

Resettlement Plan

November 2012

IND: Chhattisgarh State Road Sector Project

Jayaramnagar – Lawan Road Subproject

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

CURRENCY EQUIVALENTS

(as of 14 August 2012)

Currency unit	–	Indian rupee (Rs)
Rs1.00	=	\$0.0179969405
\$1.00	=	Rs 55.565000

ABBREVIATIONS

ADB	–	Asian Development Bank
AE	–	Assistant Engineer
ARO	–	Assistant Resettlement Officer
BPL	–	below poverty line
BSR	–	Basic Schedule of Rates
CGPWD	–	Chhattisgarh Public Works Department
CPR	–	common property resources
CSC	–	construction supervision consultant
dc	–	district collector
DP	–	displaced person
DPR	–	detailed project report
EA	–	executing agency
EE	–	executive engineer
FGD	–	focus group discussion
GOI	–	Government of India
GRC	–	Grievance Redress Committee
IA	–	implementing agency
IP	–	indigenous peoples
IR	–	involuntary resettlement
LAA	–	Land Acquisition Act
LAP	–	land acquisition plan
NGO	–	nongovernment organization
NRRP	–	National Rehabilitation and Resettlement Policy
OBC	–	other backward castes
PD	–	Project Director
PIU	–	project implementation unit
R&R	–	resettlement and rehabilitation
RF	–	resettlement framework
RO	–	resettlement officer
ROW	–	right-of-way
RP	–	resettlement plan
SC	–	scheduled caste
SPS	–	ADB Safeguard Policy Statement, 2009
ST	–	scheduled tribe
TOR	–	Terms of Reference
VLC	–	Village Level Committee

WEIGHTS AND MEASURES

km	–	kilometer
m	–	meter

NOTE

In this report, "\$" refers to US dollars.

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CONTENTS

Executive Summary	vii
I. PROJECT DESCRIPTION	1
A. Introduction	1
B. Subproject Road	2
C. General Profile of the Subproject Area	2
D. Subproject Component	3
E. Subproject Impacts and Benefits	0
F. Minimizing Resettlement	1
G. Scope and Objective of Resettlement Plan (RP)	3
H. Methodology for Social Impact Assessment	4
II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT	6
A. Introduction	6
B. Resettlement Impacts	6
C. Impacts due to Loss of Structure in the Subproject	6
D. Impacts due to Loss of Private Structures in the Subproject	6
E. Intensity of Impact on Households losing structures	7
F. Type of Construction of Affected Structures	8
G. Loss of Livelihoods in the Subproject	8
H. Loss of CPR in the Subproject	8
III. SOCIOECONOMIC INFORMATION AND PROFILE	9
A. General Socioeconomic Profile of Subproject Area	9
B. Social Categories of the DPs	9
C. Number of DPs	9
D. Vulnerable Households being displaced in the Subproject	10
E. Annual Income Level of the Displaced Households	10
F. Educational Status of DPs	11
G. Occupational Status of DPs	11
H. Impact on Indigenous People and mitigation Measures	12
I. Gender Impact and Mitigation Measures	13
IV. STAKEHOLDERS CONSULTATION AND PARTICIPATION	15
A. Stakeholders in the Subproject	15
B. Public Consultation in the Subproject	15
C. Methods of Public Consultation	15
D. Scope of Consultation and Issues	15
E. Findings of Focused Group Discussions	16
F. Consultation with Officials and Other Stakeholders	17
G. Plan for further Consultation in the Subproject	18
H. Information Disclosure	19
V. LEGAL FRAMEWORK	21
A. Introduction	21
B. Land Acquisition Act 1894	21
C. National Rehabilitation and Resettlement Policy, 2007 (NRRP-2007)	22
D. Legal and Policy Frameworks of Chhattisgarh State	24
E. Safeguard Policy Statement of Asian Development Bank	25
F. Comparison Between National and State Policies and ADB's SPS	26
G. R&R Policy Framework for the Subproject	29

H.	Valuation of Assets	31
I.	Procedure for Land Acquisition under the Project	32
VI.	ENTITLEMENTS, ASSISTANCE AND BENEFITS	33
A.	Introduction	33
B.	Cut-off-Date for Entitlement	33
C.	Subproject Entitlement	33
D.	Entitlement Matrix	34
VII.	RELOCATION OF HOUSING AND SETTLEMENTS	37
A.	Basic Provision for Relocation	37
B.	Need for Relocation	37
C.	Relocation Option by DPs Losing	37
D.	Compensation Option by DPs	38
E.	Relocation Strategy	38
VIII.	INCOME RESTORATION AND REHABILITATION	40
A.	Loss of Livelihoods in the Subproject	40
B.	Provisions for Loss of Livelihood	40
C.	Income Restoration Measures	40
D.	Additional Support from Ongoing Poverty Reduction Programs	41
IX.	RESETTLEMENT BUDGET AND FINANCING PLAN	42
A.	Introduction	42
B.	Compensation	42
C.	Assistance	42
D.	Compensation for Community and Government Property	43
E.	RP Implementation and Support Cost	43
F.	Source of Funding and Fund Flow Management	43
G.	R&R Budget	43
X.	GRIEVANCE REDRESSAL MECHANISM	45
A.	Introduction	45
B.	Grievance Redress Mechanism	45
C.	Constitution and Function of the GRC	45
D.	Operational Mechanisms of GRC	46
XI.	INSTITUTIONAL ARRANGEMENT	47
A.	Institutional Requirement	47
B.	Executing Agency	47
C.	Resettlement Management at ADB-PIU	47
D.	Resettlement Management at ADB-PIU Field Office	48
E.	Nongovernment Organization (NGO)	48
F.	Capacity Building on RP in the EA	50
XII.	IMPLEMENTATION SCHEDULE	51
A.	Introduction	51
B.	Schedule for Subproject Implementation	51
C.	Subproject Preparation Phase	51
D.	RP Implementation Phase	51
E.	Monitoring and Reporting Period	51
F.	R&R Implementation Schedule	52
XIII.	MONITORING AND REPORTING	53
A.	Need for Monitoring and Reporting	53
B.	Monitoring in the Subproject	53
C.	Monitoring by PIU	53
D.	External Monitoring	54

E.	Stages of Monitoring	54
F.	Preparatory Stage	54
G.	Relocation Stage	55
H.	Rehabilitation Stage	55
I.	Monitoring Indicators	55
J.	Reporting Requirements	56

List of Appendixes:

1.	Census Survey Questionnaire	58
2.	List of Displaced Persons	62
3.	List of Affected CPR	65
4.	Public Consultation in Jayaramnagar – Lawan Road	66
5.	Terms of Reference for NGO to Implement Resettlement Plan Jayaramnagar – Lawan Subproject under CSRSP	68
6.	Terms of Reference for an External Monitoring Agency/Expert	78

EXECUTIVE SUMMARY

A. PROJECT DESCRIPTION

1. The ADB funded Chhattisgarh State Road Sector Project entails the rehabilitation and improvement of the existing state roads of Chhattisgarh. The Chhattisgarh Public Works Department (CGPWD), Government of Chhattisgarh will be the executing agency (EA) for the project. The Project will rehabilitate and strengthen some selected existing State Highways roads to provide a dependable road transport network throughout the state.

2. This Resettlement Plan (RP) for Jayramnagar - Lawan subproject is prepared based on the detailed design report. The RP complies with the applicable State Government, Government of India and ADB policy and legal framework. This subproject is considered as Category-A as far as Involuntary Resettlement (IR) is concerned. The total length of the subproject is 52.93 km.

3. The subproject area consists of the Bilaspur and Balodabazar districts of Chattishgarh. The proposed subproject can be viewed as boosting economic growth and poverty reduction which will bring substantial social and economic development in the region. The social benefits arising due to the subproject will be triggered off due to improved accessibility to various services such as easy access to markets, health facilities, schools, workplace etc which in turn increases the income of the locals, and ultimately elevating their standard of living. Adequate attention has been given during the feasibility and detailed project design phases of the subproject preparation to minimize the adverse impacts on land acquisition and resettlement impacts.

B. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

4. Since the available right-of-way (ROW) is sufficient to accommodate the proposed widening/two-laning of the road, no land acquisition will be involved in the subproject. The resettlement impact for this subproject is limited to the 101 non-titleholder households with 706 displaced persons. In addition, there are 21 common properties resources (CPR) including religious structures and some government structures used for common purpose constructed within the existing ROW will be affected by the proposed road widening. A subproject census survey was carried out to identify the persons who would be displaced by the subproject and the summary findings are presented in **Table E-1**.

Table E-1. Summary Subproject Impacts

Sl. No.	Impacts	Number
1	Total number of structures affected (Private+Religious+Govt.)	127
2	Total number of private structures affected	106
3	Total number of Displaced Households	101
4	Total number of Displaced Dersons (DPs)	706
5	Total number of Physically Displaced Households	41
6	Total number of Physically Displaced Persons (DPs)	319
7	Total number of Economically Displaced Households	19
8	Total number of Economically Displaced Persons (DPs)	94
9	Total number of Marginally Affected Households	41
10	Total number of Marginally Affected persons (DPs)	293

Sl. No.	Impacts	Number
11	Total number of vulnerable households displaced	90
12	Total number of CPRs (common property structures) affected	21

C. SOCIOECONOMIC INFORMATION AND PROFILE

5. Some of the socio-economic information of DPs was collected through the census survey and its findings are presented in the following sections. The social stratification of the subproject area shows that the dominance of other scheduled caste (SC) population with 48 (47.52%) households. There are 706 displaced persons in total being affected by the subproject which includes 389 (55.10%) males and 317 (44.90%) females. The average household size is 7 and the sex ratio among DPs is 815. According to subproject census survey there are 90 vulnerable households affected by the subproject. The educational status of DPs reveals that there are still 25.57% DPs are illiterate and females are lacking far behind the male members. As per census survey out of 706 DPs, only 273 (38.67%) DPs are employed in various economic activities. The occupational pattern of DPs excluding the non working sections such as children and students and household workers, reveals that 50.92% DPs are having various labour work as their main occupation.

6. Chhattisgarh is among one of the tribal state of India. Some presence of scheduled tribe groups such as Bhunjia, Binjhar, Dhanbar, Kandra, Kondh, Kamar, are noted on the sample subproject districts. The Project state of Chhattisgarh, as per the Census of India 2001, is home to 66,16,596 scheduled tribes population, constituting 31.76 % of total population of the state vis-à-vis the national level statistics of 8.2%.

7. The Subproject proposal is confined to rehabilitation and upgradation of existing road alignments; the social assessments undertaken have not brought forth any adverse impact on the tribal groups within the area of influence of the subproject road. The improved road network is expected to augment access to socioeconomic facilities of tribal groups along with other sections of subproject population. The subproject construction will not have any adverse consequences on the socioeconomic condition and would also not lead to any disruption in their community life or culture of these communities. The scheduled tribe households affected under the subproject will be treated vulnerable households and special assistance for these groups are made under the entitlement matrix and incorporated in this RP.

D. STAKEHOLDERS CONSULTATION AND PARTICIPATION

8. Public consultations were conducted at four villages attended by 60 persons (11 female and 49 male) in the subproject to ensure peoples' participation during the project census survey. Aiming at promotion of public understanding and fruitful solutions of developmental problems such as local needs and problem and prospects of resettlement, various sections of APs and other stakeholders were consulted through focus group discussions and individual interviews. Several additional rounds of consultations with APs and communities will form part of the further stages of subproject preparation and implementation. The implementing NGO will be entrusted with the task of conducting these consultations during RP implementation, which will involve disclosure on compensation, assistance options, and entitlement package and income restoration measures suggested for the subproject.

9. To keep more transparency in planning and for further active involvement of APs and other stakeholders the subproject information will be disseminated through disclosure of

resettlement planning documents. The EA will provide relevant resettlement information, including information from the above mentioned documents in a timely manner, in an accessible place and in a form and language(s) understandable to affected persons and other stakeholders.

E. LEGAL FRAMEWORK

10. The legal framework and principles adopted for addressing resettlement issues in the Project have been guided by the existing legislation and policies of the GOI, the Government of Chhattisgarh, Safeguard Policy Statement of Asian Development Bank and the Resettlement Framework (RF) adopted for the project. Prior to the preparation of the RP, a detailed analysis of the existing national and state policies was undertaken and a RF has been prepared for the entire program. The section below provides details of the various national and state level legislations studied and their applicability within this framework. This RP is prepared based on the review and analysis of all applicable legal and policy frameworks of the country and ADB policy requirements.

11. All compensation and other assistances¹ will be paid to all DPs prior to commencement of civil works. After payment of compensation, DPs would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for the same. The value of salvaged materials will not be deducted from the overall compensation amount due to the DPs. A notice to that effect will be issued intimating that DPs can take away the materials.

F. ENTITLEMENTS, ASSISTANCE AND BENEFITS

12. For non-titleholders, the cut-off date will be the beginning of the census survey which is 8th Sept 2012. DPs who settle in the affected areas after the cut-off date will not be eligible for compensation. They, however, will be given sufficient advance notice, requested to vacate premises and dismantle affected structures prior to subproject implementation. Their dismantled structures materials will not be confiscated and they will not pay any fine or suffer any sanction.

G. RELOCATION OF HOUSING AND SETTLEMENTS

13. The EA will provide adequate cash compensation at full replacement cost for lost structures, adequate compensation for partially damaged structures, and relocation assistance, according to the Entitlement Matrix. The EA will compensate to the non-title holders for the loss of assets other than land, such as dwellings, and also for other improvements to the land, at full replacement cost. The entitlements to the non-titleholders will be given only if they occupied the land or structures in the subproject area prior to the cut-off date.

14. In the subproject, 41 non-titleholder households with 319 persons will be physically displaced due to loss of their residential structures. The DPs needs relocation are scattered in a stretch of 53 kilometers and developing a relocation site for them is not feasible. During the

¹ While compensation is required prior to dispossession or displacement of affected people from their assets, the full resettlement plan implementation, which may require income rehabilitation measures, might be completed only over a longer period of time after civil works have begun. Displaced people will be provided with certain resettlement entitlements, such as land and asset compensation and transfer allowances, prior to their displacement, dispossession, or restricted access.

focused group discussion, while discussing about relocation options people were very much in favour of resettlement within the village to avoid disruption of community life and problem with host community. Therefore cash compensation at market rate as more practical solution in this case is suggested for loss of structures.

H. INCOME RESTORATION AND REHABILITATION

15. The subproject impact reveals that due to loss of commercial structures 23 households including 19 households with 94 persons directly affected due to loss of their commercial structure- cum shop and 2 commercial tenants and 2 employees in shops indirectly affected due to loss of commercial structures will be losing their livelihood. The entitlement proposed for the subproject has adequate provisions for restoration of livelihood of the affected communities. The focus of restoration of livelihoods is to ensure that the DPs are able to at least regain their previous living standards. To restore and enhance the economic conditions of the DPs, certain income generation and income restoration programs are incorporated in the RP. To begin with providing employment to the local people during the construction phase will enable them to benefit from the subproject, reduce the size of intrusive work forces and keep more of the resources spent on the subproject in the local economy. It will also give the local communities a greater stake and sense of ownership in the subproject.

I. RESETTLEMENT BUDGET AND FINANCING PLAN

16. The resettlement cost estimate for this subproject includes eligible compensation, resettlement assistance and support cost for RP implementation. The support cost, which includes staffing requirement, monitoring and reporting, involvement of NGO in subproject implementation and other administrative expenses are part of the overall subproject cost. The unit cost for land and other assets in this budget has been derived through field survey, consultation with affected families, relevant local authorities and reference from old practices. Contingency provisions have also been made to take into account variations from this estimate. The total R&R budget for the proposed subproject RP works out to Rs. 5.75 million.

J. GRIEVANCE REDRESSAL MECHANISM

17. A Grievance Redressal Committee (GRC) will be established at the district level with the primary objective of providing a mechanism to mediate conflict and cut down on lengthy litigation. It will also provide people, who might have objections or concerns about their assistance, a public forum to raise their objections and through conflict resolution, address these issues adequately. The GRC will be headed by the District Collector (DC) or his designated representative. The GRC will have representative from the ADB-PIU field office, representatives of APs, particularly of vulnerable DPs, local government representatives, representative of local NGOs and other interest groups as felt necessary. All grievances will be routed through the NGO to the GRC. The NGO will act as an in-built grievance redress body. The NGO will first of all register the grievances and take up with VLC for redress and any grievances not redressed at VLC level will be dealt in by the GRC. Grievances will be redressed within two to four weeks from the date of lodging the complaints, depending on severity of problem. The APs, who would not be satisfied with the decision of the GRC, will have the right to take the grievance to the ADB-PIU Head Office for its redress. However an aggrieved person will have access to the country's judiciary at any stage of the subproject level grievance redress process. Taking grievances to Judiciary will be avoided as far possible and the NGO will make utmost efforts at reconciliation at the level of GRC.

K. INSTITUTIONAL ARRANGEMENT

18. The executing agency (EA) for the Project is CGPWD, Government of Chhattisgarh. The existing CGPWD has already established an ADB-Project Implementation Unit (ADB-PIU) headed by a Project Director (PD). The EA, headed by PD will have overall responsibility for implementation of loan and will also be responsible for the overall coordination among ADB, Government of Chhattisgarh and ADB-PIU Field Offices. For resettlement activities, ADB-PIU will do the overall coordination, planning, implementation, and financing. The ADB-PIU will create a Social and Resettlement Unit (SRU) within itself with appointment of a Resettlement Officer (RO) at the rank of Executive Engineer (EE) and required support staff for the duration of the Subproject to ensure timely and effective planning and implementation of resettlement activities. The RO will be assisted by the respective ADB-PIU Field Offices and NGO for planning and implementation of resettlement activities in the subproject. ADB-PIU Field Office will be established at district/subproject level for the implementation of subproject resettlement activities. An experienced and well-qualified NGO in this field will be engaged to assist the ADB-PIU Field Office in the implementation of the RP.

