

Resettlement Plan

July 2019

IND: Rajasthan State Highway Investment Program- Tranche 2

Package 1 (Annuity): Laxmipura-Dora-Dabi-Ranaji ka Gudha 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 (INR/Rs)
₹1.00	=	\$0.0144
\$1.00	=	₹69.4071

ABBREVIATIONS

ADB	–	Asian Development Bank
DC	–	District Collector
GOI	–	Government of India
GRC	–	Grievance Redressal Committee
IA	–	Implementing Agency
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
R&R	–	Rehabilitation and Resettlement
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. The 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 will support up gradation and improvement of the identified roads and 16 road projects totalling of about 1,009 kilometers (km) spread across the State of Rajasthan is under implementation. Tranche-II 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 the subproject NH-12 - Laxmipura - Dora - Dabi – Ranaji Ka Guda Road proposed under Tranche-II for improvements under RSHIP. This resettlement plan addresses social issues arising out of acquisition of 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 subproject, Laxmipura-Dora-Dabi-Ranaji ka Gudha Road (NH-12) starts from the T-Junction with NH-12 (Kota-Bundi Section) at Moheepura and ends at tri-junction near Ranaji ka Gudha. The subproject road overlaps with NH-76 for 3.7 km and diverges to the left from Dabi town. There are a number of important junctions, such as the T-junction with NH-12 at km 0+000 (Kota-Bundi Section) in Moheepura, tri-junction with NH-76 (Kota-Chittorgarh Section) at km 36+370 and T-junction with NH-76 at Dabi. The total length of the project road is 49.405 km and the subproject road passes through important settlements such as Moheepura, Alkodiya, Sitapura , Bharta Baodi , Laxmipura , Dora , Dabi , Bewadiya and Gudha of Bundi district.
4. The road subproject proposed under this package will involve transfer of 0.6685 ha of government land and there is private land acquisition. Further, the subproject will cause physical displacement to 10 affected households, economic displacement to 20 affected households, 5 kiosks will have to be relocated and 31 numbers of boundary wall will be affected. In addition, 16 common property resources will be affected.
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 Laxmipura-Dora-Dabi-Ranaji ka Gudha (NH-12) 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 available right-of-way has been fully considered for the proposed improvement and the existing right-of-way (RoW) for the road section were determined using village maps and verified at site. Since the available RoW is sufficient to meet the design cross section for the

proposed 2-lanning, the road construction would not involve acquisition of private land and hence there will be no impact to titleholder households. However, government land measuring 0.6685 ha will be required to be transferred for the proposed improvements.

7. The improvements proposed will cause impact to 61 private structures and 5 kiosks. The private structures getting affected are all encroachments and comprise of 10 residential structures, 20 commercial structures and 31 boundary walls. There are no tenants or employees affected in the subproject. In the subproject, 25 vulnerable households will be affected, comprising of 3 women headed households, 4 scheduled tribe households, 13 schedule caste households, 4 BPL households and 1 disabled headed household.

8. 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 improvements proposed within right-of-way without land acquisition and scale of impact to private property were discussed with the affected communities. A total of 124 persons, including 25 women, participated in the 7 consultation meetings held along the road.

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 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 (February 2019) 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.

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 following entitlement matrix presents the entitlements corresponding to the tenure of the affected families and the same has been approved and endorsed by Government of Rajasthan and further updated and revised in February 2018. The total resettlement plan cost for the project is Rs.17.56 million.

13. Grievance Redressal Committee (GRC) will be established at two-levels, one at the Project Implementation Unit (PIU) level and second at PMU level. The GRC will receive, evaluate and facilitate the resolution of affected person 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 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 be 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 endeavor, 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 will support upgradation and improvement of the identified roads and 16 road projects totaling of about 1,009 (kilometers) km spread across the State of Rajasthan is under implementation. Tranche-II will finance 11 road projects totaling of about 754.463 km spread across 14 Districts in the State of Rajasthan. The road subprojects proposed under Tranche-II and their packaging details is given below.

Table 1: List of Subprojects Roads under Tranche- II

SNo	Name of Road	Length (Km)	District	Package
EPC Mode				
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	ADB-II/EPC/02
4	Sadulshahar - Sangaria - Chaiyan	95.300	Hanumangarh, Sriganganagar	
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
	Total EPC	474.033	11 Districts	
Annuity Mode				
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	
	Total Annuity	280.43	4 Districts	
	Grand Total	754.463	14 Districts	

2. The Public Private Partnership (PPP) Division of the Public Works Department has prepared this resettlement plan for NH-12 – Laxmipura – Dora – Dabi – Ranaji Ka Guda section proposed under Tranche-II 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 households¹ /

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

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.

B. Profile of the Project Area

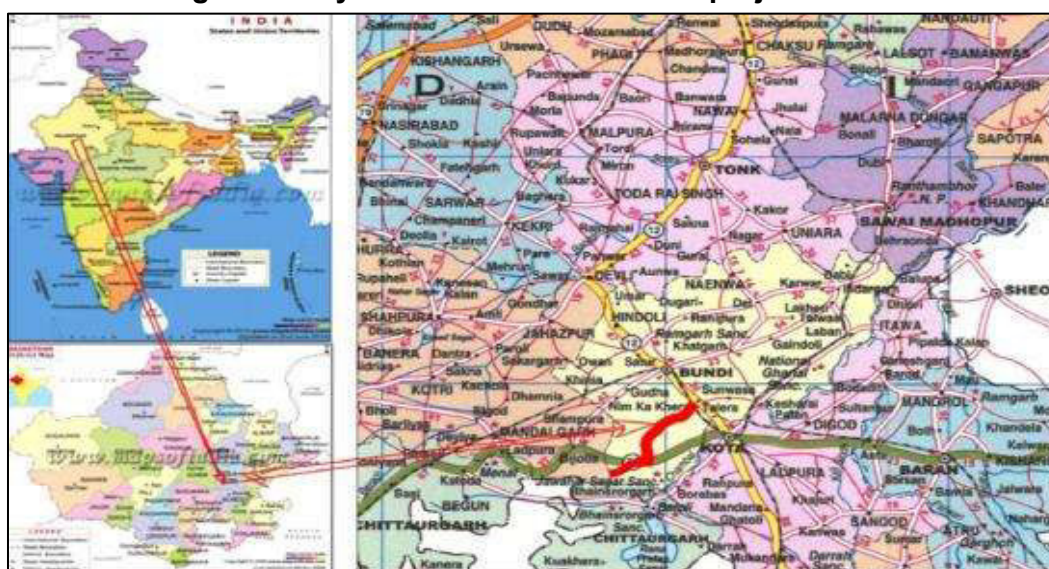
3. The subproject road Laxmipura-Dora-Dabi-Ranaji Ka Guda section of NH-12 falls entirely in district Bundi of the state of Rajasthan. Bundi District is spread across an area of 5,550 km² and has a population of 11,13,725². It is divided into 5 tehsils which are: Bundi, Hin doli, Nainwa, Keshoraipatan and Indragarh. Bundi District is bordered to the north by Tonk District, to the west by Bhilwara District, to the East by Kota District and to the southwest by Chittorgarh District. The town of Indragarh and nearby places are famous for the renowned temples of Bijasan Mata and Kamleshwar. The Indargarh step well is considered as one of the most attractive places in the Bundi district, especially during the rainy season.

4. The district has a population density of 193 inhabitants per square kilometer and the decadal population growth is 15.7 percent. Bundi has a sex ratio of 922 females for every 1000 males, and a literacy rate of 62.3 percent

C. Subproject Road Description

5. The subproject, Laxmipura-Dora-Dabi-Ranaji ka Gudha Road (NH-12) starts from the T-Junction with NH-12 (Kota-Bundi Section) at Moheepura and ends at tri-junction near Ranaji ka Gudha. The subproject road overlaps with NH-76 for 3.7 km and diverges to the left from Dabi town. There are a number of important junctions, such as the T-junction with NH-12 at km 0+000 (Kota-Bundi Section) in Moheepura, tri-junction with NH-76 (Kota-Chittorgarh Section) at km 36+370 and T-junction with NH-76 at Dabi. The total length of the project road is 49.405 km and the subproject road passes through important settlements such as Moheepura, Alkodiya, Sitapura, Bharta Baodi, Laxmipura , Dora , Dabi , Bewadiya and Gudha of Bundi district. District map of Ajmer including subproject is being shown in the following figure. The google earth image of the subproject road is given in Appendix 1.

