# Resettlement Planning Document

Draft Resettlement Plan for Baran Water Supply Sub-project Document Stage: Draft for Consultation Project Number: 40031

May 2011

India: Rajasthan Urban Sector Development Investment Program

Prepared by Local Self Government Department

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

BPL — below poverty line

CBO — community-based organization

CLC — City Level Committees

DSC — Design and Supervision Consultants

GRC — Grievance Redress Committee

IPIU — Investment Program Implementation Unit
 IPMC — Investment Program Management Consultants
 IPMU — Investment Program Project Management Unit

LAA — Land Acquisition Act

LSGD — Local Self Government Department

MFF — Multi tranche financing facility NGO — nongovernmental organization

NRRP — National Resettlement and Rehabilitation Policy

OMC — Operations and Maintenance Contractors

PAF — project affected family
PAH — project affected household
PIU — Project Implementation Unit
PMU — Project Management Unit

ROW — right of way

RUIDP — Rajasthan Urban Infrastructure Development Project
RUSDIP — Rajasthan Urban Sector Development Investment

Programme

SDS — Social Development Specialist

SRP — Short Resettlement Plan STP — sewerage treatment plant

ULB — urban local body
WTP — water treatment plant

# **EXECUTIVE SUMMARY**

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#### **EXECUTIVE SUMMARY**

- 1. The Local Self Government Department (LSGD) under the Urban Governance Department of Government of Rajasthan (the Government) is executing the Rajasthan Urban Sector Development Investment Program (RUSDIP) in fifteen (15) towns namely, Alwar, Baran-Chhabra, Barmer, Bharatpur, Bundi, Sawai Madhopur, Churu, Dholpur, Jaisalmer, Jhalawar-Jhalarapatan, Karauli, Nagaur, Rajsamand, Sawai Madhopur 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.
- 2. This Resettlement Plan (RP) has been revised due to changed scope of work and redrafted for the Baran Water Supply Subproject as part of RUIDP Phase II Tr-3. The subproject covers: (i) construction of Intake well cum pump house near existing Intake arrangement at Heekar Deh, (ii) Construction of WTP(21MLD capacity) at Pateda Village, where vacant government land will be used; (iii) Construction of CWR(1nos.) of 2500 kl capacity at the WTP campus (iv) Construction of Intermediate pumping station at Baran existing headworks and Civil lines. (v) Construction of 7 nos of OHSRs's at Baran existing headwork, Civil Line, Mela Ground, Shivaji Colony, Near College HW, and Kajhi khera, and Lanka colony. (vi) Laying of 3 km Raw water rising main of 600mm dia from Intake well to WTP, (vii) Laying 10 km Clear water pumping main of 600mm dia from WTP to Baran HW, (viii) Laying 19 km Clear water rising main from existing HW to CWR and OHSRs (ix) Providing and laying of Distribution pipeline of 37km (uPVC) in different zones (x) 2000 nos of additional metered households connections and rehabilitation of existing 10600 nos households meters. The RP has been prepared based on the detailed engineering design and as per the Detailed Project Report (DPR). Detailed design preparation began in the middle of 2009 and was completed by Sept 2010. This subproject has been categorized as "B" for Involuntary Resettlement (IR) impact as per the ADB's Safeguard Policy Statement, 2009 (SPS). Effort was made to avoid land acquisition and resettlement. Overall impacts would be further minimized through careful sitting and alignment during subproject implementation. Summary of the subproject components and its broad impact is described in Table 1.
- Summary of Resettlement Impact: The subproject will not entail any permanent land acquisition and resettlement. Efforts have been made by the engineering team to minimize the resettlement impact by careful design as all the implementation activities under the subproject will be confined to the existing Right of Way (RoW). Most of the works are confined within the compounds of existing facilities and vacant municipal land and will not have any resettlement impacts such as the Construction of Intake and Pumping station and construction of WTP,CWR and OHSRs will be in vacant government land. Laying of 3km Raw Water Pumping Main pipe line from Intake to WTP and 10 km Clear Water Pumping Main from WTP to Existing HW, will be undertaken within right-of-way along vacant road, although in some places pipe line will be traversing through some portions of agricultural land (underground) and crops might be impacted (during the laying of water pipelines) as there would be loss of trees and as per RF compensation will be provided to affected land owners for the loss of crops. Details are described in Table 2&3 and annexure 1(a). Laying of 37 km of distribution pipelines will not have resettlement impacts because it will be undertaken within sufficient and vacant road within available rights-of-way (ROW) which belongs to government. While the laying of 19 km Clear Water rising main pipelines from existing HW to ESRs will not require permanent land acquisition as it will be undertaken within ROWs, however, during construction, it will cause temporary impact to some of the road side vendors or small shops. The impacts are categorized as temporary due to the loss of temporary income and livelihood during the construction period by loss of access to small

business activities and shops. A total of 8 such small business activities have been identified which are to be temporarily affected. Details are described in annexure 1(b).

- 4. **Public Consultations:** Consultations were carried out during RP 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.
- 5. **Policy Framework and Entitlements:** The policy framework and entitlements for the program 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 Safeguard Policy Statement, 2009 (SPS); and the agreed Resettlement Framework.
- 6. **Institutional Arrangements:** The LSGD is the executing agency responsible for overall technical supervision and execution of all subprojects funded under the Program. The Implementing Agency is the Investment Program Management Unit (IPMU) of the ongoing Rajasthan Urban Infrastructure Development Project (RUIDP), which has been expanded and assigned as the IPMU, to coordinate construction of subprojects and ensure consistency across the towns. The inter-ministerial Empowered Committee 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 assisting in the RP implementation.
- 7. **RP Implementation and Monitoring:** 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 intial 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 (RUSDIP) is intended to optimize social and economic development in 15 selected towns in the State, particularly district headquarters and towns with significant tourism potential. This will be achieved through investments in urban infrastructure (water supply; sewerage and sanitation; solid waste management; urban drainage; urban transport and roads), urban community upgrading (community infrastructure; livelihood promotion) and civic infrastructure (art, culture, heritage and tourism; medical services and health; fire services; and other services). RUSDIP will also provide policy reforms to strengthen urban governance, management, and support for urban infrastructure and services. The assistance will be based on the state-level framework for urban reforms, and institutional and governance reforms recommended by the Government of India (the Government) through the Jawaharlal Nehru National Urban Renewal Mission (JNNURM) and Urban Infrastructure Development Scheme for Small and Medium Towns (UIDSSMT).
- 2. RUIDP Phase II is being implemented over a seven year period beginning in 2008, and being funded by a loan via a Multitranche Financing Facility (MFF) of the Asian Development Bank (ADB). The Executing Agency is the Local Self-Government Department (LSGD) of the Government of Rajasthan; and the Implementing Agency is the Investment Program Management Unit (IPMU) of the Rajasthan Urban Infrastructure Development Project (RUIDP).
- 3. The subproject is located in Baran town of Baran District, in the state of Rajasthan in north-western India. The subproject covers: (i) construction of Intake well cum pump house near existing Intake arrangement at Heekar Deh, (ii) Construction of WTP(21MLD capacity) at Pateda Village, where vacant government land will be used; (iii) Construction of CWR(1nos.) of 2500 kl capacity at the WTP campus (iv) Construction of Intermediate pumping station at Baran existing headworks and Civil lines. (v) Construction of 7 nos of OHSRs's at Baran existing headwork, Civil Line, Mela Ground, Shivaji Colony, Near College HW, and Kajhi khera, and Lanka colony. (vi) Laying of 3 km Raw water rising main of 600mm dia from Intake well to WTP, (vii) Laying 10 km Clear water pumping main of 600mm dia from WTP to Baran HW, (viii) Laying 19 km Clear water rising main from existing HW to CWR and OHSRs (ix) Providing and laying of Distribution pipeline of 37km (uPVC) in different zones (x) 2000 nos of additional metered households connections and rehabilitation of existing 10600 nos households meters. The subproject location is illustrated in the map in Figure 1. Summary of the subproject components and its broad impact is described in Table 1.
- 4. It needs to be noted that this SRP is a revised one as the scope of work and alignment underwent some change. Previously, it was decided that the 3km Raw water rising main from Intake to WTP and 10 km clear water pumping main from WTP to existing HW will be undertaken within right-of-way along vacant road, but due to limited ROW, alignment has been changed, passing through agriculture land. Details have been provided below in Table 2&3. Clear water rising main pipelines from existing headworks to CWR and 7 OHSRs were only 13 kms but now the alignment has changed a little and extended to 19 kms.,