L. IMPLEMENTATION SCHEDULE

19. Implementation of RP mainly consists of compensation to be paid for affected structures and rehabilitation and resettlement activities. The time for implementation of resettlement plan will be scheduled as per the overall subproject implementation. The civil works contract for each subproject will only be awarded after all compensation and relocation has been completed for subproject and rehabilitation measures are in place. The proposed subproject R&R activities are divided in to three broad categories based on the stages of work and process of implementation such as Subproject Preparation phase, RP Implementation phase and Monitoring and Reporting phase.

M. MONITORING AND REPORTING

20. RP implementation for the subproject by the NGO will be closely monitored by the EA. Keeping in view the significance of resettlement impacts of the overall project, the monitoring mechanism for this project will have both monitoring by PIU and monitoring by an external expert. ADB-PIU Field Office responsible for supervision and implementation of the RP will prepare monthly progress reports on resettlement activities and submit to ADB-PIU. ADB-PIU will submit semi-annual reports to ADB. The external monitoring expert responsible for monitoring of the RP implementation will submit a semi-annual review report to ADB-PIU to determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/ enhanced and suggest suitable recommendations for improvement.

I. PROJECT DESCRIPTION

A. Introduction

1. The ADB funded Chhattisgarh State Road Sector Project entails the rehabilitation and improvement of the existing state roads of Chhattisgarh. The Chhattisgarh Public Works Department (CGPWD), Government of Chhattisgarh will be the Executing Agency (EA) for the project. The Project will rehabilitate and strengthen some selected existing State Highways roads to provide a dependable road transport network throughout the state.

2. In accordance with ADB's procedure for sector lending, 15 subprojects have been selected for the Project. Out of these 15 subprojects two subprojects (Sl. 1 and 2 in the Table-1) have been prepared as sample subprojects and other 13 non-sample subprojects prepared during subproject implementation. The details of the subprojects for both sample and non-sample are provided in **Table 1** below.

Table 1. List of Subprojects

Sl. No.	Name of the Road Section	Length (in Km.)
Sample Subproject Roads		
1	Nandghat – Gidhoury Road	91.23
2	Simga – Kurud Road	109.98
Total Length of Sample Subproject Roads		201.21
Additional Subproject Roads		
3	Raipur – Balodabazar Road	72.08
4	Rajnand Gaon Kachhe Road	77.12
5	Raipur – Kodwa Road	48.03
6	Chilphi – Salhewara Road	61.00
7	Chandkhuri – Umariya Road	68.00
8	Dhamdha – Khairagarh Road	39.24
9	Khairagarh – Tumdibod Road	53.31
10	Balod – Dhamtari Road	30.67
11	Anda – Phunda Road	32.72
12	Bodla – Daldali Road	41.00
13	Shibrinarayan – Champa Road	51.80
14	Ratanpur – Lormi Road	84.00
15	Jayaramnagar – Lawan Road	52.94
Total Length of Additional Subproject Roads		711.93
Total (sample subproject + additional subproject) Road Length		913.14

3. This Resettlement Plan (RP) for Jayaramnagar – Lawan subproject is prepared based on the detailed design report. The RP complies with the applicable State Government, Government of India and ADB's Safeguard Policy Statement. This subproject is considered as Category-A² as far as Involuntary Resettlement (IR) is concerned.

² According to ADB Safeguard Policy Statement (SPS-2009), Involuntary Resettlement Category A: Significant means 200 or more affected people will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income

B. Subproject Road

4. The Jayaramnagar – Lawan (**Figure 1**) subproject road section with a length of 52.94 Kilometers starts at Km 0.00 near railway crossing in Jairamnagar in Bilaspur district and ends on SH-9 at Km 42.600 in Balodabazar district.



Figure 1. Subproject Location Map

5. The formation width of subproject road is 8m to 12m with carriageway width of 3m to 5m and 1.5 m earthen shoulders. This road section is a major district road (MDR) declared by Chhattisgarh state government.

C. General Profile of the Subproject Area

6. The subproject area consists of Bilaspur and Balodabazar districts of Chhattisgarh. The main settlements along the road are Jairamnagar, Khaira, Masturi, Malhar and Ahilda and Lawan. A brief profile of the districts falling in the subproject area is summarized below.

7. Bilaspur district is not only famous in Chhattisgarh but in India due to its unique characteristics like rice quality, Kosa industry and its cultural background. Bilaspur district is situated between 21°47' and 23°8' north latitudes and 81°14' and 83°15' east latitudes. The district

generating). Involuntary Resettlement Category B: Not Significant include involuntary resettlement impacts that are not deemed significant as per the ADB Operational manual Involuntary Resettlement Category C: No involuntary resettlement impacts. A resettlement plan is required in case of both category A and B project.

is bounded by Korea on the north, Anuppur District and Dindori District of Madhya Pradesh state on the West, Kawardha on the southwest, Durg and Raipur on the south and Korba and Janjgir-Champa on the East. In 2011, Bilaspur have population of 2,662,077 of with male and female are 1,349,928 and 1,312,149 respectively. Bilaspur District population constituted 10.42 percent of total State population. In 2001 census, this figure for Bilaspur District was at 9.59 percent of State population. Average literacy rate of Bilaspur in 2011 were 71.59 compared to 63.51 of 2001. With regards to Sex Ratio in Bilaspur, it stood at 972 per 1000 male. 25.50 percent population of the district lives in urban regions of district.

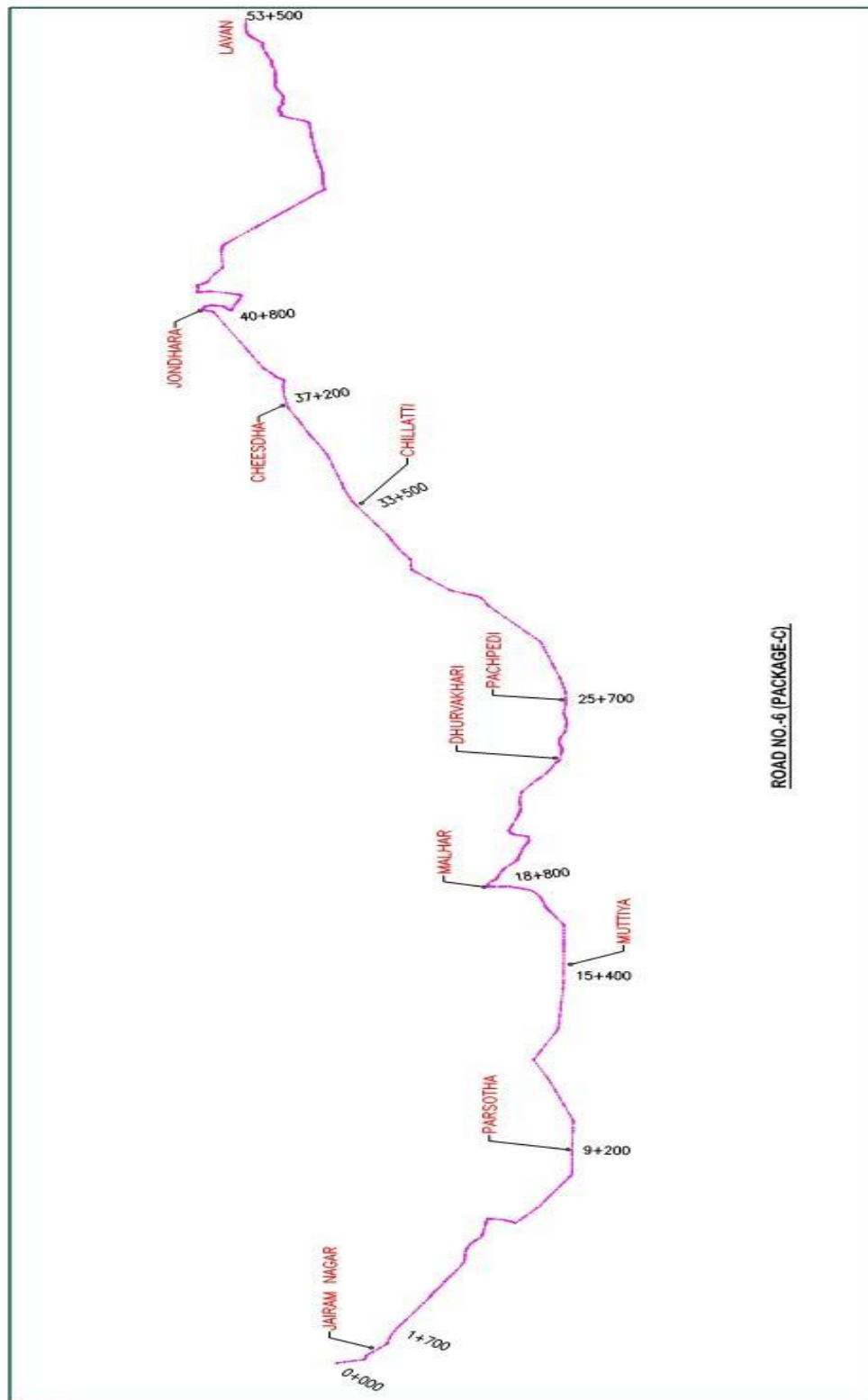
8. The Baloda Bazar is the newly formed district of Chhattisgarh declared on 15th August 2011. Earlier this district was a part of Raipur district only. The new district has come to force from 1st January 2012.

D. Subproject Component

9. The entire length of the subproject road runs through plain terrain cutting across several agricultural land, villages and towns. Nevertheless, the horizontal alignment of the subproject road is fairly incongruence with the adopted design standard making compatibility within the available ROW. Vertical Alignment will be revised at locations where existing submersible bridges shall be replaced by high level bridges. The following major components are proposed for the subproject. An alignment map has been provided in **Figure 2**.

- *Lane Width:* The width of a basic traffic lane is proposed to be 3.50m. Thus, for 2-lane the carriageway widths will be 7.0m.
- *Earthen Shoulders:* Earthen shoulders are proposed to be 1.5m wide on either side of the proposed main carriageway.
- *Drainage:* 1.0m clear opening RCC drain is proposed on both side of the carriageway. A camber of 2.5% has been proposed for the paved surface of main carriageway to take care of surface drainage. Whereas a camber of 4.0% have been proposed for earthen shoulder which will help in adequate surface drainage. The drain water shall be collected into the drain below footpath in built up areas and at toe drian in rural areas and will be discharged at suitable cross drainage structures already existing along the project road. In addition to the above, adequate longitudinal gradient is also provided to facilitate surface drainage.
- *Carriageway Markings:* Carriageway markings have been designed primarily to delineate lane positions to encourage lane discipline and safety. The MOST details in "Type Design for Intersection on National Highways" provide good guidelines. Also IRC Code IRC: 35-1997 gives recommendations regarding carriageway markings. This aspect will be dealt in detail during detailed engineering phase.
- *Traffic Signs:* The traffic sign's design is standardized for mandatory/regulatory types as per standard IRC-67 design. Some of the signs will be in the verges mounted on steel posts in the usual manner. On the approaches to junctions, overhead signs mounted on gantries have been designed. This enables the signs to span the road and allow the driver on the moderately high speed road to easily read the sign and take appropriate action.
- *Safety Barriers:* Two types of safety barriers have been proposed. (i) Rigid barriers are proposed on structures, the details of which are provided in the volume containing the design of standard drawings. (ii) Flexible metal beam crash barriers are proposed at high embankment locations.

Figure-2 Subproject Alignment Map



E. Subproject Impacts and Benefits

10. The proposed subproject can be viewed as boosting economic growth and poverty reduction which will bring substantial social and economic development in the region. The social benefits arising due to the subproject will be triggered off due to improved accessibility to various services such as easy access to markets, health facilities, schools, workplace etc. which in turn increases the income of the locals, and ultimately elevating their standard of living. The possible direct and indirect positive impacts of the subproject are listed below.

- The immediate benefits of road construction and improvement will come in the form of direct employment opportunities for the roadside communities and specially those who are engaged as wage laborers, petty contractors and suppliers of raw materials.
- Improved road network will provide for improved linkages between the village communities and urban centre, which provides wider marketing facilities.
- Road network will not only link the village communities to better markets, but also open up wider work opportunities in distant places. People can shuttle to distant work sites and towns and engage in construction, factories, business as well as domestic works.
- Improved road network will encourage urban entrepreneurs to invest in far and remote areas in commercial farming and industrial activities.
- Improved road will also help people building strong institutional network with outside agencies. Essential and emergency services like schools, health centre, public distribution system etc can be availed faster.
- Increased frequency of interaction with outsiders will increase the awareness level of the people in the village with regard to their health and nutrition, living style, value of education and proper utilization of available resources.
- Interaction with the government, non-government and other development agents will help people gain new knowledge on improved farming, land development, development and maintenance of natural resources through the formation of various economic and social development groups.

11. The summary of resettlement impacts in the subproject are presented in **Table 2**.

Table 2. Summary Subproject Impacts

Sl. No.	Impacts	Number
1	Total number of structures affected (Private+Religious+Govt.)	127
2	Total number of private structures affected	106
3	Total number of Displaced Households	101
4	Total number of Displaced Persons (DPs)	706
5	Total number of Physically Displaced Households	41
6	Total number of Physically Displaced Persons (DPs)	319
7	Total number of Economically Displaced Households	19
8	Total number of Economically Displaced Persons (DPs)	94
9	Total number of Marginally Affected Households	41
10	Total number of Marginally Affected Persons (DPs)	293
11	Total number of vulnerable households displaced	90
12	Total number of CPRs (common property structures) affected	21

F. Minimizing Resettlement

12. Adequate attention has been given during the feasibility and detailed subproject design phases of the subproject preparation to minimize the adverse impacts on land acquisition and resettlement impacts. However, technical and engineering constraints were one of the major concerns during exploration of various alternative alignments. With the available options, best engineering solution have been adopted to avoid land acquisition and resettlement impacts. Following are the general criteria adopted for the selection of the alignment:

- Follow the existing alignment as much as feasible from engineering design point of view.
- Restrict the proposed ROW as the same existing ROW and accommodate all proposed proposal within it.
- Minimize social impact by restricting design speed and proposing alternative engineering solutions
- Minimize environment impact by avoiding big trees, ponds etc.
- Incorporate the opinions of local people in selection of alignment and design

13. During the impact assessment survey public consultation meetings were organized at various places and based on people's concerns and suggestions the alignment was adjusted to minimize the resettlement impacts.

14. The specific minimization effort was made after obtaining of land availability certificates from concerned revenue departments. Based on the land availability, the alignment design was revised and the toe line width was restricted to an average width of 20 meters from the earlier proposed width of up to 30 meters. Due to this specific measures complete land acquisition was avoided and more than 50% structures including community properties were saved within this subproject. The final widening scheme adopted after all minimization of resettlement impacts is presented in **Table 3** below.

Table 3. Widening Scheme

Chainage		Length (Km)	Side of Widening	Description
From	To			
0.000	0.450	0.450	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
0.450	0.500	0.050	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement in built-up area to be raised from WMM
0.500	2.500	2.000	Concentric	TCS for 2-Lane concentric widening with Rigid pavement
2.500	2.750	0.250	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement in built-up area to be raised from WMM
2.750	5.590	2.840	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
5.590	5.870	0.280	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement in built-up area to be raised from WMM
5.870	6.455			Not in Scope
6.455	6.800	0.345	Concentric	TCS for 2-Lane concentric widening with Rigid pavement
6.800	8.000	1.200	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
8.000	8.940	0.940	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement

Chainage		Length (Km)	Side of Widening	Description
From	To			
				to be raised from subgrade
8.940	9.350	0.410	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement in built-up area to be raised from WMM
9.350	10.200	0.850	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
10.200	11.660	1.460	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement to be raised from subgrade
11.660	12.300	0.640	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement in built-up area to be raised from WMM
12.300	13.000	0.700	Concentric	TCS for 2-Lane concentric widening with Rigid pavement
13.000	15.300	2.300	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement to be raised from subgrade
15.300	16.000	0.700	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
16.000	17.000	1.000	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement to be raised from subgrade
17.000	17.770	0.770	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
17.770	18.380	0.610	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement in built-up area to be raised from WMM
18.380	18.570	0.190		TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
18.570	18.730	0.160	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement in built-up area to be raised from WMM
18.730	21.000	2.270		TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
21.000	23.000	2.000	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement to be raised from subgrade
23.000	23.500	0.500	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
23.500	24.000	0.500	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement in built-up area to be raised from WMM
24.000	24.620	0.620		TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
24.620	25.220	0.600	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement in built-up area to be raised from WMM
25.220	27.000	1.780		TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
27.000	29.000	2.000	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement to be raised from subgrade
29.000	33.200	4.200	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
33.200	33.400	0.200	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement in built-up area to be raised from WMM
33.400	37.390	3.990		TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
37.390	37.890	0.500	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement in built-up area to be raised from WMM
37.890	39.800	1.910		TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
39.800	40.500	0.700	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement

Chainage		Length (Km)	Side of Widening	Description
From	To			
				in built-up area to be raised from WMM
40.500	40.800	0.300	Concentric	TCS for 2-Lane concentric widening with Rigid pavement
40.800	41.450	0.650	Concentric	TCS for 2-Lane concentric widening for existing CC pavement
41.450	41.600	0.150	Concentric	TCS for 2-Lane concentric widening with Rigid pavement
41.600	41.650	0.050	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement in built-up area to be raised from WMM
41.650	43.000	1.350		TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
43.000	43.300	0.300	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement in built-up area to be raised from WMM
43.300	44.600	1.300		TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
44.600	44.800	0.200	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement in built-up area to be raised from WMM
44.800	47.300	2.500	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement to be raised from subgrade
47.300	47.500	0.200	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement in built-up area to be raised from WMM
47.500	50.000	2.500	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
50.000	50.400	0.400	Concentric	TCS for 2-Lane concentric widening for existing CC pavement
50.400	50.600	0.200	Concentric	TCS for 2-Lane concentric widening with Rigid pavement
50.600	51.000	0.400	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
51.000	52.500	1.500	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement to be raised from subgrade
52.500	53.250	0.750	Concentric	TCS for 2-Lane with concentric widening for Flexible pavement to be raised from GSB
53.250	53.524	0.274	Concentric	TCS for 2-Lane concentric widening with Rigid pavement

Source: Detailed Design Report

G. Scope and Objective of Resettlement Plan (RP)

15. The aim of this Resettlement Plan (RP) is to mitigate all such unavoidable negative impacts caused due to the subproject and resettle the displaced persons and restore their livelihoods. This Resettlement Plan has been prepared on the basis of subproject census survey findings and consultation with various stakeholders. The plan complies with ADB Safeguard Policy Statement-2009 designed by ADB to protect the rights of the affected persons and communities. The issues identified and addressed in this document are as follows:

- Type and extent of loss of land/ non-land assets, loss of livelihood, loss of common property resources and social infrastructure;
- Impacts on indigenous people, vulnerable groups like poor, women and other disadvantaged sections of society
- Public consultation and peoples participation in the subproject;
- Existing legal and administrative framework and formulation of resettlement policy for the subproject;

- Preparation of entitlement matrix, formulation of relocation strategy and restoration of businesses/income;
- R&R cost estimate including provision for fund and;
- Institutional framework for the implementation of the plan, including grievance redress mechanism and monitoring & reporting.