Figure 1: Key Plan of the Arain-Sarwar project Roads



² Source: Census 2011, Registrar General of India.

D. Sub Project Impacts

6. The towns and villages along the road projects would have improved connectivity with State Highways (SH), National Highways (NH), major trading, educational and administrative centers. 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 Project road that will result in employment generation. However, the Project will require removal of encroachments and squatting for improving the road, resulting in negative impacts to some people living along the corridor. The subproject does not involve any acquisition of private land.

7. The road subproject proposed under this package will involve transfer of 0.6685 ha of government land and there is private land acquisition. Further, the subproject will cause physical displacement to 10 affected households, economic displacement to 20 affected households, 5 kiosks will have to be relocated and 31 numbers of boundary wall will be affected. In addition 16 common property resources will be affected. All together the project will cause impact to 66 households. The involuntary resettlement impacts has been summarized in Table 2.

Table 2: Summary of Involuntary Resettlement Impacts

Impact	Extent/Numbers	
	Laxmipura-Dora-Dabi-Ranaji ka Gudha (NH-12)	
Private Land Acquisition (ha) – Wet	Nil	
Private Land Acquisition (ha) – Dry	Nil	
Government Land Required	0.6685 ha	
Temporary Land Acquisition (ha)	Nil	
Affected Households	66	
Physically Displaced Households (Loss of Residence)	10	
Economically Displaced Households (Loss of Shop)	20	
Economically Displaced Titleholders losing land ³	-	
Physically and Economically Displaced Households (Loss of Residence cum Shop)	-	
Non-Significant Impact ⁴	36	
Titleholders Losing strip of land ⁵ (Non-significant impact)	-	
Tenants	-	
Total Affected Persons	304	
Titled affected persons	-	
Non-titled affected persons	304	
Affected employees	-	
Affected Structures	66	
Affected Private Trees	-	
Affected Common Property Resources	16	

³ Landowners losing 10% or more of their land.

⁴ Where the impact to structure is less than 10 percent of the total area or impact is only to the boundary wall, then such impacts are categorized as non-significant impacts as the DP is neither physically nor economically displaced.

⁵ 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.

8. In the subproject, 25 vulnerable households will be affected, comprising of 3 women headed households, 4 scheduled tribe households, 13 schedule caste households, 4 BPL households and 1 disabled headed household.

Table 3: Impact to Vulnerable Category (mutually exclusive)

Vulnerable Category	Number of AFs
Women Headed Household (WHH)	3
Scheduled Tribe (ST) headed household	4
Scheduled Caste (SC) headed household	13 ⁶
BPL ⁷ household	4 ⁸
Disabled Headed Households (DHH)	1

Source: Census and Social Survey, March 2018.

E. Minimizing Involuntary Resettlement

9. Measures were taken to minimize adverse involuntary resettlement impacts by adopting concentric widening in built-up sections and reducing the proposed right-of-way to 9 meters in built-up sections. The available right-of-way (RoW) was utilized to the maximum, thereby reducing the additional land requirement for the proposed widening. In rural sections the improvements have been restricted to 16 meters. The existing RoW has been confirmed with the Revenue Department and physically verified on ground,

F. Impact to Indigenous Peoples

10. 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 road. The improvements proposed will affect 4 scheduled tribe households and these families are part of the mainstream and do not qualify under the indigenous people definition.

G. Scope and Objective of Resettlement Plan

11. 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 Laxmipura-Dora-Dabi-Ranaji ka Gudha (NH-12) 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 number of Scheduled caste household is 14 and 1 AH is included under WHH.

⁷ Below Poverty Line families are those identified by the State as below poverty line and issued with separate public distribution card.

⁸ The number below poverty line households is 6 and 2 AH is included under WHH.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Introduction

12. The subproject involves improvement to the Laxmipura-Dora-Dabi-Ranaji Ka Guda Road (NH-12) starts from km 0.000 at T-Junction with NH-12 (Kota-Bundi Section) at Moheepura and ends at the tri-junction near Ranaji ka Gudha from existing single/two lane road to two lane road. The improvement works include geometric improvements; junction improvements; provision of drain; and footpath.

B. Scope of Land Acquisition

13. The available right-of-way has been fully considered for the proposed improvement and the existing right-of-way (RoW) for the road section were determined using village maps and verified at site. Since the available RoW is sufficient to meet the design cross section for the proposed 2-lanning, the road construction would not involve acquisition of private land and hence there will be no impact to titleholder households. However, government land measuring 0.6685 ha will be required to be transferred for the proposed improvements.

Table 4 : Category of Land being Acquired

Type of Ownership	Hectare
Private Wet	-
Private Dry	-
Government	0.6685
Total	0.6685

Source: LPS prepared during Social Survey.

C. Impact to Structures

14. The improvements proposed will cause impact to 61 private structures and 5 kiosks. The private structures getting affected are all encroachments and comprise of 10 residential structures, 20 commercial structures and 31 boundary walls. There are no tenants or employees affected in the subproject.

D. Loss of Private Structures

15. The improvements proposed will cause impact to 66 private structures and 16 common property resources. There are no tenant and employees in the subproject. The ownership details of the private structures getting affected is presented in the following table.

Table 5: Ownership of Private Structures

Tenure	Number of Structures	Percentage
Owner	-	-
Encroacher	61	92.4
Squatter	-	-
Kiosk	5	7.6
Total	66	100

Source: Census and Social Survey, March 2018.

16. Forty seven percent of the private structures getting affected are boundary walls, followed by 41 percent structures that are permanent in nature, kiosk account for 8 percent and

4 percent structures are semi-permanent in nature. The type of construction of the affected structures is presented in the following table.

Table 6: Type of Construction of the Affected Structures

Type of Structure	Number of Structures	Percentage
Permanent	27	40.9
Semi-permanent	3	4.5
Temporary	-	-
Kiosk	5	7.6
Wall (Boundary Wall)	31	47.0
Total	66	100

Source: Census and Social Survey, March 2018.

17. Fifteen percent of the structures getting affected are being used for residential purpose, 30 percent of the structures getting affected are used for commercial purpose, kiosks account for 8 percent and the remaining 47 percent are boundary wall. The use of the affected structure is presented in the following table.

Table 7: Use of the Affected Structures

Use of Structure	Number of structure	Percentage
Residential	10	15.1
Commercial	20	30.3
Residence cum Commercial	-	-
Kiosk	5	7.6
Others (boundary wall)	31	47.0
Total	66	100

Source: Census and Social Survey, March 2018.

E. Magnitude of Impact on Structures

18. The subproject will cause impact to 66 private structures, comprising of 31 boundary wall and 5 kiosks and these caused non-significant impact. The 10 residential structures and 20 commercial structures will face loss of 10% and above of the total area of the structure and hence the impact is significant. 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 8: Use by Extent of loss to the Affected Structures

Impact	Residence	Commercial	Boundary Wall	Kiosk	Total
Less than 10%	-		31	5	36
≥ 10% and < 20%	-	1	-	-	1
≥ 20% and < 50%	7	8	-	-	15
≥ 50% and ≤ 99%	3	10	-	-	13
100%	-	1	-	-	1
Total	10	20	31	5	66

Source: Census and Social Survey, March 2018.

F. Loss of Livelihood

19. The subproject will cause significant impact to loss of livelihood to about 20 households who would be losing 10% and above of their productive asset. The 5 Kiosks in this subproject would face temporary economic displacement during construction. The loss of livelihood impact is presented in the following table.

Table 9: Loss of Livelihood

Category of Loss	Number of Affected Families	Number of Affected Persons
Owners of Business	20	91
Commercial Tenants	-	-
Employees	-	-
Agricultura landowners losing 10% and above of their land holding	-	-
Total	20	91

Source: Census and Social Survey, March 2018.

G. Loss of Trees

20. The project will not require removal of any private trees belonging to the affected households. The trees getting affected in this subproject belong to government and the re-establishment of government trees will be done in accordance with the Forest Act.

