

Resettlement Planning Document

Draft Short Resettlement Plan for —Alwar Urban Transport and Roads Subproject (Widening of existing ROB near Bhagat Singh Circle on Jai Marg, Alwar)
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The Resettlement plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

ABBREVIATIONS

ADB	Asian Development Bank
AP	Affected Person
BDO	Block Development Officer
BPL	Below Poverty Line
CBO	Community Based Organization
CC	Construction Contractors
CPR	Common Property Resources
CLC	City level Committee
DPR	Detailed Project Report
DSC	Design and Supervision Consultancy
EA	Executive Agency
EC	Empowered Committee
FGD	Focused Group Discussion
GoI	Government of India
GoR	Government of Rajasthan
GRC	Grievance Redress Committee
IA	Implementing Agency
IP	Indigenous People
IPIU	Investment Program Implementation Unit
IPMC	The Investment Program Management Consultant
IPMU	Investment Program Management Unit
IR	Income Restoration
ISA	Initial Social Assessment
LA	Land Acquisition
LAA	Land Acquisition Act
LIG	Lower Income Group
LSGD	Local Self Government Department
MFF	Multi-Tranche Financing Facility
M&E	Monitoring and Evaluation
NGO	Non-Government Organization
NH	National Highway
NRRP	National Resettlement & Rehabilitation Policy
OMG	Operations and Maintenance Contractors
PAF	Project Affected Family
PAH	Project Affected Household
PAP	Project Affected Person
PIU	Project Implementation Unit
PMU	Project Management Unit
PRI	Panchayati Raj Institution
PWD	Public Works Department
RCC	Reinforced Cement Concrete
RF	Resettlement Framework
RP	Resettlement Plan
ROR	Record of Rights
RoW	Right of Way
R&R	Resettlement and Rehabilitation
RS	Resettlement Specialist
RUIDP	Rajasthan Urban Infrastructure Development Project
RUSDIP	Rajasthan Urban Sector Development Investment Programme
SC	Supervision Consultant
SDE	Social Development Expert
SDS	Social Development Specialist

SES	Socio-Economic Survey
SHG	Self Help Group
SRP	Short Resettlement Plan
SIA	Social Impact Assessment
ST	Scheduled Tribe
UDD	Urban Development Department
UIT	Urban Investment Trust
ULB	Urban Local Body
VC	Valuation Committee
WHH	Woman-headed household

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EXECUTIVE SUMMARY

1. The Local Self Government Department (LSGD) under the Urban Governance Department of Government of Rajasthan (GoR) is executing the Rajasthan Urban Sector Development Investment Program (RUSDIP) in fifteen (15) towns namely, Alwar, Baran-Chhabra, Barmer, Bharatpur, Bundi, Sawai Madhopur, Churu, Chittorgarh, Dholpur, Jaisalmer, Jhalawar-Jhalrapatan, Karauli, Nagaur, Rajsamand, and Sikar with financial assistance from Asian Development Bank (ADB) under Multi Tranche Financing Facility (MFF). The investment program covers major urban infrastructure works viz., Water Supply, Waste Water Management, Solid Waste Management, Urban Transport and Roads, Social Infrastructure, Support Infrastructure for Cultural Heritage and Urban Drainage. This draft short resettlement plan has been prepared for Alwar ROB

2. Alwar lies between the East longitude 76° 35' to 76° 40' and North latitude 27° 30' 20" to 27° 36' 30". It is situated at the center of Alwar District at 268 meters above MSL. Alwar is a city and administrative headquarters of Alwar District in the state of Rajasthan and is located around 160 km south of Delhi, and about 150 km north of Jaipur.

3. Alwar is a category B as per ADB policy. The draft SRP has been prepared in accordance with ADB Hand Book on Resettlement and the agreed Resettlement Framework (RF) and this report is based on the general findings of the census/socio-economic survey, field visits and meeting with Project Affected Persons in the project area. The primary objectives of the draft SRP are to mitigate the adverse impacts of the project and to assist the Project Affected Persons in resettlement and restoration of their income and livelihood.

4. This Resettlement Plan has been prepared in tune with the ADB Handbook on Resettlement and the agreed Resettlement Framework (RF). The Methodology prescribed by ADB was scrupulously adhered to, to find out any adverse or Involuntary Resettlement impact in the project area. The project covers widening of existing ROB near Bhagat Singh circle on Jai Marg. Above mentioned project is confined to widening of the existing two lanes ROB to Four lanes ROB. This Resettlement Plan is based on Transect Walks followed by Census and Socio-Economic Survey of the Project Affected Persons (APs), and consultations with the Affected Persons. The primary objective of this Resettlement Plan is to mitigate the adverse impacts of the intervention and to assist the Affected Persons in resettlement and restoration of their livelihood that are likely to get affected during project implementation, i.e. during the construction/widening of ROB.

5. The Jai Marg (SH-25) is one of the major links to Alwar town, It intersects the level crossing no. 115A at Alwar Mathura broad gauge Railway line of North Central Railway. This Railway line is predominantly used for goods transportation along with passenger traffic. Considerable increase in the vehicular and pedestrian traffic over the years necessitates the need to increase the traffic capacity of existing ROB from two lanes to four lanes. The subproject, when implemented, will benefit the population of town as well as through traffic of SH-13, SH-14, SH-25. The Subproject will benefit most of the population of Alwar city- currently 346554 (based on 2001 Census) and estimated to increase to 758429 by 2041

6. **Summary of Resettlement Impact:** The subproject has been designed to minimize loss of livelihood and resettlement. The proposed ROB subproject in the town will not entail any permanent land acquisition and resettlement, though there are however many mobile vendors (see photograph in annexure) who are visible under the present ROB, they would not get impacted. This is because, one side of the ROB would remain unobstructed and have free access for all movements though the other side (site for new ROB construction) would be barricaded for maintaining safety norms. No squatters either were observed who would get impacted by this project. Therefore no temporary loss of income was anticipated in the above cases. This subproject will cause temporary loss of income and livelihood of one

person, who operate small business (pan, gutka) from kiosk for which provision has been made in the Resettlement Budget for livelihood and shifting assistance to the Affected Person for a period of 90 days (photograph attached as annexure 3a). Other than this, a warehouse (Shakti Stones photograph attached as annexure 3b) is also coming in the proposed area of project located just below the existing bridge. The land on which the structure is built was given on rent/lease to the owner by UIT long back though no full proof documentary evidence was provided by the present occupant of that structure. UIT has assured that they would provide alternate UIT land site for this structure and provide to RUIDP land free from all encumbrances (letter attached as annexure 3) for the proposed ROB construction. Therefore, this warehouse Shakti Stones has not been covered in this SRP budget though the owner of the structure remains to be an AP. However, since this structure comes within the alignment of the present subproject, RUIDP would ensure that the owner of the structure is compensated by UIT as promised and his socio-economic status post project would be monitored and reflected in the upcoming SMR. If , in case of any eventuality, he does not get his dues (land, structure cost etc) from UIT, RUIDP would compensate him according to the entitlement matrix of the RF

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

8. **Policy Framework and Entitlements:** The Policy Framework and Entitlements for all the Sub-Projects are based on National Laws and Policy, such as, the Land Acquisition Act, 1894 (amended in 1984), the National Resettlement Policy & Rehabilitation Policy (NRRP) 2007; ADB's Policy on Involuntary Resettlement, 1995; and the agreed Resettlement Framework (RF).