H. Methodology for Social Impact Assessment

16. For preparation of resettlement plan, a detailed social impact assessment of the subproject road was carried out including resettlement screening, land acquisition planning, subproject census survey of affected assets and households, public consultation methods. The details of methodology adopted for the social impact assessment is discussed in the following section.

1. Resettlement Screening

17. A social screening exercise was performed through a reconnaissance survey to gather first hand information on impact on land acquisition and resettlement with specific attention on land use, presence of legal and/or illegal housing, traffic patterns, cultural resources, urban settlements and other sensitive areas. The aim of reconnaissance survey was to assess the scope of land acquisition and resettlement study and accordingly the detailed plan of action was prepared for the preparation of land acquisition planning and resettlement plan.

2. Land Acquisition Planning

18. The alignment was finalized as per the detailed engineering design. Initially, the numbers of affected villages were identified as per the alignment and availability of land i.e. Right of Way (ROW) was confirmed from the revenue department. Since the available ROW was sufficient to accommodate proposed road widening proposal no Land Acquisition Plan (LAP) was required for this particular subproject.

3. Census Survey and Inventory of Assets

19. Following finalization of the road alignment, cross-sections design and land acquisition requirements, census of all displaced persons (DPs) was carried in the subproject. The objective of the subproject census survey was to identify the persons who would be displaced by the subproject and to make an inventory of their assets that would be lost to the subproject, which would be the basis of calculation of compensation. A structured census questionnaire (**Appendix 1**) was used to collect detailed information on affected households/ properties for a full understanding of impacts in order to develop mitigation measures and resettlement plan for the DPs. The survey team was trained by the resettlement specialist and the survey was closely monitored on a regular basis. Additionally, socio-economic data was also collected as part of the social impact assessment (SIA) study. The census survey includes the following:

- Inventory of the 100% land and non-land assets
- Categorization and measurements of potential loss
- Physical measurements of the affected assets/structures

- Identification of trees and crops
- Household characteristics, including social, economic and demographic profile
- Identification of non titleholders
- Assessment of potential economic impact

4. Public Consultation

20. To ensure peoples' participation in the planning phase and aiming at promotion of public understanding and fruitful solutions of developmental problems such as local needs of road users and problem and prospects of resettlement, various sections of affected persons (APs) and other stakeholders were consulted through focus group discussions, individual interviews and formal and informal consultations. The vulnerable sections of DPs and women were also included in this consultation process.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Introduction

21. Since the available ROW is sufficient to accommodate the proposed widening/two-laning of the road, no land acquisition will be required for the subproject. The confirmation of availability of ROW was obtained by the CGPWD from the concerned revenue department. The existing ROW is varies from 22 meters to 24 meters at various locations/ stretches of the subproject road and the widening proposal is limited to 20 meters on average.

B. Resettlement Impacts

22. The resettlement impact for this subproject is limited to 101 non-titleholder households with 706 persons losing 106 structures. Apart from this, 21 common properties resources (CPR) including religious, community and government structures constructed within the existing ROW will be affected by the proposed road widening. A subproject census survey was carried out to identify the persons who would be displaced by the subproject and to make an inventory of their assets that would be lost to the subproject, which would be the basis of calculation of compensation. The census survey for this Jairamnagar - Lawan subproject road section was carried out between 8th September 2012 and 19th September 2012. The findings of census survey are discussed in the following sections.

C. Impacts due to Loss of Structure in the Subproject

23. Due to the proposed subproject work, 127 structures are going to be affected which exists within the available ROW. Out of 127 affected structures, 106 (83.46%) structures are owned by 101 non-titleholder households including squatters and encroachers and another 21 structures are community property resources (CPR) including religious, community and government structures. The details of loss of structures are presented in **Table 4**.

Table 4. Loss of Structure

Sl. No.	Structure in the Affected Area	Number of Structures	Number of Households	%
1	Private Structures	106	101	83.46
2	Religious Structures	9	0	7.09
3	Government Structures	10	0	7.87
4	Community Structures	2		1.57
	Total	127	101	100.00

Source: Census Survey, Chhattisgarh- II Project, 2012

D. Impacts due to Loss of Private Structures in the Subproject

24. As per census survey, 101 non-titleholder households are losing various types of structure. Among 101 non-titleholder households, 68 are squatters and 33 are encroachers. Type of loss by these displaced household's shows that 41 households are losing residential

structures, 19 households are losing commercial structures and another 41 households are losing other type of structures such as boundary wall and shed etc.

25. The nature of displacement going to be caused due to the loss of structures by these 101 non-titleholders includes 41 households with 319 persons being economically displaced by losing their livelihoods and 19 households with 94 persons being physically displaced due to loss of their residential structures. Other 41 households with 293 persons **are marginally affected by** losing other than residential and commercial structure i.e. boundary walls and shed etc. The details of loss of structures by the non-titleholders in the subproject are given in **Table 5**. The list of subproject affected households is attached as **Appendix 2**.

Table 5. Impacts due to Loss of Structures

Sl. No.	Type of Structure	Squatters	Encroachers	Total no. of Structure	No. of Displaced Households	No. of Displaced Persons
1	Residential Structure	17	27	44	41**	319
2	Commercial Structure	18	2	20	19***	94
3	Other Private Structure*	35	7	42	41****	293
Total		70	36	106	101	706

* Other private structures include boundary wall and shed etc. ** One residential squatter and two residential encroacher losing two structures each. *** One commercial squatter is losing two structures, **** One squatter losing two other type of structures

Source: Census Survey, Chhattisgarh- II Project, 2012

E. Intensity of Impact on Households losing structures

26. The nature of displacement as indicated in **Table 5**, out of 41 households physically displaced, 25 encroacher households will not be fully displaced because they are only losing their encroached portions. In case of economic displacement also out of 19 economically displaced households, two encroacher household will not be fully displaced from their current place of business.

27. The intensity of impacts is further clear from the **Table 6** below. The analysis of data pertaining to the scale of impacts on the affected structures reveals that out of 106 private structures, 39 structures are affected up to 25% only. **Except the encroached structures, all structures within ROW owned by squatters affected up to 50% will not be viable for living further. However, all residential structures affected within the existing ROW are treated as full displacement.**

Table 6. Intensity of Impact on Structures

Sl. No.	Type of Structure	Intensity of Impact				Total
		Up to 25%	Up to 50%	Up to 75%	100%	
1	Residential	31	9	1	3	44

Sl. No.	Type of Structure	Intensity of Impact				Total
		Up to 25%	Up to 50%	Up to 75%	100%	
2	Commercial	3	4	5	8	20
3	Other structures	5	15	5	17	42
Total		39	28	11	28	106

Source: Census Survey, Chhattisgarh- II Project, 2012

F. Type of Construction of Affected Structures

28. The structures being affected in the subproject are of various types by construction such as temporary, semi-permanent and permanent nature. Out of 127 structures including private and CPR, 81 (63.78%) structures are of temporary nature, 24 (18.90%) structures are of semi-permanent nature and 22 (17.32%) structures are of permanent in nature. The details of type of constructions of the affected structures are summarized in **Table 7**.

Table 7. Type of Construction of Affected Structure

Sl. No.	Construction Type	No. of Structure	%	Area (in sq. mtr)
1	Temporary	81	63.78	830.25
2	Semi-Permanent	24	18.90	176.50
3	Permanent	22	17.32	183.75
Total		127	100.00	1190.50

Source: Census Survey, Chhattisgarh- II Project, 2012

G. Loss of Livelihoods in the Subproject

29. Due to loss of commercial structures 23 households will be losing their livelihoods. Among 23 households, 19 households are shop owners, 2 are tenants and tow are employees in affected commercial structures. The details of livelihood loss is presented in the **Table 8**.

Table 8. Loss of Livelihoods in the Subproject

Sl. No.	Type of Loss	No. of Structures	%Age
1	Owners of Commercial Structure	19	82.61
2	Tenant	2	8.70
3	Employee in Commercial Structure	2	8.70
		23	100.00

Source: Census Survey, Chhattisgarh- II Project, 2012

H. Loss of CPR in the Subproject

30. Among the 21 CPRs affected in the subproject, nine are temples, two are religious places, three are village gates, two are bus stops, two are village gates, and others are various government structures. The areas of affected CPR structures are estimated under Table-7. Fully affected structures will be relocated and restored by the subproject. The list of CPR affected in the subproject is presented in **Appendix 3**.

III. SOCIOECONOMIC INFORMATION AND PROFILE

A. General Socioeconomic Profile of Subproject Area

31. The Subproject area consists of Bilaspur and Balodabazar district of Chhattisgarh. The main settlements along the road are Jairamnagar, Khaira, Masturi, Malhar and Ahilda and Lawan. A brief profile of the districts falling in the subproject area is summarized below.

32. Bilaspur district is not only famous in Chhattisgarh but in India due to its unique characteristics like rice quality, Kosa industry and its cultural background. Bilaspur district is situated between 21'47 and 23'8 north latitudes and 81'14 and 83'15 east latitudes. The district is bounded by Korea on the north, Anuppur District and Dindori District of Madhya Pradesh state on the West, Kawardha on the southwest, Durg and Raipur on the south and Korba and Janjgir-Champa on the East. In 2011, Bilaspur have population of 2,662,077 of with male and female are 1,349,928 and 1,312,149 respectively. Bilaspur District population constituted 10.42 percent of total State population. In 2001 census, this figure for Bilaspur District was at 9.59 percent of State population. Average literacy rate of Bilaspur in 2011 were 71.59 compared to 63.51 of 2001. With regards to Sex Ratio in Bilaspur, it stood at 972 per 1000 male. 25.50 percent population of the district lives in urban regions of district.

33. Some of the socio-economic information of DPs was collected through the census survey and its findings are presented in the following sections. The analysis of sample baseline socio-economic information of DPs is discussed in length in the Poverty and Social Analysis Report prepared under the ADB TA.

B. Social Categories of the DPs

34. The social stratification of the subproject area shows that the dominance of Scheduled Caste (ST) population with 48 (47.52%) households. Among others, there are 40 (39.60%) Other Backward Caste (OBC), 7 (6.93%) higher caste and 6 (5.94%) scheduled Tribe (ST) DPs as enumerated during the census survey. The detail of social grouping in the subproject area is presented in **Table 9**. All the DPs belong to Hindu religion only.

Table 9. Social Categories of the DPs

Sl. No.	Description of the Caste	No. of Households	% age
1	Scheduled Caste	48	47.52
2	Scheduled Tribe	6	5.94
3	Other Backward Caste	40	39.60
4	Higher Caste	7	6.93
Total		101	100.00

Source: Census Survey, Chhattisgarh- II Project, 2012

C. Number of DPs

35. There are 706 DPs in total being affected by the subproject which includes 389 (55.10%) males and 317 (44.90%) females. The average household size is 7 and the sex ratio among DPs is 815. The details of DPs being affected in the subproject are summarized in **Table 10**.

Table 10. Number of DPs

Sl. No.	Categories of DPs	No. of DPs	%
1	Male	389	55.10
2	Female	317	44.90
	Total	706	100

Source: Census Survey, Chhattisgarh- II Project, 2012

D. Vulnerable Households being displaced in the Subproject

36. In the subproject area there are many households falling below poverty line (BPL). The State Government of Chhattisgarh has identified them and distributed BPL cards to such families. The Chhattisgarh Government has indicated an amount of Rs. 38534/- (annual family income) as threshold for a poor family. According to subproject census survey there are 32 such households falling under BPL category. In this subproject among other vulnerable group there are 48 scheduled caste households, 1 women headed household, 3 households headed by physically handicapped persons and 6 ST household will be affected. The vulnerable households' details are presented in **Table 11**.

Table 11. Vulnerable Households being displaced

Sl. No.	Vulnerable Categories	No. of Households	%
1	Scheduled Caste Households	48	53.33
2	Scheduled Tribe Households	6	6.67
3	Women Headed Households	1	1.11
4	PH Headed Households	3	3.33
5	Below Poverty Line Households	32	35.56
	Total	90	100.00
	% of Total Displaced Households		89.11

Source: Census Survey, Chhattisgarh- II Project, 2012

E. Annual Income Level of the Displaced Households

37. As revealed from the census data on monthly income by households, 38 (37.62%) households annually earning up to the state poverty line threshold. There are 27 (26.73%) of the affected households are earning an average annual income above poverty line and below Rs. 50,000. Among others, 25 (24.75%) households are annually earning up to Rs. 1,00,000. The average income level of households in the subproject area is summarized in **Table 12**.

Table 12. Annual Income Level of the Affected Households

Sl. No.	Annual Income Categories in (Rs)	No. of Households	% age
1	Above 10000 and Below 20000	3	2.97
2	Above 20000 and Below 30000	14	13.86
3	Above 30000 and Below 38534	21	20.7
4	Above 38534 and Below 50000	27	26.73

Sl. No.	Annual Income Categories in (Rs)	No. of Households	% age
5	Above 50000 and up to 100000	25	24.75
6	Not Responded	11	10.89
Total		101	79.21

Source: Census Survey, Chhattisgarh- II Project, 2012

F. Educational Status of DPs

38. The educational status of DPs reveals that overall scenario is not encouraging one as there are still 25.57% DPs are illiterate and females are lacking far behind the male members. In the area 16.37% male DPs are illiterate whereas in case of female it is 36.52%. This data excludes the children below 0 to 6 years. The details of educational status of DPs are presented in the **Table 13**.

Table 13. Educational Status of DPs

Sl. No.	Educational Status	Male		Female		Total	
		Number	%	Number	%	Number	%
1	Illiterate	55	16.37	103	36.52	158	25.57
2	Literate	19	5.65	22	7.80	41	6.63
3	Up to middle	89	26.49	67	23.76	156	25.24
4	Below metric	68	20.24	40	14.18	108	17.48
5	Metric	79	23.51	43	15.25	122	19.74
6	Graduate	18	5.36	5	1.77	23	3.72
7	Above graduate	8	2.38	2	0.71	10	1.62
Total		336	100.00	282	100.00	618	100.00

Source: Census Survey, Chhattisgarh- II Project, 2012

G. Occupational Status of DPs

39. As per census survey out of 706 DPs, 273 (38.67%) DPs are employed in various economic activities. The occupational pattern of DPs excluding the non working sections such as children and students and household workers, reveals that 10.99% DPs are having business as their main occupation. Among other categories, 4.03% DPs are employed in service sector, 33.70% DPs are engaged in agriculture and 50.92% having earning their livelihoods as labourer. The employment level is much lower for female DPs in comparison to male DPs. The details of occupational status of DPs are summarized in the **Table 14**.

Table 14. Occupational Status of DPs

Sl. No.	Occupational status of DPs	Male		Female		Total	
		Number	%	Number	%	Number	%
1	Service	9	4.46	2	2.82	11	4.03
2	Business	30	14.85	0	0.00	30	10.99
3	Agriculture	85	42.08	7	9.86	92	33.70
4	Labour	77	38.12	62	87.32	139	50.92

5	Professional	1	0.50	0	0.00	1	0.37
	Total	202	100.00	71	100.00	273	100.00

Source: Census Survey, Chhattisgarh- II Project, 2012

H. Impact on Indigenous People and mitigation Measures

40. Chhattisgarh is among one of the tribal state of India. Some presence of scheduled tribe groups such as Bhunjia, Binjhar, Dhanbar, Kandra, Kondh, Kamar, are noted on the sample subproject districts. The Project state of Chhattisgarh, as per the Census of India 2001, is home to 66,16,596 scheduled tribes population, constituting 31.76 % of total population of the state vis-à-vis the national level statistics of 8.2%.

41. An Indigenous Peoples Planning Framework (IPPF) is prepared for the project intended to guide the selection and preparation of subprojects under the project to ensure better distribution of subproject benefits and promote development of IPs in the subproject area. An IPP will be prepared according to the IPPF for subprojects that may lead to physical relocation causing adverse impacts on the culture, customary livelihoods and identity of IPs.

42. However, since the subproject is confined to rehabilitation and upgrade of existing road alignments, the social assessments undertaken have not brought forth any adverse impact on the tribal groups within the area of influence of the subproject road. The improved road network is expected to augment access to socioeconomic facilities of tribal groups along with other sections of subproject population. In the subproject only 6 ST household is belong to encroacher category losing the frontage of his house. The summary subproject impacts on scheduled tribe households are presented in the **Table 15**.