Table 1: Subproject Components and its Impact on Land Acquisition and Resettlement

Component	Location	Description	Permanent Impact on Land Acquisition and Resettlement	Temporary Impact	Remarks
Intake Well	Heekar Deh,River Parbati	Source and supply augmentation	No	No	new
Jack Well cum Pump House	Heekar Deh,River Parbati	8.0 m Dia, 20.30 m depth	No	No	new
Raw Water Pumping Main	Jack well to WTP	DI K 9 pipe of 600 mm dia and 3 km length	No	No	Loss of crops likely
rumping Main	VVIF		No	No	This will be constructed on the available land which belongs to government
Water Treatment Plants (WTP)	Pateda Village	21 MLD capacity			
Clear Water Sump cum Pump House	WTP Site	-2500 KL) capacity Sump	No	No	This will be constructed on the available land which belongs to government
Clear Water Pumping Main	WTP site to existing Head Work	DI K 9 pipe of 600 mm dia and 10.0 km length.	No	No	Loss of crops likely
Clear water Reservoir	Baran HW	-0.9 ML) capacity	No	No	This will be constructed on the available land which belongs to government
Pumping Machinery	Baran HW	Install 2 nos centrifugal pumps (1 W + 1 stand by) of 50 lps, 30 HP, 30 m head	No	No	This will be constructed on the available land which belongs to government.

Component	Location	Description	Permanent Impact on Land Acquisition and Resettlement	Temporary Impact	Remarks
Clear Water Main	Baran HW to Different ESRs	- DI pipes, sizes: 600 mm to 100 mm, total length 19.364 km	No	yes	Construction will be confined to the existing Right of Way (RoW). However, temporary impact on loss of income and livelihood of 8 road side small business activities will be impacted during the period of construction.
OHT/GLSR	Baran Existing	1000 KL capacity	No	No	Vacant govt land
	H.W Near Civil line	500 KL capacity	No	No	Vacant govt land
	Near Lanka	500KL capacity	No	No	Vacant govt land
	colony Nr.Shivaji colony	500KL capacity	No	No	Vacant govt land
	College sub H.W	500KL capacity	No	No	Vacant govt land
	Doll mela ground	1000 KL capacity	No	No	Vacant govt land
	Kajhikera school	500KL capacity	No	No	Vacant govt land
Distribution System	OHT/GLSR to 8 different distribution	37 km pipe lines of. 100mm dia to 450mm dia.	No	Yes	Construction will be confined to the existing Right of Way (RoW) with no impact
Domestic meters	zones town areas	2000 nos of additional metered households connections and rehabilitation of existing 10600 nos households meters	No	No	no impact foreseen

5. This Resettlement Plan (RP) has been revised for the Baran Water Supply Subproject due to additional scope of work (changes/addition in alignment of raw water pumping main and Clear water pumping main from intake to Existing HW.and addition in clear water rising main pipeline from 13 to 19 kms) as part of RUIDP Phase II. The revised SRP has been prepared based on the detailed engineering design and as per the Detailed Project Report (DPR). Preparation of Detailed design began in the middle of 2009 and was completed by Sept 2010. This subproject has been categorized as "B" for Involuntary Resettlement (IR) impact as per the ADB's Safeguard Policy Statement, 2009 (SPS)

Figure-1: Subproject Location 7.0 the Dimensions are in minutes a otherwise specified inditawing.
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#### II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

The subproject will not entail any permanent land acquisition and resettlement. Efforts have been made by the engineering team to minimize the resettlement impact by careful design as all the implementation activities under the subproject will be confined to the existing Right of Way (RoW). Most of the works are confined within the compound of existing facilities and vacant municipal land and will not have any resettlement impacts such as: (i) Construction of Intake and Pumping station. Construction of WTP,CWR and OHSRs will be in vacant government land. Laying of 3km Raw Water Pumping Main pipe line from Intake to WTP and 10 km Clear Water Pumping Main from WTP to Existing HW, will be undertaken within right-of-way along vacant road, although in some places pipe line will be traversing through some portions of agricultural land and crops might be impacted as there would be loss of trees and crops and as per RF compensation will be provided to affected land owners for the loss of crops. Details are described in Table 2,3 and annexure 1(a). Laying of 37 km of distribution pipelines will not have any resettlement impacts because it will be undertaken within sufficient and vacant road within available rights-of-way (ROW) which belongs to government. While the laying of 19 km Clear Water rising main pipelines from existing HW to ESRs will not require permanent land acquisition as it will be undertaken within ROWs, however, during construction, it will cause only temporary impact to some of the road side vendors or small shops. All impacts are categorized as temporary due to the loss of temporary income (due to loss of crops or trees) and livelihood during the construction period by loss of access to small business activities and shops. A total of 8 such small business activities have been identified which are to be temporarily affected. Details are described in annexure 1(b).

#### A. IMPACT ON PRIVATE LAND BEARING FRUIT TREE:

7. There are 12 trees which are likely to be affected in the sub-project. All are fruit bearing trees, the major species includes guava and orange.