9. **Institutional Framework, Resettlement Costs and Implementation Schedule:** The LSGD is the Executing Agency (EA) responsible for overall technical supervision and execution of all sub-projects funded under the Program. The Implementing Agency (IA) is the Project Management Unit of the ongoing RUIDP, which has been expanded and assigned as the IPMU, to coordinate construction of subprojects and ensure consistency across the towns. The EC provides LSGD with central policy guidance and coordination. The IPMU is assisted by: Investment Program Management Consultants (IPMC) who manages the Program and assure technical quality of the design and construction; and Design and Supervision Consultants (DSC), who are designing the Infrastructure, managing the tendering of Contractors, and supervising construction. NGO will be responsible for the Resettlement Plan Implementation.

10. **Monitoring and Evaluation:** All compensation is to be paid prior to start of the civil work. RP implementation will be closely monitored to provide the IPMU with an effective basis for assessing resettlement progress and identifying potential difficulties and problems. Internal monitoring will be undertaken by the IPIU with assistance from the IPMU. Monthly progress report will be prepared by the IPIU and will be compiled by the IPMU on a quarterly basis on the initial two year period followed by bi-annual monitoring report for its due submissions to ADB.

I. PROJECT DESCRIPTION

1. Rajasthan Urban Sector Development Investment Program will optimize social and economical development in 15 selected towns¹ in Rajasthan through investments in urban infrastructure (water supply, wastewater management, solid waste management, urban drainage, and urban transport and roads), social infrastructure, and infrastructure support to cultural heritage. The Program will also provide policy reforms to strengthen urban governance, management, and support for urban infrastructure and services.² This Short Resettlement Plan (SRP) has been prepared for the ROB subproject in Alwar.

2. The subproject in Alwar includes covers construction of ROB. Above mentioned project propose a two lane ROB in addition to two lanes of existing ROB so as to widen it to four lanes at level crossing No. LC 115 in Alwar City. The proposed ROB shall have viaduct spans of 2 lane (7.5 m wide) carriageway with 1.5 m wide safety kerb on one side and R.C.C. crash barriers on the other side. The Railway spans too shall be provided with 1.50 m wide foot path on one side with R.C.C. Crash Barriers on the other side. Footpath of existing ROB towards median side shall be used as median for the four lane structure. The new four lane structure is a combination of existing two lanes and proposed two lanes of the new ROB.

3. Design of bridge and approach is based on analysis and evaluation of results of detailed site investigation. The parameters that were considered while prioritizing sub-projects and evaluating the widening of existing two lane ROB to four lanes at Jai Marg are (i) traffic improvement; (ii) environmental impact; and (iii) social and resettlement impacts. ROW of about 40-45 m is available along the proposed alignment of the ROB, which is just adequate to accommodate a ROB of two lane carriageway along with service roads of 5.5m width each on both sides. On the service road near the existing Temple, the width may have to be reduced to 2.2m to leave sufficient space for easy access to the temple.

4. This Resettlement Plan (RP) has been prepared for the Alwar ROB Sub project as part of RUIDP Phase II. The RP has been prepared based on the detailed engineering design and as per the Detailed Project Report (DPR). This subproject has been categorized as "B" for Involuntary Resettlement (IR) impact as per the ADB's Safeguard Policy Statement, 1995.

¹ Particularly district headquarters and towns with significant tourism potential.

² The assistance will be based on the State-level framework for urban reforms, and institutional and governance reforms recommended by the Government of India through the Jawaharlal Nehru National Urban Renewal Mission and Urban Infrastructure Development Scheme for Small and Medium Towns.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACTS

5. The Sub-Project does not require any permanent land acquisition and resettlement, though there are however many mobile vendors (see photograph in annexure) who are visible under the present ROB, they would not get impacted. This is because, one side of the ROB would remain unobstructed and have free access for all movements though the other side (site for new ROB construction) would be barricaded for maintaining safety norms. No squatters either were observed who would get impacted by this project. Therefore no temporary loss of income was anticipated in the above cases.

6. In accordance with the Guidelines of ADB on Resettlement, all interventions and implementations will be confined to the existing RoW. During construction, temporary disruption in the income and livelihood of one person is anticipated who would be eligible for assistance as per the resettlement framework of RUIDP; one tree is also coming within the alignment of the project; but besides this, presently, a structure (warehouse) on the land of UIT, is also coming in the ROW of the project area but he is yet to vacate the same as per the cut-off date Even though UIT has assured that RUIDP gets free land for its ROB works, the owner of the structure remains to be an AP. However, since this structure comes within the alignment of the present subproject, RUIDP would ensure that the owner is compensated by UIT as promised and his socio-economic status post project would be monitored and reflected in the upcoming SMR. If , in case of any eventuality, he does not get his dues (land, structure cost etc) from UIT, RUIDP would compensate him according to the entitlement matrix of the RF , This structure is not within our scope of Resettlement Framework (Refer annexure 3 B) Table 1 provides the summary of Resettlement Impacts and **Annexure 1** provides the sub-project component and resettlement impacts.

III. SOCIO-ECONOMIC PROFILE / INFORMATION

7. An initial social impact assessment was carried out to estimate the temporary impacts, a series of transect walks were conducted; this was followed by a 100% census and a socio-economic survey conducted in the areas with the help of a pre-designed tool, where the works are to be done in the month of May 2012. The census survey covered the assessment of detailed impacts and gathered information related to the socio economic profile of the economically affected people. The one Affected Person belongs to Other Backward Class: there will be no impact on vulnerable households and Indigenous people. Summary of Resettlement Impacts is presented in Table1. The cut-off date of this subproject is on the day of the completion of the census survey which is 30 May 2012.

8. Affected Persons will be assisted in adjusting their Shop/kiosk in the vicinity of their original place. As confirmed during the census and socio-economic survey, these temporarily affected persons will not have to move to other distant places, hence there would be no displacement. The affected persons would be able to re-establish their shops near the original place, but outside the RoW once the construction work is completed. During construction work, access would be ensured by the implementing agency. Vulnerable affected households would be eligible for additional assistance. The rehabilitation assistance estimated for potential affected person has been included in the resettlement budget.

