstream.

**Table 15: Household by Social Category**

| Social Category      | Number     | Percentage |
|----------------------|------------|------------|
| General              | 34         | 13.9       |
| Other backward caste | 161        | 66.0       |
| Scheduled caste      | 45         | 18.5       |
| Scheduled tribes     | 4          | 1.6        |
| <b>Total</b>         | <b>244</b> | <b>100</b> |

Source: Census and Social Survey, June 2018.

36. Household by Size of Family: Amongst the 244 affected households, family of size 5 to 6 members account for 39 percent, followed by 31 percent with family of 3 to 4 members, 18 percent with family of up to 2 members and 12 percent with family of above 6 members. The average size of the family is 4.51 members or say 5 members.

**Table 16: Size of the Household**

| Size of the Family                        | Number     | Percentage |
|---|------------|------------|
| Up to 2                                   | 44         | 18.1       |
| 3 to 4                                    | 75         | 30.7       |
| 5 to 6                                    | 95         | 38.9       |
| Above 6                                   | 30         | 12.3       |
| <b>Total</b>                              | <b>244</b> | <b>100</b> |
| <b>Average size of the family is 4.51</b> |            |            |

Source: Census and Social Survey, June 2018.

37. Age group of affected persons: The number of women aged above 65 years is slightly higher than the number of men in the same age group. In the 21 and below age group the women account for 38 percent and men account for 41 percent. In all, 39 percent are in the age group of 21 and below, followed by 25 percent of the affected persons in the age group of 22 and 35, 19 percent in the age group of 36 and 50, 12 percent in the age group of 51 and 65 and 5 percent in the above 65 age group.

**Table 17: Age Group of PAPs**

| Age Group     | Male       |            | Female     |            | Total       |            |
|---------------|------------|------------|------------|------------|-------------|------------|
|               | Number     | Percentage | Number     | Percentage | Number      | Percentage |
| Up to 21      | 230        | 41.0       | 203        | 37.7       | 433         | 39.4       |
| > 21 and ≤ 35 | 145        | 25.9       | 127        | 23.6       | 272         | 24.7       |
| > 35 and ≤ 50 | 99         | 17.6       | 108        | 20.0       | 207         | 18.8       |
| > 50 and ≤ 65 | 64         | 11.4       | 63         | 11.7       | 127         | 11.5       |
| Above 65      | 23         | 4.1        | 38         | 7.0        | 61          | 5.6        |
| <b>Total</b>  | <b>561</b> | <b>100</b> | <b>539</b> | <b>100</b> | <b>1100</b> | <b>100</b> |

Source: Census and Social Survey, June 2018.

#### **D. Socioeconomic Profile**

38. Educational level of affected persons: Forty eight percent amongst females and 23 percent amongst males are uneducated. Upper primary is the highest level of educational attainment for most of the females with the number of females beyond upper primary declining compared to the males. The details of educational level of affected persons are given below table.

**Table 18: Educational level of PAPs**

| Educational   | Male       |            | Female     |            | Total       |            |
|---------------|------------|------------|------------|------------|-------------|------------|
|               | Number     | Percentage | Number     | Percentage | Number      | Percentage |
| Upper Primary | 80         | 14.3       | 76         | 14.1       | 156         | 14.2       |
| High School   | 91         | 16.2       | 52         | 9.6        | 143         | 13.0       |
| Graduate      | 49         | 8.7        | 25         | 4.6        | 74          | 6.7        |
| Post Graduate | 115        | 20.5       | 63         | 11.7       | 178         | 16.2       |
| Technical     | 83         | 14.8       | 56         | 10.4       | 139         | 12.6       |
| Professional  | 14         | 2.5        | 9          | 1.7        | 23          | 2.1        |
| Uneducated    | 129        | 23.0       | 258        | 47.9       | 387         | 35.2       |
| <b>Total</b>  | <b>561</b> | <b>100</b> | <b>539</b> | <b>100</b> | <b>1100</b> | <b>100</b> |

Source: Census and Social Survey June 2018.

39. Occupation of affected persons: Eighty three percent amongst females and 34 percent amongst males are not in workforce, comprising largely of children, students, elderly, housewives and females who do not go for work. In all 11 percent of the affected persons are unemployed, 13 percent are into agriculture, 10 percent are labourers, 5 percent are into services and 4 percent are into business/trade. The occupation of the affected persons is given in the following table.

**Table 19: Occupation of APs**

| Occupation       | Male       |            | Female     |            | Total       |            |
|------------------|------------|------------|------------|------------|-------------|------------|
|                  | Number     | Percentage | Number     | Percentage | Number      | Percentage |
| Service          | 50         | 8.9        | 3          | 0.6        | 53          | 4.8        |
| Business / Trade | 36         | 6.4        | 1          | 0.2        | 37          | 3.4        |
| Agriculture      | 130        | 23.2       | 14         | 2.6        | 144         | 13.1       |
| Labourer         | 98         | 17.5       | 7          | 1.3        | 105         | 9.5        |
| Unemployed       | 54         | 9.6        | 64         | 11.9       | 118         | 10.7       |
| Not in workforce | 193        | 34.4       | 450        | 83.4       | 643         | 58.5       |
| <b>Total</b>     | <b>561</b> | <b>100</b> | <b>539</b> | <b>100</b> | <b>1100</b> | <b>100</b> |

Source: Census and Social Survey, June 2018.

40. Income of affected household: Fifty percent of the households are earning up to Rs.5,000 per month, followed by 23 percent who earn between Rs.10,001 and Rs.20,000, 20 percent earn between Rs.5,001 and Rs.10,000, 5 percent earn between Rs.20,001 and Rs.30,000 and 3 percent earn between Rs.30,001 to Rs. 50,000.

**Table 20: Monthly Household Income of AHs**

| Monthly Family Income Range in INR (Rs) | Number     | Percentage |
|---|------------|------------|
| Up to 5,000                             | 122        | 50.0       |
| 5,001 to 10,000                         | 49         | 20.1       |
| 10,001 to 20,000                        | 56         | 22.9       |
| 20,001 to 30,000                        | 11         | 4.5        |
| 30,001 to 50,000                        | 6          | 2.5        |
| >50,000                                 | -          | -          |
| <b>Total</b>                            | <b>244</b> | <b>100</b> |

Source: Census and Social Survey June 2018.

41. Impact to vulnerable household: For the project, vulnerable groups include those headed by a person whose family income is below the poverty line, landless, elderly, women, and Indigenous Peoples, and those without legal title to land. The subproject will affect 68 vulnerable households, comprising of 62 percent scheduled caste households, followed by 19 percent below poverty line (BPL)<sup>13</sup>, 13 percent women headed households, 1 percent disabled headed households (DHH) and 4 percent scheduled tribe households. The vulnerable status of significantly impacted households is presented in the following table.

**Table 21: Vulnerable Households (mutually exclusive)**

| Vulnerable Category <sup>14</sup> | Number of DHs | Percentage |
|-----------------------------------|---------------|------------|
| Women Headed Household (WHH)      | 9             | 13.2       |
| Scheduled Tribe (ST)              | 3             | 4.4        |
| Scheduled Caste (SC)              | 42            | 61.8       |
| BPL household                     | 13            | 19.1       |
| Disabled Headed Households (DHH)  | 1             | 1.5        |
| Landless                          | -             | -          |
| <b>Total</b>                      | <b>68</b>     | <b>100</b> |

Source: Census and Social Survey, June 2018.

## E. Key Socioeconomic Indicators

42. The key socioeconomic indicators established based on the census and socioeconomic survey carried out amongst the affected household between February and March 2015 and updated in June - August 2018 are presented below. These indicators would form the baseline indicators, in addition to other indicators identified by RPWD, and would be compared with the midterm and post implementation evaluation carried out by the independent external evaluation agency.

<sup>13</sup> The GoR has issued separate ration cards to BPL families and those amongst the affected households in possession of BPL ration card have been categorised as BPL household.

<sup>14</sup> Vulnerability identified amongst the affected households is presented which are mutually exclusive in the order presented in the table.

**Table 22: Key Socio- economic Indicators**

| <b>SNo</b> | <b>Indicator</b>                      | <b>Unit</b> | <b>Value/Figure</b> |
|------------|---------------------------------------|-------------|---------------------|
| <b>a)</b>  | <b>Income (N = 244)</b>               |             |                     |
| 1          | Monthly family income                 | Average     | Rs. 8,736           |
| 2          | Number of earners                     | Number      | 1.87                |
| <b>b)</b>  | <b>Impact (N =244)</b>                |             |                     |
| 3          | Residence                             | %           | 4.9                 |
| 4          | Business / Shop                       | %           | 0.8                 |
| 5          | Residence cum Commercial              | %           | -                   |
| <b>c)</b>  | <b>Social Characteristics (N=244)</b> |             |                     |
| 5          | Family size                           | Average     | 4.51                |
| 6          | Women headed household                | %           | 3.7                 |

#### **F. Resettlement Preferences**

43. The affected households were asked to indicate their preferred resettlement and rehabilitation option and were asked if they prefer self-managed cash assistance or project supported housing/livelihood assistance. The affected households were unable to decide about their preference.

## IV. CONSULTATION, PARTICIPATION AND DISCLOSURE

### A. Consultation in the Project

44. In order to engage with the community and enhance public understanding about the subproject 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 affected persons and other stakeholders, during the census and socioeconomic survey that was carried out as part of the feasibility report for the subproject. The opinions of the affected persons, stakeholders and their perceptions were obtained during these consultations. The consultations with the affected persons and other stakeholders will continue throughout the resettlement plan implementation period.

### B. Methods of Consultation

45. Consultations and discussions were held during census and socioeconomic survey with both primary and secondary stakeholders. The primary stakeholders include project affected persons, project beneficiaries and implementing agency (PWD). The secondary stakeholder includes Revenue Officers and elected representatives of the local body.

46. During the census and socioeconomic survey, meaningful<sup>15</sup> consultations were held with affected households, commercial establishment owners along the project corridor, officials of the district administration and elected members of the local panchayat. In order to hear and address the concerns of women, women were encouraged to participate and opportunity to express their concern was provided during the consultations. The consultation methods followed and proposed are detailed in the following table.

**Table 23: Consultation Methods**

| Stakeholders                        | Consultation Method                      |
|-------------------------------------|--|
| Affected Persons                    | Census and Socioeconomic Survey          |
| Affected Persons                    | Focus Group Discussions                  |
| Local Communities                   | Focus Group Discussions                  |
| Local Elected Members               | Individual interview, discussion         |
| Concerned Officials from Government | Individual meeting/interview, discussion |
| Affected persons and General Public | Consultation Meetings                    |

47. In addition to the web disclosure of the resettlement plan seeking views and suggestions of the general public, detailed consultations regarding the extent of involuntary resettlement impact and the mitigation measures proposed in the resettlement plan will be disclosed to the affected persons and general public through public meetings held along the subproject road during resettlement plan implementation.

<sup>15</sup> Meaningful consultations is a process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.

48. During the census and socioeconomic survey, FGDs were conducted in villages along the subproject road in settlements and sections where impacts were recorded. All relevant aspects of subproject design, details of land required and impact to private property were discussed with the affected communities. A total of 325 persons (including 137 females) participated in the consultation meetings.

49. The number of participants and the photographs are provided as Appendix-2 to this report and the attendance sheets are available in the projects file with jurisdictional PIU.

### **C. Outcome of the Consultations**

50. Consultations were undertaken all along the project road, to create awareness about the project among the people. Consultation locations were selected in such a way that all considerable habitations and also probable impacts from the project are covered adequately to ensure maximum possible public participation.

51. The people were generally enthusiastic about the project and consider that it will bring social and economic development in the region. There is scarcity of employment opportunities and health facilities etc within the villages and this is affecting the overall social and economic development. People consider that the development of road will improve connectivity for the local people apart from the facilitating smooth flow of traffic. Agriculture is the main economic activity in the project area. The farmers consider that the improved road will improve their accessibility with the nearby market places by reducing the travel time. They anticipate better income as the cost of travel would reduce. People wanted the payment of compensation and other rehabilitation assistances to be completed before the start of construction work. People were particularly concerned about the road safety issues and expressed the need of proper signage, speed breakers and pedestrian crossings to minimize the risk of accidents.

52. The community perceives that the project will help in improving road safety, promote more business, give better access to services, reduce travel time and promote local employment opportunities. They consider that it would lead to increase in land rates and facilitate smooth flow of traffic. Apprehensions raised by the community include more accidents, houses coming closer to the proposed alignment, more noise pollution, agricultural land loss and the resultant impact on the livelihood. Women felt that the proposed improvements will provide (i) better access to higher levels of education, health services (especially in emergencies), and social interactions, (ii) better and more frequent public and private transport options, and (iii) increase in leisure time. The negative impacts pointed out were largely related to loss of land and assets. The salient discussion points are summarized in the following table.

**Table 24 Summary of Consultation Outcome**

| <b>Location</b> | <b>Issues / Concerns</b>  | <b>Response</b>  |
|-----------------|---|--|
| Losal           | <ol style="list-style-type: none"> <li>1 Land Acquisition Process,</li> <li>2 Compensation for Wells, etc.</li> <li>3 Safety issues and benefits from the project to the Stakeholders.</li> <li>4 Acquisition of structures coming within ROW.</li> <li>5 Majority of participants asked for provision of footpath and road side drains.</li> <li>6 Employment opportunities in road construction.</li> </ol> | <ol style="list-style-type: none"> <li>1. As per RFCTLARR Act, 2013 and GoR rules for RFCTLARR Act</li> <li>2. Will be provided based on GoR Policy.</li> <li>3. Speed breaker, cautionary signs, drain and footpath cum drain in settlements will be provided. There will be no water logging in villages due to road side drain and better road will facilitate smooth travel.</li> <li>4. Based on the R&amp;R policy replacement cost will be paid as</li> </ol> |



|                 |   |   |
|-----------------|---|---|
|                 |   | <p>determined based on PWD schedule rates and other assistances as per entitlement matrix.</p> <p>5. Same is considered in design and provided</p> <p>6. Employment opportunity during civil works is built into the contractor document.</p>   |
| <b>Location</b> | <b>1 Issues / Concerns</b>  | <b>1. Response</b>  |
| Singrawat       | <p>2 Majority of the peoples desired that the widening and strengthening of the project road in the market areas should be on both side of the road</p> <p>3 Relocation of temples adjacent to Road Carriageway</p> <p>4 People demanding C.C. drain on both side of Road.</p> <p>5 People are asking whether 4 lane road provision in village portion</p> <p>6 Employment opportunities in road construction.</p> <p>7 Majority of participants asked for provision of footpath and road side drains</p> | <p>1. Widening will be proposed based on available ROW (of PWD) and concentric as far as possible.</p> <p>2. Very few temples are getting affected and caution will be taken for minimising impact to CPR</p> <p>3. Drain is proposed in habitation area.</p> <p>4. As per traffic demand, no four lane road is required for village/urban portion.</p> <p>5. Employment opportunity during civil works is built into the contractor document.</p> <p>6. Footpath cum drain proposed for safety and development of village and there will be no water logging in the village due to road side drain</p> |
| Sudrasan jagir  | <p>1. People of village Nagana are demanding to construct road in village on existing alignment by dismantling the encroachment</p> <p>2. Safety issues and benefits from the project to the Stakeholders.</p> <p>3. Acquisition of structures coming within ROW.</p> <p>4. Majority of participants asked for provision of footpath and road side drains.</p>  | <p>1 As per consultation and available ROW, existing alignment with minor modifications is finalised for Nagana</p> <p>2 Speed breaker, cautionary signs for safety have been proposed</p> <p>3 Based on the R&amp;R policy, replacement cost for structure will be paid as per PWD schedule rates and other eligible assistances as per the provisions of the entitlement matrix</p> <p>4 Footpath cum drain proposed to reduce/mitigate water logging problem in village</p>  |
| Mordunga        | <p>1 How much land shall be acquired?</p> <p>2 What would be the basis for compensation for Land?</p> <p>3 Repair and Maintenance of road after construction.</p> <p>4 Generally, road construction takes too much time, so what would be the construction period.</p> <p>5 What about the drainage in village area?</p>  | <p>1 16.0m land is required and land will be acquired if the existing right of way is inadequate.</p> <p>2 Compensation shall be as per Govt. of Rajasthan rules and new Land acquisition act.</p> <p>3 After construction road shall be maintained by the contractor for at least 10 years.</p> <p>4 Construction shall be completed in one year strictly and progress of work shall be monitored by PWD officials.</p> <p>5 1.0m covered drain has been proposed in village habitation area.</p>  |
| Mandolin        | 1 When shall the work and how   | 1 Work will start in year 2019 and will   |

|                          |  |   |
|--------------------------|--|---|
|                          | <p>much time it will take?</p> <p>2 What would be the measures for safety of villagers during construction and after completion of project?</p> <p>3 What would be the basis for compensation for Land and land acquisition procedures?</p>  | <p>be completed in one year.</p> <p>2 Proper signage has been proposed and provisions of speed breaker near school and dense habitation have been proposed.</p> <p>3 Compensation shall be as per Govt. of Rajasthan rules and new Land acquisition act.</p>  |
| <b>Location</b>          | <b>1 Issues / Concerns</b>   | <b>1 Response</b>   |
| Rampura urf dehar ka bas | <p>1 What about the drainage in village area?</p> <p>2 Villagers demanded for good quality road.</p> <p>3 Maintenance during rainy season.</p> <p>4 Proper traffic safety.</p>   | <p>1 1.0m covered drain has been proposed in village area.</p> <p>2 Road shall be constructed as per the modern and good engineering technique and shall be maintained for next 10 years.</p> <p>3 After construction road shall be maintained by the contractor for at least 10 years.</p> <p>4 Proper signage has been proposed and provisions of speed breaker near school and dense habitation have been proposed.</p>  |
| Jhajhar                  | <p>1 Widening should be equal on either side.</p> <p>2 Road surface has been damaged due to non-availability of drainage. Both side drain is necessary and discharge should be away from village area</p> <p>3 Cash compensation as per market rate</p>  | <p>1 Concentric widening has been proposed for minimization of Impact.</p> <p>2 Covered drain facility in every urban area and earthen drainage in rural area have been proposed.</p> <p>3 As per entitlement matrix, compensation will be provided at replacement value of the structures.</p>   |
| Jhilmil                  | <p>1 Some APs said that they are residing since 20-30 years and road is going to be widen; they are agreed that they are encroacher and ready to vacate but need project assistance.</p> <p>2 Should be widened equally on either side of the road</p> <p>3 Would prefer permanent employment either with PWD or other govt. department. Temporary employment with contractor is also required.</p> <p>4 Provide drains on the both side of the road along the village</p> | <p>1 Assistance to all encroachers and squatters as per Entitlement Matrix. Structure cost will be paid at replacement cost based on PWD schedule rates.</p> <p>2 Concentric widening has been proposed for minimization of Impact.</p> <p>3 As per the policy, contractor to give preference to local labour in their day to day work. Permanent employment is not feasible.</p> <p>4 Covered drain has been proposed.</p> |
| Nechhwa                  | <p>1 Road widening should be equal on both side of the road</p> <p>2 Would prefer permanent employment either with PWD or other govt. department. Temporary employment with contractor is also required.</p> <p>3 Provide drains on the both side of the road along the village</p>  | <p>1 Concentric widening has been proposed for minimization of Impact</p> <p>2 As per the policy, contractor to give preference to local labour in their day to day work. Permanent employment is not feasible.</p> <p>3 Covered drain have been proposed in the design</p> <p>4 As per entitlement matrix,</p>   |