Table-2: Impact on private tree

S. No.	Khasra No.	Land Owner	Length of Pipe(in mtr)	width of Pipe(in mtr)	Area to be disturbed (sqr mtr)	Type of Affected Trees	Amount (In Rs.) as per market value
1	377	Hazari Lal S/o Jagannath Durga Shanker S/o Jagannath, Brahmanand, Om Prakash, Badrilal, Gajanand S/o Kaluram Dhakad and Hazarilal Nama	24	15	360	guava and orange	72000.00

NB: Informal consultation was held with the owner of Khasra no. 377 (Hazari Lal), to estimate the extent of impact and calculate the value for fruit trees which would be affected during the pipeline work. See Annexure 5.

#### B. IMPACT ON AGRICULTURAL CROPS:

As per the final DPR, the clear water rising main pipe lines will pass through some portions of agricultural land or land under crop cultivation. The affected area for agriculture crops amount to 33330 sqm being cultivated by 68 households in 31 land plots. The owners or people associated with this land will receive cash compensation at full gross market rate, based on average production of crops. This has been decided on consultation with the land owners. The respective owners were consulted and they are willing to allow their land to be utilized for pipeline work, if appropriate compensation will be provided for the loss of crops. Consent letter of farmers are attached in Annexure 5 and details of land and and crops are described in Table 3. Informal consultations were held with landowners and written consent from 18 of them were collected and

documented (See Annexure 5). The remaining landowners were not available as they have migrated out mostly for jobs. However, verbally the family members of those absentee landowners have principally agreed to cooperate with pipeline work on the condition that they should be suitably compensated for the loss of standing crops for that particular season. Even then, efforts are being made to contact and consult them. The SRP would be updated accordingly whenever written consent is received from them.

Table-3 Details of land and loss of crops

	on: intake	to WTP and WTP to Existing HW					
S. No.	Khasra No.	Land Owner	Length of Pipe(in	width of Pipe(in	Area to be disturbed	Type of Affected crop	Amount (In Rs.) as per market
			mtr)	mtr)	(sqr mtr)	0.0p	value
1	355	Ghanshyam S/o Shri Nirmal Das Khatri	40	15	600	Wheat	4875.00
2	359	Kanchan Bai and Badri Bai W/o Badrilal Saher	36	15	540	Wheat	4387.00
3	367	Dhanraj S/o Durga Shanker Dhakad	35	15	525	Wheat	4265.00
4	378	Kaluram S/o Shri Bhorulal Dhakad	24	15	360	Wheat	2925.00
5	386/647	Radhyshyam, Badrilal, Balram, Rajendra S/o Gopal, Pushpa W/o Gopal Dhakad	23	15	345	Wheat	2803.00
6	386	Prahlad S/o Gopal Dhakad	32	15	480	Wheat	3900.00
7	427	Brahamnand S/o Kalulal Dhakad	22	15	330	Wheat	2681.00
8	428	Shri Madholal, Hazarilal S/o Jagannath Durgal Shanker S/o Jagannath, Brahmanad, Om Prakash, Badrilal, Gajanand S/o Kaluram Dhakad and Hazari Lal Nama	20	15	300	Wheat	2437.00
9	431 Ritesh Kumar, Ravindra Kumar S/o Surajmal and Manisha D/o Surajmal, Dholi Bai W/o Surajmal, Ram Kishan Jodhraj S/o Bheirya, Gopali W/o Bheirya, Bhola, Raji D/o Bheirya		20	15	300	Wheat	2437.00
10	435	Kamla Bai W/o Chitar Lal Dhakad	32	15	480	Wheat	3900.00
11	436	Kamla Bai W/o Chitar Lal Dhakad	22	15	330	Wheat	2681.00
12	439	Gopal S/o Dhanna Lal, Ram Lal S/o Aamra Pushpa, Dwarka, Shakuntla D/o Aamra, Kesar Bai W/o Aamra	20	15	300	Wheat	2437.00
13	421	Ramkaran Mali S/o Pokhar	112	15	1680	Wheat	13650.00
14	407	Ritesh Kumar, Ravindra Kumar S/o Surajmal and Manisha D/o Surajmal, Dholi Bai W/o Surajmal, Ram Kishan, Jodhraj S/o Bheirya, Gopali W/o Bheirya, Phoola, Raji D/o Bheirya	84	15	1260	Wheat	10237.00
15	403	Ramswaroop, Om Prakash, Hansraj, Ramsingh S/o Ramgopal Mali	45	15	675	Wheat	5484.00
16	402	Kalya S/o Gyarsa Mali	40	15	600	Wheat	4875.00
17	451	Dashrath, Neeraj S/o Badrilal	25	15	375	Wheat	3046.00
18	269	Raghunath Ganga Kishan, Mohan S/o Madholal, Girdhar, Gopal, Balram S/o Mangya, Shanti, Mohni Dwarka Bai D/o Mangya, Gopali W/o Mangya Laxminarayan S/o Gendhi Lal	110	15	1650	Wheat	13406.00
19	262	Kalu S/o Sonya	120	15	1800	Wheat	14625.00
20	781	Hagpal Mahavir Prasad S/o Balbeer	180	15	2700	Wheat	21937.00
		Prasad, Jyant ,District Baran					

		Residing at Baran					
22	779	Mangya Urf Mangilal S/o Kanha Caste Kumhar, Manju W/o Shri Anand Caste Mahajan Mandi Road, Baran	50	15	750	Wheat	6093.00
23	751	Mrudula W/o Shri Kamal Caste Soni, Nakoda Colony, Baran	60	15	900	Wheat	7312.00
S. No.	Khasra No.	Land Owner	Length of Pipe(in mtr)	width of Pipe(in mtr)	Area to be disturbed (sqr mtr)	Type of Affected crop	Amount (In Rs.) as per market value
24	757	Panna Lal Dhanraj, Mohan Singh Ashok S/o Ramchandra ,baran	80	15	1200	Wheat	9750.00
25	758	Rakhmani W/o Shri Leeladhar Caste Mahajan, Deendayal Park, Baran Priyanka W/o Manoj	220	15	3300	Wheat	26812.00
26	759	Abhishekh S/o Ramveer Singh Manisha D/o Rambeer Singh Reeta W/o Rambeer Singh, Kripal Singh S/o Mahaveer Singh Rajput	40	15	600	Wheat	4875.00
27	764	Abhishekh S/o Ramveer Singh Manisha D/o Rambeer Singh Reeta W/o Rambeer Singh, Kripal Singh S/o Mahaveer Singh Rajput	70	15	1050	Wheat	8531.00
28	822	Ramkishan Prakas S/o Amarchand Kailash Bai, Suraja Bai, Santosh Bai D/o Amar Chand, Kamala Bai D/o Shri Amarchand Dhahka Bai, Nadi bai D/p Shri Bajranga	90	15	1350	Wheat	10968.00
29	823	Rekha W/o Shri Virendra Kumar Caste Soni Subjimandi, Baran	90	5	1800	Wheat	14625.00
30	815	Shri Kalyan Rai ji Virajman Baran	70	15	1050	Wheat	8531.00
31	763	Rajni W/o Shri Balbeer Prasad Jatav,	160	15	2400	Wheat	19500.00

Source: Census and Socio-economic Survey, Dec 2010

Rate of Wheat = Rs. 1300/Quintal

#### C. TEMPORARY LIVELIHOOD IMPACTS

The subproject will not have any physical or economic displacement. It is expected that there would be loss of crops in a strip of 15 m width through which pipeline of varying lengths would be laid in 31 land plots. Besides this, 8 petty business units would get temporarily affected during laying of pipelines as their access might get disrupted during pipeline laying. None of these small business structures are to be demolished as the pipe line will be constructed underground for which temporary loss of access are foreseen during the construction period. These 8 business activities are therefore considered to be economically displaced on a temporary basis. Out of the total 8 small business activities, there are 6 tea shops, and 2 barber shops. All of these are non titleholders. A summary of resettlement impact and the socio-economic details are given in table 4.