9. It has been confirmed that social impacts would be primarily on one kiosk placed under the existing ROB. The affected person's livelihood would be temporarily affected. The average household size of affected persons is 4. The average earning of the affected person is approximately Rs.100 /- per day so the average household income works out to be Rs.3000 /- per month (as per survey) . After ensuring that no one is paid amount below wage rate (Rs 135/day for unskilled labour in Rajasthan at present), average household income per month comes to Rs. 4050/-. The kiosk would have to be shifted to nearby place

from the present site during the construction period The warehouse would be dealt by UIT and UIT will provide land free from all encumbrances for ROB construction, Therefore, for this subproject, there is only 1 affected person whose socio-economic detail is presented in **Annexure 2.**

Table – 1 Summary of Resettlement Impacts

Magnitude of Resettlement Impact	Number
Permanent Land Acquisition (in ha)	0
Temporary Land Acquisition (in ha)	0
Temporarily Affected Persons/Households	1
Titleholder Affected Persons/ Households (Temporarily Affected)	0
Non-Titleholder Affected Persons/Households(Temporarily Affected)	1
Vulnerable Households (Temporarily Affected)	0
IP/STAP	0
BPL Households (Temporarily Affected)	0
Affected Trees	1
Affected structure	0
Temporarily Affected CPRs	0
Family Size	4
Average household income (per month as per survey)	3000
Average household income (per month after considering wage rate)	4050
Income Sources	Pan, gutka shop

Source: Census and Socio – Economic Survey May 2012, Cutoff Date 30 May 2012:

IV. INFORMATION DISCLOSURE, CONSULTANT AND PARTICIPATION

10. Following the model developed for the MFF, a town-wide stakeholder consultation workshop was conducted which provided an overview of the Program and subprojects to be undertaken in Alwar. Discussions included the Government and ADB's policies related to resettlement. During the workshop, Hindi versions of the Resettlement Framework were provided to ensure stakeholders understood the objectives, policy principles and procedures for any land acquisition, compensation and other assistance measures for any affected person.

11. The resettlement plan was prepared in consultation with stakeholders. Meetings and individual interviews were held involving stakeholders, particularly with temporarily affected persons. Public consultation with primary and secondary stakeholders has been conducted to understand the local issues and public views regarding the possible impact. The group discussion meeting was conducted by RUIDP after advertising in local newspapers. During subproject preparation, consultations were held with the official representatives of the line agencies, apart from the communities in the project area. The issues covered during these consultations included selection of subprojects and identification of key issues including addressing the current gaps in provision of basic services and improvement of the facilities in the Alwar area. Consultation records are provided in **Annexure 4**

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

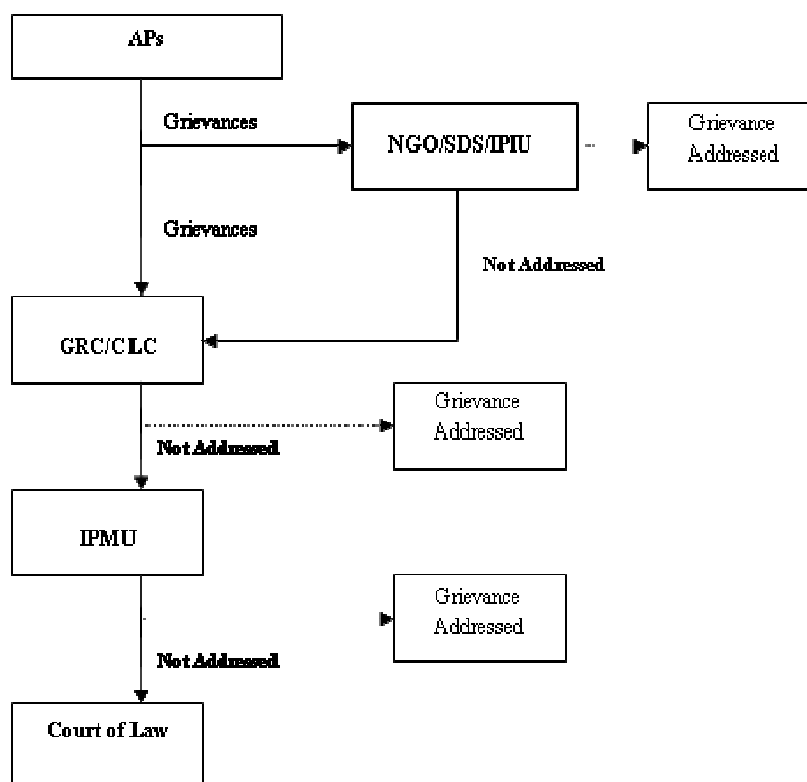
13. Project information will be continually disseminated through disclosure of resettlement planning documents. The documents will contain information on compensation, entitlement and resettlement management adopted for the subproject will be made available in local language (Hindi) and the same will be distributed to affected persons. The Social Development Specialist (SDS) through its IPIU will keep the affected persons informed about the impacts, the compensation and assistances proposed for them

and facilitate addressing any grievances. Additionally, the nongovernmental organization (NGO) engaged to implement the Community Awareness and Participation Program (CAPP) will continue consultations, information dissemination, and disclosure. The NGO has been engaged and is carrying out its work. A summary of NGO's activities is provided in **Annexure 5**. The consultation process will be carried out in the entire project cycle.

V. Grievance Redress Mechanisms

14. Grievances of APs will first be brought to the attention of the implementing NGO or Social Development Specialist (SDS). Grievances not redressed by the NGO or SDS will be brought to the City Level Committees (CLC) set up to monitor project implementation in each town. The CLC, acting as a grievance redress committee (GRC) is chaired by the District Collector with representatives from the ULB, state government agencies, IPIU, community based organizations (CBOs) and NGOs. As GRC, the CLC will meet every month. The GRC will determine the merit of each grievance, and resolve grievances within a month of receiving the complaint, failing which the grievance will be addressed by the inter-ministerial Empowered Committee. The Committee will be chaired by the Minister of Urban Development and Local Self Government Department (LSGD), and members will include Ministers, Directors and/or representatives of other relevant Government Ministries and Departments. Grievance not redressed by the GRC will be referred to the IPMU for action failing which grievances will be referred by APs to the appropriate courts of law. The IPIU will keep records of all grievances received including: contact details of complainant, date that the complaint was received, nature of grievance, agreed corrective actions and the date these were effected, and final outcome. The grievance redress process is shown in Figure 1. All costs involved in resolving the complaints will be borne by the IPMU. The GRCs will continue to function throughout the project duration.

Figure 1: Grievance Redress Process



CLC = City Level Committee, GRC = Grievance Redress Committee, IPIU=Investment Program Implementation Unit, IPMU = Investment Program Management Unit, NGO = nongovernmental organization, SDS = Social Development Specialist.

VI. POLICY AND LEGAL FRAMEWORK

15. The policy framework and entitlements for the program as well as for this subproject are based on national laws: The Land Acquisition Act, 1894 (LAA, amended in 1984), and the National Resettlement and Rehabilitation Policy, 2007 (NRRP); ADB's Policy on Involuntary Resettlement, 1995; and the agreed Resettlement Framework (RF). Based on these, the core involuntary resettlement principles applicable are: (i) land acquisition, and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative subproject designs; (ii) where unavoidable, time-bound Resettlement Plans will be prepared and APs will be assisted in improving or at least regaining their pre-program standard of living; (iii) consultation with APs on compensation, disclosure of resettlement information to APs, and participation of affected persons in planning and implementing subprojects will be ensured; (iv) vulnerable groups will be provided special assistance; (v) payment of compensation to APs including non-titled persons (e.g., informal dwellers/squatters, and encroachers) for acquired assets at replacement rates; (vi) payment of compensation and resettlement assistance prior to the contractor taking physical acquisition of the land and prior to the commencement of any construction activities; (vii) provision of income restoration and rehabilitation; and (viii) establishment of appropriate grievance redress mechanisms. A detailed policy framework including the comparison of national laws and policies with ADB SPS is given in **Annexure 6**

VII. ENTITLEMENTS

16. All Affected persons who are identified in the subproject areas on the cut-off date will be entitled to compensation for their affected assets, and rehabilitation measures (as outlined in the entitlement matrix below) sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels. Compensation eligibility is limited by a cut-off date as set for this project on the day of the completion of the census survey which is **30 May 2012** in this case. Affected persons who settle in the affected areas after the cut-off date will not be eligible for compensation and assistance. They however will be given sufficient advance notice (30 days) and will be requested to vacate premises and dismantle affected structures prior to project implementation. The IPIU and the NGO will provide the identity cards to each of the affected persons. A sample copy of the ID card is provided in **Annexure 7**. The entitlement matrix for the subproject based on the above policies is in Table 2.