|                 |  |  |
|-----------------|--|--|
|                 | <p>4 Proper compensation should be paid the household as per the market value</p> <p>5 Speed Breaker should be provided both side of the village</p>   | <p>compensation will be provided at replacement value</p> <p>5 Various safety signages will be provided. Road safety is a separate component in the project.</p>   |
| <b>Location</b> | <b>1 Issues / Concerns</b>   | <b>1 Response</b>  |
| Gudawadi        | <p>1 Cash compensation at market value</p> <p>2 Being a big market, many people from nearby villages are coming for commercial activities to this village but due to non-availability of toilets, peoples facing much problem. Project should provide the toilet facility along with bus shelters</p> <p>3 Speed Breaker need to be provided near bus stand for safe crossing of the road</p>    | <p>1. As per entitlement matrix, compensation will be provided at replacement value.</p> <p>2. Toilets along with bus shelters near the market may be required, but this may be done by the panchayat or through other government scheme.</p> <p>3. Various safety signage will be provided. Road safety is a separate component in the project.</p> |
| Shobhasar       | <p>1. Would prefer permanent employment either with PWD or other govt. department. Temporary employment with contractor is also required.</p> <p>2. Provide drains on the both side of the road along the village</p> <p>3. Speed breaker near schools and hospitals</p>   | <p>1. As per the policy, contractor to give preference to local labour in their day to day work. Permanent employment is not feasible.</p> <p>2. Covered drain have been proposed in the design</p> <p>3. Caution signs will be provided for control</p>   |
| Khudi           | <p>1. Cash compensation at market value</p>  | <p>1. As per entitlement matrix, compensation will be provided at replacement value.</p>   |
| Malasi          | <p>1. Employment opportunities during construction phase</p>   | <p>1. As per the policy, contractor to give preference to local labour in their day to day work. Permanent employment is not feasible.</p>   |
| Dhakawali       | <p>1. Cash compensation at market value</p> <p>2. Being a big market, many people from nearby villages are coming for commercial activities to this village but due to non-availability of toilets, peoples facing much problem. Project should provide the toilet facility along with bus shelters</p> <p>3. Speed Breaker need to be provided near bus stand for safe crossing of the road</p> | <p>1. As per entitlement matrix, compensation will be provided at replacement value.</p> <p>2. Toilets along with bus shelters near the market may be required, but this may be done by the panchayat or through other government scheme.</p> <p>3. Various safety signage will be provided. Road safety is a separate component in the project.</p> |
| Kanwari         | <p>1. Widening should be equal on either side.</p> <p>2. Water supply facility in lieu of demolition of drinking facilities</p>  | <p>1. Concentric widening has been considered for minimization of impact with the help of engineering team.</p>  |

|                 |  |   |
|-----------------|--|---|
|                 | 3. Dustbins/ dumping site also not available<br>4. Proper compensation should be paid as per the current market rate | 2. As per entitlement matrix replacement of CPR (Water Tank) will be done.<br>3. This needs to be taken up with the panchayat<br>4. As per entitlement matrix, compensation will be paid for all the assets at replacement value. |
| <b>Location</b> | <b>Issues / Concerns</b>   | <b>1. Response</b>  |
| Bhichri         | 1. Cash compensation at market value   | 2. As per entitlement matrix, compensation will be provided at replacement value  |
| Sangasar        | 1. Drainage problem in adjacent residence<br>2. Proper compensation should be paid as per the current market rate    | 1. Enough design will remove water pooling<br>2. As per entitlement matrix, compensation will be paid for all the assets at replacement value.  |
| Loonchh         | Bus shelter and drinking water facility  | Care is taken into design of the road   |

#### **D. Plan for further Consultation in the Project**

53. The extent and level of involvement of stakeholders at various stages of the project from design stage and through resettlement plan implementation will open up the line of communication between the various stakeholders and the project implementing authorities, thereby aiding the process of resolving conflicts at early stages of the project rather than letting it escalate into conflicts resulting in implementation delays and cost overrun. Participation of the local community in decision-making will help in mitigating adverse impacts.

54. Further, successful implementation of the resettlement plan is directly related to the degree of involvement of those affected by the road-projects. Consultations with affected persons has been proposed during implementation and the PIU (PD, PIU, PWD) and the implementing support NGO will be responsible for conducting these consultations. The proposed consultation plan will include the following.

- (i) In case of any change in project design, the affected persons and other stakeholders will be consulted regarding the factors that necessitated the change, efforts taken to minimize resettlement impacts and mitigation measures available in accordance with the principles of the resettlement framework of RSHIP.
- (ii) The PIU, with the assistance of the NGO, will carry out information dissemination sessions in the project area.
- (iii) During the implementation of resettlement plan, NGO will organize public meetings, and will appraise the communities about the schedule/progress in the implementation of civil works, including awareness regarding road construction and HIV AIDS prevention.
- (iv) Consultation and focus group discussions will be conducted with the vulnerable groups like women headed households and schedule caste to ensure that the vulnerable groups understand the process and their needs are specifically taken into consideration in the implementation.

## **E. Disclosure**

55. The resettlement plan will be disclosed by the PMU and uploaded in the PWD website along with the gist of the resettlement plan translated in local language. The translated gist of the resettlement plan would provide details of the project, magnitude of impact to land and assets, eligibility and entitlement, institutional arrangement and grievance redressal process. Hardcopies of the gist of the resettlement plan in local language will be made available at the office of the PMU, PIUs and distributed to the affected persons.

56. Information will be disseminated to affected persons 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 by the PIU with assistance from the NGO hired for assisting in resettlement plan implementation. This will be done through public consultation and made available to affected persons as brochures, leaflets, or booklets, etc. in Hindi. The Hindi version of executive summary of the resettlement plan along with entitlement matrix and structure and process of GRC will also be disclosed.

57. Hard copies of the resettlement plan will also be made available at: (i) the offices of the PIU/PWD; (ii) office of the District Magistrates; (iii) and Offices of the Panchayat / Municipality, as soon as the plans are available and certainly before initiating land acquisition process for the project. Electronic version of the resettlement plan will be placed on the official website of the PWD. In addition, all safeguard documents including the quarterly progress reports and concurrent monitoring reports, impact evaluation reports, list of eligible affected persons will be disclosed. Resettlement plans will be maintained in the website throughout the life of the project.

## **V. POLICY AND LEGAL FRAMEWORK**

### **A. Background**

58. Recognizing the social issues that can arise in transport projects being proposed under Rajasthan State Highway Investment Program (RSHIP), the Public Private Partnership (PPP) Division of the Public Works Department (PWD) of Rajasthan has prepared a Resettlement Framework and indigenous peoples planning framework in line with National and State Laws and Policies, and ADB Safeguards Policy Statement. The resettlement framework describes the principles and approach in avoiding, minimizing and mitigating adverse social impacts that may arise in implementing subprojects proposed under RSHIP.

### **B. National Legislations, Policies and ADB Policy**

59. The policy framework and entitlements for the RSHIP are based on national laws: The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, State laws and regulations and ADB's Safeguard Policy Statement (SPS), 2009.

#### **1. Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCTLARR), 2013**

60. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013, provides for a transparent process and just and fair compensation to the affected families whose land is acquired or proposed to be acquired or are affected by such acquisition and provides for rehabilitation and resettlement of the affected families. The basic principle of the RFCTLARR Act is to ensure that the cumulative outcome of compulsory land acquisition should be such that, the affected persons become partners in development, leading to an improvement in the standard of living after acquisition. This act came into effect on January 01, 2014 and the Land Acquisition Act, 1894 stands repealed. The salient provisions of RFCTLARR Act is discussed below.

61. The RFCTLARR Act applies to acquisition of land for a public purpose, as defined in the act. The act provides for consultation with and involvement of local self-government in undertaking a Social Impact Assessment (SIA). The SIA is reviewed by an Expert Group to assess if the potential benefits of the project outweigh the social cost and adverse social impacts. The expert group can recommend either for or against proceeding with the project. The appropriate government is not bound by the decision of the expert group and can decide otherwise.

62. The act prohibits acquisition of multi crop land for any project, however on exceptional cases allows acquisition of multi crop land, wherein the State specific threshold of acquiring such land is not exceeded and equivalent waste land is developed for agricultural purpose. Linear projects are exempted from this condition.

63. The competent authority while determining the market value of the land has to consider the higher value of the land arrived at by 3-methods of valuation viz: (i) market value as per Indian Stamp Act, 1899 for the registration of sale deed or agreements to sell, in the area where land is situated; or (ii) average sale price for similar type of land, situated in the nearest village or nearest vicinity area, ascertained from the highest 50% of sale deeds of the preceding 3 years; or (iii) consented amount paid for PPPs or private companies. In case of rural areas, the market value of land so determined is multiplied by a factor, to be decided by the appropriate

Government. A solatium of 100% is payable on the market value of land multiplied by the factor and on all immovable properties or assets, trees and plants.

64. A Resettlement and Rehabilitation award detailing the entitlements to be provided as per the Second Schedule of Act is passed by the competent authority. Possession of land can be taken only after payment of compensation and rehabilitation and resettlement entitlements as detailed in Second Schedule and Third Schedule. The amenities to be provided in a resettlement site is detailed in the Third Schedule.

### **C. Legal and Policy Frameworks of Rajasthan State**

65. The legislations and policy concerning the land acquisition and resettlement for road project includes (i) Rajasthan Land Revenue Code, 1959, (ii) Rajasthan Highway Act, 2003, (iii) Rajasthan Resettlement Policy-2007. The gist of these act and policies are discussed in the following section.

#### **1. Rajasthan Land Revenue Code, 1959**

66. An Act to consolidate and amend the laws relating to land revenue, the powers of Revenue Officers, rights and liabilities of holders of land from the State Government, agricultural tenures and other matters relating to land and the liabilities incidental thereto in Rajasthan. This Act basically deals with the land rights of landholders and power of revenue departments but does not deal with acquisition and payment of compensation.

#### **2. Rajasthan Highway Act, 2003**

67. The Rajasthan Highway Act, 2003 is meant to provide for the restriction of ribbon development along highways for prevention and removal of encroachment thereon, for the construction, maintenance and development of highways, for the levy of betterment charges and for certain other matters, and to provide for the public such conditions as will ensure safety and maximum efficiency of all road transport in highways of the Rajasthan State.

#### **3. Rajasthan Resettlement Policy-2007**

68. Government of Rajasthan has formulated a resettlement policy known as “Ideal Resettlement Policy of the State-2007” in the year 2007 for resettlement and rehabilitation of project affected persons by various infrastructure development projects. Attempted to deal with complete land acquisition and resettlement issues, this policy includes some enhanced provisions than the above two legislations. However, the policy does not have provision for compensation at replacement cost and recognizes the non-titleholders occupying land before three years of notification of the affected area.

#### **4. The Rajasthan Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2016**

69. The Rules framed and notified by GoR for the RFCTLARRR Act, 2013 details the process of SIA, public hearing and SIA report and social impact management plan. The consent requirement that is to be obtained during the SIA is explained with provision of formats for the same. The rules also explain the process of preparing and publishing the rehabilitation and resettlement scheme.

#### **D. ADB's Safeguard Policy Statement (SPS), 2009**

70. ADB's Safeguard Policy Statement (SPS) 2009 describes the policy objective, its scope and triggers and principles of (i) environmental safeguards; (ii) involuntary resettlement safeguards; and (iii) indigenous people's safeguards. The objectives of involuntary resettlement safeguards are: (i) avoid involuntary resettlement where possible; (ii) if avoidance is not possible, minimize involuntary resettlement by exploring project and design alternatives; (iii) enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre project levels; and (iv) improve the standards of living of the displaced poor and other vulnerable groups.

71. The involuntary resettlement safeguards policy 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 losses, whether such losses and involuntary restrictions are full or partial, permanent or temporary.

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

#### **E. Comparison of Government and ADB Policies**

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

74. 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(1)] and for non-titleholders affected by the acquisition of such land, they should have been living/working three years or more prior to the acquisition of the land. To bring the RF in line with ADB's requirements, the RF mandates that in the case of land acquisition, the date of issue of notification will be treated as the cut-off date for title holders, and for non-titleholders such as squatters and encroachers, whom the act does not recognize, the cut-off date will be the start date of the subproject census survey. In case of all affected non-title holders, suitable compensation (ex-gratia payments) for loss of assets and R&R assistance is proposed in the entitlement matrix. The RCTLARR Act provides for compensation for land and structure at market rate, a 100 per cent solatium and 12 percent interest on market rate to all titleholders. Further, in addition to compensation, the title holders are entitled for resettlement allowance, subsistence allowance and shifting allowance. This meets ADB SPS requirement. Furthermore, the titleholders who lose their house and who do



not have any other house site will be entitled for a built house or cash in lieu of house provided they have been residing in the affected area for the preceding three years.

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

#### **F. Involuntary Resettlement Safeguard Principles for the Project**

76. 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, to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a census and socioeconomic survey of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- (ii) Adopt measures to avoid and minimize involuntary resettlement impacts by taking the following measures: (i) explore siting the subproject components in government land or locations which are less impacting; (ii) ensure use of appropriate technology to reduce land requirement; and (iii) modify the designs of subproject components to minimise land requirement and ensure involuntary resettlement is avoided or minimized
- (iii) Where displacement is unavoidable, improve, or at least restore, the livelihoods of all displaced persons through: (i) land-based resettlement strategies, where possible, when affected livelihoods are land based, and when loss of land is significant, 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; and (iii) prompt compensation at full replacement cost for assets that cannot be restored
- (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) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets at replacement value.
- (vi) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to national minimum standards or standard before displacement whichever is higher.

- (vii) Carry out meaningful consultations with displaced persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land, and ensure their participation in consultations.
- (viii) Prepare a resettlement plan elaborating on the entitlements of displaced persons, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- (ix) Disclose a resettlement plan, including documentation of the consultation process in a timely manner, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced persons and other stakeholders.
- (x) Pay compensation and provide all resettlement entitlements before physical or economic displacement and before physical and economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- (xi) Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of displaced persons.
- (xii) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement<sup>16</sup> to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (xiii) Monitor and assess resettlement outcomes, their impacts on the standard of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

## **G. Valuation of land and assets**

77. Compensation for Land: Land will be acquired in accordance with provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and while determining the compensation for land, the competent authority will be guided by the provisions of Sec 26, Sec 27, Sec 28, Sec 29 and Sec 30 of RFCTLARR Act, 2013. The compensation includes the multiplying factor<sup>17</sup> of 1.25-1.75 times on the land value being higher of the guideline value or average of higher 50% of sale rates for last 3 years or any rates consented for PPP or private projects. In addition, 100% solatium for involuntary acquisition of land will be added. If the residual land, remaining after acquisition, is unviable, the owner of

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<sup>16</sup> 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.

<sup>17</sup> As per Rajasthan Land Acquisition Bill, 2014.

such land/property will have the right to seek acquisition of his entire contiguous holding/property.

78. Compensation for Structures: The replacement value of houses, buildings and other immovable properties will be determined on the basis of latest PWD Schedule of Rates (SoR) as on date without depreciation and 100% solatium will be added to the structure compensation. While considering the PWD SSR rate, PIU will ensure that it uses the latest SSR for the residential and commercial structures in the urban and rural areas of the region. Wherever the SSR for current financial year is not available, the PIU will update the SSR to current prices based on approved previous year escalations. Compensation for properties belonging to the community or common places of worship will be provided to enable construction of the same at new places through the local self-governing bodies like Village Panchayat/Village council in accordance with the modalities determined by such bodies to ensure correct use of the amount of compensation. The compensation for reconstruction/relocation of places of worship will also include the associated cost of carrying out rituals/ceremonies during reconstruction/relocation. Further, all compensation and assistance will be paid to DPs at least 1 month prior to displacement or dispossession of assets.

79. Compensation for Trees: Compensation for trees will be based on their market value. Loss of timber bearing trees will be compensated at their replacement cost and compensation for the loss of crops, fruit bearing trees will be decided by the PIU in consultation with the Departments of Forest or Agriculture or Horticulture as the case may be. In line with the provision of RFCTLARR Act 2013, 100% solatium will be added to the assessed value of the trees. Prior to taking possession of the land or properties, the compensation will be fully paid and DPs will have the opportunity to harvest crops/trees within 1-month from the date of payment of compensation.

80. 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. A notice to that effect will be issued intimating that DPs can take away the materials so salvaged within 15 days of their demolition; otherwise, the same will be disposed by the project authority without giving any further notice. Trees standing on the land owned by the government will be disposed of through prevailing practice by the concerned Revenue Department/ Forest Department.

## **VI. ENTITLEMENTS, ASSISTANCE AND BENEFITS**

### **A. Introduction**

81. The subproject will have two types of displaced persons i.e. (i) persons with formal legal rights to land lost in its entirety or in part; and (ii) persons who have neither formal legal rights nor recognized or recognizable claims to such land. The involuntary resettlement requirements apply to all these two types of displaced persons.

### **B. Eligibility Criteria**

82. In accordance with the principles of the RF, the displaced persons falling in any of the following three categories will be eligible for compensation and resettlement assistance:

- (i) those who have formal legal rights to land lost in its entirety or in part;
- (ii) those who lost the land they occupy in its entirety or in part and have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national/state laws; and
- (iii) those who lost the land they occupy in its entirety or in part and have neither formal legal rights nor recognized or recognizable claims to such land.

83. Cut-off Date: For title holders, the date of SIA notification [Sec 4(1)] of intended acquisition as per the provisions of RFCTLARR Act will be treated as the cut-off date, and for non-titleholders the start date of project census survey (June 2018) for the subproject will be the cut-off date. There will be adequate notification of cut-off date and measures will be taken to prevent encroachments/squatting after the cut-off date is established.

84. Non-title holders who settle in the affected areas after the cut-off date will not be eligible for compensation. They however will be given sufficient advance notice (60 days) to vacate the premises and dismantle affected structures prior to project implementation. The project will recognize both licensed and non-licensed vendors and titled and non-titled households.

### **C. Entitlement Matrix**

85. In accordance with the R&R measures suggested for the project, all displaced households and persons will be entitled to a combination of compensation packages and resettlement assistance depending on the nature of ownership rights on lost assets and scope of the impacts including socioeconomic vulnerability of the displaced persons and measures to support livelihood restoration if livelihood impacts are envisaged. Unforeseen impacts will be mitigated in accordance with the principles of the RF for this loan. The displaced persons will be entitled to the following six types of compensation and assistance packages:

- (i) compensation for the loss of land, crops/ trees at their replacement cost;
- (ii) compensation for structures (residential/ commercial) and other immovable assets at their replacement cost;
- (iii) assistance in lieu of the loss of business/ wage income and income restoration assistance;
- (iv) alternate housing or cash in lieu of house to physically displace households not having any house site;
- (v) assistance for shifting and provision for the relocation site (if required), and
- (vi) rebuilding and/ or restoration of community resources/facilities in accordance with local customs.