Table-4; SOCIO-ECONOMIC DETAILS

SN	Name	of	Shop	Number	of	Vulnerability	Monthly	Туре	of	Nature	of
				Family							

<sup>\*</sup> Production of Wheat 10-11 Quintal/Bigha= 10-11 /1600 sq. M.

	Owner	Members		Income	Impact	Impact
1	Pappulal Meena	5	ST	3000	Tea Stall	Temporary
2	Radheshyam Sharma	6	NA	3000	Tea Stall	Temporary
3	Jugraj Meena	7	ST	3000	Tea Stall	Temporary
4	Ramrattan Meena	7	ST	3000	Tea Stall	Temporary
5	Gyanchandar	6	NA	3000	Tea Stall	Temporary
6	Hemraj Gujjar	5	NA	3000	Tea Stall	Temporary
7	Abdul Aziz	5	NA	5000	Barber Shop	Temporary
8	Md.Rafiq	7	NA	5000	Barber Shop	Temporary

#### III. SOCIOECONOMIC INFORMATION/PROFILE

A repeat census and socio-economic survey was carried out in the month of Dec 2010 ( due to revised scope of workand changes in alignment) all along the subproject area covering each sub components. This was conducted with the help of a predesigned tool. The census survey covered the assessment of detailed impacts and gathered information related to the socioeconomic profile of the economically displaced /temporarily impacted persons. The majority of the owners associated with the land have joint family structure and average family size is 4 to 5. Most of the families belong to OBC category. Detailed socio-economic profile of the farmers are given in annexure 1(a). Out of the 8 DPs, only 3 belong to the vulnerable category (scheduled Tribe households)These three ST household speak the same language as that of mainstream society and have given no evidence that they possess any traditional knowledge, deferent from the mainstream society. Based upon these factors, there is not need to prepare seperate Indigenous People (IP)1Plan.As per RF vulnerable additional assistance provided to these households There is no women headed household among the 8 DPs. The average household size amongst the surveyed affected households is 6. Petty Business is the main source of income of the DPs. The average household income of the DPs is Rs.3500 per month. A summary of resettlement impact and the socio-economic details are given in Table 5 and the detailed socio-economic profile including the list of DPs are given in **Annexure 1(b)**.

<sup>&</sup>lt;sup>1</sup> Indigenous peoples (IP) are defined as those having a distinct social, cultural, economic, and political traditions and institutions compared with the mainstream or dominant society. ADB defines IP who have peculiar characteristics which are: (i) descent from population groups present in a given area before territories were defined; (ii) maintenance of cultural and social identities separate from dominant societies and cultures; (iii) self identification and identification by others are being part of a distinct cultural group; (iv) linguistic identity different from that of dominant society; (v) social, cultural, economic and political traditions and institutions distinct from dominant culture; (vi) economic systems oriented more toward traditional production systems rather than mainstream; and (vii) unique ties and attachments to traditional habitats and ancestral territories. In India, some of the STs are considered to be the IPs who have some similarities with the definition of ADB. The Indian Constitution (Article 342) defines Scheduled Tribes (STs) with special characteristics such as (i) primitive traits, (ii) distinctive culture, (iii) shyness with the public at large, (iv) geographical isolation, (v) social and economic backwardness. However, Constitutional protection and programs for tribal development have brought significant changes since 1947 which played a major role to bring the STs in to mainstream society. The STs in the project area interact closely with mainstream society and hence considered to be mainstreamed as far as their language, economic activity and socio cultural activities are concerned. These STs in the subproject area are not primitive and do not bear any distinct characteristics with that of the mainstream population and therefore, they are not considered to be IP as far as ADB's definition is concerned.

Table 5: Summary of Resettlement Impacts and Socio-Economic Details

Impact	Quantity
Permanent land acquisition	0
Temporary land acquisition	0
Affected Business Activities (Temporary)	8
Affected trees Affected Crops	12 33330 sqm
Titled DPs	0
Non-titled DPs	8
Female-headed Persons/Households	0
IP/ST-headed Persons/Households	3
BPL Persons/Households	0
Scheduled Caste Persons/Households	0
Physically Disables Persons/Households	0
Total Vulnerable Persons/Households	03
Affected common property resources	0
Average family size	6
Average household income (per month)	Rs 3500

Source: census and Socio-Economic Survey, Dec 2010

# IV. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

11. The RP was prepared in consultation with stakeholders. Meetings and individual interviews were held involving stakeholders, particularly with temporary DPs. Public consultation with primary and secondary stakeholders has been conducted to understanding the local issues and public views regarding the possible impact. The group discussion meeting was conduct by RUIDP after advertising in Local News papers. The issues like, awareness of the sub –project and extent of the project impact and development components, likely benefits of project for the economic and social upliftment of community, labour availability in the project area or requirement of outside labour, possibility of local disturbances due to project construction work, necessity of tree felling etc. at project sites, water logging and drainage problem if any, drinking water problem, existence of forest and sensitive area nearby the project site etc were discussed. 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

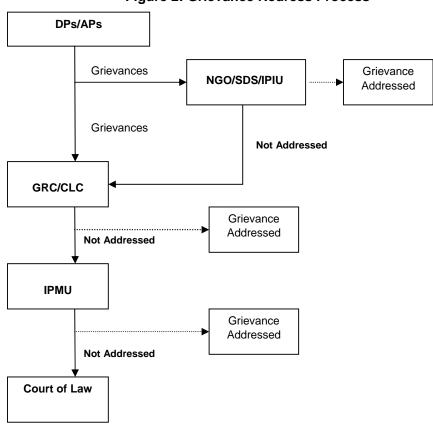
basic services and improvement of water supply system and urban environment conditions in the Baran town.