Table 15. Summary of Impacts on Scheduled Tribe Households

Sl. No.	Type of Impacts	Details of Impacts
1	Total number of ST households	6
2	Type of Loss	3 Residential structures, 1 shop, two boundary walls
3	Type of Structures	4 Temporary 2 semi-permanent
4	Intensity of Impact	3 fully affected, one 10% affected, two 25% affected
6	Status of Ownership	2 encroachers, 4 squatters
7	Livelihood Loss	1 households losing shop
8	Total Number of DPs	Total 33 Persons, 21 Male and 12 Female
9	Household Profession	1 shop owner, 4 farmers and 1 labourer
10	Relocation option	4 opted for self relocation 2 relocation by project

Source: Census Survey, Chhattisgarh- II Project, 2012

43. The analysis provided in the above table presents the kind of loss to the ST households. The impact is confined to the existing RoW and out of 6 ST households affected due to the subproject, 2 are encroachers and 4 are squatters. The ST people are not into their traditional methods of livelihood as they are doing various kinds of business and agriculture. The relocation options preferred by the affected ST households are also mostly self relocations.

44. The subproject work will not have any adverse consequences on the socioeconomic condition and would also not lead to any disruption in their community life or culture of these

communities. All the affected ST households will be eligible for compensation for their lost assets irrespective of their legal status. They will also be eligible for the special assistance as vulnerable group.

45. Further, the subproject area does not fall within the defined Scheduled Area where specific actions like preparation of Tribal development Plan (TDP) as per the national/ state policy and legislation are concerned. The scheduled tribe households affected under the subproject will be treated vulnerable households and special assistance for these groups are made under the entitlement matrix and incorporated in this RP.

I. Gender Impact and Mitigation Measures

46. In many ways, the women of Chhattisgarh enjoy a unique position within the country. The proportion of women in the population (the sex ratio or the number of women per 1000 men) stands at 990 according to the 2001 census against national average of 933. The sex ratio is universally acknowledged as an indicator of women's well being, survival and status, and in this the position of Chhattisgarh is second among states in the country (after Kerala's 1058) and well above the national average. Women in Chhattisgarh are articulate, visible, and play a major role in public production. This can be understood with reference to the role that women play in different areas of livelihood systems. In Chhattisgarh, women are the major agricultural workers. This is so in the production of rice our main food crop, as well as in pulses, millets and the many oilseeds. They work in each and every aspect of crop production, preservation and storage. Apart from crop weeding, manuring, harvesting, women are the leading players in all post harvest and storage operations. Women also play a major role in the collection and processing of the many kinds of uncultivated foods and medicinal plants found in Chhattisgarh. Many of these foods are collections from the forest, and women use them for maintaining household food security and nutrition needs outside the market system. Chhattisgarh presents a somewhat mixed picture with regard to the political participation of women. The traditional predominance of women in economic life is not fully mirrored by their participation in political life.

47. With regard to the discussion on division of labour at work and at home, most of the women reported that they look after their reproductive and productive roles simultaneously by working in fields as well as taking care and maintenance work of the household, such as cooking, washing, cleaning, nursing, bearing and looking after children etc. The agriculture or non agriculture related productive works that can generate cash income are therefore preferred to be done at home, or near home by the women. When such opportunities are not available entire family resorts to migrate to other village/ urban centers. Overall during the FGDs, the women reported to have limited mobility and therefore expressed their preference near their homes. In case of distant places they expressed their preference prefer to work either in groups or move in groups as this gives them confidence. The following reasons were cited by the women for their preference to work near their homes:

- Lack of access and control over vehicle
- Walking long distance is tiring
- Cannot leave small children unattended
- Have never been trained on specific skills to take up skilled jobs
- Fear of working in unknown environment
- Household work can be attended

- Mobility in group enables them to respond to the constraints related to security risks

48. As per the findings of FGD with women group the perceived benefits from the subprojects are:

- Improved access to social facilities like health, education
- Increase in income generating activities
- Frequent and affordable transport
- Management of emergency situation
- Improved community relations
- Increased frequency of health workers, extension workers visits
- Improved access to market
- Increased Leisure time
- Reduced time spent on firewood collection
- Less flooding
- Side pavements will make walking easy

49. The women group consulted could perceive little negative impacts of road improvement in their lives since the benefits perceived were far stronger. The negative impacts could not be easily articulated by the communities apart from loss of assets. However, along with the loss of assets the following negative impacts were also recorded:

- Loss of assets as a result of the road construction
- Loss of assets especially in the case of Female Headed Households
- Preference to men as wage labour over women during construction
- Discrimination in wage payment
- More dependence of mechanized techniques in road construction likely to have very little opportunity for labour for women

50. Women will not be affected negatively due to the program. There is only one women headed household affected in the subproject. Any negative impacts of the subproject on female-headed households will be taken up on a case-to-case basis and assistance to these households will be treated on a priority basis. During disbursement of compensation and provision of assistance, priority will be given to female-headed households. Additionally, women headed households are considered as vulnerable and provision for additional assistance (lump sum amount at Rs.10,000/- per affected households) has been made in the entitlement of the RP. Provision for equal wage and health safety facilities during the construction will be ensured by the EA. Therefore, the subproject activities will not have any negative impact on women.

IV. STAKEHOLDERS CONSULTATION AND PARTICIPATION

A. Stakeholders in the Subproject

51. Consultations with various stakeholders were carried out during various phases of subproject preparation. The stakeholders in the subproject are both primary and secondary. The primary stakeholders are subproject displaced persons (DPs), subproject beneficiaries and Executing Agency especially the officials in CGOWD, ADB-PIU, ADB-PIU Field Office staff. The secondary stakeholder includes district magistrates and the revenue officials village heads, head of Gram Panchayat, village administrative officers NGO and business communities in the area.

B. Public Consultation in the Subproject

52. Public consultations were conducted at the stage of subproject preparation to ensure peoples' participation in the planning phase of this subproject and to treat public consultation and participation as a continuous two way process. Aiming at promotion of public understanding and fruitful solutions of developmental problems such as local needs and problem and prospects of resettlement, various sections of APs and other stakeholders were consulted through focus group discussions and individual interviews.

C. Methods of Public Consultation

53. Consultations and discussions were held along the subprojects with the affected families and other stakeholders. These meetings were organized to get wider public input from both the primary and secondary stakeholders. The consultation methods followed to elicit required information (their views & opinions) are detailed below in **Table 16**.

Table 16. Methods of Public Consultations

Stakeholders	Consultation Method
DPs	Census & Socioeconomic Survey
Village <i>Pradhan</i> /representative of APs	Focus Group Discussions
Local communities	Focus Group Discussions
Women's groups	Focus Group Discussions
Vulnerable groups (SC, ST, BPL)	Focus Group Discussions
EA	Individual interview, discussion, joint field visit
Line Departments (Revenue Officials)	Individual meeting/interview, discussion

D. Scope of Consultation and Issues

54. During the consultation process along with census and socio-economic survey, efforts were made by the study teams to:

- Ascertain the views of the APs, with reference to land acquisition and road alignment;
- Understand views of the community on land acquisition, resettlement issues and rehabilitation options;
- Identify and assess the major socio-economic characteristics of the villages to enable effective planning and implementation;
- Obtain opinion of the community on issues related to the impacts on community property and relocation of the same;
- Examine APs' opinion on problems and prospects of road related issues;
- Identify people's expectations from subprojects and their absorbing capacity;
- Finally, to establish an understanding for identification of overall developmental goals and benefits of the subproject.

E. Findings of Focused Group Discussions

55. During the resettlement survey, FGDs were conducted in four focal villages along the subproject road keeping in mind the availability of persons and suitable locations. The participants in these FGDs are not limited to the place of meeting or DPs only but also included the local residents from nearby small villages. A total of 60 persons (11 females and 49 males) were attended in these four consultation meetings. Some of the major issues that were discussed and feedback received from the villagers during the course of the consultations and measures taken are summarized in **Table 17**. The list of participants and consultation photographs are presented in **Appendix 4**.

Table 17. Summary Findings of FGD

Issue	Discussion/Suggestion	Majors Taken
Existing Road Condition	Existing road is in a very poor condition, people face problem during rainy season.	The proposed subproject will improve the existing road to two lane standard and provide all weather connectivity to major towns and facilities.
Transport and communication problem	Due to bad condition of road, good transportation means are not available, travel time is lengthy.	The subproject road will provide better connectivity and a faster transportation to distance places
Positive subproject impact	The positive subproject impacts perceived by the local people are all weather road, direct access to many facilities, business and employment opportunities, appreciation of land value etc	The alignment is planned to provide maximum benefits to the local people
Negative subproject impacts	Negative subproject impacts perceived by the people are loss of structures and livelihoods, requirement of skilled workers in construction activity	All loss of structure will be compensated market value. Loss of livelihoods will also be compensated and assisted by the subproject including opportunity for labourer in construction work
Problem in Relocation	The physical displacement under the subproject is limited people have additional land to shift and	Physically displaced people will be supported with shifting and transitional assistance and the implementing NGO

Issue	Discussion/Suggestion	Majors Taken
	therefore can be handled easily	will assist them in relocation as required.
Rate of compensation	People are very much concern about the rate of compensation as the government rate is very low	The rate of compensation will be decided as per market value.
Consultation and participation	People want more consultation during subproject implementation and want to participate in the subproject	Public consultation will continue throughout the subproject cycle. Implementing NGO will assist people in participation at various stages.
Road safety	The proposed two lane road may be concern for safety specifically for women and children, accident risk will increase	Proper road safety measures are incorporated in the subproject design. Special measures like signage, speed breakers at schools, hospitals and market places will be provided by the subproject.
Transparency in Subproject Implementation	The subproject should ensure transparency in implementation and quality control	There are provisions like GRC, VLC and direct access to Implementation Office for any complain or grievances

F. Consultation with Officials and Other Stakeholders

56. Other stakeholders in the subproject such as Executing Agency especially the officials in CGPWD, ADB- PIU and the field level PIU staff and the concerned district magistrates and the revenue officials were also consulted on various issues. The details of some of such consultations are summarized in **Table 18**.

Table 18. Details of Consultation with Officials and Other Stakeholders

Sl. No.	Name and designation of Consulted Person	Issue Discussed
1	Mr. J M Lulu (Chief Engineer, CGPWD)	Project progress, coordination with Design Consultant, CGPWD capacity assessment,
2	Mr. C H Chandrakar (DGM, ADB-PIU)	Project progress, coordination with Design Consultant,
3	Mr. Anuj Sharma (AE, ADB-PIU)	Subproject preparation, coordination with ADB-PIU Field Office, Site Visit
4	Mr. Harsh Bajpayee (AE, ADB-PIU)	Subproject preparation, coordination with ADB-PIU Field Office, Site Visit
5	Mr. R K Khambra, (Ex Eng, Bilaspur)	Jairamnagar - Lawan subproject alignment, DPR preparation, joint site visit
6	Mr. S K Satpathi (SDO, Bilaspur)	Jairamnagar - Lawan subproject alignment, joint site visit
7	Mr. Sushil Lal (Sub-Engineer, Bilaspur)	Jairamnagar - Lawan subproject alignment, joint site visit
8	Mr. G N Patre (Sub-Engineer, Bilaspur)	Jairamnagar - Lawan subproject alignment, joint site visit
9	Mr. N R Bhagal (Sub-Engineer, Bilaspur)	Jairamnagar - Lawan subproject alignment, joint site visit

Sl. No.	Name and designation of Consulted Person	Issue Discussed
10	Mr. N K Jayant, (Ex Eng, Balodabazar)	Jairamnagar - Lawan subproject alignment, DPR preparation, joint site visit
11	Mr. Vikas Srivastav (SDO, Balodabazar)	Jairamnagar - Lawan subproject alignment, joint site visit
12	Mr. Bharat Devangan (Sub-Eng, Balodabazar)	Jairamnagar - Lawan subproject alignment, joint site visit

G. Plan for further Consultation in the Subproject

57. The effectiveness of the R&R program is directly related to the degree of continuing involvement of those affected by the Subproject. Several additional rounds of consultations with APs will form part of the further stages of subproject preparation and implementation. The implementation NGO will be entrusted with the task of conducting these consultations during RP implementation, which will involve disclosure on compensation, assistance options, and entitlement package and income restoration measures suggested for the subproject. The consultation will continue throughout the subproject implementation. The following set of activities will be undertaken for effective implementation of the RP:

- In case of any change in engineering alignment planning the APs and other stakeholders will be consulted in selection of road alignment for minimization of resettlement impacts, development of mitigation measures etc.
- Together with the NGO, the ADB-PIU Field Office will conduct information dissemination sessions in the subproject area and solicit the help of the local community/ leaders and encourage the participation of the AP's in Plan implementation.
- During the implementation of RP, NGO will organize public meetings, and will appraise the communities about the progress in the implementation of subproject works, including awareness regarding road construction.
- Consultation and focus group discussions will be conducted with the vulnerable groups like women, SC, ST, and OBC's to ensure that the vulnerable groups understand the process and their needs are specifically taken into consideration.
- To make reasonable representation of women in the project planning and implementation they will be specifically involved in consultation.

58. A Public Consultation and Disclosure Plan will be prepared by PIU/NGO for each of the subprojects as per the format below in **Table 19**.

Table 19. Format for Public Consultation and Disclosure Plan

Activity	Task	Timing (Date/Period)	Agencies	Remarks
Stakeholder identification	Mapping of the subproject area		ADB-PIU Field Office/Design Consultant	
Subproject information	Distribution of information leaflets to displaced persons		ADB-PIU Field Office /NGO	

Activity	Task	Timing (Date/ Period)	Agencies	Remarks
dissemination	(DPs)			
Consultative meetings with APs during scoping phase	Discuss potential impacts of the subproject		ADB-PIU Field Office /Design Consultant	
Public Notification	Publish list of affected lands/sites in a local newspaper; establish eligibility cut-off date		ADB-PIU Field Office /NGO	
Socio-economic survey	Collect socioeconomic information on AP's perception on the subproject		ADB-PIU Field Office /NGO	
Consultative meetings on resettlement mitigation measures	Discuss entitlements, compensation rates, grievance redress mechanisms		ADB-PIU Field Office /Design Consultant	
Publicize the resettlement plan (RP)	Distribute leaflets or booklets in local language		ADB-PIU Field Office /NGO	
Full disclosure of the RP to APs	Distribute RP in local language to APs		ADB-PIU Field Office /NGO	
Internet disclosure of the RP	RP posted on ADB and/or EA website		ADB-PIU	
Consultative meetings during detailed measurement survey (DMS)	Face to face meetings with APs		ADB-PIU Field Office /NGO	
Disclosure after DMS	Disclose updated RP to DPs		ADB-PIU Field Office /NGO	
Internet disclosure of the updated RP	Updated RP posted on ADB and/or EA website		ADB-PIU	

H. Information Disclosure

59. To keep more transparency in planning and for further active involvement of APs and other stakeholders the subproject information will be disseminated through disclosure of resettlement planning documents. The EA will submit the following documents to ADB for disclosure on ADB's website:

- (i) the final resettlement plan endorsed by the EA after the census of displaced persons has been completed;
- (ii) a new resettlement plan or an updated resettlement plan, and a corrective action plan prepared during subproject implementation, if any; and
- (iii) the resettlement monitoring reports.

60. The EA will provide relevant resettlement information, including information from the above mentioned documents in a timely manner, in accessible places such as PIU office and panchayat office translated in local language. A resettlement information leaflet containing information on compensation, entitlement and resettlement management adopted for the subproject will be made available in Hindi and distributed to DPs by the implementing NGO during initial consultation after verification of DPs. During the consultation process, the NGO will read out and explain the entitlement provisions for understanding of illiterate persons.

V. LEGAL FRAMEWORK

A. Introduction

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

B. Land Acquisition Act 1894

62. The Land acquisition Act (LAA) 1894, as amended in 1984 provides the legal framework for land acquisition for a public purpose in India. It enables the State Government to acquire private lands for a public purpose, and seeks to ensure that no person is deprived of land except under the Act. The general process for land acquisition under LAA is:

- Land identified for a project is placed under Section 4 of the LAA. This constitutes notification with Government's intention to acquire land. Objections must be made within 30 days to the District Collector (DC, highest administrative officer of the concerned District).
- The land is then placed under Section 6 of the LAA. This is a declaration made by the Government for acquisition of land for public purpose. 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 shall make an award within one year of the date of publication of the declarations.
- 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.
- Once the land has been placed under Section 4, no further sales or transfers are allowed.
- Compensation for land and improvements (such as houses, wells, trees, etc.) is paid in cash by the project proponent to the State government, which in turn compensates landowners.

63. The price to be paid for the acquisition of land is based on the circle rate recorded at the District Registrar's office averaged over the three years preceding notification under Section 4. Clause 16 of the LA Act allows the Collector to take possession of land after making an award, but he is also required to make payment of compensation awarded by him before taking possession of land (Clause 31). If payment of compensation is not paid before taking possession, he is required to pay an interest (Clause 34). An additional payment of 12%

according to Clause 23 (1) (a) and the 30% on market value according to Clause 23 (2) are made by a Court of Law when an affected person does not accept the award made by a Collector and requests to refer the matter for the determination of a court. However, considering that a number of the affected persons may approach a court for securing higher payments, these amounts are included for the budgeting purpose.

64. Under the Land Acquisition Act 1894, compensation is paid only to the legal titleholders and does not provide any compensation package to the non-titleholders like encroachers, squatters etc.

C. National Rehabilitation and Resettlement Policy, 2007 (NRRP-2007)

65. The National Rehabilitation and Resettlement Policy, 2007 (NRRP-2007) was adopted by the Government of India in 31 October, 2007 to address development-induced resettlement issues. The policy provides for the basic minimum requirements, and 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-2007. 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 NRRP-2007 are as follows:

- to minimize displacement and to promote, as far as possible, non-displacing or least-displacing alternatives;
- to ensure adequate rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of the affected families;
- 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;
- to provide a better standard of living, making concerted efforts for providing sustainable income to the affected families;
- to integrate rehabilitation concerns into the development planning and implementation process; and
- where displacement is on account of land acquisition, to facilitate harmonious relationship between the requiring body and affected families through mutual cooperation.