Table 2: Entitlement Matrix

Sl. No	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
1	Loss of Commercial Structure	Commercial structure and other assets	Encroachers	• 60 days' advance notice to shift from occupied land. • Transitional allowance based on 3 months' minimum wage rates. • Shifting assistance for households. • Right to salvage materials from structure and other assets. • Additional compensation for vulnerable households.	• Vulnerable households will be identified during the census	• NGO will verify the extent of impact through a full survey of affected households, determine the needed assistance, verify and identify vulnerable households
2	Temporary disruption of livelihood		Legal titleholders, non-titled Affected persons	• 30 days advance notice regarding construction activities, including duration and type of disruption • Contractor's actions to ensure there is no income³/access loss consistent with the IEE.⁴ • Assistance to mobile vendors/hawkers to temporarily shift for continued economic activity.⁵ • For construction activities involving unavoidable livelihood disruption, compensation for lost income or a transitional allowance for the period of disruption, whichever is greater	• Identification of alternative temporary sites to continue economic activity	• Valuation Committee will determine income loss. • Contractors will perform actions to minimize income/access loss.
3	Loss of trees and crops	Standing trees and crops	Legal titleholder/ tenant/leaseholder/ sharecropper/non-titled affected persons	• Notice to harvest standing seasonal crops • If notice cannot be provided, compensation for standing crop (or share of crop for sharecroppers) at market value	• Harvesting prior to acquisition will be accommodated to the extent possible. Work	• IPMU will ensure provision of notice. • Valuation Committee will undertake valuation of

³ Minimum wage in Rajasthan is Rs135 per day(Rajasthan: Minimum Wages w.e.f. January 1, 2011).

⁴ This includes: leaving spaces for access between mounds of soil, providing walkways and metal sheets to maintain access across trenches for people and vehicles where required, increased workforces to finish work in areas with impacts on access, timing of works to reduce disruption during business hours, phased construction schedule and working one segment at a time and one side of the road at a time.

⁵ For example assistance to shift to the other side of the road where there is no construction.

Sl. No	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
				• Compensation for trees based on timber value at market price, and compensation for perennial crops and fruit trees at annual net product market value multiplied by remaining productive years; to be determined in consultation with the Forest Department for timber trees and the Horticulture Department for other trees/crops.	schedules will avoid harvest season. Market value of trees/crops has to be determined.	standing crops, perennial crops and trees, and finalize compensation rates in consultation with affected persons
4	Any other loss not identified			• Unanticipated involuntary impacts will be documented and mitigated based on the principle of the Resettlement Framework (RF)		• NGO will ascertain the nature and extent of such loss. IPMU will finalize the entitlements in line with the RF

IEE=Initial Environmental Examination, IPMU=Investment Program Project Management Unit, NGO=Nongovernmental Organization

VIII. RELOCATION AND HOUSING AND SETTLEMENTS

17. Affected Persons will be provided 30 days advance notice to ensure no or minimal disruption in livelihood. If required, they will also be assisted to temporarily shift for continued economic activity. For example, they will be assisted to shift to the other side of the road where there will be no construction. It is the responsibility of the Construction Contractor to ensure that there will be no income or access loss during subproject construction. Consistent with the initial environmental examination, construction contractors will ensure: leaving spaces for access between mounds of soil, providing walkways and metal sheets to maintain access across trenches for people and vehicles for movement where required, increased workforces to finish work in areas with impacts on access, timing of works to reduce disruption during business hours, phased construction schedule and working one segment at a time and one side of the road at a time.

IX. INCOME RESTORATION AND SETTLEMENT

18. Should construction activities result in unavoidable livelihood disruption, compensation for lost income or a transitional allowance for the period of disruption whichever is greater will be provided. Vulnerable affected persons will be given priority in project construction employment. Compensation and assistance to affected persons must be made prior to possession of land/assets and prior to the award of civil works contracts. The temporary AP will be provided with livelihood assistance for 90 days as has been considered as the duration of disruption

X. RESETTLEMENT BUDGET AND FINANCIAL PLAN

19. The resettlement cost estimate for the Alwar ROB subproject includes resettlement assistance, as outlined in the entitlement matrix, support cost for RP implementation and contingency provision amounting to be 5% of the total cost. The state government will be responsible for releasing the funds for resettlement in a timely manner. The total resettlement cost for the subproject is INR 146687.5. The resettlement cost items and estimates are outlined in Table 3.

Table 3: Resettlement Budget

SN	Item	Unit	Number	Rate Rs.	Cost
1	Relocation & Transfer				
	Shifting assistance	LS	1	200	200
	Loss of Income / Livelihood ⁶	90days	1	135	12150
	Additional assistance to Vulnerable APs/HHS				
	Cost of tree*		1		5000
	Sub Total Item 1				17350
2	Administrative & Implementation costs				
	Implementing NGO covering NGO engagement, cost of census and survey of APs and inventory of assets, cost of information and consultations, training and monitoring (including	Lump Sum			100000

⁶ The amount is based on the average per day income as derived from the census and socio economic survey (May 2012).

SN	Item	Unit	Number	Rate Rs.	Cost
	evaluation by independent agency), and rental of office space and required physical facilities and materials.				
3	Contingencies				
	Price (5%) of Project Cost				5867.50
	Physical (20%) for unanticipated impacts such as temporary impacts on structures or temporary loss of land				23470.00
	Total				146687.5

Note: The amount is based on the average per day income as derived from the census and socio economic survey (May 2012) and as per minimum wages prevailing. It is ensured that no one is compensated below minimum wage rates. Minimum wage in Rajasthan is Rs. 135 per day (Rajasthan: Minimum Wages w.e.f. January 1, 2011)

* Please refer to Annexure 3C

XI. INSTITUTIONAL ARRANGEMENT

20. The LSGD is the Executing Agency (EA) responsible for overall technical supervision and execution of all sub-projects funded under the Program. The Implementing Agency (IA) is the Project Management Unit of the ongoing RUIDP, which has been expanded and assigned as the IPMU, to coordinate construction of subprojects and ensure consistency across the towns. The EC provides LSGD with central policy guidance and coordination. The IPMU is assisted by: Investment Program Management Consultants (IPMC) who manages the Program and assure technical quality of the design and construction; and Design and Supervision Consultants (DSC), who are designing the infrastructure, managing the tendering of Contracts, and supervising construction.