H. Loss of Common Property Resources

21. The subproject will affect 16 common property resources, comprising of 3 place of worship, 8 handpump, 3 water tanks, 1 government building and a cemetery. 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 the relocation of these places of worship. The common property resource that is getting affected in the subprojects is presented in the following table. Wherever required, the PIU will ensure that utilities are relocated, in accordance to ADB SPS, prior to commencement of civil works in that stretch of the road corridor.

Table 10: Loss of Community Structures

Type of Community Asset	Number of Structures	Percentage
Government buildings Boundary Wall	1	6.3
Cemetery	1	6.3
Place of worship	3	18.7
Hand pump	8	50.0
Baori/Water Reservoir Tank	3	18.7
Total	16	100

Source: Census and Social Survey, March 2018.

III. SOCIOECONOMIC INFORMATION PROFILE

A. Involuntary Resettlement Impacts

22. This resettlement plan is based on the census and socioeconomic survey carried out between February and March 2019 based on the final and detailed design of the road subproject. The census survey identified 66 households losing their structure and the salient findings are presented in the following sections.

B. Methodology Adopted

23. The census survey enumerated all private assets/properties and common property resources within the proposed right-of-way (PRoW) of 16m in rural sections and 9m in urban 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 affected household.

24. 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, and ascertaining perceptions about project, resettlement options and compensation, was collected from all impacted household. All structures were photographed and numbered for reference and record. Details of common property resources within the PRoW were also recorded.

Census Survey - Sample Private Asset



*Residential Encroacher – km 10.125 in LHS
Mr. Mewaram – House*



*Commercial Encroacher – km47.205 of in RHS
Mr. Sagar Mal- Shop*

25. The displaced households were categorized 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 is presented in Appendix 2.

26. The census survey identified total 66 households that would be affected by the subproject. The socioeconomic survey was carried out amongst the 66 households and the details of the same are analyzed and presented in the following sections.

C. Demographic Profile of Project Affected Households

27. Household by gender: Three households (5%) amongst the affected households are headed by women and the remaining households are headed by men. Males account for 50.7% and female account for 49.3% amongst the affected persons.

Table 11: Head of Affected Household by gender

	Number	Percentage
Male	63	95.5
Female	3	4.5
Total	66	100

Source: Census and Social Survey, March 2018.

28. Household by Religion: All the affected families are Hindus.

Table 12: Household by Religion

Religion	Number	Percentage
Hindu	66	100.0
Muslim	-	-
Christian	-	-
Total	66	100.0

Source: Census and Social Survey, March 2018.

29. Household by Social Group: Sixty eight percent of the affected households belong to the other backward category, followed 21 percent belonging to scheduled caste, 6 percent belong to schedule tribe category and 8 percent are general category.

Table 13: Household by Social Category

Social Category	Number	Percentage
General	3	7.6
Other Backward caste	45	68.2
Scheduled caste	14	21.2
Scheduled Tribes	4	6.0
Total	66	100

Source: Census and Social Survey, March 2018.

30. Household by Size of Family: Thirty five percent of the affected families reported a family of size 3 to 4 members, followed by 5 to 6 member families accounting for 27 percent, family of size above 6 members account for 20 percent and family of size up to 2 members account for 18 percent.

Table 14: Size of the Household

Size of the Family	Number	Percentage
Up to 2	12	18.2
3 to 4	23	34.8
5 to 6	18	27.3
Above 6	13	19.7
Total	66	100

Source: Census and Social Survey, March 2018.

31. Age group of affected persons: The number of women aged above 65 years is higher compared to men in the same age group. However, in the 21 and below age group the men

account for 19 percent and women account for 17 percent. In all, 32 percent of the affected persons are in the age group of 22 and 35, followed by 24 percent in the age group of 36 and 50, 18 percent in the age group of up to 21 years, 14 percent in the age group of 51 and 65 and 12 percent in the above 65 age group.

Table 15: Age Group of PAPs

Age Group	Male		Female		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
Up to 21	29	18.8	26	17.3	55	18.1
> 21 and ≤ 35	50	32.5	46	30.8	96	31.6
> 35 and ≤ 50	39	25.3	35	23.3	74	24.3
> 50 and ≤ 65	22	14.3	20	13.3	42	13.8
Above 65	14	9.1	23	15.3	37	12.2
Total	154	100	150	100	304	100

Source: Census and Social Survey, March 2018.

D. Socioeconomic Profile

32. Educational level of affected persons: Thirty percent are uneducated, followed by 29 percent who had completed primary, 13 percent upper primary, 11 percent high school, 8 percent graduates and 7 percent post graduate. Technical and professional qualified account for 1 percent each.

Table 16: Educational level of PAPs

Educational Status	Male		Female		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
Primary	29	18.8	60	40.0	88	28.9
Upper Primary	29	18.8	11	7.3	40	13.2
High School	22	14.3	12	8.0	34	11.2
Graduate	15	9.7	9	6.0	24	7.9
Post Graduate	14	9.1	6	4.0	20	6.6
Technical	3	1.9	-	-	3	1.0
Professional	3	1.9	-	-	3	1.0
Uneducated	39	25.3	52	34.7	92	30.2
Total	154	100	150	100	304	100

Source: Census and Social Survey, March 2018.

33. Occupation of affected persons: The not in workforce account for 10 percent, comprising largely of children, students, elderly, housewives and females who do not go for work and includes the unemployed also. Thirty six percent are involved in agricultural labor, followed by 29 percent who are cultivator, 13 percent work as daily wage earners, 10 percent are self-employed and 1 percent are into business. The occupation of the affected persons is given in the following table.

Table 17: Occupation of APs

Occupation	Male		Female		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
Cultivator	43	27.9	46	30.7	89	29.3
Agricultural Labor	50	32.5	60	40.0	110	36.2
Daily Wage Earner	16	10.4	24	16.0	40	13.2
Salaried	2	1.3	-	-	2	0.6
Business	3	1.9	-	-	3	1.0
Government Service	-	-	-	-	-	-
Self Employed	29	18.8	-	-	29	9.5
Not in workforce/ Un Employed	11	7.2	20	13.3	31	10.2
Total	154	100	150	100	304	100

Source: Census and Social Survey, March 2018.

1. Income of affected Households

34. Thirty eight percent of the households are earning between Rs.50,001 and Rs.60,000 per annum, followed by 35 percent who earn above Rs.60,000 per year, 11 percent who earn between Rs.20,001 and Rs.30,000, 9 percent earn between Rs.30,001 and Rs.40,000 and 8 percent earn between Rs.40,001 and Rs.50,000.

Table 18: Annual Household Income of AHs

Annual Family Income Range in INR (Rs)	Number	Percentage
Up to 20,000	-	-
20,001 to 30,000	7	10.6
30,001 to 40,000	6	9.1
40,001 to 50,000	5	7.6
50,001 to 60,000	25	37.9
>60,000	23	34.8
Total	66	100

Source: Census and Social Survey, March 2018.

2. Impact to Vulnerable HH

35. 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 vulnerable account for 38 percent of the affected household (25 out of 66 affected household) and amongst the vulnerable 12 percent are women headed households. There are 52 percent scheduled caste households, 16 percent each of scheduled tribe and below poverty line households and 4 percent households are headed by disabled persons. The category of vulnerable affected households is presented in the following table.

Table 19: Vulnerable household

Vulnerable Category	Number	Percentage
Women Headed Household (WHH)	3	12.0
Scheduled Tribe (ST) headed household	4	16.0
Scheduled Caste (SC) headed household	13 ⁹	52.0
BPL household	4 ¹⁰	16.0
Disabled Headed Households (DHH)	1	4.0
Total	25	100

Source: Census and Social Survey, March 2018.

E. Key Socioeconomic Indicators

36. The key socioeconomic indicators established based on the census and socioeconomic survey carried out amongst the affected persons between February and March 2019 is presented below. These indicators would form the baseline indicators, in addition to other indicators identified by RPWD, and would be compared with the post implementation evaluation that would be carried out by the independent external evaluation agency.

Table 20: Key Socioeconomic Indicators

SNo	Indicator	Unit	Value/Figure
a)	Income (N = 66)		
1	Monthly family income	Average	Rs.5,933
2	Number of earners	Average	4.13
b)	Impact (N =66)		
3	Residence	%	15.2
4	Business	%	30.3
c)	Family Characteristics (N=66)		
5	Family size	Average	4.6
6	Women headed household	%	4.5

Source: Census and Social Survey, March 2018.