86. An Entitlement Matrix has been developed, that summarizes the types of losses and the corresponding nature and scope of entitlements; and is in compliance with National/State Laws and ADB SPS. The following entitlement matrix presents the entitlements corresponding to the tenure of the DPs and the same has been approved<sup>18</sup> and endorsed by Government of Rajasthan and further updated and revised in February 2018 and again in January 2019.

**Table 25: Entitlement Matrix**

| SNo   | Impact Category  | Entitlements |   | Implementation Guidelines   |
|---|--|--------------|---|---|
| PART I. TITLE HOLDERS - Compensation for Loss of Private Property |  |              |   |   |
| 1   | Loss of Land (agricultural, homestead, commercial or otherwise)                                | 1.1          | Compensation for land at Replacement Cost <sup>19</sup> or Land for land, where feasible. | <p>Land will be acquired by the competent authority in accordance with the provisions of RFCTLARR Act, 2013.</p> <p>Replacement cost for land will be, higher of (i) market value as per Indian Stamp Act, 1899 for the registration of sale deed or agreements to sell, in the area where land is situated; or (ii) average sale price for similar type of land, situated in the nearest village or nearest vicinity area, ascertained from the highest 50% of sale deeds of the preceding 3 years; or (iii) consented amount paid for PPPs or private companies.</p> <p>Plus 100% solatium and 12% on market value from date of SIA notification to award.</p> <p>The multiplier factor adopted by GoR for land in rural areas, based on the distance from urban area to the project area, will be applied.</p> |
| 2   | Loss of Structure (house, shop, building or immovable property or assets attached to the land) | 2.1          | Compensation at replacement cost  | <p>The market value of structures and other immovable properties will be determined by PWD on the basis of relevant PWD Schedule of Rates (SR) as on date without depreciation.</p> <p>Plus 100% solatium</p>   |

<sup>18</sup> GO No. F7 (143) SHA/PPP/2015/D-1262 of Public Works Department, Government of Rajasthan dated 17.11.2015.

<sup>19</sup> The calculation of full replacement cost will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any. Where market conditions are absent or in a formative stage, the borrower/client will consult with the displaced persons and host populations to obtain adequate information about recent land transactions, land value by types, land titles, land use, cropping patterns and crop production, availability of land in the project area and region, and other related information. The borrower/client will also collect baseline data on housing, house types, and construction materials. Qualified and experienced experts will undertake the valuation of acquired assets.

| SNo  | Impact Category | Entitlements |  | Implementation Guidelines   |
|--|-----------------|--------------|--|---|
|  |                 |              |  | In case of partly affected house, manufactory or other building, as per Section 94 (1), the whole structure shall be acquired, if the owner so desires. |
| <b>PART II. REHABILITATION AND RESETTLEMENT – Both Land Owners and Families Whose Livelihoods are Primarily Dependent on Land Acquired</b> |                 |              |  |   |
| 3  | Loss of Land    | 3.1          | Where jobs are created through the project, employment to at least one member per affected family in the project or arrange for a job in such other project as may be required after providing suitable training and skill development in the required field and at a rate not lower than the minimum wages provided for in any other law for the time being in force.<br><br>or<br><br>One-time payment of Rs.5,00,000/-for each affected household<br><br>or<br><br>Annuity policy that shall pay Rs.2000/-per month for 20 years with appropriate indexation to CPIAL |   |
|  |                 | 3.2          | Monthly subsistence allowance of Rs.3,000/- per month for a period of one year to affected households who require to relocate due to the project   |   |
|  |                 | 3.3          | Transportation assistance of Rs.50,000/- for affected households who require to relocate due to the project  |   |
|  |                 | 3.4          | One-time assistance of Rs.25,000/- to all those who lose a cattle shed   |   |
|  |                 | 3.5          | One-time Resettlement  |   |

| SNo | Impact Category   | Entitlements |   | Implementation Guidelines   |
|-----|-------------------|--------------|---|---|
|     |                   |              | Allowance of Rs.50,000/-for affected household who have to relocate   |   |
|     |                   | 3.6          | Additional one-time assistance of Rs.50,000/- for scheduled caste and scheduled tribe families who are displaced from scheduled areas and who require to relocate due to the project  |   |
| 4   | Loss of Residence | 4.1          | <p>An alternative house for those who have to relocate, as per IAY specifications in rural areas and a constructed house/flat of minimum 50 sq. m. in urban areas or cash in lieu of house if opted (the cash in lieu of house will be Rs.1,48,000/ in line with Gol IAY<sup>20</sup> standards in rural areas and Rs.1,50,000 in case of urban areas.</p> <p>The benefits listed above shall also be extended to any affected family which is without homestead land and which has been residing in the area continuously for a period of not less than three years preceding the date of notification of the affected area and which has been involuntarily displaces from such area.</p> | Stamp duty and registration charges will be borne by the project in case of new house or sites. |
|     |                   | 4.2          | Where jobs are created through the project, employment to at least one member per affected family in the project or arrange for a job in such other project as may be required after providing suitable training and skill development in the required field and at a rate not lower than the minimum wages provided for in any other law for the time being in   |   |

<sup>20</sup> With effect from April 01, 2016, the IAY scheme has been restructured as Pradhan Mantri Awaas Yojana - Gramin (PMAY-G) by Government of India.

| SNo | Impact Category                            | Entitlements |  | Implementation Guidelines |
|-----|--|--------------|--|---------------------------|
|     |  |              | <p>force.</p> <p>or</p> <p>One-time payment of Rs.5,00,000/- for each affected household</p> <p>or</p> <p>Annuity policy that shall pay Rs.2000/-per month for 20 years with appropriate indexation to CPIAL</p> |                           |
|     |  | 4.3          | Monthly subsistence allowance of Rs.3,000/- per month for a period of one year to affected households who require to relocate due to the project   |                           |
|     |  | 4.4          | Transportation assistance of Rs.50,000/-for affected households who require to relocate due to the project   |                           |
|     |  | 4.5          | One-time assistance of Rs.25,000/- to all those who lose a cattle shed   |                           |
|     |  | 4.6          | One-time assistance of Rs.25,000/- for each affected family of an artisan or self-employed and who has to relocate   |                           |
|     |  | 4.7          | One-time Resettlement Allowance of Rs.50,000/- for affected household who have to relocate   |                           |
|     |  | 4.8          | Additional one-time assistance of Rs.50,000/- to scheduled caste and scheduled tribe families who are displaced from scheduled areas and who require to relocate due to the project                              |                           |
|     |  | 4.9          | Right to salvage affected materials  |                           |
| 5   | Loss of shop /trade / commercial structure | 5.1          | Where jobs are created through the project, employment to at least one member per affected family in the project or arrange for a job in such other project as may be required after providing suitable training |                           |



| SNo   | Impact Category | Entitlements |  | Implementation Guidelines |
|---|-----------------|--------------|--|---------------------------|
|   |                 |              | <p>and skill development in the required field and at a rate not lower than the minimum wages provided for in any other law for the time being in force.</p> <p>or</p> <p>One-time payment of Rs.5,00,000/- for each affected household</p> <p>or</p> <p>Annuity policy that shall pay Rs.2000/- per month for 20 years with appropriate indexation to CPIAL</p> |                           |
|   |                 | 5.2          | Monthly subsistence allowance of Rs.3,000/-per month for a period of one year to affected households who require to relocate due to the project  |                           |
|   |                 | 5.3          | Transportation assistance of Rs.50,000/- for affected households who require to relocate due to the project  |                           |
|   |                 | 5.4          | One-time assistance of Rs.25,000/- for each affected family of an artisan or self-employed or small trader and who has to relocate   |                           |
|   |                 | 5.5          | One-time Resettlement Allowance of Rs.50,000/- for affected household who have to relocate   |                           |
|   |                 | 5.6          | Additional one-time assistance of Rs.50,000/- to scheduled caste and scheduled tribe families who are displaced from scheduled areas and who require to relocate due to the project  |                           |
|   |                 | 5.7          | Right to salvage affected materials  |                           |
| <b>PART III. IMPACT TO SQUATTERS AND ENCROACHERS – Those in the existing Right of Way where no Land Acquisition is done</b> |                 |              |  |                           |

| SNo | Impact Category     | Entitlements |  | Implementation Guidelines  |
|-----|---------------------|--------------|--|--|
| 6   | Impact to Squatters | 6.1          | <b>Loss of House</b>   | Only those directly affected squatters who live there will be eligible for all assistance.<br><br>Structure owners in RoW/Government lands who do not live there and have rented out the structure will be provided compensation for structure and no other assistance will be provided to them. The occupier (squatter-tenant) will be eligible for other assistances         |
|     |                     | 6.1.1        | Compensation at scheduled rates without depreciation for structure with 1-month notice to demolish the affected structure  |  |
|     |                     | 6.1.2        | Right to salvage the affected materials  |  |
|     |                     | 6.1.3        | House construction grant of Rs.70,000/- for all those who have to relocate and who do not have a house.<br><br>Additional house site grant of Rs.50,000/- to those who do not have a house site  |  |
|     |                     | 6.1.4        | One-time subsistence allowance of Rs. 18,000/-   |  |
|     |                     | 6.1.5        | Shifting assistance of Rs.10,000/-   |  |
|     |                     | 6.2          | <b>Loss of Shop</b>  | Only those directly affected squatters who do business there will be eligible for all assistance.<br><br>Structure owners in ROW / Government who do not do the business and have rented out the structure will be provided compensation for structure and no other assistance will be provided to them. The occupier (squatter-tenant) will be eligible for other assistances |
|     |                     | 6.2.1        | Compensation at scheduled rates without depreciation for structure with 1-month notice to demolish affected structure  |  |
|     |                     | 6.2.2        | Right to salvage the affected materials  |  |
|     |                     | 6.2.3        | One-time rehabilitation grant of Rs.20,000 for reconstruction of affected shop   |  |
|     |                     | 6.2.4        | One-time subsistence allowance of Rs. 18,000/-   |  |
|     |                     | 6.2.5        | Shifting assistance of Rs.10,000/-   |  |
|     |                     | 6.3          | <b>Kiosks / Street Vendors</b>   | The PIU and the implementation support NGO/agency will consult such DPs and assess the requirement of subsistence allowance and rehabilitation grant   |
|     |                     | 6.3.1        | 1-month advance notice to relocate to nearby place for continuance of economic activity  |  |
|     |                     | 6.3.2        | For temporary loss of livelihood during construction period, a monthly subsistence allowance of Rs.3,000/- will be paid for the duration of disruption to livelihood, but not exceeding 3-months |  |
|     |                     | 6.3.3        | If relocation to nearby place and continuance of economic activity in the  |  |

| SNo                                      | Impact Category                            | Entitlements |  | Implementation Guidelines   |
|--|--|--------------|--|---|
|  |  |              | same place is not possible, then one-time rehabilitation grant of Rs.18 000/-  |   |
|  |  | 6.4<br>6.4.1 | <b>Cultivation</b><br>2-month notice to harvest standing crops or market value of compensation for standing crops                          |   |
| 7  | Impact to Encroachers                      | 7.1<br>7.1.1 | <b>Cultivation</b><br>2-month notice to harvest standing crops or market value of compensation for standing crops, if notice is not given  | Market value for the loss of standing crops will be decided by the PIU, PWD in consultation with the Agriculture or Horticulture Department   |
|  |  | 7.2<br>7.2.1 | <b>Structure</b><br>1-month notice to demolish the encroached structure  |   |
|  |  | 7.2.2        | Compensation at scheduled rates without depreciation for the affected portion of the structure   | The value of commercial structures and other immovable properties will be determined by PWD on the basis of relevant Schedule of Rates (SR) as on date without depreciation   |
| PART IV. IMPACT TO VULNERABLE HOUSEHOLDS |  |              |  |   |
| 8  | Vulnerable Households                      | 8.1          | One-time assistance of Rs. 25,000/- to DHs who have to relocate  | One adult member of the affected household, whose livelihood is affected, will be entitled for skill development.   |
|  |  | 8.2          | Training for skill development.<br><br>This assistance includes cost of training and financial assistance for travel, conveyance and food. | The PIU with support from the NGO will identify the number of eligible vulnerable displaced persons during joint verification and updating of the RP and will conduct training need assessment in consultations with the DPs so as to develop appropriate training programmes suitable to the DPs skill and the region. |
|  |  | 8.3          | Provision of access to basic utilities and public services   | Suitable trainers or local resources will be identified by PIU and NGO in consultation with local training institutes.  |
| PART V. IMPACT DURING CIVIL WORKS        |  |              |  |   |
| 9  | Impact to structure/ assets / tree / crops | 9.1          | The contractor is liable to pay damages to assets / trees / crops in private / public land, caused due to civil works                      | The PIU will ensure compliance  |
| 10                                       | Use of Private Land                        | 10.1         | The contractor should obtain prior written consent from the landowner and pay  |   |

| SNo  | Impact Category   | Entitlements |   | Implementation Guidelines   |
|--|---|--------------|---|---|
|  |   |              | mutually agreed rental for use of private land for storage of material or movement of vehicles and machinery or diversion of traffic during civil works |   |
| <b>PART VI. COMMON PROPERTY RESOURCES</b>  |   |              |   |   |
| 11   | Impact to common property resources such as places of worship, community buildings, schools, etc. | 11.1         | Relocation or restoration, if feasible, or cash compensation at replacement cost.   |   |
| 12   | Utilities such as water supply, electricity, etc.   | 12.1         | Will be relocated and services restored prior to commencement of civil works.   | The PIU will ensure that utilities are relocated prior to commencement of civil works in that stretch of the road corridor in accordance with the civil works schedule. |
| <b>PART VII. UNFORESEEN IMPACTS</b>  |   |              |   |   |
| Unforeseen impacts encountered during implementation will be addressed in accordance with the principles of RFCTLLAR 2013 / Safeguards Policy Guidelines of Multilateral Institutions. |   |              |   |   |

87. Compensation for land and structure, in accordance with the eligibility and entitlement, will be paid prior to physical and economic displacement. One-time rehabilitation assistances and shifting assistances paid as cash will also be disbursed prior to physical and economic displacement. However, any long-term rehabilitation measures like training for skill development and annuity for life, if any, will continue for a longer period and such rehabilitation measures will not be a bar to commence civil works.

## **VII. RELOCATION OF HOUSING AND SETTLEMENTS**

### **A. Provision for Relocation**

88. The PIU will provide compensation at replacement cost for affected land and structure in accordance with the RFCTLARR Act, 2013 to the title holders. Further, compensation for partially damaged structures, along with cost of restoration has been included and shifting assistance has also been provided for the displaced households in the entitlement matrix. Compensation to the non-title holders for the loss of assets other than land, such as dwellings and shops have been provided for in the entitlement matrix. The entitlements to the nontitle holders will be given only if they were in occupation of the land or structure in the project area prior to the cut-off date, the date of census survey i.e. June 2018.

### **B. Relocation Strategy**

89. The 10 physically displaced titleholder households will be entitled for a built house as per PMAY norms or cash in lieu of house. Considering the fewer number of physically displaced households the subproject does not envisage development of any resettlement site. As part of the implementation activity, the PIU with the help of the implementation support NGO should consult each and every DPs to obtain their choice based on the options available to them. The displaced households will be provided with built house in accordance with the provisions of the RFCTLARR Act, if the displaced households desires to have a house provided under the project. The stamp duty and registration charges for the house site and built house will be borne by PWD.

### **C. Development of Resettlement Sites**

90. While selecting the site for housing purpose, land ownership and use will be verified. Only those sites which are suitable for housing and amenable for issue of titles will be selected. If Government lands are not available, then private land acquisition, preferably through negotiated settlement, will be initiated. The suitability of sites for housing will be confirmed from the District Administration and title will be issued to the displaced persons prior to the commencement of construction of houses. In case of resettlement sites, the minimum facilities described in Third Schedule of the RFCTLARR Act, 2013 will be provided. Consultations with the displaced families will be held to ascertain their acceptance. The resettlement sites will be developed if more than 40 displaced families are displaced in a continuous stretch of 10 kms. If fewer numbers of displaced persons are there in a 10km stretch or if there are some isolated displaced persons who require to be provided with alternate housing, then in such cases individual sites will be offered. Displaced families will be given the option of getting a house or cash in lieu of house and based on options exercised by the affected people, resettlement sites or house sites will be developed.

91. The NGO involved in the Resettlement Plan implementation, during the verification stage, will consult all displaced persons eligible for alternate housing, and seek their preference on whether they would like to move into a resettlement site, developed in accordance with the provisions of the Third Schedule of the RFCTLARR Act, or would prefer to relocate themselves to their place of choice. Upon obtaining the choice from the eligible displaced persons and if adequate number of displaced persons have opted for moving into a resettlement site, the NGO in consultation with PIU will submit the requirement for resettlement site to the jurisdictional Joint Collector.

92. The jurisdictional Joint Collector will take efforts to identify suitable government land free from encumbrance for resettlement site and if no land is identified within 1-month, the PIU will request the jurisdictional Joint Collector to initiate steps to acquire suitable land, preferably through negotiated purchase, for the same and make necessary funds available with the Joint Collector. Individual sites/plots will be allotted to the displaced persons through public draw of lots and *patta* will be issued to the displaced persons. The stamp duty and registration charges for the house site and built house will be borne by PIU.

93. In case of resettlement sites that are situated close to existing villages or urban areas, appropriate measures will be taken to integrate the host population and enhance the various common facilities for smooth integration of host population with resettlers.

94. For affected persons requiring relocation, displacement from the affected house can only be done after the project built house is ready for occupation, completed with the necessary household facilities (i.e. water, electricity) and linking them to the jurisdictional public distribution system and assisted in enrolment to school, as required

## VIII. INCOME RESTORATION AND REHABILITATION

### A. Loss of Livelihood in this Subproject

95. The subproject causes significant impact to 101 agricultural landowners who would be losing 10 percent and more of their productive land and 2 households who would losing their shop.

### B. Entitlements for Loss of Livelihood

96. The affected persons losing livelihood will be assisted to improve or at least restore their income levels to pre-project level. The subproject entitlements for loss of livelihood include the following entitlements in accordance with the entitlement matrix of RSHIP.

#### i) Loss of livelihood to title owner losing agricultural land

- (i) cash compensation at replacement cost for affected land as per RFCTLARR Act provisions and structures, at scheduled rates without depreciation along with 100 percent solatium on market value of land and structure;
- (ii) onetime payment of Rs.5,00,000/- for each affected household or annuity policy that shall pay Rs.2000/- per month for 20 years with appropriate indexation to CPIAL;
- (iii) right to salvage affected materials,
- (iv) subsistence allowance of Rs.36,000/- for affected households who require to relocate due to the project;
- (v) shifting assistance of Rs.50,000/- to the landowner, who is required to relocate, and
- (vi) one-time resettlement allowance of Rs.50,000/- for affected household who have to relocate.

#### ii) Loss of livelihood to title owner losing shop

- (i) Cash compensation at replacement cost for affected land as per RFCTLARR Act provisions and structures, at scheduled rates without depreciation along with 100 percent solatium on market value of land and structure;
- (ii) onetime payment of Rs.5,00,000/- for each affected household or annuity policy that shall pay Rs.2000/- per month for 20 years with appropriate indexation to CPIAL;
- (iii) right to salvage affected materials,
- (iv) subsistence allowance of Rs.36,000/- for affected households who require to relocate due to the project;
- (v) shifting assistance of Rs.50,000/- to the landowner, who is required to relocate,
- (vi) one-time resettlement allowance of Rs.50,000/- for affected household who have to relocate, and
- (vii) one-time assistance of Rs.25,000/- for each affected family of an artisan or self-employed or small trader and who has to relocate.