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

22. Resettlement issues are coordinated by a Social Development Specialist (IPMU SDS) within the IPMU, who ensures that all subprojects comply with involuntary resettlement safeguards. A Resettlement Specialist who is part of the IPMC team assists the SDS. SDS, as part of the DSC, have been appointed to work with each IPIU to update the Resettlement Plan in the detailed design stage, and to prepare Resettlement Plans for new subprojects, where required to comply with the Government and ADB policies. NGO is appointed to assist the implement Resettlement Plans with close coordination with IPIU. Various institutional roles and responsibilities are described in Table 4.

Table 4: Institutional Roles and Responsibilities

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

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

XII. Implementation Schedule

23. The Resettlement Plan is to be cleared by ADB prior to contract award. All entitlements are to be paid prior to displacement. Written confirmation is required by the IPMU to ADB stating that all compensation has been paid to Affected persons. Only then can construction works begin on sections where compensation has been paid. A tentative implementation schedule is given in Table 5.

Table 5: Implementation Schedule

Activity	MONTHS											
	1	2	3	4	5	6	7	8	9	10	11	12
Appointment of NGOs	♦											
Briefing of the CLC on GRC functions	♦											
Census and socio-economic surveys (issuance of identification cards)	♦	♦										
Consultations and disclosure	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦
Confirmation of government land to be used and transfer from other departments	♦	♦	♦									
Resettlement Plan updating if required			♦									
Resettlement Plan review and approval (IPMU and ADB)				♦								
Issue notice to APs					♦							
Compensation and resettlement assistance						♦	♦	♦	♦	♦		
Relocation as required						♦	♦	♦	♦	♦		
Takeover possession of acquired property											♦	
Monitoring						♦	♦	♦	♦	♦	♦	
Handover land to contractors											♦	
Start of civil works												♦
Rehabilitation of temporarily occupied lands												Immediately after construction

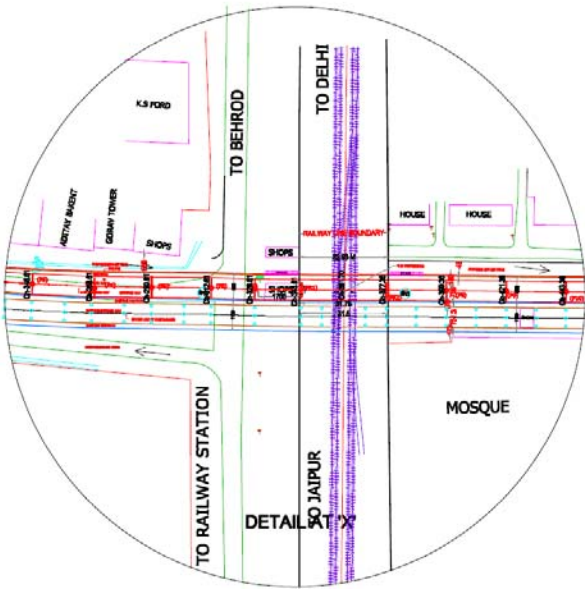
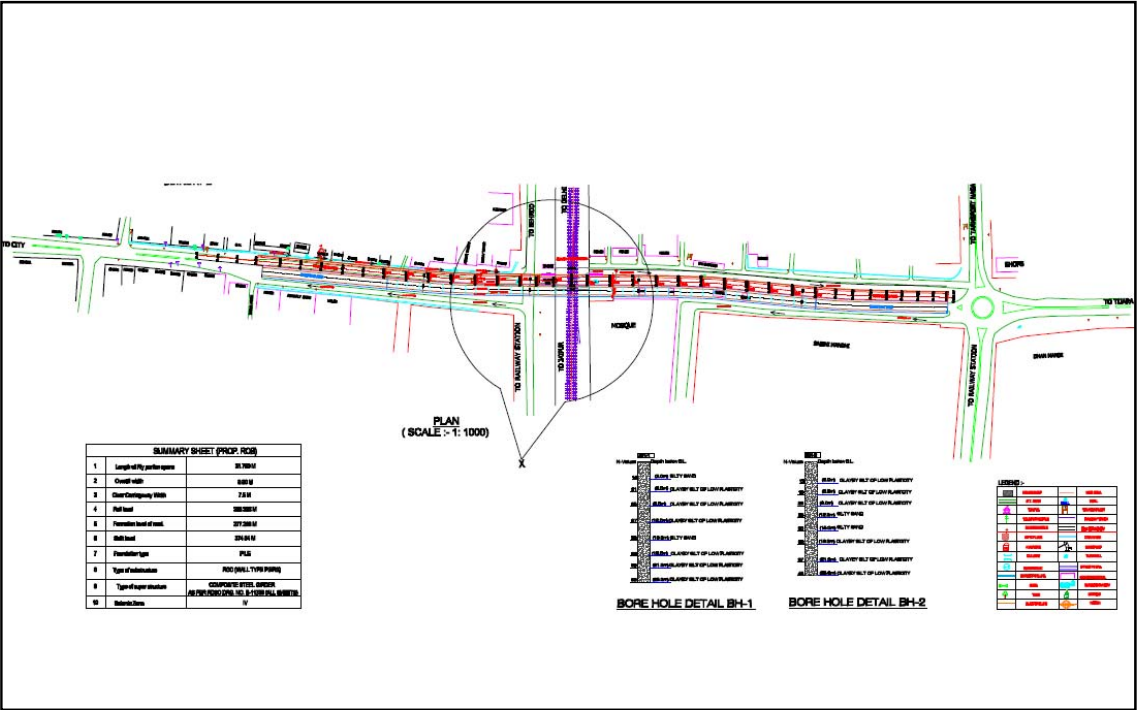
XIII. Monitoring and Evaluation

24. RP implementation will be closely monitored to provide the IPMU with an effective basis for assessing resettlement progress and identifying potential difficulties and problems. Monitoring will be undertaken by the IPIU with assistance from the IPMU. The extent of monitoring activities, including their scope and periodicity, will be commensurate with the project's risks and impacts. Monitoring will involve: (i) administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis; (ii) socioeconomic monitoring during and after any resettlement impact utilizing baseline information established through the socio-economic survey of APs undertaken during project preparation; and (iii) overall monitoring to assess AP's status. The EA is required to implement safeguard measures and relevant safeguard plans, as provided in the legal agreements, and to submit periodic monitoring reports on their implementation performance. ADB will require the EA to:

- establish and maintain procedures to monitor the progress of implementation of safeguard plans,
- verify the compliance with safeguard measures and their progress toward intended outcomes,
- document and disclose monitoring results and identify necessary corrective and preventive actions in the periodic monitoring reports,
- follow up on these actions to ensure progress toward the desired outcomes
- retain qualified and experienced external expert to verify monitoring information for projects with significant impacts and risks,
- Submit periodic monitoring reports on safeguard measures as agreed with ADB.