66. Some of the salient features of the NRRP- 2007 are listed below.

- The benefits to be offered to the affected families include; land-for-land, to the extent Government land would be available in the resettlement areas; preference for employment in the project to at least one person from each nuclear family subject to the availability of vacancies and suitability of the displaced person; training and capacity building for taking up suitable jobs and for self-employment; scholarships for education of the eligible persons from the affected families; preference to groups of cooperatives of the affected persons in the allotment of contracts and other economic opportunities in or around the project site; wage employment to the willing affected persons in the construction work in the project;

housing benefits including houses to the landless affected families in both rural and urban areas; and other benefits.

- Financial support to the affected families for construction of cattle sheds, shops, and working sheds; transportation costs, temporary and transitional accommodation, and comprehensive infrastructural facilities and amenities in the resettlement area including education, health care, drinking water, roads, electricity, sanitation, religious activities, cattle grazing, and other community resources, among others.
- A special provision has been made for providing life-time monthly pension to the vulnerable persons, such as the disabled, destitute, orphans, widows, unmarried girls, abandoned women, or persons above 50 years of age (who are not provided or cannot immediately be provided with alternative livelihood).
- Special provision for the STs and SCs include preference in land-for-land for STs followed by SCs; a Tribal Development Plan which will also include a program for development for alternate fuel which will also include a program for development for alternate fuel and non-timber forest produce resources, consultations with Gram Sabhas and Tribal Advisory Councils, protection of fishing rights, land free-of-cost for community and religious gatherings, continuation of reservation benefits in resettlement areas, among others.
- A strong grievance redressal mechanism has been prescribed, which includes standing R&R Committees at the district level, R&R Committees at the project level, and an Ombudsman duly empowered in this regard. The R&R Committees shall have representatives from the affected families including women, voluntary organizations, Panchayats, local elected representatives, etc. Provision has also been made for post-implementation social audits of the rehabilitation and resettlement schemes and plans.
- For effective monitoring of the progress of implementation of R&R plans, provisions have been made for a National Monitoring Committee, a National Monitoring Cell, mandatory information sharing by the States and UTs with the National Monitoring Cell, and Oversight Committees in the Ministries/Departments concerned for each major project, among others.
- For ensuring transparency, provision has been made for mandatory dissemination of information on displacement, rehabilitation and resettlement, with names of the affected persons and details of the rehabilitation packages. Such information shall be placed in the public domain on the Internet as well as shared with the concerned Gram Sabhas and Panchayats, etc. by the project authorities.
- A National Rehabilitation Commission shall be set up by the Central Government, which will be duly empowered to exercise independent oversight over the rehabilitation and resettlement of the affected families.
- Under the new Policy, no project involving displacement of families beyond defined thresholds³ can be undertaken without a detailed Social Impact Assessment, which among other things, shall also take into account the impact that the project will have on public and community properties, assets and infrastructure; and the concerned Government shall have to specify that the ameliorative measures for addressing the said impact, may not be less than what

³ A new project or expansion of an existing project, which involves involuntary displacement of four hundred or more families en masse in plain areas, or two hundred or more families en masse in tribal or hilly areas, DDP blocks or areas mentioned in the Schedule V or Schedule VI to the Constitution.

is provided under any scheme or program of the Central or State Government in operation in the area. The SIA report shall be examined by an independent multi-disciplinary expert group, which will also include social science and rehabilitation experts. Following the conditions of the SIA clearance shall be mandatory for all projects displacing people beyond the defined thresholds.

- The affected communities shall be duly informed and consulted at each stage, including public hearings in the affected areas for social impact assessment, wide dissemination of the details of the survey to be conducted for R&R plan or scheme, consultations with the Gram Sabhas and public hearings in areas not having Gram Sabhas, consultations with the affected families including women, NGOs, Panchayats, and local elected representatives, among others.
- The Policy also provides that land acquired for a public purpose cannot be transferred to any other purpose but a public purpose, and that too, only with prior approval of the Government. If land acquired for a public purpose remains unutilized for the purpose for five years from the date of taking over the possession, the same shall revert to the Government concerned. When land acquired is transferred for a consideration, eighty per cent of any net unearned income so accruing to the transferor, shall be shared with the persons from whom the lands were acquired, or their heirs, in proportion to the value of the lands acquired.
- The entitled persons shall have the option to take up to twenty per cent of their rehabilitation grant and compensation amount in the form of shares, if the Requiring Body is a company authorized to issue shares and debentures; with prior approval of the Government, this proportion can be as high as fifty per cent of the rehabilitation grant and compensation amount.

D. Legal and Policy Frameworks of Chhattisgarh State

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

a. Chhattisgarh Land Revenue Code, 1959

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

b. Chhattisgarh Highway Act, 2003

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

c. Chhattisgarh Resettlement Policy-2007

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

E. Safeguard Policy Statement of Asian Development Bank

71. The ADB has adopted Safeguard Policy Statement (SPS) in 2009 including safeguard requirements for environment, involuntary resettlement and indigenous people. The objectives of the Involuntary Resettlement Safeguard policy is to avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups.

72. The involuntary resettlement safeguards covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary.

73. The main policy principles of the involuntary resettlement safeguard are:

- Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- Carry out meaningful consultations with affected persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and reporting of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement cost for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with

access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.

- Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
- Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

F. Comparison Between National and State Policies and ADB's SPS

74. A detailed policy comparison between ADB's SPS, NRRP 2007, and Chhattisgarh Resettlement Policy 2007 is given in following **Table 20**.

Table 20. Comparison Between State/National and ADB Policy

Sl. No.	ADB's Involuntary Resettlement Policy Principles	Land Acquisition Act-1894	National Rehabilitation and Resettlement Policy, 2007 (NRRP 2007)	Chhattisgarh Resettlement Policy, 2007	Remarks
1	Involuntary resettlement should be avoided wherever possible	LAA, 1894 only gives directive for acquisition of private land in public interest and does not deal with involuntary resettlement	This principle is equally emphasized under NRRP 2007	The policy is not much clear in this regard	NRRP 2007 meets ADB IR Policy requirements
2	Minimize involuntary resettlement by exploring project and design alternatives	This principle is not emphasized in LAA, 1894	NRRP 2007 aims to minimize displacement and to promote, as far as possible, non-displacing or least-displacing alternatives (refer Para 2.1a)	No such clear objective is outlined	NRRP 2007 meets ADB IR Policy requirements
3	Conducting census of displaced persons and resettlement planning	No provision	Lay out procedure for census survey and resettlement plan (refer Ch-VI, Para 6 and 6.4)	No provision or procedure specified.	NRRP 2007 meets ADB IR Policy requirements
4	Carry out meaningful consultation with displaced persons and ensure their participation in planning, implementation and monitoring of resettlement program	There is no scope for meaningful consultation.	NRRP 2007 ensure adequate rehabilitation package and expeditious implementation of the rehabilitation process with the consultation and active participation of the affected families (refer Para 2.1b)	No provision made	NRRP 2007 meets ADB IR Policy requirements
5	Establish grievance redress mechanism	All dispute settled in the court of law only	Project involving involuntary resettlement needs to have Grievance redress mechanisms for affected people (refer Para 8.1.1 and Para 8.3.4)	No provision made	NRRP 2007 meets ADB IR Policy requirements
6	Support the social and cultural institutions of	No provision	This is emphasized in the policy (refer Para 6.10, Para 7.21.6)	No provision made	NRRP 2007 meets ADB IR Policy

Sl. No.	ADB's Involuntary Resettlement Policy Principles	Land Acquisition Act-1894	National Rehabilitation and Resettlement Policy, 2007 (NRRP 2007)	Chhattisgarh Resettlement Policy, 2007	Remarks
	displaced persons and their host population.				requirements
7	Improve or at least restore the livelihoods of all displaced persons	No provision	NRRP 2007 emphasizes the same (refer Ch-VII)	The policy also emphasizes this issue	NRRP 2007 meets ADB IR Policy.
8	Land based resettlement strategy	No provision	Loss of asset to be compensated to the extent of actual loss (refer Para 7.4.1)	Policy suggests preference for such initiative	NRRP 2007 meets ADB IR Policy.
9	All compensation should be based on the principle of replacement cost	As per the LAA the compensation rate is derived based on the circle rate.	The compensation award shall take into account the market value of the property being acquired (refer Para 6.22b)	The policy fixes some lump sum rate	The market value does not necessarily be same as replacement cost
10	Provide relocation assistance to displaced persons	No provision of assistance is covered under LAA.	NRRP 2007 emphasizes the same (refer Ch-VII), (refer Para 7.22.1 and Para 7.22.2)	The policy also emphasizes this issue	NRRP 2007 meets ADB IR Policy.
11	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.	No provision. LAA provides eligibility only to legal title holders for compensation	NRRP 2007 also recognizes the non-titleholder families and ensure R&R benefits (refer Para 3.1.b.iii)	Recognizes only those are living in the affected area before 3 years	NRRP 2007 and State policy recognizes only affected persons residing before 3 years of declaration of affected area
12	Disclose the resettlement plan, including documentation of the consultation in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders.	Under LAA there is only the provision for gazette notification.	NRRP 2007 ensure this principle (refer point 6 above) also refer Para 6.14.1, Para 6.14.3)	No provision made	NRRP 2007 meets ADB IR Policy requirements
13	Conceive and execute involuntary	LAA deals only with land	NRRP 2007 emphasizes to	Policy suggests for preparation of	NRRP 2007 meets ADB IR

Sl. No.	ADB's Involuntary Resettlement Policy Principles	Land Acquisition Act-1894	National Rehabilitation and Resettlement Policy, 2007 (NRRP 2007)	Chhattisgarh Resettlement Policy, 2007	Remarks
	resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits.	acquisition and not with involuntary resettlement	integrate rehabilitation concerns into the development planning and implementation process (refer Para 2.1e)	such plan	Policy requirements
14	Pay compensation and provide other resettlement entitlements before physical or economic displacement.	No provision	Full payment of compensation as well as adequate progress in resettlement shall be ensured in advance of the actual displacement of the affected families. (Refer Para 6.22)	The policy have no clarity on this front	NRRP 2007 meets ADB IR Policy requirements
15	Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons.	No provision	The policy equally emphasizes the requirement for monitoring	The policy have no clarity on this front	NRRP 2007 meets ADB IR Policy requirements

G. R&R Policy Framework for the Subproject

75. The state laws and regulation on land acquisition and ADB's SPS will form the basic principles for the Subproject which will include the following elements:

- Involuntary resettlement (IR) will be avoided or minimized as much as possible by adopting alternative engineering solutions to the Subproject;
- Where IR is unavoidable, displaced persons (DPs) will be assisted to reestablish themselves in order to improve their the pre-subproject living standards;
- Gender equality and equity would be ensured and adhered to;
- In case of displacement, the DPs shall be fully involved in the selection of relocation sites, livelihood compensation and development of alternative livelihood options during subproject preparation. The resettlement plan (RP) shall also be prepared in full consultation with DP, including disclosure of RP and subproject related information;
- Replacement land of equal quality shall be an option for compensation in the case of loss of land. In case of non-availability of replacement land, cash-for-land compensation on replacement cost option will be paid to the DPs;

- Compensation for loss of land, structures, trees other assets and for loss of livelihood and income will be based on full replacement cost⁴ and will be paid before physical displacement of DP. This shall include transaction costs;
- All compensation/assistance payments and related activities⁵ will be completed prior to the commencement of civil works;
- RP will be prepared and implemented with complete participation of local authorities;
- In the event of necessary relocation, DPs shall be assisted to integrate into host communities with all infrastructural facilities extended to the host communities as well as the displaced people;
- Loss of common property resources will be replaced/compensated and community/public services will be provided to DPs;
- Resettlement will be planned as a development activity for the DPs;
- All DPs are entitled to receive compensation/assistance irrespective of title over land/property. However people moving in the subproject area after the census cut-off date will not be entitled to any compensation/assistance. In case of land acquisition the date of notification for acquisition will be treated as cut-off date. For non-titleholders such as squatters and encroachers the date of census survey or a similar designated date declared by the Executing Agency will be considered as cut-off date.
- Vulnerable groups (households below the recognized poverty line; disabled, elderly persons or women headed households, Scheduled Tribes/Scheduled Castes) will be identified and given appropriate assistance to improve their pre subproject status or their living standards.

76. Regarding the eligibility of compensation, all DPs will be provided with compensation and rehabilitation if (i) their land is lost/reduced, (ii) income source adversely affected, (iii) houses partially or fully demolished, and (iv) other properties such as crops, trees and other assets or access to these properties are reduced or damaged due to the Subproject. Absence of legal documents of their customary rights of occupancy/titles shall not affect their eligibility for compensation. It also must be noted that during the Subproject implementation stage, if there are any changes in the alignments, thereby adversely affecting the land, livelihood or other assets of the people, the same shall be compensated in keeping with this framework.

77. The framework stipulates payment of compensation as per the assessed value of the land and structure to the DPs. In addition to compensation payments made by Land Acquisition Officer/Competent Authority, the DPs will receive additional assistance in cash or kind to match replacement costs, which is the difference between the market value and the assessed value, if any, for lost assets (land and houses), transaction costs such as stamp duties/registration costs (in case of purchase of replacement land) and other cash grants and resettlement assistance such as shifting allowance, compensation for loss of workdays/income due to dislocation. The vulnerable households (such as households headed by women, Scheduled Tribes/Scheduled

⁴ The full replacement cost will be based on: (i) fair market value, (ii) transaction cost, (iii) interest accrued, (transitional and restoration cost and (v) other applicable payments, if any.

⁵ While compensation is required prior to dispossession or displacement of affected people from their assets, the full resettlement plan implementation, which may require income rehabilitation measures, might be completed only over a longer period of time after civil works have begun. Displaced people will be provided with certain resettlement entitlements, such as land and asset compensation and transfer allowances, prior to their displacement, dispossession, or restricted access.

Castes, disabled, and elderly persons) will be eligible for further cash assistance for relocation and house reconstruction and will be assisted during shifting, if required.

H. Valuation of Assets

78. The asset valuation of the acquired land and asset will be done based on the principle of compensation at the replacement cost of the affected asset.

- (a) **Valuation of Land:** For land acquisition for the project, a Land Valuation Committee (LVC) will be established at the district level. The Committee will be chaired by the District Collector or his/her representative and will have representatives of local self government institutions as required. The LVC will be responsible to make independent valuation of land/other assets based on existing market replacement cost and also for completion of land acquisition on behalf of EA.
- (b) **Land surveys** for determining the payment of compensation would be conducted by the LVC on the basis of updated official records and ground facts. In determining the replacement cost of land, the LVC will (i) appraise recent sales and transfer of title deeds and registration certificates for land in subproject area; (ii) determine whether the compensation being paid is a true reflection of replacement cost of land based on compilation of appraised rates; and (iii) consider any other relevant method.
- (c) **Valuation of Structures:** The valuation of houses, buildings and other immovable assets will be determined on the basis of relevant Basic Schedule of Rates (BSR) as on date without depreciation. While considering the BSR rate, EA will ensure that it uses the latest BSR for the residential and commercial structures in the urban areas of the state. Compensation for properties belonging to the community or common places of worship will be provided, to enable construction of the same at new places through the local self-governing bodies/appropriate authority in accordance with the modalities determined by such bodies / authority to ensure correct use of the amount of compensation.
- (d) **Valuation of Crops and Trees:** The valuation of crops and trees will be based on survey of market prices in the area for different types of crops to establish an average market price and an assessment to ensure that compensation for loss of crops / trees is not lesser than that price.

79. All compensation and other assistances⁶ will be paid to all DPs prior to commencement of civil works. After payment of compensation, DPs would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for the same. The value of salvaged materials will not be deducted from the overall compensation

⁶ While compensation is required prior to dispossession or displacement of affected people from their assets, the full resettlement plan implementation, which may require income rehabilitation measures, might be completed only over a longer period of time after civil works have begun. Displaced people will be provided with certain resettlement entitlements, such as land and asset compensation and transfer allowances, prior to their displacement, dispossession, or restricted access.

amount due to the DPs. A notice to that effect will be issued intimating that DPs can take away the materials. DPs receiving compensation for trees will be allowed to take away timber of their acquired trees for their domestic use. Trees standing on the land owned by the government will be disposed off through open auction by the concerned Forest Department.

I. Procedure for Land Acquisition under the Project

80. The land acquisition in this subproject context will be accordingly the Land acquisition Act (LAA) 1894, as amended in 1984. The normal process for land acquisition in the context of this subproject will be as follows:

1. All the land identified for the subproject will be placed under Section 4 of the LAA-1984 and a notification with Government's intension to acquire land will be issued by the District Collector (DC).
2. Objections if any must be made within 30 days to the District Collector by the landowners.
3. The land will be then placed under Section 6 of the LAA where a declaration will be made by the Government for acquisition of land for public purpose.
4. The DC will take steps for the acquisition, and the land is placed under Section 9 and notice will be issued by the DC in the name of persons interested.
5. Under Section 11, the DC will make declaration of award and disburse the compensation to the DPs.

VI. ENTITLEMENTS, ASSISTANCE AND BENEFITS

A. Introduction

81. The subproject will have three types of displaced persons i.e., (i) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land. The involuntary resettlement requirements apply to all three types of displaced persons. Although the subproject does not involve land acquisition and therefore no legal titleholders will be affected, the RP describes provision for all type of DPs and formulated the entitlement matrix.

B. Cut-off-Date for Entitlement

82. In this subproject context since there is no land acquisition and titleholder is not affected, for non-titleholders, the cut-off date will be the beginning of the census survey which is 8th Sept 2012. DPs who settle in the affected areas after the cut-off date will not be eligible for compensation. The cut-off date for non-titleholders will be officially declared by the EA along with the disclosure of RP. They, however, will be given sufficient advance notice, requested to vacate premises and dismantle affected structures prior to subproject implementation. Their dismantled structures materials will not be confiscated and they will not pay any fine or suffer any sanction.