97. Effort will be made by the PIU with the support of the NGO to assist the affected persons in their effort to restore their income. If the affected person so desires, the subsistence allowance can be utilized to deliver suitable income restoration activities in order to leverage on the existing skills of the affected person.

### **C. Income Restoration Measures**

98. The entitlement proposed under this programme (RSHIP) has adequate provisions for restoration of livelihood of the affected persons. Wherever feasible and if the affected person so desires, income restoration schemes will be identified and implemented by the PIU with the assistance of the implementing NGO. Towards this the affected person will be guided and assisted by the PIU with the support of the NGO, in effectively using the compensation and rehabilitation and resettlement assistances towards establishing an income generating activity and identifying an alternative shop location and re-establishing the shop/kiosk/vending or utilizing the finances for buying land or taking land on lease. The compensation for land and assets and the rehabilitation and resettlement assistances arrived at in accordance with the provisions of the RFCTLARR Act are adequate to restore the income levels. Further, the subsistence allowance and annuity policy are aimed at providing long term support to the affected households will ensure that the income levels are restored. Further, efforts will be made to provide employment to the affected persons during the construction phase by facilitating their engagement by the civil works contractor. It may be noted that during the census and socioeconomic survey all the affected persons had indicated their preference to work in the construction. The PD, PIU should ensure that local people and in particular the willing affected persons are engaged by the contractor in suitable civil work as stipulated in the contract. The PIU with the assistance of the implementing NGO will make the training need assessment and will impart training to the eligible affected persons for income restoration and skill up-gradation as necessary. The PIU with assistance of the implementing NGO will ensure that households whose incomes are affected and/or who have to relocate receive assistance in accessing utility services (e.g., water and electricity connection) and other relevant government services (e.g., health clinics and schools).



## IX. RESETTLEMENT BUDGET AND FINANCING PLAN

### A. Introduction

99. The resettlement cost estimate for the project road Losal Salasar Ratangarh proposed under Package-3 include compensation for private land determined in accordance with RFCTLARR Act and by adopting the applicable multiplying factor in accordance with The Rajasthan Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2016.

100. The compensation for structures is at replacement cost without depreciation, resettlement and rehabilitation assistances to titleholders in accordance with the RFCTLARR Act and to non-titleholders in accordance with the provisions of the entitlement matrix of the resettlement framework of RSHIP and cost of RP implementation. The total resettlement cost for the subproject is Rs.422.66 million. The major heads of budget items are listed below.

101. Private Land: The compensation for private land has been calculated as an average of replacement cost of land in rural and semi-urban area adjoining the road corridor. The replacement cost was gathered during census survey in discussion with local community and the elected local body representatives. For budgetary purpose, the replacement cost for land has been taken as Rs.4,39,250 per biga or approximately Rs.173.67 per sq.m. being the highest rate for rural land from the DLC records. The multiplying factor as per State rules is 1.25-1.75 based on the distance from the nearest urban centre and for budgeting purpose, the highest of the multiplying factor of 1.75 has been taken and along with the 100% solatium. Thus, the land cost has been taken as Rs.607.85 or say Rs.608 including the multiplying factor and the solatium.

102. Structure: The compensation for structures have been arrived at based on PWD Schedule of Rates (SoR), 2018 for building works, material and labour. For budgetary purpose, the replacement cost for structure without depreciation has been taken as Rs.16,200 for permanent structure, Rs.11,028 for semi permanent structure and Rs. 4,104 for temporary structure, and the cost includes 100% solatium. However, at the time of joint verification, the competent authority will value each and every structure to arrive at the replacement cost as per the latest SoR. The solatium of 100% on structure rate is adopted for titleholders.

103. **Compensation for Trees**: Compensation for trees will be based on their market value. Loss of timber bearing trees will be compensated at their replacement cost and compensation for the loss of crops, fruit bearing trees will be decided by the PIU in consultation with the Departments of Forest or Agriculture or Horticulture as the case may be. In line with the provision of RFCTLARR Act 2013, 100% solatium will be added to the assessed value of the trees. Prior to taking possession of the land or properties, the compensation will be fully paid and DPs will have the opportunity to harvest crops/trees within 1-month from the date of payment of compensation

### B. Assistances

104. All other unit rates as per the minimum provisions contained in RFCTLARR Act and as per the approved entitlement matrix. For budgeting purpose, the onetime grant of Rs.5,00,000 has been provided for all titleholders from whom land is being acquired as one-time grant is easier for PWD to manage than the annuity policy.

### **C. Compensation for Community Assets and Government Structures**

105. The unit cost for the place of worship has been budgeted at a lumpsum Rs.3,00,000 to cover the cost of reconstruction which would be assessed and paid during implementation by PIU.

### **D. RP Implementation Cost**

106. The cost of hiring NGO for assisting PIU in resettlement plan implementation has been provided with a budget of Rs.50,00,000, for intermittent inputs and the resettlement plan implementation is expected to be completed in 18 months including disbursement of compensation for land acquired under RFCTLARR Act. The budgetary provision for meeting administrative expenses including the allocation towards grievance redressal mechanism related expenses is included as part of the project cost. Further, a lump sum provision of Rs.50,000 to meet disclosure expenses and a lump sum provision of Rs.2,00,000/- for staff training, in particular the PIU staff involved in resettlement plan implementation, has also been budgeted. A budget allocation of about \$150,000 for external monitoring of Tranche 2 is included as total project cost.

### **E. Source of Funding and Fund Flow**

107. Government will provide adequate budget for all land acquisition compensation, rehabilitation and resettlement assistances and resettlement plan implementation costs from the counterpart funding. The funds as estimated in the budget for a financial year and additional fund required based on revised estimates, shall be available at the disposal of the PD, PIU at the beginning of the financial year. The PD, PWD, being the executing agency for this subproject, will provide necessary funds for compensation for land and structure and the cost of resettlement assistances in a timely manner to the jurisdictional Additional Collector. The PIU will ensure timely availability of funds for smooth implementation of the resettlement plan. The NGO under the PIU will facilitate disbursements, but the responsibility of ensuring full and timely payment to displaced persons will be that of PIU.

### **F. Resettlement Budget Estimates**

108. The budget for this sub-project is based on data and informed collected during census and socioeconomic surveys conducted in June 2018. The unit rates for structure have been worked out from the SoR. The total budget for Losal Salasar Ratangarh is estimated at Rs.422.66 million.

### **G. Disbursement of Compensation and Assistances**

109. In order to ensure that: (i) the affected person need not make frequent visits to his/her bank for depositing the physical paper instruments; (ii) s/he need not apprehend loss of instrument and fraudulent encashment; and (iii) the delay in realization of proceeds after receipt of paper instrument is obviated, all disbursement of compensation for land and structure and R&R assistances shall be done only through Electronic Clearing Service (ECS) mechanism and charges for ECS, if any, will be borne by PIU. If the affected persons destination branch does not have the facility to receive ECS (Credit), then the disbursement shall be done through respective lead banks' IFSC (Indian Financial System Code). Payment through account payee cheques will be made wherever required and no cash payment will be made.

110. The NGO and PIU, while collecting bank particulars from the affected persons, will also check with the respective bank branches if the branch has ECS (Credit) mechanism, and if not,

details of lead bank offering the facility will be collected to facilitate ECS transfer. Wherever new accounts are to be opened, preference will be given to bank's having ECS (Credit) facility. The bank account particulars of the affected person as part of the micro plan will be submitted to the jurisdictional Additional Collector for disbursement.

**Table 26: Budget Estimate**

| Item   | Input Unit   | Rate      | Quantity | Amount             |
|--|--------------|-----------|----------|--------------------|
| <b>Compensation</b>  |              |           |          |                    |
| Land Cost (Multiplying Factor 1.75 and Solatium 100% -titleholders)          | Sq.m         | 608       | 422,817  | 257,072,736        |
| Temporary Structures (with Solatium 100% -titleholders)                      | Sq.m         | 4,104     | 176      | 722,304            |
| Semi-permanent Structures (with Solatium 100% -titleholders)                 | Sq.m         | 11,028    | 16       | 176,448            |
| Permanent Structures (with Solatium 100% -titleholders)                      | Sq.m         | 16,200    | 32       | 518,400            |
| Compound Wall  | Running mete | 1,510     | 8        | 12,080             |
| <b>R&amp;R Assistance</b>  |              |           |          |                    |
| One-time grant for land owners   | One-time     | 500,000   | 213      | 106,500,000        |
| One-time resettlement allowance for Major Owner Res / Com                    | One-time     | 50,000    | 12       | 600,000            |
| Subsistence allowance for Major Res / Com Owners                             | One-time     | 36,000    | 12       | 432,000            |
| Shifting allowance major owners  | One-time     | 50,000    | 12       | 600,000            |
| Alternate house for Major Impacted Owner Residences (R)                      | One-time     | 148,000   | 10       | 1,480,000          |
| One-time assistance for loss of trade / self-employment (Major owner/tenant) | One-time     | 25,000    | 2        | 50,000             |
| One-time assistance for loss of cattle shed                                  | One-time     | 25,000    | 1        | 25,000             |
| Rehabilitation grant for Kiosks  | One-time     | 18,000    | 31       | 558,000            |
| Vulnerable Household assistance  | One-time     | 25,000    | 30       | 750,000            |
| Training for Vulnerable household  | One-time     | 5,000     | 68       | 340,000            |
| <b>Community Assets</b>  |              |           |          |                    |
| Places of worship  | Unit         | 300,000   | 10       | 3,000,000          |
| Water tank, tap, etc.  | Unit         | 125,000   | 14       | 1,750,000          |
| Gol / Trust buildings  | Unit         | 200,000   | 21       | 4,200,000          |
| <b>Administrative Cost</b>   |              |           |          | -                  |
| NGO Recruitment  | LS           | 5,000,000 |          | 5,000,000          |
| Administrative Expenses (PIU)  | LS           | 200,000   |          | 200,000            |
| Disclosure Expenses  | LS           | 50,000    |          | 50,000             |
| Training for PIU and PMU Staff   | LS           | 200,000   |          | 200,000            |
| <b>Sub total</b>   |              |           |          | <b>384,236,968</b> |
| 10 % Contingency   |              |           |          | 38,423,697         |
| <b>Total</b>   |              |           |          | <b>422,660,665</b> |
| <b>Total in INR Million</b>  |              |           |          | <b>422.66</b>      |

## X. GRIEVANCE REDRESSAL MECHANISM

### A. Grievance Redressal Committee

111. Grievance Redressal Committee (GRC) will be established at two-levels, one at the Project Implementation Unit (PIU) level and second at Project Management Unit (PMU) level. The GRC will receive, evaluate and facilitate the resolution of affected person concerns, complaints and grievances. GRC will provide an opportunity to the DPs to have their grievances redressed prior to approaching the State level LARR Authority, constituted by Government of Rajasthan in accordance with Section 51(1) of the RFCTLARR Act, 2013. GRC is aimed to provide a trusted way to voice and resolve concerns linked to the project and to be an effective way to address DPs concerns without allowing it to escalate resulting in delays in project implementation.

112. The GRC will aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns linked to the project. The GRC is not intended to bypass the government's inbuilt redressal process, nor the provisions of the statute, but rather it is intended to address displaced persons concerns and complaints promptly, making it readily accessible to all segments of the displaced persons and is scaled to the risks and impacts of the project.

113. The subproject resettlement plans provide for entitlements for the various types of losses corresponding to the tenure and an institutional mechanism to disburse compensation and rehabilitation and resettlement assistances. A consultations and disclosure plan is also provided for meaningful consultations and timely disclosure. The GRC is expected to resolve the grievances of the affected persons arising in the implementation of the subproject resettlement plan in a transparent and timely manner. The decision of the GRCs will be final unless vacated by the LARR Authority.

114. The GRC will continue to function, for the benefit of the affected persons, during the entire life of the project including the defects liability period. The response time prescribed for the GRCs would be four weeks. Since the entire resettlement component of the project has to be completed before the construction starts, to resolve the pending grievances, the GRC, at PIU and PMU level, will meet at least once every month in the first year of resettlement plan implementation and once in two months thereafter. Other than disputes relating to ownership rights and apportionment issues on which the LARR Authority has jurisdiction, GRC will review grievances involving eligibility, valuation, resettlement and rehabilitation entitlements, relocation and payment of assistances.

115. **First Level GRC:** First level GRC will be a single contact point with the jurisdictional PD, PIU responsible for receiving, hearing and resolving the grievances.

116. **Second Level GRC:** Second level GRC will be a three member committee, chaired by Additional CE, PMU, Superintending Engineer (ADB), PMU acting as its member secretary and a local person of repute and standing in the society, selected by the Secretary PWD.

### B. Functions of GRC

117. Field Level Complaint Handling System: The PD, PIU will hear grievances at least once in a month in the respective office of the jurisdictional PD, PIU. Petitions received from DPs of any concerns or complaints or grievances will be taken up by the PD, PIU. The PD will maintain

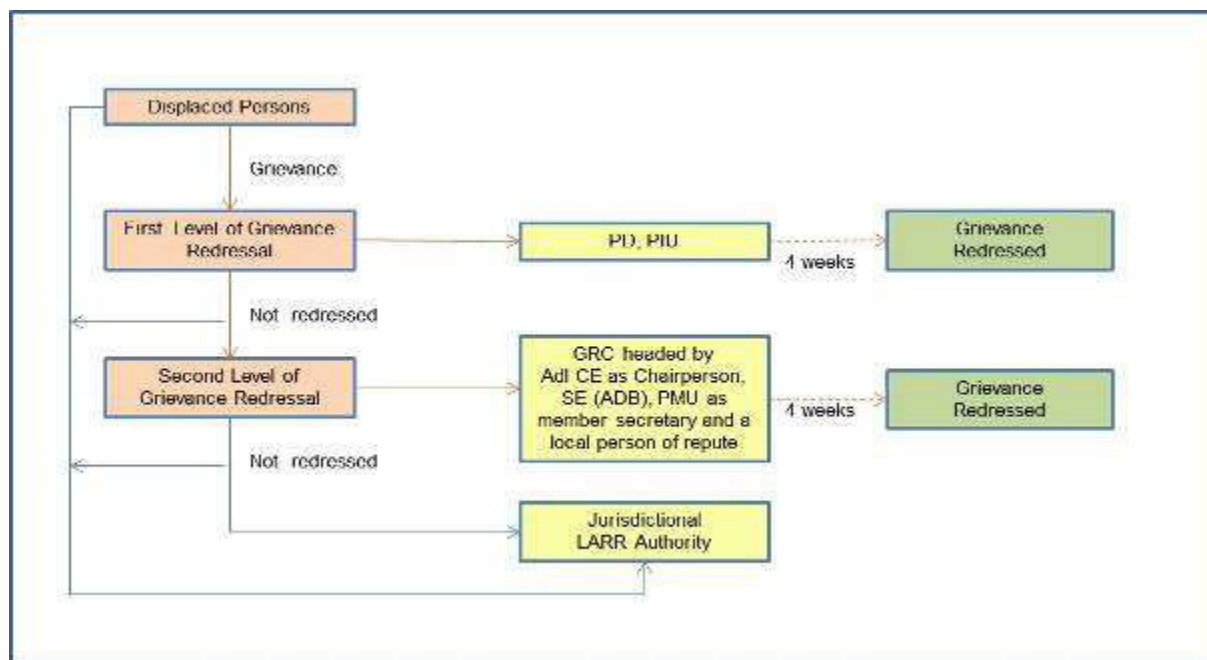
a register of all petitions received with details of date of receipt of the petition, date of hearing, if any, along with nature of complaint/concern, action taken and date of communication sent to petitioner. Communication, in writing will be sent to the aggrieved person about the date, time and venue of the hearing and make it known that s/he is entitled for personal hearing and that representation through proxy will be not be entertained. Communication will also be sent through implementation support NGO to ensure that the petitioner is informed about the date of hearing.

118. Headquarter Level (PMU) Complaint Handling System: Decision of the PD, PIU will be final unless an appeal is preferred to the 2<sup>nd</sup> level GRC at PMU. The complaint/concern will be redressed in four-week time and written communication will be sent to the complainant about the decision taken.

119. In addition to the subproject level grievance redressal mechanism, affected persons can submit their grievances through the State government grievance redressal mechanism namely *Rajasthan Sampark*<sup>21</sup> and further, all stakeholders will have access to ADB's Accountability Mechanism<sup>22</sup>.

120. Documentation of Grievances: The resettlement plan implementation support NGO will assist affected persons in registering their grievances and being heard. The complaint / grievance will be redressed in four weeks and written communication will be sent to the complainant. A complaint register will be maintained at PIU/PMU level with details of complaint lodged, date of personal hearing, action taken and date of communication sent to complainant. If the complainant is still not satisfied s/he can approach the jurisdictional LARR Authority. The complainant can access the appropriate LARR Authority at any time and not necessarily go through the GRC.

**Figure 1: Grievance Redressal Process**



<sup>21</sup> <http://sampark.rajasthan.gov.in/index.aspx>

<sup>22</sup> <https://www.adb.org/contact?target=Hmzj1lfKqMSRDKA0C6/kg==&name=Complaint%20Receiving%20Officer&referrer=node/81970>

## **XI. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION**

### **A. Administrator of LARR**

121. The jurisdictional Additional Collector will be the administrator for Land Acquisition, Resettlement and Rehabilitation (LARR). The jurisdictional Additional Collector being the competent authority for land acquisition, he will also look into Resettlement and Rehabilitation and s/he will be supported by the Project Director, PIU in implementation of resettlement plan.

### **B. Project Management Unit**

122. The PPP Division, PWD, Government of will be the Project Management Unit (PMU) and will be overall in charge of coordination between the Project Implementation Units (PIU) and for social safeguards compliance.

123. Social development and resettlement specialist (SDRS) at PPP Division, PWD at PMU level will be responsible for assisting PWD, Government of Rajasthan (RPWD), their project implementing units and the resettlement plan implementation support agencies in social safeguards compliance and ensure that road subprojects under RSHIP are in compliance with the resettlement framework and also be proactive in identifying likely safeguard issues that could be relevant in the context of its portfolio of projects.

124. The SDRS at the PMU will have the following responsibilities:

- (i) will assess the capacity of the PIU in identifying and managing social safeguard issues and facilitate capacity building of PIU officers and resettlement plan implementation support NGO;
- (ii) will review and update resettlement framework as and when there are changes in the applicable law;
- (iii) will review whether the PIUs have taken efforts to avoid or minimize involuntary resettlement impacts during the subproject design stage and during implementation stage;
- (iv) will verify whether the resettlement plan has been prepared and is in commensurate to the significance of the impact and whether the documents have been submitted along with the detailed project report;
- (v) will facilitate coordination between various government departments in land acquisition and implementation of the resettlement plan;
- (vi) will carry out periodic review of the progress on resettlement plan implementation and ensure that the progress reports are submitted in a timely manner;
- (vii) will verify whether the PIUs are handing over the land free from encumbrance as stipulated in the contract document;
- (viii) will consolidate the progress reports received from the respective PIUs and submit the semi-annual monitoring reports to ADB for disclosure on the ADB website, and any other information as required by ADB in a timely manner; and
- (xi) will initiate engagement of an external expert/monitor to undertake semi-annual monitoring of the subprojects either through PMU or PIU and submit the semi-annual monitoring report to ADB along with PMU/PIU's response to the comments/observations made in the report.