25. The IPMU monitoring will include daily planning, implementation, feedback and trouble shooting, individual AP file maintenance, community relationships, dates for consultations, number of appeals placed and progress reports. The IPIU will provide monthly monitoring report to the IPMU and the IPMU will compile the IPIU report and will submit to ADB on a quarterly basis on the initial two years and thereafter would submit monitoring reports biannually as per the agreed RF. Executing Agency will appoint the external monitoring agency/expert and the external monitor will monitor sub-projects twice a year and submit reports directly to the EA (IPMU). The EA will submit external monitoring reports on bi annually basis for another two years to ADB for review. Further details are in the RF.

Map 1: Subprojects Location



Annexure 1**Components and Resettlement Impacts**

Components	Impacts
Carriageway	There will be impact on a tree and livelihood of a kiosk who have been included in this SRP.. Besides this, presently, a structure (warehouse) on the land of UIT, is coming in the ROW of the project area at level crossing No. LC 115 of the proposed two lanes ROB. The owner is yet to vacate the project area as on the cut-off date. Even though UIT has assured that RUIDP gets free land for its ROB works, the owner of the structure remains to be an AP. However, since this structure comes within the alignment of the present subproject, RUIDP would ensure that the owner is compensated by UIT as promised and his socio-economic status post project would be monitored and reflected in the upcoming SMR. If , in case of any eventuality, he does not get his dues (land, structure cost etc) from UIT, RUIDP would compensate him according to the entitlement matrix of the RF Therefore, it is not within our scope of Resettlement Framework.
Vertical Clearance	No Impact
Horizontal Alignment	No Impact
Vertical Profile	No Impact
Railway Span proposed	No Impact
Viaduct Spans	No Impact

Socio-economic Survey Summary

Details of Temporary Affected Persons

Sl. No	Location	Name of AP	Business	Type of Structure	Type of Family	No. of Family Members	Social Category	Vulnerability	Daily Income (in Rs.)	Income with respect to Minimum Wages @135	Impact	Rehabilitation Option
1	Jai Marg	Gaurav Saini (S/O) Trilok Chand Saini	Pan Gutka shop	Wood and Tin	Nuclear	4	OBC	NA	100	135	Temporary	LA+SA

Source: Census and Socio – Economic Survey May 2012

Annexure 3

Annexure 3.A (Affected Person)

1. Kiosk



**Annexure 3.B Warehouse presently coming in the ROW of the Project Area
(Shakti Stones)**



GHERZI EASTERN LIMITED

(In association with Gherzi Textile Organization Zurich)

ENGINEERS, ARCHITECTS AND CONSULTANTS

AB-07, 3rd Floor, Commercial Complex, Safdarjung Enclave, New Delhi 110029

Telefax : 011-41651408/ 011-41651409
E-mail : Gherzi@bathway.com**E-317, Ambedkar Nagar, Alwar-301001**Tel fax: 0144-2373146
gelalwar@gmail.com

Email:

Our Ref: GHERZI/DSC-1/Alw/2012/**Dated: 08.06.2012****Valuation of existing structure,
below proposed ROB at Aerodram Road, Alwar****Owner Name : Rajendra Prasad Aameria****Measurement as per enclose map**

		Size	Area (in Sqft)
1.	Verandah	15'-3" x 7'-6"	114.375
2.	Room No. 1	15'-3" x 10'-0"	152.50
3.	Room No. 2	14'-7.5" x 21'-6"	314.437
Total			581.312 (54.0 Sqm)

Source/ Basis of calculation - standing order no = X-3/2011, PWD Rajasthan

Rate of Building Portion of Ground Floor without basement = 5,625/- Rs. per Sqm

Valuation of structure 54.0Sqm x 5,625/- Rs. per Sqm = 3,03,750/-

21 years old Construction

Depreciation cost = $0.8082 \times 3,03,750/- = 2,45,490.75$ **Say Rs. 2,45,491/-****(Rupees Two Lacs Forty Five Thousand Four Hundred Ninety One only) ,****Uttam Bhuse**
Suppoer Engineer
DSC-1, Alwar

Letter from Nagar Palika

23 Jun 12 13:56

RUIDP, Alwar

01442370141

p.1

कार्यालय नगर विकास न्यास अलवर

क्रमांक:- SBL/01

दिनांक:- 23/06/2012

परियोजना निदेशक,
आर०यू०आई०डी०पी०
जयपुर।

विषय :- जयमार्ग स्थित आर०ओ०बी० को फोर लेन करने के क्रम में।

उपरोक्त विषयान्तर्गत लेख है कि जयमार्ग स्थित आर०ओ०बी० की प्रस्तावित फोर लेनिंग कार्य के कार्य स्थल पर एक दुकान (शक्ति स्टोन) स्थित है। जिसे नगर विकास न्यास अलवर द्वारा अपने स्तर पर विस्थापित कर दिया जावेगा तथा अवरोध रहित कार्यस्थल उपलब्ध करा दिया जावेगा।

अतः जनहित में उक्त प्रस्तावित फोर लेनिंग कार्य को राज्य सरकार से स्वीकृत करा निष्पादित कराने का श्रम करावे।

[Handwritten Signature]

अध्यक्ष, जयपुर

नगर विकास न्यास अलवर
अलवर (राज.)

Annexure 3. C Affected Tree:

A peepal tree is coming in the ROW with girth of 1.8 m and height of 12m



Rate have been estimated in consultation with the civil team and experts in field on the basis of prevailing local market rate.

PUBLIC CONSULTATIONS

DATE: - 23 March, 30 May & 8 June '12

SUBPROJECT: Alwar, ROB

DURATION: 45 min to 1hr

LOCATION: Jai Marg, Alwar

NUMBER OF PARTICIPANTS: 4-6 on average (Attendance Sheet is attached)

Sl. No.	Key issues / demands	Perception of Community	Action to be taken
1.	Awareness of the Project- including coverage area	One third of them appeared to be aware of the Project but not clearly about the coverage area,	The Implementing Agency, ULB, NGOs, Media should inform the public.
2	In what way they may be associated with the Project	Other than the welfare of the community temporary affect out of the project were not considered problematic. The stretch	IPIU, DSC to ensure least affect during implementation
6	Perception of people- they might face during construction and their requirement/demand with respect to noise, accessibility to various places and others	Since it is a work to be undertaken inside the town and covers a market area during implementation and construction phase IPIU and Contractors should keep noise and accessibility factor in check	Should be regularly monitored by Executing Agency, Implementing Agency, IPIU,
7	Impact on livelihood due to construction of project	There will be temporary impact on livelihood and they have no objection	IPIU, DSC to ensure
8	Willingness to work in the project work	People are willing to work in the project	The IPIU, DSC, ULB, Construction Contractors to ensure engagement of locals in the Project work

Public Consultation

Name of Project/ Package	RAIL OVER BRIDGE FOR ALWAR TOWN (RUSDIP/TCJPL/ALWAR ROB/STA)
Town	Alwar
Area / Locality	Near Bhagat Singh on Jai Marg
Date	8/6/12