C. Subproject Entitlement

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

84. **Loss of Structures Residential/Commercial/Other** will be compensated at replacement cost with other assistance. The details on the determination of compensation will be as:

- (i) compensation of structure will be paid at the replacement cost to squatters to be calculated as per latest prevailing basic schedules of rates (BSR) without depreciation,
- (ii) compensation of structure will be paid at the replacement cost to vulnerable encroachers only to be calculated as per latest prevailing basic schedules of rates (BSR) without depreciation
- (iii) shifting assistance of Rs. 5,000/-to squatters,
- (iv) shifting assistance of Rs. 5,000/-to tenants,
- (v) right to salvage material from demolished structure and frontage etc,

85. **Loss of livelihood due to loss of primary source of income** by non-titleholders namely squatters and vulnerable encroachers losing primary source of income, Details of entitlements for the above categories are described below:

- (i) Non-titleholders namely squatters and vulnerable encroachers losing primary source of income, will be provided training assistance of Rs. 5,000/-.
- (ii) Non-titleholders losing livelihood will be provided transitional allowance for three months based on local minimum daily wage rate.

86. **Loss of community infrastructure/common property resources** will be compensated either by cash compensation at replacement cost to the community (registered trust, society or village committee as appropriate) or reconstruction of the community structure in consultation with the affected community.

87. **Additional assistance to vulnerable groups** (Vulnerable households including BPL, SC, ST, WHH, disabled and elderly) will be paid with Special Assistance which will be one time lump sum assistance of Rs. 10,000/-, to vulnerable households. This will be paid above and over the other assistance(s) as per this framework. This admissible assistance amount of Rs. 10,000 will not be multiplied if the household is having multiple criteria for its vulnerability. The vulnerable households will be given priority for employment as construction workers under the Subproject during the construction period.

88. **Temporary Impacts** on agricultural land due to plant site for contractor etc will be eligible for cash compensation for loss of income potential including:

- (i) compensation for standing crops and trees as per the market rate,
- (ii) restoration of land to its previous or better quality,
- (iii) contractor to negotiate a rental rate with the owner for temporary use of land.

89. **Any unanticipated impacts** due to the subproject will be documented and mitigated based on the spirit of the principle agreed upon in this policy framework.

D. Entitlement Matrix

90. The subproject Entitlement Matrix (**Table 21**) lists various types of losses, eligibility and entitlements based on the specific subproject impacts.

Table 21. Entitlement Matrix

Type of Loss	Identification of Affected Households	Entitlement	Details
A: LOSS OF LIVELIHOOD SOURCE			
1. Loss of primary source of income	Non-titleholders namely squatters and encroachers losing primary source of income	Training Assistance for income restoration	a) Training would be provided for upgrade of skills/ alternate skills at Rs. 5,000 per eligible person(s) to the affected households belonging to vulnerable groups and losing their income or for those losing significant income as a result of the loss and becoming vulnerable. b) Transitional allowance for three months based on local minimum daily wage rate.
B: LOSSES OF NON-TITLEHOLDERS			
2 Structures within ROW	Encroachers	No compensation	a) Encroachers will be notified a time in which to remove their assets to be

Type of Loss	Identification of Affected Households	Entitlement	Details
		for land but compensation for assets to vulnerable groups	affected. b) Right to salvage material from demolished structure at no cost. c) Compensation for affected structures at replacement cost to the vulnerable ⁷ households.
3 Structures within ROW	Squatters and informal settlers	No compensation for land but compensation for structure at replacement cost and other assistance	a) Squatters will be notified of a time in which to remove their assets that will be affected. b) Right to salvage material from demolished structure at no cost. c) Compensation for loss of structure at replacement cost to be paid by the subproject. d) A lump sum transfer grant of an amount of Rs.2,000 to Rs.5,000 (based on type of structures) for shifting households' assets and other belonging to the new area.
	Tenant	Rental assistance and shifting assistance	a) rental assistance for both residential & commercial tenants as per the prevalent rate in the form of grant to cover maximum three month rentals, b) additional structures erected by tenants will also be compensated and deducted from owner's compensation amount, c) shifting assistance up to R. 5,000/- based on type of house and household assets, d) any advance deposited by the tenants will be refunded from owners total compensation package to the tenant on submission of documentary evidences and e) right to salvage material from demolished structure and frontage etc. erected by tenants.
D: LOSS OF COMMON PROPERTY RESOURCES			
4. Loss of Common Property Resources	Affected community/Institution responsible	Cash compensation/reconstruction	a) Cash compensation at replacement cost or reconstruction of the community structure in consultation with the community
E: REHABILITATION MEASURES			
5. Additional assistance to vulnerable groups	Households categorized as vulnerable (BPL households, female-headed households, SC/STs, disabled/elderly)	Lump sum assistance	a) Additional lump sum assistance of Rs.10,000 per household to vulnerable groups such as – female headed households, households with disabled family members, households below poverty line, scheduled tribe and scheduled caste households, elderly persons etc. b) Provide priority to vulnerable groups for employment as construction workers under the Subproject during the construction period.

⁷ The groups of population are considered socially 'vulnerable' comprise of (a) those who are below the poverty line (BPL); (b) those who belong to scheduled castes (SC) scheduled tribes (ST); (c) female-headed households (FHH); (d) elderly (above 65 years) and (e) disabled persons.

Type of Loss	Identification of Affected Households	Entitlement	Details
6. Any unanticipated adverse impact due to subproject intervention	Any unanticipated consequence of the subproject will be documented and mitigated based on the spirit of the principles agreed upon in this policy framework.		

91. All compensation and other assistances⁸ will be paid to all DPs prior to commencement of civil works. After payment of compensation, DPs would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for the same. The value of salvaged materials will not be deducted from the overall compensation amount due to the DPs. A notice to that effect will be issued intimating that DPs can take away the materials.

⁸ While compensation is required prior to dispossession or displacement of affected people from their assets, the full resettlement plan implementation, which may require income rehabilitation measures, might be completed only over a longer period of time after civil works have begun. Displaced people will be provided with certain resettlement entitlements, such as land and asset compensation and transfer allowances, prior to their displacement, dispossession, or restricted access.

VII. RELOCATION OF HOUSING AND SETTLEMENTS

A. Basic Provision for Relocation

92. The EA will provide adequate and appropriate cash compensation at full replacement cost for lost structures, adequate compensation for partially damaged structures, and relocation assistance, according to the Entitlement Matrix. The EA will compensate to the non-titleholders for the loss of assets other than land, such as dwellings, and also for other improvements to the land, at full replacement cost. The entitlements to the non-titleholders will be given only if they occupied the land or structures in the subproject area prior to the cut-off date. In the case of physically displaced persons, the EA will provide:

- (i) relocation assistance,
- (ii) transitional support and development assistance, and
- (iii) opportunities to derive appropriate development benefits from the subproject such as direct employment, engagement as petty contractor, supplying raw materials etc.

B. Need for Relocation

93. Despite being a liner subproject without land acquisition requirement and efforts made to minimize the resettlement impacts, due to presence of residential squatters, physical displacement will arise and need relocation in the subproject. Efforts are made through various provisions in this resettlement plan to mitigate negative social impacts caused up on displaced persons and communities by payment of replacement cost of structures and various relocation assistances as per entitlement matrix.

94. In the subproject, 41 non-titleholder households with 319 persons will be physically displaced due to loss of their residential structures. Out of these 41 households, 16 are squatters and will be fully displaced from their present places of residence. Another 25 households are encroachers and will be losing their encroached portions only and therefore these will not be fully displaced from their residences.

C. Relocation Option by DPs Losing

95. To understand and know the relocation options, DPs were consulted during the census survey and out of 101 households being displaced which includes households suffering economic displacement also, 91 (90.10%) households have opted for self relocation. There are only 10 households opted for structure against their structure loss or preferred the subproject assisted relocation option. Details of relocation options by displaced households are given in Table 22.

Table 22. Relocation Option by DPs

Sl. No.	Relocation Options	No. of Households	% age
1	Self Relocation	91	90.10
2	Subproject Assisted Relocation	10	9.90

Total	101	100.00
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Source: Census Survey, Chhattisgarh- II Project, 2012

D. Compensation Option by DPs

96. The choice of DPs is further supported by their compensation option as there are 90.10% displaced households including 50 households suffering economic displacement have opted for cash compensation against loss of their structure. Only 10 households preferred their structures to be replaced with same nature of structure by the subproject authority. The compensation options by displaced households are summarized in **Table 23**.

Table 23. Compensation Option by DPs

Sl. No.	Compensation Options	No. of Households	% age
1	Structure for Structure loss	10	9.90
2	Cash for Structure loss	91	90.10
	Total	101	100.00

Source: Census Survey, Chhattisgarh- II Project, 2012

E. Relocation Strategy

97. With the scattered nature of resettlement impacts i.e. 101 displaced household spread over more than 53 kilometres, it will be difficult and not feasible to provide resettlement colony with all amenities. During the focused group discussion, while discussing about relocation options people were very much in favour of resettlement within the village to avoid disruption of community life and problem with host community. Therefore cash compensation at replacement cost and other relocation assistances as per entitlement matrix is considered more practical solution in this case. All the displaced households including those opted for project assistance for relocation will also be provided compensation and assistance, and the implementing NGO will assist them in finding relocation land and shifting.

98. All the structures affected in the subproject as per provisions made entitlement matrix will be entitled for the following:

- (i) Compensation of structure will be paid to all squatter households and households belong to vulnerable encroachers at the replacement cost,
- (ii) Shifting assistance to each squatter household @ of Rs. 5,000 per structure,
- (iii) Right to salvage material from demolished structure and frontage etc,
- (iv) Advance notice for removal of structures, and
- (v) Special assistance of Rs. 10,000 to each displaced vulnerable groups.

99. To help the DPs losing structures in getting all above entitlements and relocating themselves, following relocation strategy will be adopted in the subproject:

- c) All compensation will be paid and other resettlement entitlements will be provided before physical displacement.
- d) At least one month advance notice before demolition of structure.

- e) Their dismantled structures materials will not be confiscated and they will not pay any fine or suffer any sanction.
- f) The NGO engaged for RP implementation will assist DPs during verification of assets and will provide necessary counseling on payment of compensation and assistance.
- g) The NGO will assist the subproject authorities in ensuring a smooth transition (during the part or full relocation of the DPs), helping the DPs to take salvaged materials and shift.
- h) In close consultation with the DPs, the NGO will fix the shifting dates agreed with the DPs in writing and the arrangements desired by the DPs with respect to their entitlements.
- i) In case of self relocation also, the NGO will assist the DPs in finding alternative land within the village if so desired by the DPs in consultation with village committee and other beneficiaries in the villages.
- j) The NGO will assist the APs to get benefits from Indira Aawas Yojana (IAY) and various Credit-cum-Subsidy Scheme for Rural Housing (CSRH)

VIII. INCOME RESTORATION AND REHABILITATION

A. Loss of Livelihoods in the Subproject

100. The subproject impacts reveal that 23 economically displaced non-titleholder households will be losing their livelihoods due to loss of business and source of income. As per the findings of census survey, 19 owners of commercial structures-cum shop with 94 persons, 2 commercial tenants and 2 employees are losing their livelihood due to the subproject. The details of impact on livelihoods in the subproject are summarized in **Table 24**.

Table 24. Loss of Livelihoods in the Subproject

Sl. No.	Type of Loss	No. of Structures	%Age
1	Owners of Commercial Structure-cum shops	19	82.61
2	Tenant	2	8.70
3	Employee in Commercial Structure	2	8.70
		23	100.00

Source: Census Survey, Chhattisgarh- II Project, 2012

B. Provisions for Loss of Livelihood

101. In the case of economically displaced persons, regardless of whether or not they are physically displaced, the EA will promptly compensate for the loss of income or livelihood sources at full replacement cost. The EA will provide transitional allowance, assistance for training for skill up-gradation and employment opportunities in road construction work etc. so that they can improve, or at least restore, their income-earning capacity, production levels, and standards of living to pre-displacement levels. Following provisions are made in the entitlement matrix for livelihood loss of DPs.

- (i) All eligible (squatter and vulnerable encroacher) displaced households losing their primary source of income by loss of business structures will be eligible for transitional allowance for three months of minimum wage prevailing in the area.
- (ii) Training assistance @ Rs. 5,000 for up-gradation of skill or for availing vocational training to each eligible economically displaced households.

C. Income Restoration Measures

102. The entitlement proposed for the subproject has adequate provisions for restoration of livelihood of the affected communities. The focus of restoration of livelihoods is to ensure that the DPs are able to at least regain their previous living standards. To restore and enhance the economic conditions of the DPs, certain income generation and income restoration programs are incorporated in the RP. To begin with providing employment to the local people during the construction phase will enable them to benefit from the subproject, reduce the size of intrusive work forces and keep more of the resources spent on the subproject in the local economy. It will also give the local communities a greater stake and sense of ownership in the subproject.

103. Among specific rehabilitation measures, capacity building of all the economically displaced persons will be carried out by the subproject authority. The NGO to be engaged for implementation of RP will identify the eligible and most suitable candidate from the family by carry out training need assessment and prepare micro plan for rehabilitation of DPs. The NGO will impart training to the selected/eligible DPs for income restoration and skill up-gradation as per the micro plan. The EA will also provide opportunities to displaced persons to derive appropriate development benefits from the subproject. The vulnerable DPs will be given preference in availing employment opportunities in subproject construction work. The women headed households also will be taken care of in a case to case basis and the NGO will help them in forming Self help Groups (SHGs), establish linkages to available credit facilities, special trainings, and linking them with ongoing govt. schemes. Budget for training in terms of assistance is provided to DPs losing livelihoods and the NGO will either organize training programs or link the DPs to various ongoing training schemes. Fund for training is provided in the R&R budget keeping in view the average expenditure for ongoing training programs in the subproject area.

D. Additional Support from Ongoing Poverty Reduction Programs

104. In addition to subproject-sponsored programs, the implementing NGO will play a proactive role to mobilize DPs to get benefits from various government schemes and ensure their accessibility particularly of vulnerable groups. In India, panchayat government systems at the village, block and district/zilla levels are now responsible for planning and implementation of all anti-poverty programs funded by the central and state governments. The implementing NGO will work with the panchayat governments to make available to the DPs benefits of some of the ongoing pro-poor programs for poverty reduction.

IX. RESETTLEMENT BUDGET AND FINANCING PLAN

A. Introduction

105. The resettlement cost estimate for this subproject includes eligible compensation, resettlement assistance and support cost for RP implementation. The support cost, which includes staffing requirement, monitoring and reporting, involvement of NGO in subproject implementation and other administrative expenses are part of the overall subproject cost. Contingency provisions have also been made to take into account variations from this estimate. Some of the major items of this R&R cost estimate are outlined below:

- compensation for structures (residential/ commercial) and other immovable assets at their replacement cost
- Transitional assistance in lieu of the loss of business and livelihood
- Assistance for shifting of the structures
- Resettlement and Rehabilitation Assistance in the form of Training allowance
- Special assistance to vulnerable groups for their livelihood restoration
- Cost for implementation of RP.

B. Compensation

106. Residential/ Commercial and other structures: For the purpose of cost estimate, average rates of various types of structures are estimated on the basis of market assessment. The average rate for permanent structures without land has been calculated at Rs. 5,500/m², semi-permanent structures have been calculated at Rs. 3,500/m², and temporary structures have been calculated at the rate of Rs. 1,500/m². However the actual compensation will be calculated by the professional value taking into account the latest BSR without depreciation as prescribed in the RF.

C. Assistance

107. Shifting allowance to non-titleholders: Shifting allowance will be provided to all the affected households losing structures and tenants. The unit cost has been derived on a lump sum basis of Rs. 5000/-.

108. Transitional Allowance to Non-titleholders Losing Primary Source of Income: Non-titleholders losing livelihood will be provided transitional allowance for three months based on local minimum daily wage rate.

109. Training Assistance for Income Restoration: Training would be provided for upgrade of skills/ alternate skills at Rs. 5,000 per eligible person(s) to the affected households belonging to vulnerable encroachers and squatters losing their income or for those losing significant income as a result of the loss and becoming vulnerable.

110. Assistance to Vulnerable Households: One time lump sum assistance of Rs. 10,000 will be paid to each vulnerable household. (This will be paid above and over the other assistance(s) as per the entitlement matrix).

D. Compensation for Community and Government Property

111. Religious and Community Structure: The unit cost for religious and community land is calculated as per market value in consultation with APs. The average rate for permanent structures without land has been calculated at Rs. 5,500/m², semi-permanent structures have been calculated at Rs. 3,500/m², and temporary structures have been calculated at the rate of Rs. 1,500/m².

E. RP Implementation and Support Cost

112. The unit cost for hiring of the implementing NGO has been calculated on a lump sum basis for Rs. 5,00,000. This is based on the similar earlier subproject experiences and informal consultation and feedback received from the local staff and keeping in consideration one year duration of NGO's involvement. Costs will be updated during implementation. A 10% contingency has been added in order to adjust any escalation. For grievance redress process and carrying out consultation during subproject implementation a lump sum of Rs. 200,000 is provided. The other cost of RP implementation and administrative activities will be a part of existing departmental expenditure. For hiring of an external monitoring agency/expert a lump sum Rs. 100,000 has been made.

F. Source of Funding and Fund Flow Management

113. The cost related to land acquisition and resettlement will be borne by the EA. The EA will ensure allocation of funds and availability of resources for smooth implementation of the subproject R&R activities. The EA will, in advance, initiate the process and will try to keep the approval for the R&R budget in the fiscal budget through the ministry of finance. In the case of assistance and other rehabilitation measures, the EA will directly pay the money or any other assistance as stated in the RP to DPs. The implementing NGO will be involved in facilitating the disbursement process and rehabilitation program.

G. R&R Budget

114. The total R&R budget for the proposed subproject RP works out to Rs. 5.75 million. A detailed indicative R&R cost is given in **Table 25**.