### **C. Project Implementation Unit**

125. The PIU will be responsible for screening subprojects, categorization based on involuntary resettlement impacts, conducting the social assessment, preparation and implementation of resettlement plans.

126. The road subprojects will be implemented by the jurisdictional PIU. The PD, PIU will be responsible for subproject compliance to social safeguards and concurrent internal monitoring of resettlement plan implementation. The following will be the responsibility of the PD, PIU:

- (i) review involuntary resettlement impact categorization checklist, subproject appraisal note and undertake field visits wherever required and advise the field units about the social safeguards documentation required for subprojects;
- (ii) review resettlement plan prepared by the DPR consultants and finalize the same;
- (iii) ascertain the extent of private land to be acquired and extent of government to be transferred and liaison with the jurisdictional Additional Collector and concerned government departments in getting possession of the same;
- (iv) initiate engagement of a resettlement plan implementation support NGO to assist the field units in resettlement plan implementation;
- (v) review and approve micro plans, containing the list of affected persons and their entitlements, prepared by field units;
- (vi) obtain necessary approval for the micro plans and make necessary funds available for disbursement and for development of resettlement sites;
- (vii) coordinate with Additional Collector and field units in identifying suitable land for resettlement sites and monitor the progress of development of site and relocation of affected persons;
- (viii) undertake internal monitoring of the progress made in resettlement plan implementation and take necessary corrective actions, if required; and
- (ix) review and consolidate the land acquisition and resettlement plan implementation progress reports submitted by the jurisdictional Additional Collector, resettlement plan implementation support NGO, and submit monthly progress report to PMU.

### **D. NGO/Agency for RP Implementation Support**

127. The implementation of the R&R provisions will be carried out by jurisdictional Additional Collector with the support of the PIU. The PIU will engage implementation support NGO, who have had experience in implementing resettlement plans and experienced in working on similar infrastructure development projects. The NGO to be engaged will have proven experience in carrying out resettlement and rehabilitation activities and community development and consultations in projects of similar nature, preferably in Rajasthan or in any State.

128. The NGO will play a key role in the implementation of the resettlement plan. Their tasks will include the final verification of affected persons, consultations, establishment of support mechanisms and facilitate the delivery of the rehabilitation assistances as per the resettlement plan provisions and to ensure that the affected persons receive all the entitlements as per the R&R policy of the project.

129. Key activities of the NGO in relation to resettlement planning and implementation include: (i) assist PIU in verification and updating, if required, the detailed census and socioeconomic survey of displaced persons carried out during DPR preparation based on detailed design, and verify the identity of below poverty line, female-headed, and other vulnerable households affected by land acquisition and involuntary resettlement and issue ID cards; (ii) prepare micro plan and get vetted by PIU; (iii) facilitate the process of disbursement of



compensation to the affected persons in coordinating with the PIU and informing the displaced persons of the compensation disbursement process and timeline; (iv) assist affected persons in opening bank accounts explaining the implications, the rules and the obligations in having a bank account, process of disbursement adopted by the Additional Collector and how s/he can access the resources s/he is entitled to; (v) assist the affected persons in ensuring a smooth transition (during the part or full relocation of the affected persons), helping them to take salvaged materials and shift; (vi) in consultation with the affected persons, inform the PIU about the shifting dates agreed with affected persons in writing and the arrangements they desire with respect to their entitlements; (vii) organize training programs for income restoration; (viii) conduct meaningful consultations throughout the resettlement plan implementation and ensure disclosure of the gist of resettlement plans in an accessible manner to the displaced persons; (ix) assist affected persons in grievance redressal process; (x) assist PIU in keeping detailed records of progress and monitoring and reporting system of resettlement plan implementation; and (xi) act as the information resource centre for community interaction with the project and maintain liaison between community, contractors, project implementing units and the administrator, during the execution of the works. Terms of reference for the recruitment of an NGO/agency for resettlement plan implementation support is given in Appendix-4

#### **E. Project Implementation Consultant**

130. The project implementation consultant (PIC) will assist PMU to monitor the implementation of safeguards in accordance with ADB's Safeguard Policy Statement (2009). PIC will have a social safeguard specialist who will be responsible to ensure that implementation of Resettlement Plans (RPs) is in accordance with ADB's Safeguard Policy Statement (SPS) (2009) and other related policies such as the Public Communications Policy (2011). Specifically, the specialist will ensure that PMU hands over sites to the concessionaire/Contractor only after affected persons have received compensation. The specialist will prepare the due-diligence reports on resettlement implementation as needed for processing of subsequent tranches under the MFF. The specialist will provide monthly and quarterly reports to Rajasthan PWD on resettlement implementation and provide updates on the schedule and financial aspects of resettlement to the team. He or she will monitor and provide guidance to the work of the NGOs for resettlement implementation that have been engaged by PWD, monitor resettlement implementation at the project sites, and provide training, if required, to the PIU and other local PWD staff.

#### **F. External Expert/Monitor**

131. The ADB Safeguard Policy Statement requires an external expert or monitor to be retained when a project involves significant impacts. The external expert will not be involved in day-to-day project implementation or supervision. The external expert will verify Rajasthan PWD's monitoring information and provide advice on safeguard compliance issues. If any critical involuntary resettlement issues are identified, the external monitor will prepare a corrective action plan. The external expert will prepare and submit semi-annual reports to Rajasthan PWD and ADB. The detailed terms of reference of the external expert is in Appendix-6.

#### **G. Rehabilitation and Resettlement Award**

132. In accordance with the provisions of the RFCTLARR Act [Sec 31 (1)], the competent authority will pass a rehabilitation and resettlement award. All the affected titleholders who are eligible for rehabilitation and resettlement assistance will be notified along with details of eligible assistance as per the provisions of RFCTLARR Act. Initially a list will be notified by giving

minimum of 15 days' time inviting objections, if any, regarding discrepancies on the nature and quantum of assistance. The final list will be notified after taking into account the objections, if any. Similarly, the list of those affected non- title holders will also be notified along with the details of rehabilitation and resettlement assistance and a separate rehabilitation and resettlement award enquiry will be conducted for the non-titleholders.

133. Micro plan: The implementation support NGO will prepare the draft micro plan, milestone wise for each of the subproject roads detailing the type of loss, tenure of the affected persons, vulnerability status and the entitlements as per the provisions of the entitlement matrix in the resettlement framework. The draft micro plan will be disclosed in the jurisdictional village panchayat where the affected persons are living/having business, and 1-week after the disclosure, the rehabilitation and resettlement award enquiry will be held by the jurisdictional Additional Collector.

134. Based on the rehabilitation and resettlement award enquiry outcome, the NGO will submit the final micro plan to PD, PIU for verification and onward transmission to Project Director, PMU. The Project Director, PMU, after scrutiny of the micro plan will accord approval for the same and submit to the jurisdictional Additional Collector with necessary funds for disbursement.

135. Rehabilitation and Resettlement Award: The Additional Collector will hold rehabilitation and resettlement award enquiry in the project area and will send prior intimation to all concerned affected persons through the jurisdictional *Patwaris* and the NGO.

136. During the rehabilitation and resettlement award enquiry, each affected person will be informed about the type of loss and tenure as recorded during census and socioeconomic survey and verified subsequently, and the entitlements due to the affected persons as per the provisions contained in the entitlement matrix of the resettlement framework. All the affected persons will be given an opportunity to be heard and concerns if any, will be addressed. The rehabilitation and resettlement proceedings will be recorded and copy of the rehabilitation and resettlement award will be issued to the affected persons then and there.

## **H. Management Information System (MIS)**

137. A well-designed MIS will be created and will be maintained at PIU and PIU level. The MIS will be supported with approved software and will be used for maintaining the affected persons baseline socioeconomic characteristics, developing pre-defined reports, algorithms and calculations based on the available data and updating tables/fields for finding compensation and assistances, tracking the land acquisition and resettlement progress. The individual entitlements, compensation calculations, structure valuation, etc. will be updated using MIS software. In addition, land acquisition notices, identity cards will also be generated thorough MIS. All quires will be generated and the baseline data will also be maintained and updated as needed. The data and information required for periodical progress reports will be generated using MIS database. The required computer terminals and software will be established at PIU level in order to feed the data to be maintained in the web with backup at PMU.

## **I. Capacity Building of PIU**

138. The staff of PIU, NGO and the staff of PMU, who are involved in land acquisition and rehabilitation and resettlement will require to be familiar with land acquisition procedures and ADB Social Safeguards policy requirements. In order to build the capacity of the PIU and the PMU, an orientation and training in resettlement management at the beginning of the project will

be undertaken. The training activities will focus on issues concerning (i) principles and procedures of land acquisition; (ii) public consultation and participation; (iii) entitlements and compensation disbursement mechanisms; (iv) Grievance redressal; and (v) monitoring of resettlement operation.

## XII. IMPLEMENTATION SCHEDULE

### A. Introduction

139. Implementation of resettlement plan mainly consists of compensation to be paid for private land compensation for structures, assistance for loss of homestead resulting in physical displacement, loss of livelihood resulting in economic displacement, obtaining options and choices from the affected persons, development of resettlement sites, relocation to resettlement sites and additional assistance to vulnerable household. Public consultation, monitoring and grievance redressal will be an ongoing process throughout the resettlement plan implementation period but will happen intermittently.

### B. Schedule for Project Implementation

140. The proposed resettlement plan implementation activities are divided into three broad phases viz. project preparation phase, resettlement plan implementation phase, and monitoring and reporting phase, and the activities envisaged in each phase is discussed below.

141. Project Preparatory Phase: The activities to be performed in this phase include: (i) designating or appointing an officer/staff as social development and resettlement specialists (SDRS) in PMU to be in charge of safeguards; (ii) submission of resettlement plan to ADB for approval; (iii) appointment of NGO in PIU; and (iv) establishment of GRC. The information dissemination and stakeholder consultations will commence in this stage and continue till the end of the project.

142. Resettlement Plan Implementation Phase: In this phase, key activities will be carried out including: (i) joint verification; (ii) valuation of structures; (iii) preparation of micro plan; (iv) rehabilitation and resettlement award enquiry; (v) approval of final micro plan; (vi) identification and development of resettlement site; (vii) payment of compensation for land and structure; (viii) payment of other rehabilitation assistances; (ix) relocation of affected persons to resettlement site; and (x) issuing site clearance certificate to enable commencement of civil works.

143. Monitoring and Reporting Phase: Internal monitoring will commence as soon as resettlement plan implementation begins and continue till end of resettlement plan implementation. External monitoring will also commence from the beginning of resettlement plan implementation.

### C. RP Implementation Schedule

144. An implementation schedule for land acquisition, payment of compensation and resettlement and rehabilitation activities in the project including various sub tasks and time line matching with civil work schedule is provided in the work plan. The following are the key implementation activities that are presented in the work plan.

- (i) Updating of resettlement plan based on design changes, if any;
- (ii) Approval of updated resettlement plan and disclosure;
- (iii) Appointment of NGOs and external monitoring consultants;
- (iv) Constitution and notification of GRCs;
- (v) SIA notification;
- (vi) Verification of affected persons and notification of affected persons list;
- (vii) Obtaining options for resettlement and choice of resettlement site location;

- (viii) MIS in operational for tracking land acquisition and rehabilitation and resettlement Implementation progress;
- (ix) Structure valuation;
- (x) Disclosure of micro plan (list of eligible affected persons and their entitlements);
- (xi) Issue of Identity cards;
- (xii) Rehabilitation and resettlement award including assistance for non-title holders;
- (xiii) Relocation of CPRs;
- (xiv) Payment of rehabilitation and resettlement assistance;
- (xv) Allotment of house sites or development of resettlement sites;
- (xvi) Shifting of affected persons of alternative resettlement sites;
- (xvii) Land acquisition award;
- (xviii) Certification of payment of rehabilitation and resettlement assistance for first milestone;
- (xix) Certification of payment of land acquisition and rehabilitation and resettlement assistance for second milestone impact evaluation; and
- (xx) Coordination with civil works.

145. Coordination with Civil Works: The land acquisition and resettlement implementation will be co-coordinated with the timing of procurement and commencement of civil works. The required co-ordination has contractual implications, and will be linked to procurement and bidding schedules, award of contracts, and release of encumbrance free land to the contractors. The project will provide adequate notification, counselling and assistance to affected persons so that they are able to move or give up their assets without undue hardship before commencement of civil works and after receiving the compensation and R&R assistances. All compensation and assistance will be paid to DPs at least 1 month prior to displacement or dispossession of assets. Further, wherever provision of housing is involved, sections involving affected persons requiring housing in a particular road-stretch will be taken up in the second milestone of the civil works schedule.

146. The construction of houses to physically displaced titleholder households should commence well in advance, as it would take about 12-months to complete the construction and relocation of the physically displaced. The land acquisition for the construction of the proposed carriageway and corresponding payment of compensation and rehabilitation and resettlement assistance with encumbrance free certification will be available prior to award of contract.

147. The relocation of common property resources will be linked to handing over of encumbrance free land to the contractors. The handing over of land to the contractor will be organised in two sections. Sections having no involuntary resettlement impacts and non-significant impacts will be in the first-milestone and will be handing over after signing of the contract and by the financial closure date, and the rest within one year/one and half years of contract signing as spelled out in the respective civil work contracts. Wherever the contractor uses private land for storage of material or movement of vehicles and machinery or diversion of traffic during civil works, in addition to complying with the requirements of entitlement matrix of prior written consent and rental for the period of usage, the contractor will restore the land to its original condition and the same will be ensured by the PIU.

## RP Implementation Work Plan

[illegible]

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

#### **A. Introduction**

148. The objective of monitoring is to provide the Project Implementation Unit (PIU) with an effective tool for assessing rehabilitation progress, identifying potential difficulties and problems areas and provide an early warning system for areas that need correction. Continuous supervision and periodic monitoring are an integral part of successful implementation. Monitoring is a warning system for project managers and a channel for the affected persons to express their needs and reactions to the programme.

#### **B. Internal Monitoring**

149. The Project Implementation Unit (PIU) will carry out concurrent monitoring of resettlement plan implementation through the PD, PIU and prepare monthly and quarterly progress report in terms of physical and financial progress. In addition, the monitoring process will also look into: (i) the communication and reactions of affected persons; (ii) use of grievance procedures; (iii) information dissemination to affected persons on benefits; and (iv) implementation time table. The monthly internal monitoring reports based on the outcome of consultations and feedback with displaced people who have received assistance and compensation and review of progress of other implementation activates including complains/concerns/issues raised by the affected persons, will be submitted to PMU by the end of 1<sup>st</sup> week of the subsequent calendar month. The progress report will be reviewed by the SDRS, PMU and comments if any, will be communicated to PIU for immediate action.

150. PMU will prepare and submit semi-annual monitoring reports to ADB for disclosure on the ADB website. In view the significance of resettlement impacts, the monitoring mechanism for this project will have both monitoring by PIU and monitoring by an external agency / expert.

#### **C. External Monitoring**

151. The external expert monitoring will include but not limited to: (i) review and verify the monitoring reports prepared by PIU; (ii) monitor the work carried out by NGO and provide training and guidance on implementation; (iii) review the grievance redressal mechanism and report on its working; (iv) mid-term impact assessment through sample surveys amongst displaced persons for midterm corrective action; (v) consultation with affected persons, officials, community leaders for preparing review report; (vi) assess the resettlement efficiency, effectiveness and efficiency of PIU, impact and sustainability, and drawing lessons for future resettlement policy formulation and planning. Some of the important task of external monitoring is the feedback of the affected persons who receives compensation and assistance and also alerts on the risks, non-compliances and early warnings in the implementing.

152. The indicative monitoring indicators for physical monitoring will be: land acquired (ha) - private; land transferred (ha) - government; issue of ID cards; number of affected persons received full rehabilitation and resettlement assistance (titleholders); number of affected persons received full rehabilitation and resettlement assistance (non-titleholders); number of families provided alternative resettlement house; number of vulnerable people received additional support; number of women affected persons who have receive compensation and rehabilitation and resettlement assistances; number of CPRs relocated; and number of grievance received and resolved. The indicative monitoring indicators for financial monitoring will be: amount paid as land compensation; amount paid as structure compensation; amount paid as rehabilitation and resettlement assistances; and amount spent on common property resources.

153. The indicators should be revisited prior to resettlement plan implementation and revised in accordance with the final approved RF. Terms of reference for the recruitment of an External Monitoring Agency/Expert is given in Appendix-5

154. In addition to the above, the following will also be tracked to judge social inclusion and gender mainstreaming in resettlement plan implementation. Proportion of women titleholders who received compensation; number of women headed households who received rehabilitation and resettlement assistances; local female and scheduled caste labour force participation in unskilled jobs under contractors; number of vulnerable people who received rehabilitation and resettlement assistances; proportion of women as beneficiaries of house sites/houses offered in the resettlement site under rehabilitation and resettlement assistance; and proportion of women participation in consultation meetings during implementation.