जनसम्पर्क के दौरान किये गये चर्चा बिन्दु :-

1. आरयूआईडीपी की रेल ओवर ब्रिज (आर.ओ.बी.) परियोजना Multitranché Financing Facility (MFF) के तहत एडीबी द्वारा वित्त पोषित परियोजना है।
2. इस क्षेत्र में दो लेन का अतिरिक्त रेल ओवर ब्रिज पूर्ण निर्मित ब्रिज के समानान्तर निर्माण करने की प्रस्तावित परियोजना है।
3. इस अतिरिक्त रेल ओवर ब्रिज की कुल लम्बाई 736.45 मीटर और चौड़ाई 10.5 मीटर प्रस्तावित है।
4. प्रस्तावित ब्रिज के साइड में 5.5 मीटर चौड़ी सर्विस रोड भी बनाई जायेगी।
5. प्रस्तावित ब्रिज का फाउण्डेशन / पिलर का व्यास 1.2 मीटर तथा इसकी गीब 20 मीटर गहरी होगी।
6. प्रस्तावित ब्रिज के साइड में 1.5 मीटर चौड़ा फुटपाथ बनाये जाने की प्रस्तावना है।
7. प्रस्तावित ब्रिज के निर्माण के समय आस-पास के निवासियों तथा आने जाने वाले लोगों को असुविधा हो सकती है।
8. सार्वजनिक असुविधा को कम करने के लिये सभी संभव उपाय किये जायेंगे।
9. पूर्ण योजना कार्य प्रारंभ होने के 30 दिन पहले आम जन को दी जायेगी।
10. रेल ओवर ब्रिज निर्माण कार्य में होने वाली असुविधा के लिए जनसहयोग की आवश्यकता है।
11. रेल ओवर ब्रिज के निर्माण मुख्यतः पाइलिंग/ फाउण्डेशन निर्माण के दौरान जरूरत पड़ने पर वैकल्पिक रास्ता/ मार्ग उपलब्ध करवाया जायेगा।

रेल ओवर ब्रिज निर्माण से लाभ :-

प्रस्तावित रेल ओवर ब्रिज के बनने से दुर्घटना में कमी आयेगी तथा प्रदूषण भी कम होगा। शीघ्र व सुरक्षामय कनेक्टिविटी के साथ साथ ईंधन, समय तथा आवागमन में लगने वाली कुल लागत में कमी आयेगी। लोगों के जीवन स्तर में सुधार होगा।

M. Anjum
(0501)

Rashmi
A. C. Alwar

①

जन विचार/समस्या

- प्र. १) जनहित के लिए यदि पुल बनाना चाहिये।
 २) ऐसी वैधुली व्यवस्था हो कि पुल के बने
 से हमारे दुकानदारी में कम से कम जुकसान हो।
 ३) दुकान रखने से रोजगार छप्य हो जायेगा।

क्र.सं.	प्रतिभागी का नाम	व्यवसाय	हस्ताक्षर
1	श्री राजेन्द्र प्रसाद	दुकान विक्रि में मरफ	राजेन्द्र प्रसाद
2	राज कुमार	रेहड़ी	राज कुमार
3	गौरव सेनी	पान की दुकान	गौरव सेनी
4	मधु देवी	चूड़ी की दुकान	मधु देवी
5	बालराम	मोचों की दुकान	बालराम
6	रामेश्वर सेनी	चाय की दुकान	रामेश्वर सेनी
7	पद्मी	रेहड़ी	पद्मी
8	बाबुलाल	राम की दुकान	बाबुलाल
9	कलचंद सेनी	फलों की दुकान	कलचंद सेनी
10	रतनलाल		रतनलाल
11	रमेशचंद	पान का स्टोक	रमेशचंद
12			
13			
14			
15			
16			

Prashant
DSC-1

Prashant
DSC-1

②

Pictures of Public consultation Near ROB

	
Consultation with the Owner of the WareHouse done at the main shop (Shive Stone, situated at Aerodram road)	Consultation with the Owner of the Ware House done at the main shop (Shive Stone, situated at Aerodram road)
	
Consultations at Jai Marg (ROB Site)	Consultations at Jai Marg (ROB Site)
	
Consultations at Jai Marg (ROB Site)	Consultations at Jai Marg (ROB Site)

Though some wheeled vendors were found under the existing bridge, they have alternative access from the other side of the bridge. Informal consultations were conducted.

SUMMARY ACTIVITIES ON COMMUNITY AWARENESS AND PARTICIPATION PROGRAMME (CAPP)

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

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

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

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

A. Overview of CAPP Activities

- Formation of Groups
- Public Meeting at the community level
- Jajam baithaks
- Individual contact
- Site visits
- School campaign

- Street Play, Nukkad Natak and Puppet Shows
- Observance of Important National / International Day
- Road Safety Programs
- Cultural Event
- Exhibitions
- Jhanki Display
- Women Participation and Income Generation Activities
- Organization Camps
- IEC Activities
 - o Print Media
 - o Display of Posters
 - o RUIDP Calendar
 - o Preparation of Brochure and Folders
 - o Preparation of Pamphlets
 - o Stickers
 - o Preparation and release of Nav Aakar
 - o Release of News Letter
 - o Release of News and Appeals
- Electronic Media
 - o Interactive Phone in program through AIR
 - o Display of film on Water Conservation
 - o Film Show for Environment Improvement
 - o Display of Cinema Slides
 - o Documentary Film on RUIDP – 'Pragati Path'
 - o Display of Scroll Messages
 - o Display of Banners / Flexes
 - o Press Conference
- Training Programme and Workshops

Policy Framework and Entitlements

A. Policy and Legal Framework

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

1. Government Policy

a. National Resettlement and Rehabilitation Policy, 2007

The NRRP stipulates the minimum facilities to be ensured for persons displaced due to the acquisition of land for public purposes. The objectives of the Policy are:

- (i) to minimize displacement and to identify non-displacing or least displacing alternatives;
- (ii) to plan resettlement and rehabilitation of project affected families (PAFs) or project affected households (PAHs), including tribal and vulnerable households;
- (iii) to provide improved standard of living to PAFs or PAHs; and
- (iv) to facilitate a harmonious relationship between the requiring body and PAFs.

Though NRRP is applicable for projects where over 400 PAFs in the plains or 200 PAFs in hilly or tribal areas are displaced, the basic principles can be applied to resettling and rehabilitating PAFs regardless of the number affected. NRRP's provisions are intended to mitigate adverse impacts on PAFs. While key principles of NRRP are similar, and for some items go beyond ADB's Policy on Involuntary Resettlement (1995), NRRP excludes linear projects (which acquire only narrow strips of land). Linear impacts and temporary linear impacts (which is the likely impact of the Program) are not covered by NRRP. Further, there is no law on resettlement in the country. The law relating to the acquisition of privately owned immovable property is the Land Acquisition Act of 1894 (LAA, amended 1984) discussed in the following section.

b. Land Acquisition Act, 1894

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

- (i) Land identified for the purpose of a project is placed under Section 4 of the LAA. This constitutes notification. Objections must be made within 50 days to the District Collector (DC, the highest administrative officer of the concerned District).