- 12. Following the model developed for the multitranche financing facility (MFF), a town-wide stakeholder consultation workshop was conducted which provided an overview of the Program and subprojects to be undertaken in Baran and discussed the Government and Asian Development Bank (ADB's) resettlement policies and potential resettlement impacts of the subprojects in Baran. 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. Consultations were held at various places in the subproject area such as (i) Near Doll mela ground (01-02-2010), (ii) Near Collectorate office (02.02.2010), (iii) Near Existing Headwork (02.02.2010), (iv) Lanka colony (02.02.2010)(v)Near Heekar Deh,Vill-Patheda(04.04.2011) at with the community such During consultations, key issues raised were: (i) participants expressed satisfaction that there was a subproject taking care of their needs which they have waited for 25-30 years; (ii) they are not hesitant to move or shift if necessary to accommodate the work; (iii) they are willing to provide labor for the subproject; and (iv) they raised that it is important to repair the roads after subproject construction. Additionally, consultations were also held with stakeholders as part of the environment assessment study of the subproject. Consultation records are provided in Annexure 2
- 13. Information dissemination and disclosure have been a continuous process since the beginning of the program. English and Hindi versions of the RF has 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 DPs/APs.
- 14. 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 DPs/APs. The Social Development Specialist (SDS) through its IPIU will keep the DPs informed about the impacts, the compensation and assistances proposed for them and facilitate addressing any grievances. Additionally, the NGO engaged to implement Community Awareness and Participation Program (CAPP) will continue consultations, information dissemination, and disclosure. The NGO has been engaged and it has been working for community consultation and awareness program. A summary of NGO's activities is provided in **Annexure 3**. The consultation process will be carried out in the entire project cycle.

#### V. GRIEVANCE REDRESS MECHANISMS

15. Grievances of DPs/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 DPs/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 2. All costs involved in resolving the complaints will be borne by the IPMU. The GRCs will continue to function throughout the project duration.



**Figure 2: Grievance Redress Process** 

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

#### VI. POLICY AND LEGAL FRAMEWORK

The policy framework and entitlements for the program as well as for this subproject are 16. based on national laws: The Land Acquisition Act, 1894 (LAA, amended in 1984), and the National Resettlement and Rehabilitation Policy, 2007 (NRRP); ADB's Safeguard Policy Statement, 2009 (SPS); 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 DPs will be assisted in improving or at least regaining their pre-program standard of living; (iii) consultation with DPs on compensation, disclosure of resettlement information to DPs, 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 DPs 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 4.

#### VII. ENTITLEMENTS

17. The entitlement provisions under various categories of DPs in terms loss of land, house and income as per census survey are detailed below:

**Loss of trees** will be compensated to land holders, share- croppers and lease holders based on the market value to be computed with assistance from the horticulture department.

**Agricultural land** impacts will be compensated at replacement cost. Cash compensation at replacement cost will be determined by valuation committee.

**Loss of livelihood** due to loss of primary source of income will be compensated through rehabilitation assistances.

All DPs 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 19 February 2010 in this case. DPs 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 (ID) to each of the DPs. A sample copy of the ID card is provided in Annexure 6. The entitlement matrix for the subproject based on the above policies is in Table .

**Table 6: Entitlement Matrix** 

	Type of Loss	Applicatio n	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
11		Standing trees and crops	Legal titleholder/ tenant/leaseholder /sharecropper/no- titleAP	Notice to harvest standing seasonal crops. If notice cannot be provided, compensation for standing crop (or share of crop for sharecroppers) at market value Compensation for trees based on timber value at market price, and compensation for perennial crops and fruit trees at annual net product market value multiplied by remaining productive years; to be determined in consultation with the Forest Department for timber trees and the Horticulture Department for other trees and crops.	Harvesting prior to acquisition will be accommodated to the extent possible.  • Work schedules will avoid harvest season.  • Market value of trees/crops has to be determined	IPMU will ensure provision of notice. Valuation Committee will undertake valuation of standing crops, perennial crops and trees, and finalize compensation rates in consultation with APs.
2	Temporary disruption of livelihood		Legal titleholders, non-titled DPs	30 days advance notice regarding construction activities, including duration and type of disruption.      Contractor's actions to ensure there is no income/access loss consistent with the IEE. <sup>4</sup>	Identification of alternative temporary sites to continue economic activity.	Valuation Committee will determine income lost. Contractors will perform actions to minimize

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

	Type of Loss	Applicatio n	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
				Assistance to mobile vendors/hawkers to temporarily shift for continued economic activity.     For construction activities involving unavoidable livelihood disruption, compensation for lost income or a transitional allowance for the period of disruption whichever is greater.		income/access loss.
3	Impacts on vulnerable DPs	All impacts	Vulnerable DPs	Livelihood. Vulnerable households will be given priority in project construction employment.	Vulnerable households will be identified during the census.	NGO will verify the extent of impacts through a 100% surveys of DPs determine assistance, verify and identify vulnerable households.
4	Any other loss not identified	-	-	anticipated involuntary impacts will be documented and mitigated based on the principles of the RF	-	NGO will ascertain the nature and extent of such loss. IPMU will finalize the entitlements in line with the RF

DP=Displaced Person, IEE = initial environmental examination, IPMU = Investment Program Project Management Unit, NGO = nongovernmental organization, RF=Resettlement Framework,

# VIII. RELOCATION OF HOUSING AND SETTLEMENTS

19. DPs 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 is no construction. Ensuring there is no income or access loss during subproject construction is the responsibility of contractors. Consistent with the initial environmental examination, 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 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 REHABILITATION

20. 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

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.

<sup>&</sup>lt;sup>5</sup> For example assistance to shift to the other side of the road where there is no construction.

23610

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provided. Vulnerable DPs 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.

#### X. RESETTLEMENT BUDGET AND FINANCIAL PLAN

21. The resettlement cost estimate for the Baran water supply 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 495693. The resettlement cost items and estimates are outlined in Table 7

**Table 7: Resettlement Costs** Srl. No Item Quantity **Unit Cost** Unit Amount Compensation (A) Compensation for crops 270797 (B) Loss of trees 72000 2 Assistance Loss of Income Livelihood8 14 Days 8 117 13104 Shifting assistance Lump sum 8 200 1600 Additional 350 14700 assistance Vulnerable 14 Days 3 to groups9 Sub Total Item 1+2 372201 Administrative & Implementation costs 3 Implementing NGO Lump Sum 1,00,000 4 Total 472201

5

6

Contingency

**Grand Total** 

## XI. INSTITUTIONAL ARRANGEMENTS

5%

- 22. The Local Self Government Department (LSGD) is the executing agency responsible for overall technical supervision and execution of all subprojects funded under the Program. The Implementing Agency is the Investment Program Management Unit (IPMU) of the ongoing Rajasthan Urban Infrastructure Development Project (RUIDP), which has been expanded and assigned as the IPMU, to coordinate construction of subprojects and ensure consistency across the towns. The inter-ministerial Empowered Committee 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.
- 23. IPIUs have already been established in the project town, Baran to manage implementation of subprojects in their area. City Level Committee (CLC) will monitor subproject implementation in each town. They will appoint Construction Contractors to build elements of the infrastructure in a

<sup>&</sup>lt;sup>8</sup> The amount is based on the average per day income as derived from the census and socio economic survey

<sup>&</sup>lt;sup>9</sup> Additional Assistance to Vulnerable Vendors/Shop Owners for loss of Livelihood: Less than 3 days impact- @ Rs 500/-per day, Between 4 to 7 days impact- @ Rs 400/-per day, Between 8 to 15 days impact- @ Rs 350/-per day, Between 16 to 31 days impact- @ Rs 300/-per day, More than 31 days impact- A lump sum of Rs 10000/- which is based on assessment made during the census and socio-economic survey.

particular town (supervised by DSC). Once the infrastructure begins to operate, responsibility will be transferred to the appropriate state or local Government Agency, 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.