F. Resettlement Preferences

37. The affected households were asked to indicate their preferred resettlement and rehabilitation option of either self-managed cash assistance or project supported housing/livelihood assistance. All the affected households preferred self-managed cash assistances.

⁹ The number of Scheduled caste household is 14 and 1 AH is included under WHH.

¹⁰ The number below poverty line households is 6 and 2 AH is included under WHH.

IV. CONSULTATION, PARTICIPATION AND DISCLOSURE

A. Consultation in the Project

38. 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

39. Consultations and discussions were held during census and socioeconomic survey period 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.

40. During the census and socioeconomic survey, meaningful¹¹ 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 21: Consultation Methods

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

41. 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.

42. 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 improvements proposed within right-of-way without land

¹¹ 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.

acquisition and scale of impact to private property were discussed with the affected communities. A total of 124 persons, including 25 women, participated in the 7 consultation meetings held along the road. The number of participants and the photographs are provided as Appendix 3 to this report and the attendance sheets are available in the projects file with respective PIUs.

C. Outcome of the Consultations

43. People were aware about the subproject and the 2-lanning of the road but were not aware about specific details of the PRow, shift in centre line and the method of valuation of and building, payment of compensation and other rehabilitation and resettlement measures. 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 could not be easily articulated by the communities apart from loss of assets. The salient points are summarized in the following table.

Table 22: Summary of Consultation Outcome

SNo	Place	Issues / Concerns	Response
1	Dora	<ol style="list-style-type: none"> 1. Safety is an issue and what will be the benefits from the project 2. What is the land acquisition process 3. How will compensation be determined for affected structures 4. How will compensation for wells will be assessed. 5. Will structures within highway land be paid 6. Majority of participants asked for provision of footpath and road side drains. 7. Require employment opportunities in road construction. 	<ol style="list-style-type: none"> 1. Safety measures such as speed breaker, signages and road safety awareness are built into the project. Improved road will facilitate ease of commuting and faster access to facilities. 2. There is no private land acquisition for this road. 3. Valuation will be done as per current schedule of rate. 4. All wells will be valued by PWD 5. Yes, structure within highway land will be paid as valued by PWD. 6. Drain has been provided in built up sections 7. Preference for local laborers has been built into the contractor document.
2	Laxmipura	<ol style="list-style-type: none"> 1. Rate of Compensation for lost assets 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 3. Temples adjacent to the road should be relocated 4. People demanding C.C. drain on both side of road. 5. People are asking whether 4 lane road provision in village portion 6. Require employment opportunities in road construction 	<ol style="list-style-type: none"> 1. Valuation will be done as per current schedule of rate 2. Widening will be as per the available RoW (of PWD) and concentric as far as possible. 3. No temple is getting affected 4. Drain is proposed in habitation area. 5. As per traffic demand, four lanning is not required 6. Preference for local laborers has been built into the contractor document
3	Bewadiya	<ol style="list-style-type: none"> 1. Fast moving vehicles will be an issue in village portion 	<ol style="list-style-type: none"> 1. Safety measures such as speed breaker, signages and road

SNo	Place	Issues / Concerns	Response
		<ol style="list-style-type: none"> Will compensation for structures within highway land be paid. Majority of participants asked for provision of footpath and road side drains. Widening should be equal on both sides Employment opportunities in road construction 	<p>safety awareness are built into the project.</p> <ol style="list-style-type: none"> Yes, structure within highway land will be paid as valued by PWD. Drain is proposed in habitation area Widening is mostly concentric and within available right-of-way Preference for local laborers has been built into the contractor document
4	Alkodiya	<ol style="list-style-type: none"> Please avoid taking land from people for the road Need drainage system Where will be the location of bus stop Who will determine the compensation for affected structure that were surveyed 	<ol style="list-style-type: none"> In this road widening, there is no land acquisition and adequate RoW is available. Drain is proposed in habitation area Bus shelters are built into the contractor's scope and will be constructed in places where existing bus stops are there. The PWD engineer will adopt the latest schedule of rate to value affected structures.
5	Mohipura	<ol style="list-style-type: none"> Provide bypass to the village before starting the construction Adequate time should be given to remove structures. Suitable compensation should be provided. Pucca drain on both side of the habitat area should be constructed. 	<ol style="list-style-type: none"> There is adequate RoW within the village portion and hence bypass is not required. All affected structures will be valued and paid and after payment adequate notice period will be there for vacating. All compensation will be at current schedule of rate. Provisions of drain in habitation is incorporated in the design
6	Barta bawadi	<ol style="list-style-type: none"> Need drainage system Location of Bus Stop should be in the same place Widening should avoid affecting shops along the road Adequate compensation for structures should be provided. 	<ol style="list-style-type: none"> Drain is proposed in habitation area Bus shelters are built into the contractor's scope and will be constructed in places where existing bus stops are there Widening is being done within RoW and as far as possible impact to private assets will be avoided. All compensation will be at current schedule of rate.
7	Sitapura	<ol style="list-style-type: none"> Proper rate of compensation should be provided for lost assets Temples affected should be relocated People demanding C.C. drain on both side of road. People are asking whether there will be a four-lane road in village portion 	<ol style="list-style-type: none"> All affected structures will be valued and paid as per current schedule of rate No temple is affected and if affected compensation will be paid for its relocation Drain is proposed in habitation area

SNo	Place	Issues / Concerns	Response
		5. Require employment opportunities in road construction.	4. As per traffic demand, four laneing is not required 5. Preference for local laborers has been built into the contractor document

D. Plan for further Consultation in the Project

44. The extent and level of involvement of stakeholders at various stages of the project from design stage and through RP 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.

45. 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 resettlement plan 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, scheduled tribe 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

46. 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.

47. 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.

48. 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 the resettlement plan implementation for the subproject. 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

49. 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

50. 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

51. 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 are discussed below.

52. 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.

53. 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.

54. 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 all immovable properties or assets, trees and plants.

55. 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 are detailed in the Third Schedule.

C. Legal and Policy Frameworks of Rajasthan State

56. 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

57. 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 reflect and specific on acquisition and payment of compensation.

2. Rajasthan Highway Act, 2003

58. 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 of highways in the Rajasthan State.

3. Rajasthan Resettlement Policy-2007

59. 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

60. 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 in the format specified is to be obtained during the SIA. The rules also explain the process of preparing and publishing the rehabilitation and resettlement scheme.

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

61. ADBs 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.

62. 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 them whether such losses and involuntary restrictions are full or partial, permanent or temporary.

63. 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

64. 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 4. 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.

65. The key difference between the Government and ADB's involuntary resettlement safeguards policy is with regard to the cut-off date for determining the eligibility for compensation and R&R assistance to all those who are affected by the project irrespective of the ownership title to the land. As per the provisions of RFCTLARR Act, the cut-off-date for title holders is the date of SIA notification [Sec 4(2)] and for non-titleholders affected by the acquisition of such land, they should have been living/working three years or more prior to the acquisition of the land. To bring the RF in line with ADB's requirements, the RF mandates that in the case of land acquisition, the date of issue of notification will be treated as the cut-off date for title holders, and for non-titleholders such as squatters and encroachers, whom the act does not recognize, the cut-off date will be the start date of the subproject census survey. In case of all affected non-title holders, suitable compensation (ex-gratia payments) for loss of assets and R&R assistance is proposed in the entitlement matrix. The RCTLARR Act provides for compensation for land and structure at market rate, a 100 per cent Solatium and 12 percent additional market value to all titleholders. Further, in addition to compensation the title holders are entitled for resettlement allowance, substance 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.

66. 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

67. 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 minimize 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 draft 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 settlement¹² 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

1. Compensation for Land

68. 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 factor¹³ of 1.25-1.75 times on the land value being higher of the guideline value or average of higher 50% of sale dead 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 such land/property will have the right to seek acquisition of his entire contiguous holding/property. It may be noted that there is no private land acquisition in this subproject.

2. Compensation for Structures

69. 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

¹² 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.

¹³ As per Rajasthan Land Acquisition Bill, 2014.

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 affected persons at least 1 month prior to displacement or dispossession of assets.

3. Compensation for Trees

70. 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 affected persons will have the opportunity to harvest crops/trees within 1-month from the date of payment of compensation.

71. Even after payment of compensation, affected families 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 affected persons 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

72. 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

73. 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.