**Appendix 1: Summary of Affected Households and CPRs**

| <b>Id no.</b> | <b>Village</b> | <b>Tenure</b> | <b>Use</b>  | <b>Name of owner</b>      | <b>Father's name</b>           | <b>Percentage</b> |
|---------------|----------------|---------------|-------------|---------------------------|--------------------------------|-------------------|
| R0010001      | Losal          | Private       | Kiosk       | Babu lal                  | Gamchapdar                     | Na                |
| R0020002      | Losal          | Private       | Kiosk       | Bheeva ram saini          | Goruram saini                  | Na                |
| R0030003      | Losal          | Private       | Kiosk       | Noor mohd                 | Aziz shah                      | Na                |
| R0040004      | Losal          | Private       | Kiosk       | Vikas bhargav             | Om prakash bhargav             | Na                |
| R0050005      | Losal          | Private       | Kiosk       | Deepak kumar kumawat      | Ganga ram                      | Na                |
| R0060006      | Losal          | Private       | Kiosk       | Purnammal saini           | Pema ram ji                    | Na                |
| R0070007      | Losal          | Private       | Kiosk       | Goverdhan bhargav         | Deep chand                     | Na                |
| R0080008      | Losal          | Private       | Kiosk       | Mukesh bhargav            | Om prakash bhargav             | Na                |
| R0090009      | Losal          | Private       | Kiosk       | Tejmal                    | Hukumuddin                     | Na                |
| R0100010      | Losal          | Private       | Kiosk       | Pintu kumar               | Chiranjeev lal bhargav         | Na                |
| R0110011      | Losal          | Private       | Kiosk       | Mahender                  | Durga prasad                   | Na                |
| R0120012      | Losal          | Private       | Kiosk       | Rajesh                    | Ramutar                        | Na                |
| R0130013      | Losal          | Private       | Kiosk       | Rakesh bhargav            | Om prakash bhargav             | Na                |
| R0140014      | Losal          | Private       | Kiosk       | Jagdish prasad sharma     | Rameshwar lal sharma           | Na                |
| R0150015      | Losal          | Private       | Kiosk       | Mana ram                  | Pitharam                       | Na                |
| R0160016      | Losal          | Private       | Kiosk       | Pintu mamu                | Udaram mamu                    | Na                |
| R0170017      | Losal          | Private       | Kiosk       | Kesar mal                 | Mula ram                       | Na                |
| R01890018     | Losal          | Private       | Kiosk       | Khemchand saini           | Moolchand saini                | Na                |
| R0190019      | Losal          | Private       | Kiosk       | Sirajuddin                | Kasham khan chauhan            | Na                |
| R0200020      | Losal          | Private       | Kiosk       | Jugal kishor              | Prakash chand                  | Na                |
| R0210021      | Losal          | Private       | Kiosk       | Jagdish prasad            | Kana ram                       | Na                |
| R0220022      | Losal          | Private       | Kiosk       | Mukesh                    | Sojiram                        | Na                |
| R0230023      | Losal          | Private       | Kiosk       | Mukunda ram               | Seduram                        | Na                |
| R0240024      | Losal          | Private       | Kiosk       | Maksud khan<br>kayamkhani | Ilahi baksh khan<br>kayamkhani | Na                |
| R0250025      | Losal          | Private       | Kiosk       | Roshan jha                | Pujeer jha                     | Na                |
| R0260026      | Losal          | Private       | Kiosk       | Rajesh kumar              | Sukha ram                      | Na                |
| R0270027      | Losal          | Private       | Kiosk       | Suman kumar               | Parmeshwar lal ji              | Na                |
| R0280028      | Losal          | Private       | Kiosk       | Nemi chand                | Hanuman prasad                 | Na                |
| R0290029      | Losal          | Private       | Kiosk       | Balveer                   | Hanumana ram                   | Na                |
| R0300030      | Losal          | Private       | Kiosk       | Tejmal ji                 | Lala sabji wala                | Na                |
| R0310031      | Losal          | Private       | Kiosk       | Bundu shah                | Ajit shah                      | Na                |
| L0020033      | Singrawat      | Private       | Cultivation | Mohd khurshid kaji        | Muanshi kaji                   | 44.66             |
| L0080039      | Singrawat      | Private       | Cultivation | Bulkesh bano              | Chuna                          | 2.79              |
| L0120042      | Singrawat      | Private       | Cultivation | Parvati devi              | Chandra ram                    | 78.22             |
| L0130043      | Singrawat      | Private       | Cultivation | Gopal sharma              | Tansukh sharma                 | 1.31              |

| <b>Id no.</b> | <b>Village</b> | <b>Tenure</b> | <b>Use</b>  | <b>Name of owner</b> | <b>Father's name</b> | <b>Percentage</b> |
|---------------|----------------|---------------|-------------|----------------------|----------------------|-------------------|
| L0140043      | Singrawat      | Private       | Cultivation | Gopal sharma         | Tansukh sharma       | 1.95              |
| L0160045      | Singrawat      | Private       | Cultivation | Chand mal            | Moti lal             | 100.00            |
| L0170046      | Singrawat      | Private       | Cultivation | Chand mal            | Moti lal             | 2.11              |
| L0240053      | Singrawat      | Private       | Cultivation | Saleem               | Jamal                | 2.90              |
| L0280057      | Singrawat      | Private       | Cultivation | Gulab                | Jamaldin             | 100.00            |
| L0330062      | Singrawat      | Private       | Cultivation | Taj bano             | Chhotu               | 69.31             |
| L0460075      | Singrawat      | Private       | Cultivation | Bodu khan            | Farid khan           | 5.00              |
| L0480077      | Singrawat      | Private       | Cultivation | Bodu khan            | Farid khan           | 38.00             |
| L0500079      | Singrawat      | Private       | Residential | Bodu khan            | Sultan khan          | 30.77             |
| L0520081      | Singrawat      | Private       | Cultivation | Mohd khurshid kaji   | Muanshi kaji         | 87.56             |
| R0370087      | Singrawat      | Private       | Cultivation | Bhanwar lal pipalwa  | Malchand             | 7.39              |
| R0380088      | Singrawat      | Private       | Cultivation | Babu lal kaji        | Nasrudin             | 6.83              |
| R0440094      | Singrawat      | Private       | Cultivation | Umrudin              | Lona                 | 97.07             |
| R0500100      | Singrawat      | Private       | Cultivation | Parvati devi         | Chandra ram          | 100.00            |
| R0510101      | Singrawat      | Private       | Cultivation | Gopal sharma         | Tansukh sharma       | 22.48             |
| R0530103      | Singrawat      | Private       | Cultivation | Gopal sharma         | Tansukh sharma       | 1.40              |
| R0550105      | Singrawat      | Private       | Cultivation | Kistur chand swami   | Ram kishan swami     | 19.49             |
| R0630113      | Singrawat      | Private       | Cultivation | Narayani devi        | Meevaram saini       | 65.55             |
| R0670117      | Singrawat      | Private       | Cultivation | Anu devi             | Kailash chand        | 3.47              |
| R0720122      | Singrawat      | Private       | Cultivation | Chand mal            | Moti lal             | 16.22             |
| R0790129      | Sudrasan jagir | Private       | Cultivation | Bhoora ram           | Kana ram             | 2.02              |
| L0530130      | Sudrasan jagir | Private       | Cultivation | Ramdeva ram          | Heeraram             | 0.46              |
| L0550132      | Sudrasan jagir | Private       | Cultivation | Mangi lal            | Jaita ram            | 0.06              |
| L0560133      | Sudrasan jagir | Private       | Cultivation | Ramdayal             | Hanumana ram         | 0.28              |
| L0570134      | Sudrasan jagir | Private       | Cultivation | Gopal                | Kana ram             | 1.93              |
| L0580135      | Sudrasan jagir | Private       | Cultivation | Rudra ram            | Hanumana ram         | 0.95              |
| L0590136      | Sudrasan jagir | Private       | Cultivation | Mukesh devi          | Gopal ram            | 1.19              |
| L0600137      | Sudrasan jagir | Private       | Cultivation | Bhoma ram            | Radha kishan         | 1.44              |
| R0820140      | Sudrasan jagir | Private       | Cultivation | Radha kishan         | Chandra ram          | 0.36              |
| R0840141      | Sudrasan jagir | Private       | Cultivation | Bajrang lal          | Khanga ram           | 1.88              |
| R0850142      | Sudrasan jagir | Private       | Cultivation | Ganesh ram           | Prema ram            | 1.80              |
| R0870144      | Sudrasan jagir | Private       | Cultivation | Lala ram             | Govinda ram          | 0.31              |
| R0890146      | Sudrasan jagir | Private       | Cultivation | Narayan ram          | Roopa ram            | 0.55              |
| R0900147      | Sudrasan jagir | Private       | Cultivation | Ranjit ram           | Goma ram             | 0.24              |
| R0910148      | Sudrasan jagir | Private       | Cultivation | Raju ram             | Kishna ram           | 2.08              |
| B0040156      | Mordunga       | Private       | Cultivation | Shiv prasad          | Laxmi narayan        | 17.60             |
| B0070159      | Mordunga       | Private       | Cultivation | Kanaram              | Sevaram              | 16.76             |

| <b>Id no.</b> | <b>Village</b> | <b>Tenure</b> | <b>Use</b>  | <b>Name of owner</b>  | <b>Father's name</b> | <b>Percentage</b> |
|---------------|----------------|---------------|-------------|-----------------------|----------------------|-------------------|
| B0370188      | Mordunga       | Private       | Cultivation | Masjid khan           | Hasham khan          | 4.64              |
| B0380189      | Mordunga       | Private       | Cultivation | Chhagan lal           | Jawahar mal          | 16.95             |
| B0450196      | Mordunga       | Private       | Cultivation | Arjun lal agarwal     | Jawahar mal          | 5.72              |
| B0460197      | Mordunga       | Private       | Cultivation | Magna ram agarwal     | Moola ram            | 6.20              |
| B0470198      | Mordunga       | Private       | Cultivation | Ravat khan            | Munim khan           | 35.42             |
| B0480199      | Mordunga       | Private       | Cultivation | Batul bano            | Samandar khan        | 13.33             |
| B0490200      | Mordunga       | Private       | Cultivation | Rameshwar lal kumawat | Kishan ram kumawat   | 18.11             |
| B0500201      | Mordunga       | Private       | Cultivation | Ganju devi            | Amar chand           | 18.11             |
| B0510202      | Mordunga       | Private       | Cultivation | Ramu ram              | Hajmana ram          | 21.72             |
| B0520203      | Mordunga       | Private       | Cultivation | Sita devi             | Richhpal             | 29.46             |
| B0530204      | Mordunga       | Private       | Cultivation | Neda                  | Balu                 | 14.49             |
| B0540205      | Mordunga       | Private       | Cultivation | Banshi devi           | Hanuman singh        | 10.45             |
| B0590210      | Mordunga       | Private       | Cultivation | Shravan kumar         | Hanmana ram          | 10.45             |
| L0640219      | Mordunga       | Private       | Cultivation | Chhoti devi           | Bhagwana ram         | 0.58              |
| L0660221      | Mordunga       | Private       | Cultivation | Shiv prasad           | Laxmi narayan        | 3.81              |
| L0690224      | Mordunga       | Private       | Cultivation | Sajna ram             | Kheta ram            | 2.16              |
| L0740229      | Mordunga       | Private       | Cultivation | Gopal                 | Laxmi narayan        | 11.61             |
| R0960288      | Mordunga       | Private       | Cultivation | Mangi lal barala      | Hema ram             | 12.21             |
| L0790290      | Mandoli        | Private       |             | Bhanvru khan          | Fulerkha             | 0.36              |
| L0800291      | Mandoli        | Private       | Cultivation | Mangla ram            | Pema ram             | 100.00            |
| R0970294      | Mandoli        | Private       | Cultivation | Uchhav kanwar         | Bhagwat singh        | 86.29             |
| R0990296      | Mandoli        | Private       | Cultivation | Deep chand shara      | Hukamaram sharma     | 1.24              |
| B0710303      | Shahpura       | Private       | Cultivation | Mohani devi           | Rameshwar lal        | 10.64             |
| B0830315      | Shahpura       | Private       | Cultivation | Suresh kumar          | Rameshwar lal        | 13.88             |
| B0950327      | Shahpura       | Private       | Cultivation | Bhanwar lal harijan   | Ghisa ram            | 16.78             |
| B1070339      | Shahpura       | Private       | Cultivation | Sohan lal chahar      | Udaram chahar        | 12.06             |
| B1650457      | Shahpura       | Private       | Cultivation | Geeta devi            | Kheta ram            | 33.66             |
| B1670459      | Shahpura       | Private       | Cultivation | Pana ram kumawat      | Rameshwar lal        | 18.90             |
| B1770469      | Shahpura       | Private       | Cultivation | Radha devi            | Mal chand            | 5.78              |
| B1830465      | Shahpura       | Private       | Cultivation | Radha devi            | Mal chand            | 17.32             |
| B1890471      | Shahpura       | Private       | Cultivation | Sita ram              | Seva ram             | 0.33              |
| B1900472      | Shahpura       | Private       | Cultivation | Shiv prasad           | Deva ram             | 32.26             |
| B1950477      | Shahpura       | Private       | Cultivation | Manju devi            | Prabha ram           | 15.60             |
| B2010483      | Shahpura       | Private       | Cultivation | Magharam              | Chuna ram            | 4.97              |
| B2040486      | Shahpura       | Private       | Cultivation | Bhagwana ram          | Chuna ram            | 19.53             |
| B2070489      | Shahpura       | Private       | Cultivation | Chhoti devi           | Purna mal            | 100.00            |
| B2090491      | Shahpura       | Private       | Cultivation | Mool chandra kumawat  | Dodaram kumawat      | 100.00            |

| <b>Id no.</b> | <b>Village</b> | <b>Tenure</b> | <b>Use</b>  | <b>Name of owner</b> | <b>Father's name</b> | <b>Percentage</b> |
|---------------|----------------|---------------|-------------|----------------------|----------------------|-------------------|
| B2110493      | Shahpura       | Private       | Cultivation | Mangu ji maniyar     | Jamal maniyar        | 17.79             |
| L0840495      | Shahpura       | Private       | Cultivation | Ganga bishan         | Ramakishan           | 2.20              |
| L0900501      | Shahpura       | Private       | Cultivation | Madan lal            | Jamna ram            | 7.89              |
| R1010505      | Shahpura       | Private       | Cultivation | Shri ganga ram saini | Mangi lal            | 9.08              |
| L1060518      | Dehar ka bas   | Private       | Cultivation | Ganesh ram           | Ladu ram             | 1.88              |
| L1070519      | Dehar ka bas   | Private       | Cultivation | Ganesh ram           | Ladu ram             | 100.00            |
| L1080520      | Dehar ka bas   | Private       | Cultivation | Parma ram            | Ladu ram             | 100.00            |
| L1100522      | Dehar ka bas   | Private       | Cultivation | Ganesh ram           | Ladu ram             | 0.22              |
| R1020527      | Dehar ka bas   | Private       | Cultivation | Ladu ram             | Jeevan ram           | 12.21             |
| R1030528      | Dehar ka bas   | Private       | Cultivation | Meva ram             | Dana ram             | 1.55              |
| L1170535      | Jhajhar        | Private       | Cultivation | Ram chandra singh    | Rampal singh         | 1.15              |
| L1220541      | Jhajhar        | Private       | Residential | Chain singh          | Bhairo singh         | 1.60              |
| L1260545      | Jhajhar        | Private       | Residential | Narsi ram            | Kuldaram             | 26.93             |
| L1300549      | Jhajhar        | Private       | Residential | Narsi ram            | Kuldaram             | 26.81             |
| R1130558      | Jhajhar        | Private       | Residential | Mohan ram            | Choyu ram            | 10.18             |
| R1140559      | Jhajhar        | Private       | Cultivation | Durga ram            | Mamaram              | 6.86              |
| R1160561      | Jhajhar        | Private       | Cultivation | Daulat ram           | Sudha ram            | 100.00            |
| R1200565      | Jhajhar        | Private       | Cultivation | Nemi chand           | Ghasi ram            | 4.26              |
| L1350567      | Jhilmil        | Private       | Cultivation | Umi devi             | Narayan ram          | 0.00              |
| L1370569      | Jhilmil        | Private       | Cultivation | Bhoora               | Govind               | 0.00              |
| L1390571      | Jhilmil        | Private       | Cultivation | Bhoora               | Govind               | 0.00              |
| L1410573      | Jhilmil        | Private       | Cultivation | Bhoora               | Govind               | 0.00              |
| R1240578      | Jhilmil        | Private       | Cultivation | Simpu singh          | Shaitan singh        | 0.01              |
| R1250589      | Jhilmil        | Private       | Cultivation | Simpu singh          | Shaitan singh        | 0.01              |
| R1260590      | Jhilmil        | Private       | Cultivation | Dinesh kumar         | Gouri shankar        | 0.01              |
| B2160796      | Nechhwa        | Private       | Cultivation | Jagdish prasad       | Surja ram            | 100.00            |
| B2220802      | Nechhwa        | Private       | Cultivation | Mohan kanwar         | Sawai singh          | 2.75              |
| B2320812      | Nechhwa        | Private       | Cultivation | Sunder devi          | Tulsha ram           | 100.00            |
| B2330813      | Nechhwa        | Private       | Cultivation | Ishwar das           | Ram das              | 5.48              |
| B2340814      | Nechhwa        | Private       | Cultivation | Ram nirajan das      | Ram das              | 5.48              |
| B2360816      | Nechhwa        | Private       | Cultivation | Ishwar das           | Ram das              | 5.48              |
| B2410821      | Nechhwa        | Private       | Cultivation | Kailash chand        | Lichhman ram         | 5.48              |
| B2470827      | Nechhwa        | Private       | Cultivation | Gomti devi           | Nemi chand           | 5.48              |
| L1340833      | Salasar        | Private       | Cultivation | Mohan lala           | Bhagwana ram         | 30.07             |
| L1380837      | Salasar        | Private       | Cultivation | Hanumana ram         | Jivan ram            | 14.61             |
| L1390838      | Salasar        | Private       | Cultivation | Hanmana ram          | Jalu ram             | 2.77              |
| L1420841      | Salasar        | Private       | Cultivation | Mahavir singh        | Hanman aram          | 94.46             |

| <b>Id no.</b> | <b>Village</b> | <b>Tenure</b> | <b>Use</b>  | <b>Name of owner</b>   | <b>Father's name</b> | <b>Percentage</b> |
|---------------|----------------|---------------|-------------|------------------------|----------------------|-------------------|
| L1430842      | Salasar        | Private       | Cultivation | Manohar lal            | Hanman aram          | 100.00            |
| L1440843      | Salasar        | Private       | Cultivation | Kamla devi             | Ramniwas             | 100.00            |
| L1450844      | Salasar        | Private       | Cultivation | Tara singh             | Hanmana ram          | 100.00            |
| L1460845      | Salasar        | Private       | Cultivation | Tara singh             | Hanmana ram          | 100.00            |
| L1470846      | Salasar        | Private       | Cultivation | Tara singh             | Hanmana ram          | 100.00            |
| L1480847      | Salasar        | Private       | Cultivation | Banarasi devi          | Bhagirath mal        | 100.00            |
| L1490848      | Salasar        | Private       | Cultivation | Banarasi devi          | Bhagirath mal        | 100.00            |
| L1520851      | Salasar        | Private       | Residential | Luna ram               | Pokar ram            | 11.43             |
| L1720871      | Salasar        | Private       | Residential | Rampal                 | Jawahar ram jat      | 39.68             |
| L1730872      | Salasar        | Private       | Cultivation | Girdhari singh         | Gopal singh          | 24.45             |
| L1750874      | Salasar        | Private       | Cultivation | Chetan ram             | Gopal singh          | 28.09             |
| L1760875      | Salasar        | Private       | Cultivation | Chetan ram             | Gopal singh          | 12.63             |
| L1770876      | Salasar        | Private       | Cultivation | Shreeram               | Banarsi              | 26.10             |
| R1210887      | Salasar        | Private       | Cultivation | Balbiir                | Rameswar prasad      | 12.97             |
| R1260892      | Salasar        | Private       | Cultivation | Kani devi              | Jiwvan ram           | 29.81             |
| R1270893      | Salasar        | Private       | Cultivation | Kani devi              | Jiwvan ram           | 6.92              |
| R1280859      | Salasar        | Private       | Cultivation | Juhra ram              | Kambha ram           | 2.37              |
| R1290860      | Salasar        | Private       | Cultivation | Anita                  | Bajrang lal          | 11.38             |
| R1340865      | Salasar        | Private       | Residential | Pana devi              | Hanuman prasad       | 100.00            |
| R1360867      | Salasar        | Private       | Residential | Ashok kumar            | Bajrang lal          | 100.00            |
| R1380869      | Salasar        | Private       | Residential | Munni devi             | Sravan kumar         | 100.00            |
| R1400871      | Salasar        | Private       | Residential | Gomti devi             | Hudmi chand sharma   | 100.00            |
| R1410872      | Salasar        | Private       | Commercial  | Sophan lal             | Pitha ram            | 100.00            |
| R1390870      | Salasar        | Private       | Commercial  | Jagdish kumar prajapat | Dana ram             | 100.00            |
| R1450876      | Salasar        | Private       | Residential | Raju prajapat          | Ram lal prajapat     | 0.11              |
| L1880887      | Gudawadi       | Private       | Cultivation | Hanuman singh          | Gopal singh          | 0.05              |
| L1890888      | Gudawadi       | Private       | Cultivation | Hanuman singh          | Gopal singh          | 0.05              |
| L1900889      | Gudawadi       | Private       | Cultivation | Vimla devi             | Bhavar lal           | 0.09              |
| L1910890      | Gudawadi       | Private       | Cultivation | Devender singh         | Bhagirath ram        | 0.07              |
| L2000899      | Gudawadi       | Private       | Cultivation | Usha kaswan            | Veerendra            | 87.50             |
| L2010900      | Gudawadi       | Private       | Cultivation | Bhagirath              | Baluram              | 63.93             |
| R1550909      | Gudawadi       | Private       | Cultivation | Dana ram               | Narayan ram          | 23.57             |
| R1560909      | Gudawadi       | Private       | Cultivation | Dana ram               | Narayan ram          | 23.57             |
| L2040622      | Shobhasar      | Private       | Cultivation | Urmila                 | Suresh kumar         | 30.89             |
| B2130993      | Khudi          | Private       | Cultivation | Naurang lal            | Chimna ram           | 5.26              |
| L2111051      | Khudi          | Private       | Cultivation | Ram lal singh          | Megha ram            | 12.33             |
| B2120992      | Khudi          | Private       | Cultivation | Imamuddin              | Suraje khan          | 0.14              |