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

2. ADB's Policy on Involuntary Resettlement, 1995

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

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

- (i) Involuntary resettlement will be avoided whenever feasible.
- (ii) Where population displacement is unavoidable, it should be minimized.
- (iii) All lost assets acquired or affected will be compensated. Compensation is based on the principle of replacement cost.
- (iv) Each involuntary resettlement is conceived and executed as part of a development project or program. APs need to be provided with sufficient resources to re-establish their livelihoods and homes with time-bound action in co-ordination with civil works.
- (v) APs are to be fully informed and closely consulted.
- (vi) APs are to be assisted to integrate economically and socially into host communities so that adverse impacts on the host communities are minimized and social harmony is promoted.
- (vii) The absence of a formal title to land is not a bar to ADB policy entitlements.
- (viii) APs are to be identified and recorded as early as possible to establish their eligibility, through a census which serves as a cut-off date, and prevents subsequent influx of encroachers.

- (ix) Particular attention will be paid to vulnerable groups including those with out legal title to land or other assets; households headed by women; the elderly or disabled; and indigenous groups. Assistance must be provided to help them improve their socio-economic status.
- (x) The full resettlement costs will be included in the presentation of project costs and benefits.

C. Comparison of Borrower's Policy with the RF

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

Table 1: Comparison Between the Borrower's and ADB's Involuntary Resettlement Policy

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed RF with ADB's IR Policy
1.	Involuntary resettlement should be avoided where feasible.	X ☐	✓ ☐	LAA is applicable wherever private land is to be acquired by Government for public purpose.	This is addressed in the RF. The locations for project components have been identified in such a manner that IR is avoided to the extent possible. These IR impacts shall be further minimized during detailed designs.
2.	Where population displacement is unavoidable, it should be minimized by exploring viable project options.	X ☐	✓ ☐	LAA is applicable wherever private land is to be acquired by Government for public purpose.	This is addressed in the RF. The locations for project components have been identified in such a manner that IR is avoided to the extent possible. These IR impacts shall be further minimized during detailed designs.
3.	If individuals or a community must lose their land, means of livelihood, social support systems, or way of life in order that a project might proceed, they should be compensated and assisted so that their economic and social future will generally be at least as favorable with the project as without it. Appropriate land, housing, infrastructure, and other compensation, comparable to the without project situation, should be provided to the adversely affected population, including indigenous groups, ethnic minorities, and pastoralists who may have usufruct or customary	X ☐	✓ ☐	According to the ADB's IR policy full RP is required when 200 or more people will experience major impacts. A Short RP is required when resettlement is insignificant when less than 200 people will experience major impacts. According to the NRRP, RP should be prepared when it involves resettlement of more than 500 families (roughly about 2,000 persons) in plain areas and 200 families (roughly about 1,000	The RF addresses the IR impacts. The entitlements to the APs are outlined in the Entitlement Matrix.

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed RF with ADB's IR Policy
	rights to the land or other resources taken for the project.			people) in hilly areas, Desert Development Programme (DDP) blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India.	
4.	Any involuntary resettlement should, as far as possible, be conceived and executed as a part of a development project or program and resettlement plans should be prepared with appropriate timebound actions and budgets. Resettlers should be provided sufficient resources and opportunities to reestablish their homes and livelihoods as soon as possible.	X ☐	✓ ☐	According to the ADB's IR policy full RP is required when 200 or more people will experience major impacts. A Short RP is required when resettlement is insignificant when less than 200 people will experience major impacts. According to the NRRP, RP should be prepared when it involves resettlement of more than 400 families (roughly about 2,500 persons) in plain areas and 250 families (roughly about 1,250 people) in hilly areas, Desert Development Programme (DDP) blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India.	The RF addresses the IR impacts. The entitlements to the APs are outlined in the Entitlement Matrix.
				LAA does not provide for resettlement. However, it specifies the time limit for acquisition, though the project / program for which it is conceived need not necessarily be time-bound.	A time-bound action plan and implementation schedule for the IR activities is outlined. The key RP activities are identified and the responsibilities for the same outlined.
5.	The affected people should be fully informed and closely consulted on resettlement and compensation options. Where adversely affected people are particularly vulnerable, resettlement and compensation decisions should be preceded by a social preparation phase to build up the capacity of the vulnerable people to deal with the issues.	X ☐	✓ ☐	LAA recognizes only titleholders, who are to be notified prior to acquisition.	Consultations have been carried out with APs. This will be further consolidated by the RP implementing NGO. The plan for information disclosure in the project, including the RF.
6.	Appropriate patterns of social organization should be promoted, and existing social	X ☐	✓ ☐	-	This is addressed in the Entitlement Matrix.

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed RF with ADB's IR Policy
	and cultural institutions of resettlers and their hosts should be supported and used to the greatest extent possible. Resettlers should be integrated economically and socially into host communities so that adverse impacts on host communities are minimized. One of the effective ways of achieving this integration may be by extending development benefits to host communities.				
7.	The absence of formal legal title to land some affected groups should not be a bar to compensation. Affected persons entitled to compensation and rehabilitation should be identified and recorded as early as possible, preferably at the project identification stage, in order to prevent an influx of illegal encroachers, squatters, and other nonresidents who wish to take advantage of such benefits. Particular attention should be paid to the needs of the poorest affected persons including those without legal title to assets,, female-headed households and other vulnerable groups, such as indigenous peoples, and appropriate assistance provided to help them improve their status.	X ☐	✓ ☐	LAA provides for every affected person to receive a notification prior to acquisition and for a hearing in case of any objection. Acquisition under the Act is permitted within one year from the date of declaration of intent to acquire, failing which, the process has to start again. LAA does not regard non-titleholders as APs. The <i>Rajasthan Urban Housing and Habitat Policy</i>, 2006 aims to provide tenurial rights to urban slum dwellers with special emphasis on persons belonging to scheduled castes, scheduled tribes, weaker sections, physically handicapped and widows. This is consistent with recognizing those without legal titles and the vulnerable.	The process for verification of impacts and establishing the eligibility of the APs is outlined in the RF.
8.	The full costs of resettlement and compensation, including the costs of social preparation and livelihood programs as well as the incremental benefits over the "without project" situation, should be included in the presentation of Project costs and benefits.	X ☐	✓ ☐	According to the ADB's IR policy full RP is required when 200 or more people will experience major impacts. A Short RP is required when resettlement is insignificant when less than 200 people will experience major impacts. According to the NRRP, RP should	The RF addresses the IR impacts. The entitlements to the APs are outlined in the Entitlement Matrix.

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed RF with ADB's IR Policy
				be prepared when it involves resettlement of more than 500 families (roughly about 2,500 persons) in plain areas and 250 families (roughly about 1,250 people) in hilly areas, Desert Development Programme (DDP) blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India.	
				The NRRP's concept of replacement cost is not clearly defined. However, the NRRP does consider various compensation packages to substitute the losses of APs.	This is addressed in the Entitlement Matrix
9.	To better assure timely availability of required resources and to ensure compliance with involuntary resettlement procedures during implementation, eligible costs of resettlement and compensation may be considered for inclusion in Bank loan financing for the project, if requested.	✗	✓	-	The impacts have been assessed and RP costs according to the entitlement matrix have been worked out. These costs are included in the Project Costs.

Copy of Identity Cards

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

Signature/Thumb impression of AP: _____
Signature of NGO/CBO representatives: _____
Signature of the Executive engineer: _____
Signature of Executive engineer: _____
Date of issue: _____ Office Seal: _____