74. 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 (February 2019) 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.

75. 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

76. 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.

77. 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 affected families and the same has been approved¹⁴ and endorsed by Government of Rajasthan and further updated and revised in February 2018.

Table 23: 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 ¹⁵ 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> <p>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</p>

¹⁴ GO No. F7 (143) SHA/PPP/2015/D-1262 of Public Works Department, Government of Rajasthan dated 17.11.2015.

¹⁵ 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
				desires.
PART II. REHABILITATION AND RESETTLEMENT – Both Land Owners and Families Whose Livelihoods are Primarily Dependent on Land Acquired				
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. or One-time 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	
		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 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	

SNo	Impact Category	Entitlements		Implementation Guidelines
			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 ¹⁶ 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	<p>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.</p> <p>or</p> <p>One-time payment of Rs.5,00,000/- for each affected household</p> <p>or</p>	

¹⁶ 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
			Annuity policy that shall pay Rs.2000/-per month for 20 years with appropriate indexation to CPIAL	
		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 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. or One-time payment of	

SNo	Impact Category	Entitlements		Implementation Guidelines
			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	
		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	
PART III. IMPACT TO SQUATTERS AND ENCRAOCHERS – Those in the existing Right of Way where no Land Acquisition is done				
6	Impact to Squatters	6.1	Loss of House	Only those directly affected squatters who live there will be eligible for all assistance. 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)
		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	

SNo	Impact Category	Entitlements		Implementation Guidelines
			who have to relocate and who do not have a house. Additional house site grant of Rs.50,000/- to those who do not have a house site	will be eligible for other assistances
		6.1.4	One-time subsistence allowance of Rs. 18,000/-	
		6.1.5	Shifting assistance of Rs.10,000/-	
		6.2 6.2.1	Loss of Shop Compensation at scheduled rates without depreciation for structure with 1-month notice to demolish affected structure	Only those directly affected squatters who do business there will be eligible for all assistance. 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
		6.2.2	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 6.3.1	Kiosks / Street Vendors 1-month advance notice to relocate to nearby place for continuance of economic activity	The PIU and the implementation support NGO/agency will consult such DPs and assess the requirement of subsistence allowance and rehabilitation grant
		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 same place is not possible, then one-time rehabilitation grant of Rs.18 000/-	
		6.4 6.4.1	Cultivation 2-month notice to harvest standing crops or market value of compensation for standing crops	
7	Impact to Encroachers	7.1 7.1.1	Cultivation 2-month notice to harvest standing crops or market value of compensation for	Market value for the loss of standing crops will be decided by the PIU, PWD in consultation with the Agriculture or Horticulture

SNo	Impact Category	Entitlements		Implementation Guidelines
			standing crops, if notice is not given	Department
		7.2 7.2.1	Structure 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. 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 programs 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 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	
PART VI. COMMON PROPERTY RESOURCES				
11	Impact to common property resources such as places of worship, community buildings, schools,	11.1	Relocation or restoration, if feasible, or cash compensation at replacement cost.	

SNo	Impact Category	Entitlements		Implementation Guidelines
	etc.			
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.
PART VII. UNFORESEEN IMPACTS				
Unforeseen impacts encountered during implementation will be addressed in accordance with the principles of RFCTLAR 2013 and the ADB Safeguard Policy Statement				

78. 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

79. 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 non-titleholders 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. February 2019.

B. Relocation Strategy

80. The physical displacement of encroachers will not involve development of any resettlement site as they are entitled for house construction grant with which the affected families will have to build their house in their own adjoining land. The NGO will assist the affected persons in effectively utilising the house construction grant and replacement cost of structure amount towards the cost of construction of house.

VIII. INCOME RESTORATION AND REHABILITATION

A. Loss of Livelihood in this Subproject

81. The subproject causes significant impact to 20 affected households losing their commercial structure, who would be losing 10 percent and more of their productive asset.

B. Entitlements for Loss of Livelihood

82. The displaced 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 EM of RSHIP.

i. Commercial squatters:

- a) compensation at scheduled rates without depreciation for structure with 1-month notice to demolish affected structure;
- b) right to salvage the affected materials,
- c) one-time rehabilitation grant of Rs.20,000 for reconstruction of affected shop;
- d) one-time subsistence allowance of Rs.18,000/-; and
- e) shifting assistance of Rs.10,000/-

83. 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

84. 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

85. The resettlement cost estimate for the subproject proposed under RSHIP include, compensation for structure at replacement cost without depreciation, resettlement and rehabilitation assistances to non-titleholders in accordance with the provisions of the EM, RF of RSHIP and cost of RP implementation. The total resettlement cost for the project is Rs.17.56million. The major heads of budget items are listed below.

B. Compensation

86. Private Land: There is no private land acquisition in this subproject and only government land is required.

87. Structure: The compensation for structures have been arrived at based on PWD Schedule of Rates (SoR), 2017 for building works, material and labor. For budgetary purpose, the replacement cost for structure without depreciation and inclusive of solatium has been taken as Rs.16,200 per sq.m. for permanent structure, Rs.11,028 per sq.m. for semi-permanent structure and Rs.4,104 per sq.m. of temporary structure. Replacement cost for boundary wall of stone masonry has been taken as Rs.1,510 per running meter. 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.

C. Assistances

88. All other unit rates as per the minimum provisions contained in RFCTLARR Act and as per the approved EM.

D. Compensation for Community Assets and Government Structures

89. 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.

E. RP Implementation Cost

90. The cost of hiring NGO for assisting PIU in resettlement plan implementation has been provided with a budget of Rs.40,00,000 for intermittent inputs and the resettlement plan implementation is expected to be completed in 20 months including disbursement of compensation structure. The budgetary provision of Rs.2,00,000 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 RP implementation, has also been budgeted. A budget allocation of about \$150,000 for external monitoring of Tranche 2 is included as total project cost.

F. Source of Funding and Fund Flow

91. Government will provide adequate budget for all 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.

G. Resettlement Budget Estimates

92. The budget for this sub-project is based on data and informed collected during census and socioeconomic surveys conducted between July and August 2018 and updated in February and March 2019. The unit rate for structure has been worked out from the SoR. The total budget for Project under RP is estimated at Rs.17.56 million. A detailed budget estimate for the package is given along with subproject wise cost break-up in the Table 24.

H. Disbursement of Compensation and Assistances

93. 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.

94. 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 24: Summary Budget for RP

Item	Input Unit	Rate	Quantity	Amount
Compensation				
Temporary Structures non-titleholders	Sq.m	2,052	-	-
Semi-permanent Structures (non-titleholders)	Sq.m	5,514	132.00	727,848
Permanent Structures (non-titleholders)	Sq.m	8,100	590.61	4,783,941
Boundary Wall	Running mete	1,510	155.80	235,258
R&R Assistance				
Housing and house site grant to major impacted Res non- titleholders	One-time	120,000	10	1,200,000
Subsistence allowance for Major Res / Com non-titleholders	One-time	18,000	30	540,000
Shifting allowance major Res / Com non-titleholders	One-time	10,000	31	310,000
Rehabilitation grant for reconstruction of major impacted commercial non-titleholder	One-time	20,000	20	400,000
Rehabilitation grant for Kiosks	One-time	18,000	5	90,000
Vulnerable Household assistance	One-time	25,000	25	625,000

Item	Input Unit	Rate	Quantity	Amount
Training for Vulnerable household	One-time	5,000	25	125,000
Community Assets				
Places of worship	Unit	300,000	3	900,000
Water tank, tap, etc.	Unit	125,000	11	1,375,000
Gol / Trust buildings	Unit	200,000	1	200,000
Administrative Cost¹⁷				
NGO Recruitment	LS	4,000,000		4,000,000
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
Sub total				15,962,047
10 % Contingency				1,596,205
Total				17,558,252
Total in INR Million				17.56

¹⁷ A budget allocation of about \$150,000 for external monitoring of Tranche 2 is included as total project cost.

X. GRIEVANCE REDRESSAL MECHANISM

A. Grievance Redressal Committee

95. Grievance Redressal Committee (GRC) will be established at two-levels, one at the Project Implementation Unit (PIU) level and second at 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 affected families 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 affected families concerns without allowing it to escalate resulting in delays in project implementation.

96. 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.

97. 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.

98. 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.