| <b>Id no.</b> | <b>Village</b> | <b>Tenure</b> | <b>Use</b>  | <b>Name of owner</b>     | <b>Father's name</b> | <b>Percentage</b> |
|---------------|----------------|---------------|-------------|--------------------------|----------------------|-------------------|
| B2331013      | Khudi          | Private       | Cultivation | Nopa ram                 | Natha ram            | 28.24             |
| B2261006      | Khudi          | Private       | Cultivation | Bhanwar lal              | Khetan lal           | 7.44              |
| B2361013      | Khudi          | Private       | Cultivation | Kisani devi              | Mang lal meghal      | 30.20             |
| B2371014      | Khudi          | Private       | Cultivation | Parmeswari devi          | Kalu ram             | 0.16              |
| B2401017      | Khudi          | Private       | Cultivation | Manju devi               | Trilok chand         | 0.43              |
| B2411018      | Khudi          | Private       | Cultivation | Goga ram                 | Bhana ram            | 67.40             |
| R1771063      | Khudi          | Private       | Cultivation | Shankar lal              | Lakha ram            | 5.05              |
| B2431020      | Khudi          | Private       | Cultivation | Nanu devi                | Bhana ram            | 8.69              |
| B2441021      | Khudi          | Private       | Cultivation | Sanvar mal               | Vidda ram            | 12.87             |
| B2461023      | Khudi          | Private       | Cultivation | Babu la purohit          | Nanu ram             | 8.53              |
| B2471024      | Khudi          | Private       | Cultivation | Ruda ram                 | Sada ram             | 0.82              |
| B2481025      | Khudi          | Private       | Cultivation | Bhanwar lal agrawal      | Ramdev ram           | 30.41             |
| B2501026      | Khudi          | Private       | Cultivation | Arjun singh rajpurohit   | Uday singh           | 0.09              |
| B2551031      | Khudi          | Private       | Cultivation | Shiv ji math sri maharaj | Nema bharti          | 12.02             |
| B2561032      | Khudi          | Private       | Cultivation | Shiv ji math sri maharaj | Nema bharti          | 0.19              |
| B2571033      | Khudi          | Private       | Cultivation | Nand lal                 | Nanu singh           | 0.09              |
| B2601036      | Khudi          | Private       | Cultivation | Bhanwr lal               | Mool chand soni      | 98.13             |
| B2621038      | Khudi          | Private       | Cultivation | Bag singh                | Lal singh            | 98.13             |
| B2661042      | Khudi          | Private       | Cultivation | Madan lal                | Purna ram            | 6.66              |
| B2671043      | Khudi          | Private       | Cultivation | Madan lal                | Purna ram            | 10.72             |
| L2101050      | Khudi          | Private       | Cultivation | Duli chand               | Megharam burdak      | 15.58             |
| L2121052      | Khudi          | Private       | Cultivation | Nanu ram mehtar          | Ramu ram             | 2.46              |
| R1791065      | Khudi          | Private       | Cultivation | Nornag lal               | Bhanwar lal          | 3.74              |
| R1861072      | Khudi          | Private       | Cultivation | Bhagirath mal            | Kishan ram           | 33.58             |
| R1921078      | Khudi          | Private       | Cultivation | Mukesh                   | Bhagirath            | 0.82              |
| B2181086      | Malasi         | Private       | Cultivation | Jivni                    | Hema ram             | 17.69             |
| B2331101      | Malasi         | Private       | Cultivation | Mukna ram                | Pusa ram             | 33.33             |
| B2341102      | Malasi         | Private       | Cultivation | Panna ram                | Chokha ram           | 54.64             |
| B2351103      | Malasi         | Private       | Cultivation | Panna ram                | Chokha ram           | 26.37             |
| B2351103      | Malasi         | Private       | Cultivation | Tulsha ram               | Purna ram            | 0.20              |
| B2391107      | Malasi         | Private       | Cultivation | Kana ram                 | Premaram             | 54.64             |
| B2401108      | Malasi         | Private       | Cultivation | Ishwar ram               | Likhma ram           | 6.46              |
| B2461114      | Malasi         | Private       | Cultivation | Prameshwar               | Govind ram           | 32.95             |
| B2471115      | Malasi         | Private       | Cultivation | Vinod kumar joshi        | Nanu ram             | 7.68              |
| B2511119      | Malasi         | Private       | Cultivation | Jeti devi                | Dalu ram             | 0.06              |
| L2231126      | Malasi         | Private       | Cultivation | Bhawar lal               | Ishwar ram           | 0.12              |
| L2241127      | Malasi         | Private       | Cultivation | Shiv pal                 | Ishwar ram           | 29.69             |

| <b>Id no.</b> | <b>Village</b> | <b>Tenure</b> | <b>Use</b>  | <b>Name of owner</b> | <b>Father's name</b> | <b>Percentage</b> |
|---------------|----------------|---------------|-------------|----------------------|----------------------|-------------------|
| R2031137      | Malasi         | Private       | Cultivation | Girdhari lal         | Rajya sarkar         | 2.44              |
| B2561142      | Dhakawali      | Private       | Cultivation | Chandra ram          | Bhivaram             | 13.41             |
| B2261150      | Dhakawali      | Private       | Cultivation | Kanaram meghwal      | Bhalaram             | 16.22             |
| B2651151      | Dhakawali      | Private       | Cultivation | Heera lal            | Masha ram            | 12.99             |
| B2661152      | Dhakawali      | Private       | Cultivation | Narang roy           | Balla roy            | 3.49              |
| B2761161      | Dhakawali      | Private       | Cultivation | Banna ram            | Tinku ram            | 10.82             |
| L2251158      | Kanwari        | Private       | Cultivation | Savar mal            | Rameshwarlal         | 12.80             |
| B2891172      | Kanwari        | Private       | Cultivation | Jagdish              | Kunan                | 0.45              |
| B2971180      | Kanwari        | Private       | Cultivation | Md salim             | Md safik             | 14.23             |
| L2311184      | Kanwari        | Private       | Cultivation | Jivan mal            | Sanaram              | 28.03             |
| B3021187      | Menasar        | Private       | Cultivation | Moti lal jat         | Jhana ram jat        | 11.13             |
| B3051190      | Menasar        | Private       | Cultivation | Bhavra ram           | Durga ram            | 7.87              |
| B3121197      | Menasar        | Private       | Cultivation | Sravan kumar         | Hukmi chand          | 8.09              |
| L2341208      | Menasar        | Private       | Cultivation | Gordhan lal sharma   | Nanu ram             | 88.80             |
| B3221215      | Kusumdesar     | Private       | Cultivation | Tiloka ram           | Keshra ram           | 5.67              |
| B3241218      | Kusumdesar     | Private       | Cultivation | Deep chand           | Birbal rai           | 20.51             |
| L2341226      | Bhichari       | Private       | Cattleshed  | Anop kanwar          | Pratap singh bhati   | 3.82              |
| R2151244      | Bhichari       | Private       | Cultivation | Mor singh            | Ishwar singh         | 0.97              |
| L2481247      | Sangasar       | Private       | Cultivation | Shanti devi          | Shera ram            | 7.19              |
| R2191249      | Sangasar       | Private       | Cultivation | Umi devi             | Jhabar               | 3.18              |
| L2491254      | Loonch         | Private       | Cultivation | Shyam sunder jangid  | Suraj mal            | 11.72             |
| R2241255      | Loonch         | Private       | Cultivation | Adu ram              | Syoji ram            | 8.71              |
| R2251256      | Loonch         | Private       | Cultivation | Parsha ram           | Sayoji ram           | 8.72              |
| B0650289      | Mordunga       | Private       | Cultivation | Ramdeva ram          | Bega ram             | 33.55             |
| CPR           | Losal          | Govt          | Govt        | Govt                 | Na                   | Na                |
| CPR           | Singrawat      | Govt          | Govt        | Govt                 | Na                   | Na                |
| CPR           | Sudrasan       | Govt          | Govt        | Govt                 | Na                   | Na                |
| CPR           | Mordunga       | Temple        | Temple      | CPR                  | Na                   | Na                |
| CPR           | Mordunga       | Temple        | Temple      | CPR                  | Na                   | Na                |
| CPR           | Mordunga       | Temple        | Temple      | CPR                  | Na                   | Na                |
| CPR           | Mordunga       | Temple        | Temple      | CPR                  | Na                   | Na                |
| CPR           | Mordunga       | Temple        | Temple      | CPR                  | Na                   | Na                |
| CPR           | Mandoli        | Temple        | Temple      | CPR                  | Na                   | Na                |
| CPR           | Mandoli        | Govt          | Govt        | Govt                 | Na                   | Na                |
| CPR           | Mandoli        | Govt          | Govt        | Govt                 | Na                   | Na                |
| CPR           | Mandoli        | Water tank    | Water tank  | CPR                  | Na                   | Na                |
| CPR           | Shahpura       | Temple        | Temple      | CPR                  | Na                   | Na                |

[illegible]






### Appendix 2: Participants in Consultation

| SNo | Place     | Date       | No of participant<br>Male & Female | Photo   |
|-----|-----------|------------|------------------------------------|---|
| 1   | LOSAL     | 19/6/18    | 15<br>(including 5 Female)         |   |
| 2   | SINGRAWAT | 30/6/18    | 12<br>(including 5 Female)         |   |
| 3   | SUDRASAN  | 30/06/18   | 24<br>(including 8 Female)         |  |
| 4   | MORDUNGA  | 30/06/2018 | 19<br>(including 8 Female)         |   |

| SNo | Place            | Date       | No of participant<br>Male & Female | Photo  |
|-----|------------------|------------|------------------------------------|--|
| 5   | MANDOLI          | 30/06/2018 | 19<br>(including 8 Female)         |    |
| 6   | SHAHPURA         | 1/7/18     | 27<br>(including 10 Female)        |    |
| 7   | DEHAR KA<br>BASS | 30/6/18    | 25<br>(including 10 Female)        |   |
| 8   | JHAJHAR          | 30/06/18   | 13<br>(including 5 Female)         |  |
| 9   | JHILMIL          | 29/6/18    | 15<br>(including 5 Female)         |  |

| SNo | Place     | Date     | No of participant<br>Male & Female | Photo  |
|-----|-----------|----------|------------------------------------|--|
| 10  | NECHHWA   | 29/06/18 | 13<br>(including 5 Female)         |  |
| 11  | SALASAR   | 5/7/18   | 20<br>(including 6 Female)         |  |
| 12  | GUDAWADI  | 16/7/18  | 14<br>(including 10 Female)        |    |
| 13  | SHOBHASAR | 13/07/18 | 14<br>(including 6 Female)         |   |
| 14  | KHUDI     | 6/7/18   | 18<br>(including 8 Female)         |  |
| 15  | KANWARI   | 13/7/18  | 19<br>(including 5 Female)         |  |
| 16  | MENASAR   | 14/7/18  | 13<br>(including 10 Female)        |  |

| SNo | Place    | Date    | No of participant<br>Male & Female | Photo   |
|-----|----------|---------|------------------------------------|---|
| 17  | BHICHRI  | 15/7/18 | 13<br>(including 6 Female)         |   |
| 18  | SANGASAR | 10/7/18 | 17<br>(including 10 Female)        |   |
| 19  | LOONCHH  | 16/7/18 | 15<br>(including 7 Female)         |  |

### Appendix 3: Comparison between ADB IR Policy Requirements and RFCTLARR Act 2013 with Gap filling measures

| SNo                         | Asian Development Bank's Involuntary Resettlement Policy Requirement  | RFCTLARR Act 2013 | Remarks and provisions in RFCTLARR Act 2013   | Measures to bridge the Gap                       |
|-----------------------------|---|-------------------|---|--|
| <b>Policy Objectives</b>    |   |                   |   |  |
| 1                           | Avoid involuntary resettlement (IR) wherever feasible   | ✓                 | Social Impact assessment (SIA) should include: (i) whether the extent of land proposed for acquisition is the absolute bare minimum extent needed for the project; (ii) whether land acquisition at an alternate place has been considered and found not feasible<br>[Ref: Section 4 sub-section 4(d) and 4(e)] |  |
| 2                           | If IR is unavoidable, minimize involuntary resettlement by exploring viable alternate project design  | x                 |   | The principles of RF addresses this requirement. |
| 3                           | DPs should be assisted in their efforts to enhance or at least restore the livelihoods of all displaced persons in real terms to pre-project levels | ✓                 | 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<br>[Ref: Preamble of the RFCTLARR ACT]                 |  |
| <b>Scope of Application</b> |   |                   |   |  |
| 4.                          | Involuntary acquisition of land   | ✓                 | In the definition of affected family, it includes 'a family whose land or other immovable property has been acquired'<br>[Ref: Section 3 sub-section c (i)]   |  |
| 5                           | Involuntary restriction of land use or on access to legally designated parks and protected areas.   | ✓                 | In the definition of affected family in includes 'family whose primary source of livelihood for three years prior to the acquisition of the land is dependent on forests or water bodies and includes gatherers of forest produce, hunters, fisher folk and   |  |

| SNo                         | Asian Development Bank's Involuntary Resettlement Policy Requirement   | RFCTLARR Act 2013 | Remarks and provisions in RFCTLARR Act 2013  | Measures to bridge the Gap  |
|-----------------------------|--|-------------------|--|---|
|                             |  |                   | boatmen and such livelihood is affected due to acquisition of land<br>[Ref: Section 3 sub-section c (vi)]  |   |
| <b>Eligibility Criteria</b> |  |                   |  |   |
| 6                           | Those who have formal legal rights to land lost in its entirety or in part   | ✓                 | In the definition of affected family, it includes 'a family whose land or other immovable property has been acquired'<br>[Ref: Section 3 sub-section c (i)]  |   |
| 7                           | Those who do not have formal legal rights to land lost but who have a claim to such land that are recognized or recognizable under national laws | ✓                 | In the definition of affected family, it includes 'the Scheduled Tribes and other traditional forest dwellers who have lost any of their forest rights recognized under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 due to acquisition of land'; and also includes 'a member of the family who has been assigned land by the State Government or the Central Government under any of its schemes and such land is under acquisition'.<br>[Ref: Section 3 sub-section c(iii) and (v)] |   |
| 8                           | Those who have neither formal legal rights nor recognized or recognizable claim to land lost   | x                 |  | The RF, under eligibility criteria, this is addressed.  |
| 9                           | Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.           | x                 |  | The RF, the cut-off date has been defined.  |
| <b>Policy Principles</b>    |  |                   |  |   |
| 10                          | Carry out meaningful consultations with affected persons, host communities and concerned non-government originations                             | ✓                 | Whenever a SIA is required, the appropriate Government shall ensure that a public hearing is held at the affected area, after giving adequate publicity about the date, time and venue for the public hearing, to ascertain the views of the affected families to be recorded and included in the SIA  | The RF provides for a District level GRC to resolve grievances in the First Level and the appellate authority at the Second Level of grievance resolution |

| SNo | Asian Development Bank's Involuntary Resettlement Policy Requirement   | RFCTLARR Act 2013 | Remarks and provisions in RFCTLARR Act 2013  | Measures to bridge the Gap   |
|-----|--|-------------------|--|--|
|     |  |                   | Report.<br>[Ref: Section 5]  | mechanism, prior to referring/approaching the LARR authority   |
| 11  | Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns.  | ✓                 | For the purpose of providing speedy disposal of disputes relating to land acquisition. Compensation, rehabilitation and resettlement, establish, by notification. one or more Authorities to be known as "the Land Acquisition, Rehabilitation and Resettlement Authority"<br>[Ref: Section 51 sub-section 1]  | The RF provides for a District level GRC to resolve grievances in the First Level and the appellate authority at the Second Level of grievance resolution mechanism, prior to referring/approaching the LARR authority |
| 12  | Preference to land-based resettlement strategies for displaced persons whose livelihoods are land-based.   | ✓                 | Land for land is recommended in irrigation projects and in projects where SC/ST is involved equivalent land.<br>[Ref: Second Schedule S.No.2]  | Land for land option, if feasible, is provided in the EM. If not feasible, then cash compensation at replacement cost has been provided  |
| 13  | 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. | ✓                 | The Rehabilitation and Resettlement Award shall include all of the following: (c) particulars of house site and house to be allotted, in case of displaced families; (d) particulars of land allotted to the displaced families; (e) particulars of one-time subsistence allowance and transportation allowance in case of displaced families;.....<br>[Ref: Section 31 sub-section 2(c), (d) and (e)] |  |
| 14  | Improve the standards of living of the displaced poor and other vulnerable   | ✓                 | The act provides for special provisions and assistance for scheduled caste and   | Special provision for vulnerable have  |

| SNo | Asian Development Bank's Involuntary Resettlement Policy Requirement   | RFCTLARR Act 2013 | Remarks and provisions in RFCTLARR Act 2013   | Measures to bridge the Gap           |
|-----|--|-------------------|---|--------------------------------------|
|     | groups, including women, to at least national minimum standards  | (partly)          | scheduled tribe in scheduled area.<br>[Ref: Section 41]<br>Further the act recognizes widows, divorcees and women deserted by families as separate families<br>[Ref: Section sub-section (m)]<br>The act does not recognize other vulnerable category and also SC/ST from non-scheduled   | been provided in Entitlement matrix. |
| 15  | Develop procedures in a transparent, consistent, and equitable manner if actuation is through negotiated settlement.   | x                 | Not explicitly stated   | Provided for in the RF               |
| 16  | Prepare a resettlement plan elaborating on displaced persons entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget and time bound implementation schedule   | ✓                 | The Act provides for the preparation of Rehabilitation and Resettlement Scheme including time line for implementation<br>[Ref: Section 16 - sub-section 2]  |                                      |
| 17  | Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders | ✓                 | The appropriate Government shall ensure that the Social Impact Assessment study report and the Social Impact Management Plan, are prepared and made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be, and the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil, and shall be published in the affected areas, in such manner as may be prescribed, and uploaded on the website of the appropriate Government.<br>[Ref: Section 6 sub-section 1]<br><br>Further the commissioner shall cause the approved Rehabilitation and Resettlement Scheme to be made available in the local language to the |                                      |



| SNo | Asian Development Bank's Involuntary Resettlement Policy Requirement  | RFCTLARR Act 2013 | Remarks and provisions in RFCTLARR Act 2013  | Measures to bridge the Gap   |
|-----|---|-------------------|--|--|
|     |   |                   | Panchayat, Municipality or Municipal Corporation As the case may be, and the offices of the district collector, the Sub-Divisional Magistrate and Teshil, and shall be published in affected areas, in such manner as may be prescribed and uploaded on the website of the appropriate Government [Ref: Section 18]  |  |
| 18  | Pay compensation and provide other resettlement entitle before physical or economic displacement. Implant the resettlement plan under close supervision throughout project implementation   | ✓                 | The Collector shall take possession of land after ensuring that full payment of compensation as well as rehabilitation and resettlement entitlements are paid or tendered to the entitled persons within a period of three months for the compensation and a period of six months for monetary part of rehabilitation and resettlement entitlements listed in the Second Schedule commencing from the date of the award made under section 30. [Ref: Section 38 - sub-section 1] | The RF stipulated that all compensation and assistance will be paid to DPs at least 1 month prior to displacement or dispossession of assets |
| 19  | Monitoring and assess resettlement outcomes, their impacts on the standard of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports. | ✓                 | The Central Government may, whenever necessary for national or inter-state projects constitute a National Monitoring Committee for reviewing and monitoring the implementation of rehabilitation and resettlement schemes or plans under this Act. [Ref: Section 48 - sub-section 1]   | The RF provides for internal and external monitoring of LA,R&R   |

## **Appendix 4: Terms of Reference (TOR) for the NGO/agency to assist PIUs in Resettlement Plan Implementation**

### **A. Project Background**

1. Government of Rajasthan has proposed to upgrade its road network under Rajasthan State Highway Investment Program (RSHIP) and as part of this endeavour, Public Works Department (PWD) of Rajasthan has been mandated to undertake improvement and upgradation of various State Highways and Major District Roads at different locations in Rajasthan. As part of this mandate, the PPP Division of Rajasthan Public Works Department has identified the roads requiring improvement that would improve the connectivity to national highways, major towns and industrial belts. The proposed investment program will support up gradation and improvement of the identified roads and Tranche-II will finance 11 road projects totalling of about 754.463 Km spread across the State of Rajasthan.