24. 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 8.

**Table 8: Institutional Roles and Responsibilities** 

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

25. All the compensation and assistance will be completed prior to the start of the civil work at each specific stretch. Disbursement of compensation, assistance and relocation of DPs cannot commence until the RP has been cleared by ADB. 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 DPs. Only then can construction works begin on sections where compensation has been paid. A tentative implementation schedule is given in Table 9

Activity Months 5 6 7 8 9 10 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 Issue notice to DPs 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

**Table 9: Implementation Schedule** 

#### XIII. MONITORING AND REPORTING

- 26. 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) socio-economic monitoring during and after any resettlement impact utilizing baseline information established through the socio-economic survey of DPs undertaken during project sub-preparation; and (iii) overall monitoring to assess DP'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,(v) 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.
- 27. 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 initially on a quarterly basis

followed by bi-annually . Monitoring reports documenting progress on resettlement implementation and RP completion reports will be provided by the IPMU to ADB for review. Additionally, ADB will monitor projects on an ongoing basis until a project completion report is issued.

ANNEXURE 1(A): SOCIO-ECONOMIC DETAILS OF FARMERS

SN	Name of Land Owner	Number of Family Members	Vulnerability	Monthly Income	Type of Impact	Nature of Impact
1	Hazari Lal S/o Jagannath Durga Shanker S/o Jagannath, Brahmanand, Om Prakash, Badrilal, Gajanand S/o Kaluram Dhakad and Hazarilal Nama	6	NA	5000	Loss of tree	Permanent
2	Ghanshyam S/o Shri Nirmal Das Khatri	5	NA	6000	Loss of crops	Permanent
3	Kanchan Bai and Badri Bai W/o Badrilal Saher	4	NA	5000	Loss of crops	Permanent
4	Dhanraj S/o Durga Shanker Dhakad	5	NA	5000	Loss of crops	Permanent
5	Kaluram S/o Shri Bhorulal Dhakad	4	NA	4000	Loss of crops	Permanent
6	Radhyshyam, Badrilal, Balram, Rajendra S/o Gopal, Pushpa W/o Gopal Dhakad	6	NA	4000	Loss of crops	Permanent
7	Prahlad S/o Gopal Dhakad	4	NA	5000	Loss of crops	Permanent
8	Brahamnand S/o Kalulal Dhakad	4	NA	4000	Loss of crops	Permanent
9	Shri Madholal, Hazarilal S/o Jagannath Durgal Shanker S/o Jagannath, Brahmanad, Om Prakash, Badrilal, Gajanand S/o Kaluram Dhakad and Hazari Lal Nama	5	NA	5000	Loss of crops	Permanent
10	Ritesh Kumar, Ravindra Kumar S/o Surajmal and Manisha D/o Surajmal, Dholi Bai W/o Surajmal, Ram Kishan Jodhraj S/o Bheirya, Gopali W/o Bheirya, Bhola, Raji D/o Bheirya	5	NA	5000	Loss of crops	Permanent
11	Kamla Bai W/o Chitar Lal Dhakad	4	NA	4000	Loss of crops	Permanent
12	Kamla Bai W/o Chitar Lal Dhakad	4	NA	4000	Loss of crops	Permanent
13	Gopal S/o Dhanna Lal, Ram Lal S/o Aamra Pushpa, Dwarka, Shakuntla D/o Aamra, Kesar Bai W/o Aamra	5	NA	5000	Loss of crops	Permanent
14	Ramkaran Mali S/o Pokhar	3	NA	7000	Loss of crops	Permanent
15	Ritesh Kumar, Ravindra Kumar S/o Surajmal and	4	NA	6000	Loss of crops	Permanent

			Γ	1		
	Manisha D/o Surajmal,					
	Dholi Bai W/o Surajmal,					
	Ram Kishan, Jodhraj S/o					
	Bheirya, Gopali W/o					
	Bheirya, Phoola, Raji D/o					
4.0	Bheirya			5000	<b>.</b>	
16	Ramswaroop, Om Prakash,	4	NA	5000	Loss of	Permanent
	Hansraj, Ramsingh S/o				crops	
	Ramgopal Mali		NIA		1	
	Kalya S/o Gyarsa Mali	3	NA	5000	Loss of	Permanent
17					crops	
	Dashrath, Neeraj S/o	3	NA	4000	Loss of	Permanent
18	Badrilal				crops	
	Raghunath Ganga	5	NA	7000	Loss of	Permanent
40	Kishan, Mohan S/o	3	147	7000	crops	Tomanone
19	-				огоро	
	Madholal, Girdhar,					
	Gopal, Balram S/o					
	Mangya, Shanti, Mohni					
	Dwarka Bai D/o Mangya,					
	Gopali W/o Mangya					
	Laxminarayan S/o					
	Gendhi Lal					
	Kalu S/o Sonya	3	NA	7000	Loss of	Permanent
20	,				crops	
20	Hagpal Mahavir Prasad	4	NA	8000	Loss of	Permanent
24		4	INA	8000	crops	1 emianem
21	S/o Balbeer Prasad,				Сторз	
	Jyant ,District Baran				<b>.</b>	
	Ratanlal S/o Shivnaryan	4	NA	7000	Loss of	Permanent
22	Caste Jain Residing at				crops	
	Baran					
	Mangya Urf Mangilal S/o	4	NA	5000	Loss of	Permanent
23	Kanha Caste Kumhar,				crops	
	Manju W/o Shri Anand					
	Caste Mahajan Mandi					
	Road, Baran					
	Mrudula W/o Shri Kamal	5	NA	4000	Loss of	Permanent
24	Caste Soni, Nakoda	J		4000	crops	
24					0.000	
25	Colony, Baran	A	NIA	4000	l coc of	Dormonant
25	Panna Lal Dhanraj,	4	NA	4000	Loss of	Permanent
	Mohan Singh Ashok S/o				crops	
	Ramchandra ,baran				1	
26	Rakhmani W/o Shri	4	NA	7000	Loss of	Permanent
	Leeladhar Caste				crops	1
	Mahajan, Deendayal					1
	Park, Baran Priyanka					1
	W/o Manoj					
27	Abhishekh S/o Ramveer	4	NA	6000	Loss of	Permanent
	Singh Manisha D/o	·			crops	1
	Rambeer Singh Reeta					1
	W/o Rambeer Singh,					
	Kripal Singh S/o					
	Mahaveer Singh Rajput			_	<u> </u>	<u> </u>
28	Abhishekh S/o Ramveer	4	NA	6000	Loss of	Permanent
	Singh Manisha D/o				crops	