99. 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. The Executive Engineer or Assistant Engineer of the concerned PIU will act as the member secretary.

100. 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 First Level GRC

101. 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 affected

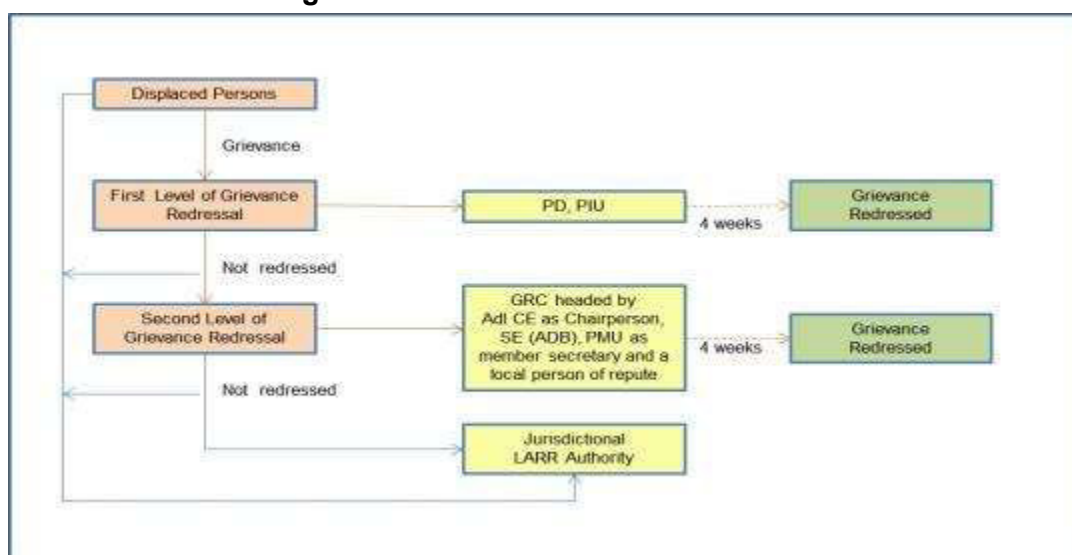
families of any concerns or complaints or grievances will be taken up by the PD, PIU. The PD will maintain a register of all petitions received with details of date of receipt of the petition, date of hearing, if any, along with nature of complaint/concern, action taken and date of communication sent 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.

102. Headquarter Level (PMU) Complaint Handling System: Decision of the PD, PIU will be final unless an appeal is preferred to the 2nd level GRC at PMU. The complaint/concern will be redressed in 4-week time and written communication will be sent to the complainant about the decision taken.

103. In addition to the subproject level grievance redressal mechanism, affected persons can submit their grievances through the State government grievance redressal mechanism namely Rajasthan Sampark¹⁸ and further, all stakeholders will have access to ADB's Accountability Mechanism¹⁹.

104. 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 4-week time 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 2: Grievance Redressal Process



¹⁸ <http://sampark.rajasthan.gov.in/index.aspx>.

¹⁹ <https://www.adb.org/contact?target=Hmzj1lzfKqMSRDKA0C6/kg==&name=Complaint%20Receiving%20Officer&referrer=node/81970>.

XI. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION

A. Administrator of LARR

105. 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

106. 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.

107. 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.

108. 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
- (i) will initiate engagement of an external monitor/agency 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

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

110. 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 RP implementation. The following will be the responsibility of the PD, PIU:

- (i) Review IR 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 RP 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 an RP implementation support NGO to assist the field units in RP implementation.
- (v) Review and approve micro plans, containing the list of affected families 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 families.
- (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, RP implementation support NGO, and submit monthly progress report to PMU.

D. NGO/Agency for RP Implementation Support

111. 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.

112. 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.

113. 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 5.

E. Project Implementation Consultant

114. 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 Monitor

115. 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

116. 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 draft 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.

1. Micro plan

117. 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.

118. 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.

2. Rehabilitation and Resettlement Award Process

119. 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.

120. 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)

121. 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

122. 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

123. 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

124. 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.

125. Project Preparation 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.

126. Resettlement Plan Implementation 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.

127. 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

128. 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

129. 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.

130. The construction of resettlement sites 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.

131. 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.

Table 27: RP Implementation Work Plan

[illegible]

XIII. MONITORING AND REPORTING

A. Introduction

132. 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

133. The 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 activities including complains/concerns/issues raised by the affected persons, will be submitted to PMU by the end of 1st 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.

134. 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

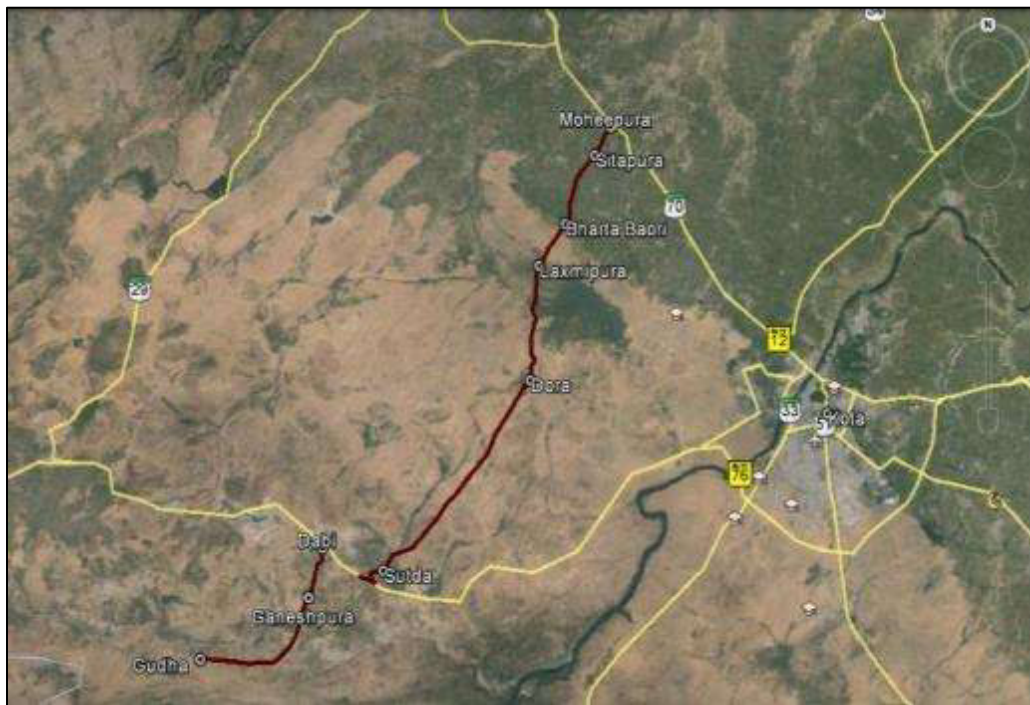
135. The external monitoring will include but not limited to: (i) review and verify the monitoring reports prepared by PIU; (ii) monitor the work carried out by NGO and provide training and guidance on implementation; (iii) review the grievance redressal mechanism and report on its working; (iv) mid-term 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.

136. 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.

137. 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 6.