Table 25. R&R Budget

Sl. No.	Item	Unit	Rate	Amount
A	Compensation for Structure	in Sq. mtr.	Rupees	
1	Compensation for Permanent Structure	183.75	5500	1010625
2	Compensation for Semi-Permanent Structure	176.50	3500	617750
3	Compensation for Temporary Structure	830.25	1500	1245375
	Subtotal A			2873750
B	Assistance	Number		
1	Shifting Assistance to Squatters	68	Rs. 5,000	340000
2	Transitional assistance for Livelihood loss	23	Rs.100 X 90 days	207000
3	Training Assistance for eligible households	23	Rs. 5,000	115000
4	Assistance to Vulnerable Households	90	Rs. 10000	900000
	Subtotal B			1562000
C	RP Implementation Support Cost	Number		
1	Hiring of NGO for RP Implementation	1	Rs. 500000	500000
2	Consultation/Grievance Redressal Cost	lump sum	Rs. 2,00,000	200000
3	Hiring External Monitoring Agency/Expert	1	Rs. 1,00,000	100000
	Subtotal C			800000
	Total (A+B+C)			5235750
	Contingency (10%)			523575
	GRAND TOTAL			5759325

X. GRIEVANCE REDRESSAL MECHANISM

A. Introduction

115. In the subproject RP implementation there is a need for an efficient grievance redressal mechanism that will assist the DPs in resolving their queries and complaints. Therefore, formation of Grievance Redressal Committee (GRC) will be most important for grievance redressal and it is anticipated that most, if not all grievances, would be settled by the GRC.

B. Grievance Redress Mechanism

116. The EA will establish a mechanism to receive and facilitate the resolution of displaced persons' concerns and grievances about physical and economic displacement and other subproject impacts, paying particular attention to the impacts on vulnerable groups. The grievance redress mechanism will address affected persons' concerns and complaints promptly, using an understandable and transparent process that is gender responsive, culturally appropriate, and readily accessible to the displaced persons at no costs and without retribution.

C. Constitution and Function of the GRC

117. The GRC will be established at the district level with the primary objective of providing a mechanism to mediate conflict and cut down on lengthy litigation. It will also provide people, who might have objections or concerns about their assistance, a public forum to raise their objections and through conflict resolution, address these issues adequately. The GRCs will continue to function, for the benefit of the APs, during the entire life of the subproject.

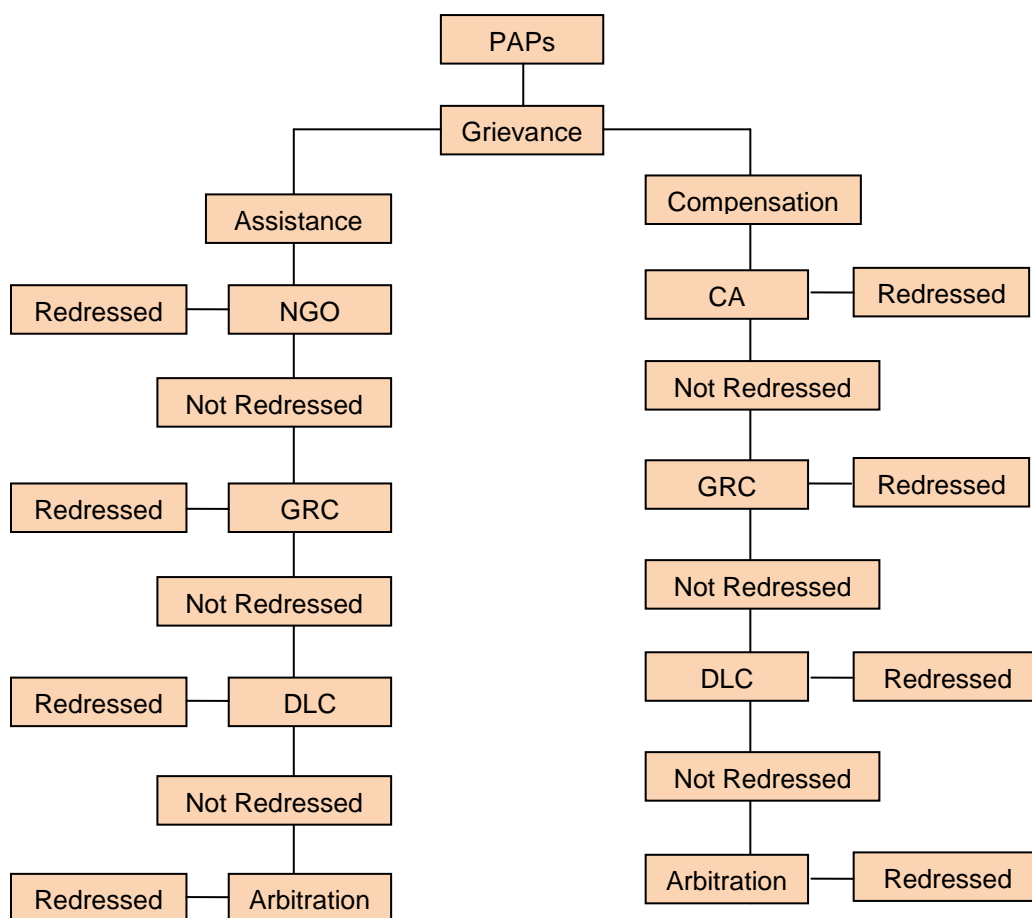
118. The GRC will be headed by the District Collector (DC) or his designated representative. The GRC will have representative from the ADB-PIU field office, representatives of APs, particularly of vulnerable DPs, local government representatives, representative of local NGOs and other interest groups as felt necessary. The GRC will meet at least once in each 15 days. Other than disputes relating to ownership rights under the court of law, GRC will review grievances involving all resettlement benefits, compensation, relocation, and other assistance. All costs incurred in resolving the complaints will be borne by the subproject. A comprehensive record will be maintained by EA for all grievance proceedings and subsequent redress. Some of the specific functions of the GRC will be as following:

- To provide support for the DPs on problems arising out of land/property acquisition like award of compensation and value of assets;
- To record the grievances of the APs, categorize and prioritize the grievances that needs to be resolved by the Committee and solve them within a month;
- To inform PIU of serious cases within an appropriate time frame; and
- To report to the aggrieved parties about the development regarding their grievance and decision of PIU.

D. Operational Mechanisms of GRC

119. It is proposed that GRC will meet regularly (at least twice in a month) on a pre-fixed date. The committee will look into the grievances of the people and will assign the responsibilities to implement the decisions of the committee. The claims will be reviewed and resolved within 15 days from the date of submission to the committee. All grievances will be routed through the NGO to the GRC. Through public consultations, the APs will be informed that they have a right to grievance redress. The APs can call upon the support of the NGO to assist them in presenting their grievances or queries to the GRC. The NGO will act as an in-built grievance redress body. The NGO will first of all register the grievances and take up with VLC for redress and any grievances not redressed at VLC level will be dealt in by the GRC. Grievances will be redressed within two to four weeks from the date of lodging the complaints, depending on severity of problem. The APs, who would not be satisfied with the decision of the GRC, will have the right to take the grievance to the ADB-PIU Head Office for its redress. Failing the redressal of grievance at ADB-PIU. However an aggrieved person should have access to the country's judiciary at any stage of the subproject level grievance redress process. Taking grievances to Judiciary will be avoided as far possible and the NGO will make utmost efforts at reconciliation at the level of GRC. **Figure 3** illustrates the functioning of GRC.

Figure 3. Functioning of GRC



XI. INSTITUTIONAL ARRANGEMENT

A. Institutional Requirement

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

- Chhattisgarh Public Works Department (CGPWD), Government of Chhattisgarh
- ADB-Project Implementation Unit (ADB-PIU)
- ADB-PIU Field Office
- Non Government Organization (NGO)

B. Executing Agency

121. The Executing Agency (EA) for the Project is CGPWD, Government of Chhattisgarh. The existing CGPWD has already established an ADB-Project Implementation Unit (ADB-PIU) headed by a Project Director (PD). This office will be functional for the whole Subproject duration. The EA, headed by PD will have overall responsibility for implementation of loan and will also be responsible for the overall coordination among ADB, Government of Chhattisgarh and ADB-PIU Field Offices.

C. Resettlement Management at ADB-PIU

122. For resettlement activities, ADB-PIU will do the overall coordination, planning, implementation, and financing. The ADB-PIU will create a Social and Resettlement Unit (SRU) within itself with appointment of a Resettlement Officer (RO) at the rank of Executive Engineer (EE) and required support staff for the duration of the Subproject to ensure timely and effective planning and implementation of resettlement activities. The candidate to be appointed as RO is desired to have similar earlier experience in resettlement and social development planning and implementation. The RO will be assisted by the respective ADB-PIU Field Offices and NGO for planning and implementation of resettlement activities in the subproject. Some of the specific functions of the ADB-PIU in regards to resettlement management will include:

- Overall responsibility of implementation and monitoring of R&R activities in the Subproject;
- Ensure availability of budget for R&R activities;
- Liaison lined agencies support implementation of R&R;
- Selection and appointment of the NGOs.
- Coordinating with line Departments, ADB-PIU Field Offices, implementing NGO and Construction Supervision Consultant (CSC)

D. Resettlement Management at ADB-PIU Field Office

123. ADB-PIU Field Office will be established at district/subproject level for the implementation of subproject resettlement activities. ADB-PIU Field Office, will appoint/designate an Assistant Resettlement Officer (ARO) in the rank of Assistant Engineer (AE) who will either be deputed to the PIU or engaged on contractual basis having adequate land acquisition implementation/resettlement experience. The staffs at the ADB-PIU Field Office level will be provided with the training by the social/ resettlement specialist of the supervision consultant for implementation of the RP. The ADB-PIU Field Office will maintain all databases, work closely with APs and other stakeholders and monitor the day today resettlement activities. Some of the specific tasks to be performed by ADB-PIU Field Office include:

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

E. Land Valuation Committee (LVC)

124. For the subproject requires land acquisition, as per the procedure laid down under the RF, a Land Valuation Committee (LVC) will be established at the district level. The Committee will be chaired by the District Collector or his/her representative and will have representatives of local self government institutions as required. The LVC will be responsible to make independent valuation of land/other assets based on existing market replacement cost and also for completion of land acquisition on behalf of EA.

F. Nongovernment Organization (NGO)

125. Involuntary resettlement is a sensitive issue and strong experience in R&R matters along with community related skills will be required by the ADB-PIU Field Office in order to build a good rapport with the affected community and facilitate satisfactory R&R of the DPs. To overcome this deficiency, experienced and well-qualified NGO in this field will be engaged to assist the ADB-PIU Field Office in the implementation of the RP. The NGO would play the role of a facilitator and will work as a link between the PIU and the affected community. NGO will assist AP in income restoration by preparing micro plan and guiding to access into various ongoing government development schemes and agencies providing financial assistance and loan. Taking into account the significant role of the NGO in RP implementation, it is extremely important to select NGO that are capable, genuine and committed to the tasks assigned in order to ensure the success of the Plan. NGO will be hired for a group of subprojects which will manage the subproject resettlement activities, but the cost is proposed in each subproject keeping in view the PWD norms of requirement of advance administrative approval. The Terms of Reference for the NGO is appended as **Appendix5**.

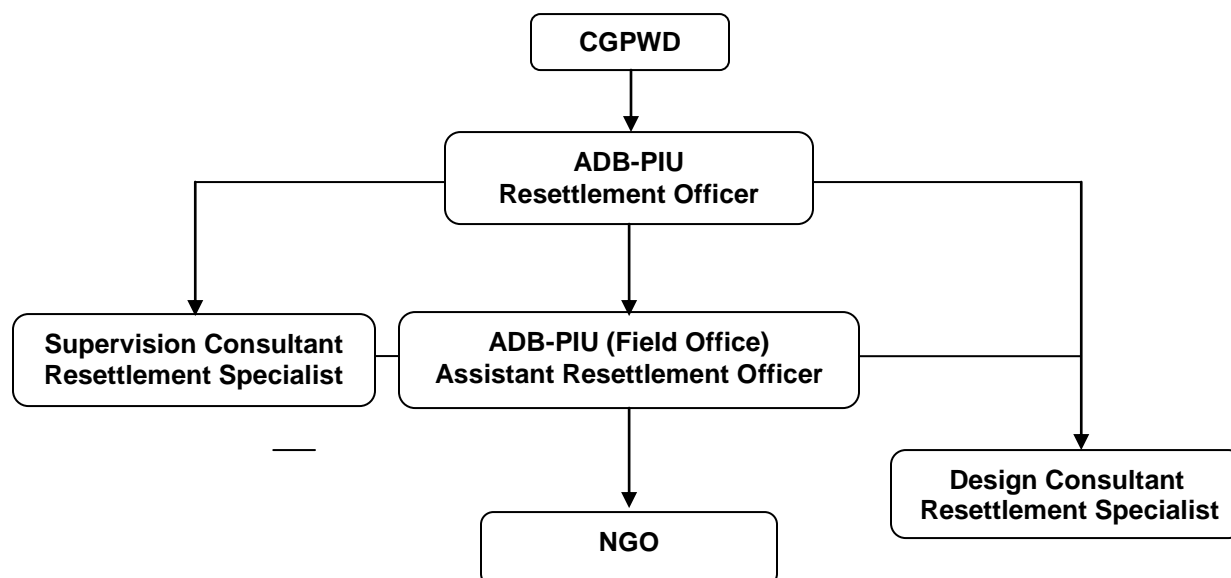
126. The roles and responsibilities of various agencies to be involved in resettlement planning process and implementation of resettlement activities are summarized in **Table 26**.

Table 26. Agencies Responsible for Resettlement Implementation

Activity	Agency Responsible
Establishment of Social and Resettlement Unit in ADB-PIU and appointment of Resettlement Officer (RO)	ADB-PIU
Organizing resettlement training workshop	ADB-PIU
Social Assessment and Preparation of land acquisition plan, Resettlement Plan (RP)	ADB-PIU through Design Consultant
Hiring of (Non Government Organization) NGOs	ADB-PIU
Public consultation and disclosure of RP	ADB-PIU Field Office / Design Consultant/NGO
Co-ordination with district administration for land acquisition	ADB-PIU Field Office / Design Consultant
Declaration of cut-off date	ADB-PIU/ ADB-PIU Field Office
Review and obtaining of approval of resettlement plan form ADB	ADB-PIU
Payment of replacement cost and allowance	ADB-PIU Field Office
Notify the date of commencement of construction to APs	ADB-PIU Field Office /NGO
Assistance in relocation, particularly for vulnerable groups	ADB-PIU Field Office / NGO
Monitoring of RP Implementation	ADB-PIU Field Office /NGO
External Monitoring	External Monitoring Expert

127. An organogram for the institutional arrangement is presented below in **Figure 4**.

Figure 4. Organogram for the Institutional Arrangement



G. Capacity Building on RP in the EA

128. Close consultations were held with all the concerned departments to have an initial level of capacity assessment and capacity building exercise in the relevant agencies during the preparation of this RP. The CGPWD has already established an ADB-PIU and needs appointment of a designated officials dealing with the land acquisition and resettlement for the subproject.

129. To allow an effective execution of all RP related tasks some expansion of the capacity on RP currently available at EA may be needed. During the first ADB supported project, the EA has only designated one Executive engineer as Resettlement Officer at HQ level. Keeping in view the current resettlement impacts and activities, it is suggested that a full time Officer as RO will be placed at ADB-PIU level. Additionally it is suggested that at field level PIU an Assistant Engineer level officer will be designated as ARO for subproject level RP implementation. As an advance action, the EA has initiated the process of deputing and RO from other relevant departments.

130. All concerned staff both at head office and field level involved in land acquisition and resettlement activities will undergo an orientation and training in ADB resettlement policy and management. Broadly, the training will cover various topics such as (i) Principles and procedures of land acquisition; (ii) Public consultation and participation; (iii) Entitlements and compensation & assistance disbursement mechanisms; Grievance redress; and (iv) Monitoring of resettlement operations. These will be covered through a formal workshop by the consultant under the ongoing technical assistance program. In addition the R&R expert under Construction Supervision Consultant can also impart training to the field office staff during the subproject implementation if required. The specific components under the training will cover the following:

- Understanding of the ADB Policy Guidelines and requirements and differences between country policy and laws
- Understanding of the policy and procedure adopted for the Subproject
- Understanding of the Implementation Schedule activities step-by-step
- Understanding of the Monitoring and reporting mechanism
- Understanding of the economic rehabilitation measures

XII. IMPLEMENTATION SCHEDULE

A. Introduction

131. Implementation of RP mainly consists of compensation to be paid for affected structures and rehabilitation and resettlement activities. The time for implementation of resettlement plan will be scheduled as per the overall project implementation. All activities related to the land acquisition and resettlement must be planned to ensure that compensation is paid prior to displacement and commencement of civil works. Public consultation, monitoring and grievance redress will be undertaken intermittently throughout the project duration. However, the schedule is subject to modification depending on the progress of the subproject activities. The civil works contract for each subproject will only be awarded after all compensation and relocation has been completed for subproject and rehabilitation measures are in place.

B. Schedule for Subproject Implementation

132. The proposed subproject R&R activities are divided in to three broad categories based on the stages of work and process of implementation. The details of activities involved in these three phases-Project Preparation phase, RP Implementation phase, Monitoring and Reporting period are discussed in the following paragraphs.

C. Subproject Preparation Phase

133. The major activities to be performed in this period include establishment of ADB-PIU Field Office at subproject level; submission of RP for ADB approval; appointment of NGO and establishment of GRC etc. The information campaign and community consultation will be a process initiated from this stage and will go on till the end of the subproject.

D. RP Implementation Phase

134. After the subproject preparation phase the next stage is implementation of RP which includes issues like compensation of award by EA; payment of all eligible assistance; relocation of DPs; initiation of economic rehabilitation measures; site preparation for delivering the site to contractors for construction and finally starting civil work.

E. Monitoring and Reporting Period

135. As mentioned earlier the monitoring will be the responsibility of ADB-PIU, ADB-PIU Field Office and implementing NGO and will start early during the subproject when implementation of RP starts and will continue till the complementation of the subproject. Keeping in view the significant involuntary resettlement impacts, an external monitoring and reporting expert will be hired for the subproject.