	Rambeer Singh Reeta W/o Rambeer Singh, Kripal Singh S/o Mahaveer Singh Rajput					
29	Ramkishan Prakas S/o Amarchand Kailash Bai, Suraja Bai, Santosh Bai D/o Amar Chand, Kamala Bai D/o Shri Amarchand Dhahka Bai, Nadi bai D/p Shri Bajranga	5	NA	6000	Loss of crops	Permanent
30	Rekha W/o Shri Virendra Kumar Caste Soni Subjimandi, Baran	4	NA	5000	Loss of crops	Permanent
31	Shri Kalyan Rai ji Virajman Baran	4	NA	4000	Loss of crops	Permanent
32	Rajni W/o Shri Balbeer Prasad Jatav,	3	NA	4000	Loss of crops	Permanent

ANNEXURE 1(B)SOCIO-ECONOMIC DETAILS OF SHOPOWNERS

SN	Name of Shop Owner	Number of Family Members	Vulnerability	Monthly Income	Type of Impact	Nature of Impact
1	Pappulal Meena	5	ST	3000	Tea Stall	Temporary
2	Radheshyam Sharma	6	NA	3000	Tea Stall	Temporary
3	Jugraj Meena	7	ST	3000	Tea Stall	Temporary
4	Ramrattan Meena	8	ST	3000	Tea Stall	Temporary
5	Gyanchandar	6	NA	3000	Tea Stall	Temporary
6	Hemraj Gujjar	5	NA	3000	Tea Stall	Temporary
7	Abdul Aziz	5	NA	5000	Barber Shop	Temporary
8	Md.Rafig	7	NA	5000	Barber Shop	Temporary

#### Annexure 2:

# SUMMARY DETAILS OF CONSULATIONS Consultation with Farmers Public Consultation at village Hekar Deh, Baran

Date of Consultation: 04.04.2011

**Members Present:** Jyoti Dhari Singh, Social Expert; Abhay Srivastava, Environment Expert; Pramod Gupta, Support Engineer, all from DSC III, Bhairon Lal, Pump Operator, PHED- Hekar Deh intake; villagers and farmers(Ramkaran, Prahalad, Rajendra Kumar, Badrilal, Brahmanad, Kalulal, Dasrath, Mohanlal, Hazarilal) of village Hekar Deh, Baran

#### Issues discussed:

Following issued were discussed during public consultation-

S.No.	Issued discussed	View of villagers	Remarks
1.	Are villagers agreeable to allow to lay pipe line through their agricultural lands?	Villagers principally agreed for it, only if they are given proper compensation for the loss of their property and agriculture if any	Villagers consent were taken in written and attached herewith.
2.	Is there any other additional condition of villagers?	If there is any loss of temporary or permanent structure, like wall or fencing, it should be repaired. There should be no water leakage in pipe line in future, and if it at all occurs, compensation should be given for the loss of crops due to water leakage.	
3.	Is there any other grievance from villagers	People of village Hekar Deh had grievance that there are pre existing tube wells which supply water to the city and there is no drinking water supply in their village. They want at least 4-5 drinking water connections at public standposts from tube wells.	Villagers have already given application in PHED for drinking water connection











#### CONSULTATION-WITH TEMPORARY SHOPOWNERS

CONSULTATION-WITH TEMPORARY SHOPOWNERS								
Location	Date of	Time of	Number of	Names of the	Photographs			
	Consultations	Consultation	participants	Participants				
Near Doll Mela Ground	1-02-2010	3:30 pm	4	Abdul Aziz, , Ratan Singh, Sharifan, Salma				
Near Doll Mela Ground	1-02-2010	4 pm	3	Md.Rafiq, Md.Hakim,Santi Singh				
Near Collectorate Office	02.02.2010	2.30 pm	4	Pappu Lal Meena, Jugraj Meena, Jitendra Hemraj Gujjar		Do E.		
Near Collectorate Office	02.02.2010	3.30pm	5	Radheshyam Sharma, Brajesh Sharma, Kuldeep, Lekhraj Meena, Ramrattan Meena				

# **PUBLIC CONSULTATION- Social**

#### Issues discussed

- Awareness and extent of the project and development components
- Benefits of Project for the economic and social Upliftment of Community
  Labour availability in the Project area or requirement of outside labour involvement
  Local disturbances due to Project Construction Work
- Water logging and drainage problem if any
- Drinking water problem
- Other problems, encountered, if any

Issues of the Public Consultation- Design phase

		Consultation- Design phase			
Sr. No.	Key Issues/Demands	Perception of community			
1	Have you heard about RUSDIP (Rajasthan Urban Sector Development Investment Program.	Some participants have heard about RUSDIP , because ROB work is going on in this town.			
2	General perception about the project and the awareness about the proposed project.	People are aware of the upcoming project.			
3		Local people were interested to get involve as day labour during construction activities.			
4	Source of drinking water.	Parwati river. Pressure of water is very low.			
5	Perception of people –they might face during construction and their requirement/demand with respect to noise, accessibility to various places and others.				
6	or community activities to be affected	No loss of market places and no disturbance of normal community activities as all works of pipeline laying will be done in vacant govt land.			
7	Loss of residential/commercial structures, if any due to the project	No loss is predicted,			
8		Kiosks expect some monetary assistance to reestablish their business			
9	people	Economic status of the local people is of lower medium level, only few families are economically strong while others belongs to lower middle class.			
10	existing water supply/solid waste management/Traffic system	Some times there is problem because of the low supply of water mostly during summers when water is supplied generally for short duration.  Solid waste management is also a big problem in this village, no proper management is there, and they are just dumping their waste into vacant sites nearby their houses.  Because of less developmental activities traffic system is not good also; roads are congested in most of the areas.			

#### Annexure 3:

# 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.

#### **Overview of CAPP Activities**

- Formation of Groups
- PublicMeeting at the community level
- Jaiam 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
  - 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

#### Annexure 4:

#### SUMMARY POLICY FRAMEWORK

# A. Policy and Legal Framework

1. 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 Safeguards Policy Statement, 2009. The salient features of Government and ADB polices are summarized below.