138. 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: Google Earth Image of the NH 12-Laxmipura-Dora-Dabi-Ranaji ka Gudha



Appendix 2: Summary of the Affected Households Losing Structure and the list of the CPRs




SNo	Side	Village Name	Chainage	Tenure	Name of the Owner / Occupier	Father's/Husband Name	Use of Structure
1	RHS	Mohipura	0+700	Encroacher	Rajendar Meena	Badri Lal	Boundary wall
2	RHS	Alkodiya	1+500	Encroacher	Dharmraj Bairwa	Kanhaiya Lal Bairwa	Boundary wall
3	LHS	Alkodiya	1+605	Encroacher	Ashok Malav	Laxminaryan	Boundary wall
4	LHS	Alkodiya	1+900	Encroacher	Raju Doli	Chothmal	Residential
5	LHS	Sitapura	2+700	Kiosk	Siyaram	Kalulal	Commercial
6	RHS	Barundan	3+100	Encroacher	Paratpalsingh		Boundary wall
7	LHS	Barundan	4+400	Kiosk	Ramlal Mali	Chotilal Mali	Commercial
8	LHS	Bharta Bawdi	6+700	Encroacher	Ramlal Meena	Ramchandar Meena	Boundary wall
9	RHS	Bharta Bawdi	6+810	Encroacher	Ramprasad Meena	Sooraj Meena	Boundary wall
10	LHS	Bharta Bawdi	6+870	Encroacher	Madhan Lal	MotiLal	Boundary wall
11	RHS	Bharta Bawdi	6+920	Encroacher	Kishan	Ramchandra	Boundary wall
12	RHS	Laxmipura	10+000	Encroacher	Radhakishan	Panchi Lal	Boundary wall
13	RHS	Laxmipura	10+100	Encroacher	Prabhu Lal	Babu lal	Boundary wall
14	LHS	Laxmipura	10+105	Encroacher	Rameswar	Kanwar Lal	Boundary wall
15	LHS	Laxmipura	10+110	Encroacher	Rajendar	Chhotu Lal	Commercial
16	LHS	Laxmipura	10+115	Encroacher	Ramesh	Chhotu Lal	Commercial
17	RHS	Laxmipura	10+125	Encroacher	Mewaram	Bardi Lal	Commercial
18	RHS	Laxmipura	10+090	Encroacher	Rampal Harijan	Jagannath Harijan	Boundary wall
19	RHS	Laxmipura	10+140	Encroacher	Jagannath	ChuniLal	Boundary wall
20	LHS	Laxmipura	10+150	Encroacher	Nandlal	Panna lal	Boundary wall
21	RHS	Laxmipura	10+140	Encroacher	Phool Chand Saini	Nandkishor	Boundary wall
22	LHS	Laxmipura	10+200	Encroacher	Mahaveer Saini	udayLal	Boundary wall
23	LHS	Laxmipura	10+210	Encroacher	Jagdish	Babu Lal	Boundary wall
24	LHS	Laxmipura	10+215	Encroacher	Shambhu Dhat	Babu lal	Boundary wall
25	RHS	Laxmipura	10+220	Kiosk	MohanLal	Onkar	Commercial
26	RHS	Laxmipura	10+400	Encroacher	Khemraj	Gopilal	Residential
27	RHS	Laxmipura	10+460	Encroacher	Mahaveer, Balveer	Dhana Lal	Boundary wall
28	LHS	Laxmipura	10+480	Encroacher	Balveer	Ramesh Chand	Boundary wall
29	LHS	Laxmipura	10+610	Encroacher	Jitendar Kumar Meena	Kajod Lal	Boundary wall
30	LHS	Laxmipura	12+600	Encroacher	Chhoti Lal	Chhitar Mal	Residential
31	LHS	Dora	17+800	Encroacher	Bojraj	Hameera	Residential
32	RHS	Dora	17+820	Encroacher	Desraj	Madhan Lal	Commercial
33	LHS	Dora	17+805	Encroacher	Gopal	Devilal	Commercial
34	RHS	Dora	17+840	Encroacher	Ghasilal	Jailal	Commercial

SNo	Side	Village Name	Chainage	Tenure	Name of the Owner / Occupier	Father's/Husband Name	Use of Structure
35	LHS	Dora	17+810	Encroacher	MohanLal	Devilal	Commercial
36	RHS	Dora	17+900	Encroacher	Lalchand	Ghasi Lal	Boundary wall
37	LHS	Dora	17+810	Encroacher	Raguveer	MohanLal	Boundary wall
38	LHS	Dora	17+800	Encroacher	Kaluram	Hameera	Commercial
39	RHS	Dora	17+820	Encroacher	Prem	Bojaram	Commercial
40	LHS	Dora	17+900	Encroacher	Mahaveer	Bhuwana	Commercial
41	LHS	Dora	17+800	Encroacher	devlal	Bhuwana	Commercial
42	RHS	Dora	17+900	Kiosk	Mahadev	Neewaram	Commercial
43	LHS	Dora	17+800	Encroacher	Pappu Lal	Madan Lal	Boundary wall
44	RHS	Dora	17+900	Encroacher	Shankar	BhojRaj	Boundary wall
45	RHS	Dora	17+910	Encroacher	Budhi Prakash	Bhuwana	Commercial
46	RHS	Dora	17+910	Encroacher	Sonu	Bhuwana	Commercial
47	RHS	Dora	17+900	Encroacher	Bhanwari	Bhuwana	Commercial
48	RHS	Dora	17+860	Encroacher	Nathi Devi	BHojraj	Boundary wall
49	LHS	Dora	18+100	Encroacher	Hemraj	ramkishan	Residential
50	RHS	Dabi	37+360	Encroacher	Ratan	Palla	Residential
51	RHS	Dabi	37+370	Encroacher	Ghanshyam	Ratan Lal	Residential
52	RHS	Dabi	37+420	Encroacher	Mukesh	Ratan lal	Residential
53	LHS	Dabi	37+490	Encroacher	Ramlal Bairwa	Govind Bairwa	Residential
54	LHS	Bewdiya	41+005	Encroacher	ChetRam	Mangi Lal	Commercial
55	LHS	Bewdiya	41+100	Encroacher	Prem	Kisan lal	Commercial
56	LHS	Bewdiya	41+110	Encroacher	Bheru Lal	Mohan Lal	Residential
57	LHS	Patpadiya	47+000	Encroacher	Indra Khatik	Bhanwar lal Khatik	Boundary wall
58	RHS	Patpadiya	47+120	Encroacher	Bajeer, Mahesh	Bhasaram	Commercial
59	RHS	Patpadiya	47+150	Encroacher	Pappu Singh	Mohan Singh	Commercial
60	LHS	Patpadiya	47+160	Encroacher	Omprakash	Ladharam	Commercial
61	LHS	Patpadiya	47+170	Encroacher	Parmanand	Panju Mal	Commercial
62	RHS	Patpadiya	47+160	Kiosk	Prathvi Raj	Girdhari	Commercial
63	LHS	Patpadiya	47+200	Encroacher	Kanwar lal	Mangi Lal	Boundary wall
64	LHS	Patpadiya	47+205	Encroacher	Sagar Mal	Mangi Lal	Boundary wall
65	LHS	Patpadiya	47+240	Encroacher	Omprakash	Mohan Lal	Boundary wall
66	LHS	Patpadiya	47+300	Encroacher	Madan lal	Bhagwan Lal	Boundary wall

List of Affected Common Property Resources

SNo	Revenue Village	Chainage	Side	Type of Common Property	Use of Affected Structure
1	Alkodiya	0+400	LHS	Water Reservior Tank (rectangular)	Drinking Water
2	Alkodiya	1+600	LHS	Ramdev ji Temple	Worship (Ramdev Ji Ka Mandir)
3	Alkodiya	1+580	LHS	Handpump	Drinking Water
4	Alkodiya	2+100	LHS	Handpump	Drinking Water
5	Sitapura	2+500	LHS	Handpump	Drinking Water
6	Bharta Bawdi	6+400	RHS	Baori	Drinking Water
7	Bharta Bawdi	6+900	RHS	School Boundry wall	Boundry wall
8	Laxmipura	10+480	LHS	Handpump	Drinking Water
9	Laxmipura	10+510	RHS	Mata ji ka Temple and Boundry wall	Worship (Mata Ji Ka Mandir)
10	Dora	17+680	RHS	Handpump	Drinking Water
11	Dora	17+900	RHS	Handpump	Drinking Water
12	Dora	18+100	RHS	Bala ji ka Temple	Worship (Mata Ji Ka Mandir)
13	Sootda	34+300	RHS	Cemetary	Cremation
14	Bewdiya	41+000	LHS	Hand pump	Drinking Water
15	Bewdiya	41+300	RHS	Handpump	Drinking Water
16	Bewdiya	42+100	LHS	Water Reservior Tank	Drinking Water

Appendix 3: Participants in Consultation

SNo	Place	Date	Numbers of Participate	Photo
1	Dora	25.02.2019	15 persons	
2	Laxmipura	26.02.2019	20 persons (including 5 women)	
3	Bewadiya	28.02.2019	15 persons (including 3 women)	
4	Alkodiya	28.02.2019	40 persons (including 15 women)	

5	Mohipura	24.02.2019	11 persons (including 2 women)	
6	Barta bawadi	25.02.2019	15 persons	
7	Sitapura	27.02.2019	8 persons	