2. The Public Private Partnership (PPP) Cell of the Public works Department has prepared the Resettlement Plan (RP) for Losal Salasar Ratangarh section of SH-7 and SH-92 proposed under Tranche-II for improvements under RSHIP. This RP addresses social issues arising out of acquisition of land and other assets, eviction of squatters and removal of encroachments resulting in social and / or economic displacement to households / individuals / community, either direct or indirect and is in compliance with ADB's Safeguard Policy Statement, 2009 and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. A Resettlement Plan (RP) has been prepared to assist the affected people to improve or at least restore their living standards to the pre-project level. This RP captures the involuntary resettlement impacts arising out of the proposed improvements to the road Losal Salasar Ratangarh section of SH-7 and SH-92 of RSHIP. 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 socioeconomic characteristics, entitlements based on type of loss and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring.

4. The PMU has decided to call in for the services of RP implementation support agency/NGO experienced in carrying out such rehabilitation and resettlement activities at the grass root level to assist the PIUs in RP implementation.

### **B. Objectives of the Assignment**

5. The NGO shall assist the PPP Division, PWD(R), Rajasthan in the implementation of the Resettlement Plan for Tranche-1 road subprojects grouped as four packages and comprising of 15-road subprojects and shall undertake the following tasks:

- Educating the DPs on their rights to entitlements and obligations.
- To ensure that the DPs are given the full entitlements due to them, according to the entitlements in the RP.
- To provide support and information to DPs for income restoration.
- Assist the DPs in relocation to resettlement site and rehabilitation, including counseling, and coordination with local authorities/line departments.
- Assist the DPs in redressing their grievances (through the grievance redress committee set up for the subproject)

- To assist the Project Implementation Unit (PIU) with social responsibilities of the subproject, such as compliance with labour laws, prohibition of child labour, and gender issues.
- To conduct awareness program on HIV/AIDs, Health and Hygiene, and Human Trafficking in affected villages.
- To collect data and submit progress reports on a monthly and quarterly basis for PIU to monitor the progress of RP implementation.

## **C. Scope of Work**

### **a) Administrative Responsibilities of the NGO**

- Working in co-ordination with the PD, PIU; and assist the PD in carrying out the implementation of the RP;
- To assist the DPs in redressing their grievances through the GRCs;
- Assist the PIU in disclosure, conducting public meetings, information campaigns during the RP implementation and give full information to the affected community;
- Translate the summary of RP in local language for disclosure and disseminate to DPs;
- To assist the PIU in ensuring that the Contractors comply with the applicable labour laws (including prohibition of child labour, bonded labour and gender requirements) as contained in the contract document;
- To assist the PIU in ensuring compliance with safety, health and hygiene norms, and the conduct HIV/AIDS and Human Trafficking awareness/prevention campaigns;
- Submit monthly and quarterly progress report to the PIU including both physical and financial progress. The report should also cover implementation issues, summary of grievances and summary of consultations.
- Provide data and information that PIU will require in the management of the data base of the DPs.
- Assist PIU in providing training to DPs, wherever required in the implementation of RP.

### **b) Responsibilities for Implementation of the RP**

- Agency/NGO shall verify the information already contained in the RP and the individual losses of the DPs. They should validate the data provided in the RP and report to PIU on changes required, if any, along with documentary evidence.
- Wherever required, update the census and socioeconomic survey data and administer the census and socioeconomic survey questionnaire, if there are DPs who have been not covered during baseline survey and in particular the titleholders from whom land is being acquired.
- The Agency/NGO shall establish rapport with DPs, consult and provide information to them about the respective entitlements as proposed under the RP, and distribute entitlement cum Identity Cards to the eligible DPs. The identity card should include a photograph of the DP, the extent of loss suffered, the entitlement and contact details of the PIU, NGO and GRC.
- The Agency/NGO shall develop rapport between the DPs and the Project Director, PIU. This will be achieved through regular interactions with both the PIU and the DPs. Meetings with the PD, PIU will be held at least fortnightly, and meetings with the DPs will be held monthly, during the entire duration of the

assignment. All meetings and decisions taken shall be documented by the NGO/Agency.

- Prepare monthly action plans with targets in consultation with the PIU.
- The Agency/NGO shall prepare micro plan detailing the type of impact and entitlements for each DP and display the list in prominent public places like villages, Panchayat offices, etc. prior to R&R award enquiry.
- During the verification of the eligible DPs, the Agency/NGO shall ensure that each of the DPs are contacted and consulted either in groups or individually. The Agency/NGO shall specially ensure consultation with women from the DPs families especially women headed households.
- Participatory methods should be adopted in assessing the needs of the DPs, especially with regard to the vulnerable groups of DPs. The methods of contact may include village level meetings, gender participation through group's interactions, and individual meetings and interactions.
- The Agency/NGO shall explain to the DPs the provisions of the policy and the entitlements under the RP. This shall include communication to the roadside squatters and encroaches about the need for the timely shifting/relocation to resettlement site, the timeframe for disbursement of their entitlement.
- The Agency/NGO shall disseminate information to the DPs on the possible consequences of the project on the communities' livelihood systems and the options available, so that they do not remain ignorant.
- Agency/NGO will monitor the civil construction work in each package to ensure there is no bonded/child labour.
- In all of these, the Agency/NGO shall consider women as a special focus group, and deal with them with care and sympathy.
- The Agency/NGO shall assist the project authorities in ensuring a smooth transition (during the part or full relocation of the DPs), helping the DPs to take salvaged materials and shift. In close consultation with the DPs, the Agency/NGO shall inform the PIU about the shifting dates agreed with the DPs in writing and the arrangements desired by the DPs with respect to their entitlements.
- The Agency/NGO shall assist the DPs in opening bank accounts explaining the implications, the rules and the obligations of a joint account and how s/he can access the resources s/he is entitled to.

c) Accompanying and Representing the DPs at the Grievance Redressal Committee (GRC) Meetings

- The Agency/NGO shall nominate a suitable person (from the staff of the NGO) to assist the DPs in the GRC.
- The Agency/NGO shall make the DPs aware of the existence of grievance redressal committees (GRCs)
- The Agency/NGO shall help the DPs in filling the grievance application and also in clearing their doubts about the procedure as well as the context of the GRC award.
- The Agency/NGO shall record the grievance and bring it to the notice of the GRCs within seven days of receipt of the grievance from the DPs. It shall submit a draft note with respect to the particular grievance of the DP, suggesting multiple solutions, if possible, and deliberate on the same in the GRC meeting with the permission of the Chair of the GRC.

- To accompany the DPs to the GRC meeting on the decided date, help the DP to express his/her grievance in a formal manner if requested by the GRC and again inform the DPs of the decisions taken by the GRC within 3 days of receiving a decision from the GRC.
- d) Carry out Public Consultation
- In addition to counseling and providing information to DPs, the Agency/NGO will carry out periodic consultation with DPs and other stakeholders
  - Should organise meetings and appraise the communities about the schedule / progress of civil works
  - All the consultations should be documented and if possible, photographs and attendance sheets should be compiled. The list of participants and a summary of the consultations and outcome should be submitted to PIU.
- e) Assisting the PIU with the Project's Social Responsibilities
- The Agency/NGO shall assist the PIU to ensure that the Contractors are abiding by the various provisions of the applicable laws pertaining to labour standards.
  - The Agency/NGO shall assist the PIU to implement HIV/AIDS awareness measures, including collaboration with the line agencies.
  - The Agency/NGO will assist the PIU in conducting the R&R award enquiry
  - Assist the PIU to incorporate changes in the micro plan, if any based on R&R award and resubmit the same to PIU for verification, endorsement and onward transmission to Additional Collector for disbursement.
- f) Monitoring and Reporting
- The RP includes provision for monitoring by PIU and quarterly, mid-term, and post-project monitoring and evaluation by external agency. The Agency/NGO involved in the implementation of the RP will be required to supply all information, documents to the external monitoring consultants.

#### **D. Documentation and Reporting by NGO**

6. The NGO selected for the assignments shall be responsible to:

- Submit an inception report within three weeks; on signing up of the contract including a work plan for the whole contract period, staffing and personnel deployment plan.
- Prepare monthly progress reports to be submitted to the PIU, with weekly progress and work charts as against the scheduled timeframe of RP implementation.
- Prepare and submit quarterly reports on a regular basis, to be submitted to the PIU.
- Submit a completion report at the end of the contract period summarizing the actions taken during the project, the methods and personnel used to carry out the assignment, summary of support/assistance given to the DPs, lessons learnt, best practices and suggestions, if any, for effective implementation.
- All other reports/documentation as described in these terms of reference.
- Record minutes of all meetings.
- Four copies of each report shall be submitted to PIU together with one soft copy of each report in the CD

## **E. Data, Services and Facilities to be provided by the Client**

7. The PIU will provide to the NGO the copies of the RP, DPs' Census records and structure photographs, the strip plan of final design and any other relevant reports/data prepared by the DPR consultants. All facilities required in the performance of the assignment, including office space, office stationery, transportation and accommodation for staff of the Agency/NGO, etc., shall be arranged by the NGO.

## **F. Timeframe for Services**

8. It is estimated that the NGO services will be required for about 36 months with intermittent inputs of key-personnel, to undertake the assignment of facilitating the implementation of the RP. The inputs of key personnel should be in accordance with the tasks and the corresponding time required for their completion. The time schedule for completion of key tasks is given below

| <b>SNo</b> | <b>Task Description</b>   | <b>Time for completion</b>  |
|------------|---|---|
| 1          | Inception Report  | At the end of the 3rd week after commencement of services   |
| 2          | a. Joint verification, issue of identity card and submission of corrected data, if any, including proposal for replacement and upgradation of community assets              | At the end of the 2nd month after commencement of services  |
|            | b. Additional and /or missing census survey records of DPs (to be collected only after due approval of such cases by RO in writing) including profiles of DP in such survey | At the end of the 3rd month after commencement of services  |
| 3          | Monthly Progress Report /Quarterly Progress Report covering the activities in the scope of works and corresponding deliverables   | In 7 days from the end of each month /quarter   |
| 4          | Facilitating disbursement of the entitlements for 50% of total DPs in the 1st milestone coinciding with the milestone sections fixed by PIU                                 | At the end of the 5th month after commencement of services  |
| 5          | Disbursement of the entitlements for the remaining DPs in the 1st milestone   | At the end of the 6th month after commencement of services  |
| 7          | a. Disbursement of the entitlements for remaining DPs in the 2nd milestone  | At the end of the 15th month after commencement of services   |
|            | b. Facilitating resettlement of DPs to the resettlement site(s)   |   |
| 8          | Draft Final Report summarising the action taken and other resettlement works to be fulfilled by the NGO   | One month before the service / 35th month after commencement of services  |
| 9          | Final report summarising the action taken and other resettlement works to be fulfilled by the NGO   | At the end of the service / 36th month after commencement of services incorporating suggestions of PIU on the draft report. |

## **G. Team for the Assignment**

9. The Agency/NGO shall assign a team of professionals for assisting PIU in RP implementation. The Agency/NGO team should consist of the following 5-core professionals and a minimum of 4 support staff including a skilled data entry operator. The core team should have a combined professional experience in the areas of social mobilization, community

development, land acquisition and resettlement, census and socioeconomic surveys and participatory planning and consultations.

| SNo | Key Professional   | No. of Persons | Experience   |
|-----|--|----------------|--|
| 1   | Team Leader cum R&R expert<br>(intermittent input)       | 1              | Postgraduate in Social Science with a minimum of 10 years' experience in R&R, with land acquisition and R&R implementation experience in 5 projects of which at least 3 should be linear projects (Highway) funded by external agencies. Should be proficient in Hindi and English   |
| 3   | R&R Expert and Field Coordinator<br>(intermittent input) | 4              | Graduate in Social Science with knowledge and experience in census and socioeconomic surveys, RP implementation PRA Technique and fluent in Hindi and English.<br><br>Should have a minimum of 5 years' experience in R&R, with land acquisition and R&R implementation experience in 3 projects of which at least 2 should be linear projects (Highway) funded by external agencies.<br><br>One field coordinator should be posted for each of the road subproject in this packager |

## H. Payment Terms

10. The payment will be made corresponding to the tasks described under 'Timeframe for Services' above. For awareness campaigns on HIV-AIDS, health and hygiene, the PIU will provide funds separately at actuals, based on specific campaign proposals submitted by the NGO. Cost of printing disclosure material will be paid by PIU directly or PIU will make available printed disclosure material.

11. The financial quote should include remuneration of key personnel and support staff, and all costs related to carrying out the services, excluding cost of awareness campaigns for HIV-AIDS, health and hygiene, printing of disclosure handouts and printing and laminating identity cards for DPs. Service tax, if applicable, will be paid by PIU and proof of remittance should be submitted to PIU after each payment is made. The NGO should cover their staff with adequate insurance and the cost shall be included in the financial quote under overheads.

## **Appendix 5: Terms of Reference for engaging an External Monitoring Agency/Expert**

### **A. Project Description**

1. Government of Rajasthan has proposed to upgrade its road network under Rajasthan State Highway Investment Program (RSHIP) and as part of this endeavour, Public Works Department (PWD) of Rajasthan has been mandated to undertake improvement and upgradation of various State Highways and Major District Roads at different locations in Rajasthan. As part of this mandate, the PPP Division of Rajasthan Public Works Department has identified the roads requiring improvement that would improve the connectivity to national highways, major towns and industrial belts. The proposed investment program will support up gradation and improvement of the identified roads and Tranche-II will finance 11 road projects totalling of about 754.463 Km spread across the State of Rajasthan.

2. The Public Private Partnership (PPP) Cell of the Public works Department has prepared the Resettlement Plan (RP) for Losal Salasar Ratangarh section of SH-7 proposed under Tranche-II for improvements under RSHIP. This RP addresses social issues arising out of acquisition of land and other assets, eviction of squatters and removal of encroachments resulting in social and / or economic displacement to households / individuals / community, either direct or indirect and is in compliance with ADB's Safeguard Policy Statement, 2009 and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. A Resettlement Plan (RP) has been prepared to assist the affected people to improve or at least restore their living standards to the pre-project level. This RP captures the involuntary resettlement impacts arising out of the proposed improvements to the road Losal Salasar Ratangarh section of SH-7 and SH-92 of RSHIP. 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 socioeconomic characteristics, entitlements based on type of loss and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring.

4. The PIUs have appointed agencies/NGO's to support the respective PIU in RP implementation. The subproject includes a provision for monitoring and evaluation of the implementation of the subproject resettlement plans by an external monitor/agency. Therefore, the PMU requires the services of a reputed individual/consultancy firm for monitoring and evaluation of RP implementation.

### **B. Scope of work – Generic**

5. The scope of work include:

- To review and verify the progress in resettlement implementation as outlined in the RP;
- To monitor the effectiveness and efficiency of PIU, and NGO in RP implementation;
- To assess whether resettlement objectives, particularly livelihoods and living standards of the Displaced Persons (DPs) have been restored or enhanced;
- To assess resettlement efficiency, effectiveness, impact and sustainability, drawing both on policies and practices and to suggest any corrective measures, if necessary; and
- To review the project impacts on vulnerable groups, indigenous people and



groups and assess the effectiveness of the mitigative actions taken.

### **C. Scope of work- Specific**

6. The major tasks expected from the external monitor are:
- To develop specific monitoring indicators for undertaking monitoring for RP implementation;
  - Review results of internal monitoring and verify claims through random checking by adopting suitable sampling method at the field level to assess whether land acquisition/resettlement objectives have been generally met;
  - Involve the affected people and community groups in assessing the impact of land acquisition for monitoring and evaluation purposes;
  - Evaluate and assess the adequacy of compensation and R&R assistances given to the DPs, the resettlement sites developed and relocation process and the livelihood opportunities and incomes as well as the quality of life of DPs; and
  - To evaluate and assess the adequacy and effectiveness of the consultative process with DPs, particularly those vulnerable, including the adequacy and effectiveness of grievance procedures and legal redress available to the displaced persons, and dissemination of information about these.

### **D. Time Frame and Reporting**

7. The independent monitoring agency/expert will be responsible for overall monitoring of the RP implementation and will submit quarterly review directly to PMU for onward transmission to ADB with PMU's comments.

### **E. Qualifications**

8. The monitoring agency/expert will have significant experience in resettlement policy analysis and RP implementation. Further, work experience and familiarity with all aspects of resettlement operations would be desirable. The Team Leader / Expert should have the following qualification: (i) postgraduate degree in social science; (ii) 15 years' experience in R&R; (iii) experience in ADB/WB funded R&R projects; and (iv) R&R monitoring experience in ADB/WB funded projects. Interested agencies/consultants should submit proposal for the work with a brief statement of the approach, methodology, and relevant information concerning previous experience on monitoring of resettlement implementation and preparation of reports.

9. The profile of agency/expert along with full CV of monitors to be engaged must be submitted along with the proposal.

### **F. Budget and Logistics**

10. Copies of the proposal - both technical and financial - should be submitted and the budget should include all cost and any other logistics details necessary for resettlement monitoring.