#### 1. Government Policy

#### a. National Resettlement and Rehabilitation Policy, 2007

- 2. The NRRP 2007 was adopted by the Government of India on 31 October 2007 to address development-induced resettlement issues. The NRRP stipulates the minimum facilities to be ensured for persons displaced due to the acquisition of land for public purposes and to provide for the basic minimum requirements. All projects leading to involuntary displacement of people must address the rehabilitation and resettlement issues comprehensively. The State Governments, Public Sector Undertakings or agencies, and other requiring bodies shall be at liberty to put in place greater benefit levels than those prescribed in the NRRP. The principles of this policy may also apply to the rehabilitation and resettlement of persons involuntarily displaced permanently due to any other reason. The objectives of the Policy are:
  - (i) to minimize displacement and to promote, as far as possible, non-displacing or least-displacing alternatives;
  - (ii) to ensure adequate rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of the affected families;
  - (iii) to ensure that special care is. taken for protecting the rights of the weaker sections of society, especially members of the Scheduled Castes and Scheduled Tribes, and to create obligations on the State for their treatment with concern and sensitivity;
  - (iv) to provide a better standard of living, making concerted efforts for providing sustainable income to the affected families;
  - (v) to integrate rehabilitation concerns into the development planning and implementation process; and
  - (vi) where displacement is on account of land acquisition, to facilitate harmonious relationship between the requiring body and affected families through mutual cooperation.
- 3. The NRRP is applicable for projects where over 400 families in the plains or 200 families in hilly or tribal or Desert Development Program (DDP) areas are displaced. However, the basic principles can be applied to resettling and rehabilitating regardless of the number affected. NRRP's provisions are intended to mitigate adverse impacts on Project Affected Families (PAFs). The NRRP comprehensively deals with all the issues and provides wide range of eligibility to the affected persons and meets most of the requirement of Safeguards Policy Statement, 2009. The non title holders, under NRRP, are recognized as the people living in the affected area not less than three years after the declaration of the area as affected area. The NRRP addresses the vulnerable families with adequate entitlements and provides special provisions for Scheduled Castes (SC) and Scheduled Tribes (ST) Families. The NRRP takes in to account all the transparency as far as consultation, dissemination of information, disclosure and grievance is concerned. However, the law relating to the acquisition of privately owned immoveable property is the Land Acquisition Act of 1894 (LAA, amended 1984) which is discussed in the following section.

#### b. Land Acquisition Act, 1894 as Amended in 1984

- 4. 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 affected persons 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 (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 District Collector 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 District Collector 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 District Collector 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% is added to the award as well as an escalation of 12% 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% per annum is paid for the first year and 15% for subsequent years.

#### 2. ADB'S Safeguard Policy Statement, 2009 (SPS)

- 5. 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.
- 6. 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. Affected persons 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) Affected persons are to be fully informed and closely consulted.
- (vi) Affected persons 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) Affected persons 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 without 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 socioeconomic 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 Resettlement Framework

7. 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 A4.1 presents a comparison of Government polices (LAA and NRRP) in comparison with the Resettlement Framework which is consistent with ADB's involuntary resettlement policy.

Table A4.1: Comparison between the Borrower's and ADB's SPS

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed Resettlement Framework with ADB's SPS
1.	Involuntary resettlement should be avoided where feasible.			LAA is applicable wherever private land is to be acquired by Government for public purpose.	This is addressed in the Resettlement Framework. 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.			LAA is applicable wherever private land is to be acquired by Government for public purpose.	This is addressed in the Resettlement Framework. 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.			According to the ADB's IR policy full Resettlement Plan is required when 200 or more people will experience major impacts. A Short Resettlement Plan is required when resettlement is insignificant when less	The Resettlement Framework addresses the IR impacts. The entitlements to the affected persons are outlined in the Entitlement Matrix.

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed Resettlement Framework with ADB's SPS
	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 rights to the land or other resources taken for the project.			than 200 people will experience major impacts. According to the NRRP, Resettlement Plan 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 people) in hilly areas, Desert Development Programme (DDP) blocks, areas mentioned in 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.			According to the ADB's IR policy full Resettlement Plan is required when 200 or more people will experience major impacts. A Short Resettlement Plan is required when resettlement is insignificant when less than 200 people will experience major impacts. According to the NRRP, Resettlement Plan 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 VI of the Constitution of India.	The Resettlement Framework addresses the IR impacts. The entitlements to the Affected persons 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 Resettlement Plan 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			LAA recognizes only titleholders, who are to be notified prior to acquisition.	Consultations have been carried out with affected persons. This will be further consolidated by the Resettlement Plan implementing NGO. The plan for information disclosure in the project, including the Resettlement

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed Resettlement Framework with ADB's SPS
	compensation decisions should be preceded by a social preparation phase to build up the capacity of the vulnerable people to deal with the issues.				Framework.
6.	Appropriate patterns of social organization should be promoted, and existing social 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			-	This is addressed in the Entitlement Matrix.
7.	benefits to host communities.  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.			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 affected persons.  The Rajasthan Urban Housing and Habitat Policy, 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 process for verification of impacts and establishing the eligibility of the affected persons is outlined in the Resettlement Framework.
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.			the vulnerable.  According to the ADB's IR policy full Resettlement Plan is required when 200 or more people will experience major impacts. A Short Resettlement Plan is required when	The Resettlement Framework addresses the IR impacts. The entitlements to the affected persons are outlined in the Entitlement Matrix.

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed Resettlement Framework with ADB's SPS
				resettlement is insignificant when less than 200 people will experience major impacts. According to the NRRP, Resettlement Plan should 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 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 affected persons.	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 cots of resettlement and compensation may be considered for inclusion in Bank loan financing for the project, if requested.			-	The impacts have been assessed and Resettlement Plan costs according to the entitlement matrix have been worked out. These costs are included in the Project Costs.

ADB = Asian Development Bank, DDP = Desert Development Programme, LAA = Land Acquisition Act, NGO = nongovernmental organization, NRRP = National Resettlement and Rehabilitation Policy, SPS = Safeguard Policy Statement.

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#### Annexure 5:

# **CONSENT FROM FARMERS**

माननीय्, अधिशाषी अभियन्ता आर.यू.एस.डी.आई.पी. बारां।

श्रीमान,
निवेदन है कि आप द्वारा बारां शहर की पेयजल आपूर्ती हेतु बड़ी पाइप लाइन जो पुरानी पाइप लाइन के नजदीक बिछाई जाना प्रस्तावित हे वह हमारे खेतो में से होकर गुजरेगी तथा पाइप लाइन बिछाने के दोरान हमारी फसलों का नुकसान होगा, आपसे अनुरोध है कि पाइप लाइन बिछाने के के दोरान फसल का नुकसान होगा उसका मुआवजा हमें दिया जावे, फसल नुकसान मुआवजा देने पर हमें हमारे खेतों से पाइप लाइन निकालने में कोई आपत्ती नहीं है।

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# **Annexure 6**

# **COPY OF IDENTITY CARD**

R&R IDENTITY CARD FOR RUSDIP		
Name of AP	SexAge	
HouseNoRoad/Lane_		
Town	_Block	
District	_	
No.offamilymembers:		
Aduts MaleFemale	Children: MaleFemale	
No.ofworkingmembers:		
Main occupation of head of ho	usehold:	
Type of Loss:		
Signature/Thumb impression of AP:		
Signature of NGO/CBO representative	res:	
Name of the Executive engineer:		
Signature of Executive engineer:		