Appendix 4: 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
Policy Objectives				
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 [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 address 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 [Ref: Preamble of the RFCTLARR ACT]	
Scope of Application				
4.	Involuntary acquisition of land	✓	In the definition of affected family, it includes 'a family whose land or other immovable property has been acquired' [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 [Ref: Section 3 sub-section c (vi)]	
Eligibility Criteria				
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' [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'. [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.
Policy Principles				
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. [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" [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. [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;..... [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. [Ref: Section 41] Further the act recognizes widows, divorcees and women deserted by families as separate families [Ref: Section sub-section (m)] 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 [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. [Ref: Section 6 sub-section 1] 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 5: 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 totaling 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 NH-12 - Laxmipura - Dora - Dabi – Ranaji Ka Guda Road, 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 NH-12 - Laxmipura - Dora - Dabi – Ranaji Ka Guda Road 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 socio-economic 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 11-road subprojects and shall undertake the following tasks:

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

- (vi) 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.
- (vii) To conduct awareness program on HIV/AIDs, Health and Hygiene, and Human Trafficking in affected villages.
- (viii) 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
 - (i) Working in co-ordination with the PD, PIU; and assist the PD in carrying out the implementation of the RP;
 - (ii) To assist the affected persons in redressing their grievances through the GRCs;
 - (iii) Assist the PIU in disclosure, conducting public meetings, information campaigns during the RP implementation and give full information to the affected community;
 - (iv) Translate the summary of RP in local language for disclosure and disseminate to affected persons;
 - (v) 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;
 - (vi) To assist the PIU in ensuring compliance with safety, health and hygiene norms, and the conduct HIV/AIDS and Human Trafficking awareness/prevention campaigns;
 - (vii) 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.
 - (viii) Provide data and information that PIU will require in the management of the data base of the affected persons.
 - (ix) Assist PIU in providing training to affected persons, wherever required in the implementation of RP.
- b) Responsibilities for Implementation of the RP
 - (i) Agency/NGO shall verify the information already contained in the RP and the individual losses of the affected persons. They should validate the data provided in the RP and report to PIU on changes required, if any, along with documentary evidence.
 - (ii) Wherever required, update the census and socio-economic survey data and administer the census and socio-economic survey questionnaire, if there are affected persons who have been not covered during baseline survey and in particular the titleholders from whom land is being acquired.
 - (iii) The Agency/NGO shall establish rapport with affected persons, consult and provide information to them about the respective entitlements as proposed under the RP, and distribute entitlement cum Identity Cards to the eligible affected persons. 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.
 - (iv) The Agency/NGO shall develop rapport between the affected persons and the Project Director, PIU. This will be achieved through regular interactions with both the PIU and the affected persons. Meetings with the PD, PIU will be held at least fortnightly, and meetings with the affected persons will be held monthly, during

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

- (v) Prepare monthly action plans with targets in consultation with the PIU.
- (vi) 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.
- (vii) During the verification of the eligible affected persons, the Agency/NGO shall ensure that each of the affected persons are contacted and consulted either in groups or individually. The Agency/NGO shall specially ensure consultation with women from the affected persons especially women headed households.
- (viii) Participatory methods should be adopted in assessing the needs of the affected persons, especially with regard to the vulnerable groups of affected persons. The methods of contact may include village level meetings, gender participation through group's interactions, and individual meetings and interactions.
- (ix) The Agency/NGO shall explain to the affected persons 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.
- (x) The Agency/NGO shall disseminate information to the affected persons on the possible consequences of the project on the communities' livelihood systems and the options available, so that they do not remain ignorant.
- (xi) Agency/NGO will monitor the civil construction work in each package to ensure there is no bonded/child labour.
- (xii) In all of these, the Agency/NGO shall consider women as a special focus group, and deal with them with care and sympathy.
- (xiii) The Agency/NGO shall assist the project authorities in ensuring a smooth transition (during the part or full relocation of the affected persons), helping the affected persons to take salvaged materials and shift. In close consultation with the affected persons, the Agency/NGO shall inform the PIU about the shifting dates agreed with the affected persons in writing and the arrangements desired by the affected persons with respect to their entitlements.
- (xiv) The Agency/NGO shall assist the affected persons 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 affected persons at the Grievance Redressal Committee (GRC) Meetings

- (i) The Agency/NGO shall nominate a suitable person (from the staff of the NGO) to assist the affected persons in the GRC.
- (ii) The Agency/NGO shall make the affected persons aware of the existence of grievance redressal committees (GRCs)
- (iii) The Agency/NGO shall help the affected persons in filling the grievance application and also in clearing their doubts about the procedure as well as the context of the GRC award.
- (iv) 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.

- (v) To accompany the affected persons 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 affected persons of the decisions taken by the GRC within 3 days of receiving a decision from the GRC.
- d) Carry out Public Consultation
 - (i) In addition to counseling and providing information to affected persons, the Agency/NGO will carry out periodic consultation with affected persons and other stakeholders
 - (ii) Should organise meetings and appraise the communities about the schedule / progress of civil works
 - (iii) 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
 - (i) 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.
 - (ii) The Agency/NGO shall assist the PIU to implement HIV/AIDS awareness measures, including collaboration with the line agencies.
 - (iii) The Agency/NGO will assist the PIU in conducting the R&R award enquiry
 - (iv) 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
 - (i) 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:
 - (i) 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.
 - (ii) Prepare monthly progress reports to be submitted to the PIU, with weekly progress and work charts as against the scheduled timeframe of RP implementation.
 - (iii) Prepare and submit quarterly reports on a regular basis, to be submitted to the PIU.
 - (iv) 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 affected persons, lessons learnt, best practices and suggestions, if any, for effective implementation.
 - (v) All other reports/documentation as described in these terms of reference.
 - (vi) Record minutes of all meetings.
 - (vii) Four copies of each report shall be submitted to PIU together with one soft copy of each report in the CD

F. Data, Services and Facilities to be provided by the Client

7. The PIU will provide to the NGO the copies of the RP, affected persons' 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.

E. 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

SNo	Task Description	Time for completion
1	Inception Report	At the end of the 3 rd 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 b. Additional and /or missing census survey records of affected persons (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 2 nd month after commencement of services At the end of the 3 rd 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 affected persons in the 1 st milestone coinciding with the milestone sections fixed by PIU	At the end of the 5 th month after commencement of services
5	Disbursement of the entitlements for the remaining affected persons in the 1 st milestone	At the end of the 6 th month after commencement of services
7	a. Disbursement of the entitlements for remaining affected persons in the 2 nd milestone b. Facilitating resettlement of affected persons to the resettlement site(s)	At the end of the 15 th month after commencement of services
8	Draft Final Report summarising the action taken and other resettlement works to be fulfilled by the NGO	One month before the service / 35 th 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 / 36 th 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 socio economic surveys and participatory planning and consultations.

SNo	Key Professional	No. of Persons	Experience
1	Team Leader cum R&R expert (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 (intermittent input)	4	Graduate in Social Science with knowledge and experience in census and socio-economic surveys, RP implementation PRA Technique and fluent in Hindi and English. 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. 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 affected persons. 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 6: 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 totaling 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 NH-12 - Laxmipura - Dora - Dabi – Ranaji Ka Guda Road, 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 Arain-Sarwar 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 socio-economic 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:
- (i) To review and verify the progress in resettlement implementation as outlined in the RP;
 - (ii) To monitor the effectiveness and efficiency of PIU, and NGO in RP implementation;
 - (iii) To assess whether resettlement objectives, particularly livelihoods and living standards of the affected families have been restored or enhanced;
 - (iv) To assess resettlement efficiency, effectiveness, impact and sustainability, drawing both on policies and practices and to suggest any corrective measures, if necessary; and

- (v) To review the project impacts on vulnerable groups, indigenous people and groups and assess the effectiveness of the mitigate actions taken.

C. Scope of work- Specific

6. The major tasks expected from the external monitor are:
 - (i) To develop specific monitoring indicators for undertaking monitoring for RP implementation;
 - (ii) 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;
 - (iii) Involve the affected people and community groups in assessing the impact of land acquisition for monitoring and evaluation purposes;
 - (iv) Evaluate and assess the adequacy of compensation and R&R assistances given to the affected families, the resettlement sites developed and relocation process and the livelihood opportunities and incomes as well as the quality of life of affected families; and
 - (v) To evaluate and assess the adequacy and effectiveness of the consultative process with affected families, 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.