F. R&R Implementation Schedule

136. A composite implementation schedule for R&R activities in the subproject including various sub tasks and time line matching with civil work schedule is prepared and presented in the form of **Table 27**. However, the sequence may change or delays may occur due to circumstances beyond the control of the Subproject and accordingly the time can be adjusted for the implementation of the plan. The implementation schedule can also be structured through package wise. The entire stretch can be divided in to various contract packages and the completion of resettlement implementation for each contract package shall be the pre condition to start of the civil work at that particular contract package.

Table 27. R&R Implementation Schedule

Activity	Progress (Year/Quarter)							
	2012		2013				2014	
	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
Subproject Preparation Stage								
Screen sub-project impact								
Public Consultation on alignment								
Carry out Census Survey								
Prepare Resettlement Plan (RP)								
RP Implementation Stage								
Hiring of NGOs for RP Implementation								
Obtaining approval of RP from ADB								
Disclosure of RP								
Public consultation								
Grievance Redressal								
Payment of compensation								
Notify the date of start of construction to DPs								
Rehabilitation of DPs								
Monitoring and Reporting Period								
Monitoring and reporting by ADB-PIU								
Hiring Construction Supervision Consultant								
External Monitoring and reporting								

XIII. MONITORING AND REPORTING

A. Need for Monitoring and Reporting

137. Monitoring and reporting are critical activities in involuntary resettlement management in order to ameliorate problems faced by the DPs and develop solutions immediately. Monitoring is a periodic assessment of planned activities providing midway inputs. It facilitates change and gives necessary feedback of activities and the directions on which they are going. In other words, monitoring apparatus is crucial mechanism for measuring subproject performance and fulfillment of the subproject objectives.

B. Monitoring in the Subproject

138. RP implementation for the subproject by the NGO will be closely monitored by the EA. Keeping in view the significance of resettlement impacts of the whole project and being categorised overall as 'A', the monitoring mechanism for this project will have both monitoring by PIU and monitoring by an external expert. However, the external expert to be engaged for the whole project will selectively monitor this specific subproject.

C. Monitoring by PIU

139. One of the main roles of ADB-PIU Field Office will be to see proper and timely implementation of all activities in RP. Monitoring will be a regular activity for ADB-PIU and Resettlement Officer at this level will see the timely implementation of R&R activities. Monitoring will be carried out by the PIU and its agents, such as NGOs and will prepare monthly reports on the progress of RP Implementation. PIU will collect information from the subproject site and assimilate in the form of monthly report to assess the progress and results of RP implementation and adjust work program where necessary, in case of delays or any implementation problems as identified. This monitoring will form parts of regular activity and reporting on this will be extremely important in order to undertake mid-way corrective steps. The monitoring by PIU will include:

- (i) **administrative monitoring:** daily planning, implementation, feedback and trouble shooting, individual DP database maintenance, and progress reports;
- (ii) **socio-economic monitoring:** case studies, using baseline information for comparing DP socio-economic conditions, evacuation, demolition, salvaging materials, morbidity and mortality, community relationships, dates for consultations, and number of appeals placed; and
- (iii) **impact monitoring:** Income standards restored/improved, and socioeconomic conditions of the affected persons. Monitoring reports documenting progress on resettlement implementation and RP completion reports will be provided by the ADB-PIU Field Office to ADB-PIU for review and approval from ADB.

D. External Monitoring

140. The monitoring of RP will be undertaken by an external agency/R&R expert to be hired under by EA in agreement with ADB. The main objective of this monitoring is to supervise overall monitoring of the subproject and submit a biannual report to determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/ enhanced and suggest suitable recommendations for improvement. The external monitoring consultant will be selected within three months of loan approval and the monitoring will be carried out intermittently during the RP implementation. A sample ToR for External monitoring agency/expert is attached as **Appendix6**. The key tasks during external monitoring will include:

- Review and verify the monitoring reports prepared by ADB-PIU;
- Review of socio-economic baseline census information of pre-displaced persons;
- Identification and selection of impact indicators;
- Impact assessment through formal and informal surveys with the displaced persons;
- Consultation with APs, officials, community leaders for preparing review report;
- Assess the resettlement efficiency, effectiveness, impact and sustainability, drawing lessons for future resettlement policy formulation and planning.

141. The following should be considered as the basis for indicators in monitoring of the subproject:

- a) socio-economic conditions of the DPs in the post-resettlement period;
- b) communication and reactions from DPs on entitlements, compensation, options, alternative developments and relocation timetables etc.;
- c) changes in housing and income levels;
- d) rehabilitation of informal settlers;
- e) valuation of property;
- f) grievance procedures;
- g) disbursement of compensation; and
- h) level of satisfaction of DPs in the post resettlement period.

E. Stages of Monitoring

142. Considering the importance of the various stage of subproject cycle, the EA will handle the monitoring at each stage as stated below:

F. Preparatory Stage

143. During the pre-relocation phase of resettlement operation, monitoring is concerned with administrative issues such as, establishment of resettlement unit, budget, land acquisition, consultation with APs in the preparation of resettlement plan, payments of entitlement due, grievance redressal, and so on. The key issue for monitoring will be:

- Conduct of baseline survey
- Consultations

- Identification of AP and the numbers
- Identification of different categories of DPs and their entitlements
- Collection of gender disaggregated data
- Inventory and losses survey
- Asset inventory
- Entitlements
- Valuation of different assets
- Budgeting
- Information dissemination
- Institutional arrangements
- Implementation schedule review, budgets and line items expenditure

G. Relocation Stage

144. Monitoring during the relocation phase covers such issues as site selection in consultation with APs, development of relocation sites, assistance to DPs (especially to vulnerable groups) in physically moving to the new site. Likewise aspects such as adjustment of DPs in the new surroundings, attitude of the host population towards the new comers and development of community life are also considered at this stage. The key issue for monitoring will be:

- Payment of compensation
- Delivery of entitlement
- Grievance handling
- Preparation of resettlement site, including civic amenities (water, sanitation, drainage, paved streets, electricity)
- Consultations
- Relocation
- Payment of compensation
- Livelihood restoration assistance and measures

H. Rehabilitation Stage

145. Once DPs have settled down at the new sites, the focus of monitoring will shift to issues of economic recovery programs including income restoration measures, acceptance of these schemes by DPs, impact of income restoration measures on living standards, and the sustainability of the new livelihood patterns. The key issue for monitoring will be:

- Initiation of income generation activities
- Provision of basic civic amenities and essential facilities in the relocated area
- Consultations
- Assistance to enhance livelihood and quality of life

I. Monitoring Indicators

146. The most crucial components/indicators to be monitored are specific contents of the activities and entitlement matrix. The RP contains indicators and benchmarks for achievement

of the objectives under the resettlement program. These indicators and benchmarks are of three kinds:

- Process indicators including subproject inputs, expenditures, staff deployment, etc.
- Output indicators indicating results in terms of numbers of affected people compensated and resettled, training held, credit disbursed, etc and
- Impact indicators related to the longer-term effect of the subproject on people's lives.

147. Input and output indicators related to physical progress of the work will include items as following:

- training of PIU staff completed
- Public meetings held
- Census, assets inventories, assessments and socio-economic studies completed
- NGO recruited and trained
- Meetings of GRC
- Grievance redress procedures in-place and functioning
- Compensation payments disbursed
- Relocation of DPs completed
- Employment provided to DPs
- Training of DPs initiated
- Income restoration activities initiated
- Number of families physically displaced and resettled
- Monitoring reports submitted

J. Reporting Requirements

148. ADB-PIU Field Office responsible for supervision and implementation of the RP will prepare monthly progress reports on resettlement activities and submit to ADB-PIU. ADB-PIU will submit semi-annual reports to ADB.

149. The external monitoring expert responsible for monitoring of the RP implementation will submit a semi-annual review report to ADB-PIU to determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/enhanced and suggest suitable recommendations for improvement.

150. All the resettlement monitoring reports will be disclosed to APs as per procedure followed for disclosure of resettlement documents by the EA. The monitoring reports will also be disclosed on ADB Website.

CENSUS SURVEY QUESTIONNAIRE

A. Subproject Road Name: B. Questionnaire No:

C. Name of the Village: D. Name of Block:

E. District: F. Thana No: G. Plot No.

H. Km/Chainage.

1. Ownership of the Land

1. Private 2. Government 3. Religious 4. Community 5. Others

☐

2. Type of Land

1. Irrigated 2. Non-Irrigated 3. Barren 4. Forest 5. Other.....

☐

3. Use of Land

1. Cultivation 2. Orchard 3. Residential 4. Commercial

☐

5. Forestation 6. No Use/ Barren 7. Other (specify)

4. Acquired area of the affected Land/Plot (in Acre):

5. Total Area of the affected Land/Plot (in Acre):

6. Total Land Holding of the Affected Person (in Acre)

1. Irrigated: 2. Non-irrigated:

3. Other: 4. Total:

7. Status of Ownership

1. Titleholder 2. Customary Right 3. License from Local Authority

☐

4. Encroacher 5. Squatter 6. Other (specify):

8. Type of Private Ownership

1. Individual/Single 2. Joint/Shareholders 3. Other (specify):

☐

9. Name of the Owner/Occupier (s):

10. Father's Name:

11. Rate of the Land (Per Acre)

1. Market Rate: 2. Revenue Rate:

12. Any of the following people associated with the Land

A. Agricultural Laborer 1. Yes 2. No

☐

Name (i)..... (ii)

B. Tenant/Lessee 1. Yes 2. No

☐

Name (i)..... (ii)

C. Sharecropper 1. Yes 2. No

☐

Name (i)..... (ii)

13. Any structure in the Affected Land 1. Yes..... 2. No.....

☐

14. Distance of the main structure from center line of the road (in mtr.).....
15. Distance of boundary wall (if any) from center line of the road (in mtr.).....
16. Area of the affected structure excluding boundary wall (in Square Meter)
 a) Length b) Width c) Height
17. Area of the boundary wall only (in Meter): a) Lengthb) Height
18. Area of the total structure excluding boundary wall (in Square Meter)
 a) Length b) Width c) Height
19. Scale of Impact on structure ☐
 a) 25% b) 50% c) 75% d) 100%
20. Type of Construction of the Structure ☐
 1. Temporary (buildings with mud/brick/wood made walls, thatched/tin roof)
 2. Semi-Permanent (buildings, with tiled roof and normal cement floor)
 3. Permanent (with RCC, Single/ Double storey building)
21. Type of Construction of the Boundary Wall (use code from Question: 20) ☐
22. Age of the Structure (in years):
23. Market Value of the Structure (in Rs.):
24. Use of the Structure (select appropriate code from below) ☐
- A. Residential Category
 1. House 2. Hut 3. Other (specify).....
- B. Commercial Category
 4. Shops 5. Hotel 6. Small Eatery 7. Kiosk 8. Farm House
 9. Petrol Pump 10. Clinic 11. STD Booth
 12. Workshop 13. Vendors 14. Com. Complex
 15. Industry 16. Other (specify).....
- C. Mixed Category
 18. Residential-cum-Commercial Structure
- D. Community Type
 19. Comm. Center 20. Club 21. Trust 22. Memorials
 23 Other (specify).....
- E. Religious Structure
 24. Temple 25. Church 26. Mosque 27. Gurudwara 28. Shrines
 29. Sacred Grove 30. Other (specify).....
- F. Government Structure
 31. Government Office 32. Hospital 33. School 34. College
 35. Bus Stop 36. Other (specify).....
- G. Other Structure
 37. Boundary Wall 38. Foundation 39. Cattle Shed
 40. Other (specify).....

25. Type of Business/Profession by Head of Household:
26. Status of the Structure ☐
1. Legal Titleholder 2. Customary Right 3. License from Local Authority
4. Encroacher 5. Squatter
27. Any of the following people associated with the Structure?
- A. Tenant in the structure 1. Yes 2. No ☐
- Name (i) (ii)
(iii) (iv)
- B. Employee/ wage earner in commercial structure 1. Yes 2. No ☐
- Name (i) (ii)
(iii) (iv)
- C. Employee/ wage earner in residential structure 1. Yes 2. No ☐
- Name (i) (ii)
(iii) (iv)
28. Number of trees within the affected area
1. Fruit Bearing.....2. Non-fruit Bearing.....3. Total.....
29. Social Category of AP ☐
1. SC 2. ST 3. OBC 4. General
5. Others (specify).....
30. Religious Category ☐
1. Hindu 2. Muslim 3. Christian 4. Buddhist
5. Jain 6. Other (specify)..... ☐
31. Number of family members Male..... Female..... Total.....
32. Number of family members with following criteria
1. Unmarried Son > 30 years.....2. Unmarried Daughter/Sister > 30 years.....
3. Divorcee/Widow.....4. Physically/Mentally Challenged Person
5. Minor Orphan.....
33. Vulnerability Status of the Household:
- A. Is it a woman headed household? 1. Yes 2. No ☐
- B. Is it headed by physically/mentally challenged person? 1. Yes 2. No ☐
- C. Is it a household Below Poverty Line (BPL) 1. Yes 2. No ☐
34. Annual income of the family Rs.....
35. If displaced, do you have additional land to shift? 1. Yes 2. No ☐
36. Resettlement/ Relocation Option ☐

1. Self Relocation 2. Project Assisted Relocation

37. Compensation Option for Land loser

1. Land for land loss 2. Cash for Land loss

38. Compensation Options for Structure loser

1. Structure for structure loss 2. Cash for Structure loss

39. Income Restoration Assistance (fill codes in preferred order)

1. Employment Opportunities in Construction work

2. Assistance/ Loan from other ongoing development scheme

3. Vocational Training

4. Others (specify)

40. Details of Family Members: (fill appropriate code)

Sl. No	Name of the Family Member	Age (in years)	Sex 1. Male 2. Female	Marital Status 1. Married 2. Unmarried 3. Widow 4. Widower 5. Others	Education 1. Illiterate 2. Literate 3. Up to middle 4. Below metric 5. Metric 6. Graduate 7. Above	Occupation 1. Service 2. Business 3. Agriculture 4. Study 5. Housewife 6. Labour 7. Unemployed 8. Professional
1						
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(Signature of the Supervisor) Date:

(Signature of the investigator)

List of Displaced Persons

Sl. No.	Side	Name of the Village	Name of Block	Name of District	Kilometer	Name of the Owner	Use of Structure
1	Left	Jairam Nagar Khaira	Masturi	Bilaspur	1.100	Muniram Gaund	Boundary
2	Left	Khaira	Masturi	Bilaspur	1.700	Manglu Ram Sahu	House
3	Left	Khaira	Masturi	Bilaspur	1.700	Chhotelal Sahu	Shed
4	Left	Khaira	Masturi	Bilaspur	1.900	Lakhan Sahu	House
5	Right	Jairam Nagar Khaira	Masturi	Bilaspur	1.900	Mithailal Sahu	Shed
6	Left	Masturi	Masturi	Bilaspur	3.700	Samundilal Surakshit	Kiosk
7	Left	Masturi	Masturi	Bilaspur	5.600	Kamlesh Karihare	Kiosk
8	Right	Masturi	Masturi	Bilaspur	6.300	Vidya Shankar Pandey	Clinic
9	Left	Masturi	Masturi	Bilaspur	6.400	Suresh Parjapati	Chabutra
10	Right	Sargawan	Masturi	Bilaspur	7.700	Hori Lal	Shed
11	Right	Sargawan	Masturi	Bilaspur	7.700	Milan Madhukar	Shed
12	Left	Wedprasada	Masturi	Bilaspur	8.600	Padman Patel	Shed
13	Right	Bakarkuda	Masturi	Bilaspur	15.500	Jageshwar Prasad	House
14	Right	Bakarkuda	Masturi	Bilaspur	15.500	Bhagbat Nirala	Boundary
15	Right	Bakarkuda	Masturi	Bilaspur	15.600	Dhaniram Kurre	House
16	Left	Burhikhar	Masturi	Bilaspur	16.900	Bhagwat Lahere	House
17	Right	Chakarbedha	Masturi	Bilaspur	17.900	Bedram Ghosh	House
18	Right	Chakarbedha	Masturi	Bilaspur	17.900	Kamlesh Tangle	House
19	Left	Malhar	Masturi	Bilaspur	18.800	Lageswar Patle	Kiosk
20	Right	Malhar	Masturi	Bilaspur	19.100	Sumer Singh Thakur	Boundary
21	Right	Malhar	Masturi	Bilaspur	19.100	Sumer Singh Thakur	Boundary
22	Left	Newari	Masturi	Bilaspur	21.200	Lakhan Singh	House
23	Left	Newari	Masturi	Bilaspur	21.200	Dasrath Singh	Kiosk
24	Left	Newari	Masturi	Bilaspur	21.400	Soni Kumari Suman	Boundary
25	Left	Vinori	Masturi	Bilaspur	23.500	Shibvaran Yadav	Hut
26	Left	Dhrubakari	Masturi	Bilaspur	24.000	Shankerlal Kewat	House
27	Right	Dhrubakari	Masturi	Bilaspur	24.000	Panchuram Yadav	House
28	Left	Dhrubakari	Masturi	Bilaspur	24.000	Baisakhu Kewat	House
29	Left	Dhrubakari	Masturi	Bilaspur	24.000	Bhuban Lal Ghitlahare	Shop
30	Right	Dhrubakari	Masturi	Bilaspur	24.000	Ramesh Yadav	Kiosk
31	Left	Dhrubakari	Masturi	Bilaspur	24.000	Ramnath Soni	Shed
32	Right	Dhrubakari	Masturi	Bilaspur	24.000	Ripu Sudan Singh	Shed
33	Right	Dhrubakari	Masturi	Bilaspur	24.100	Ramdulare Bhardwaj	Shed
34	Left	Dhrubakari	Masturi	Bilaspur	24.200	Hariram Mahilage	House
35	Right	Dhrubakari	Masturi	Bilaspur	24.200	Rajaram Bhardwaj	House
36	Right	Dhrubakari	Masturi	Bilaspur	24.200	Asharam Bhardwaj	House
37	Right	Dhrubakari	Masturi	Bilaspur	24.200	Sujit Kumar Bhardwaj	House
38	Left	Dhrubakari	Masturi	Bilaspur	24.200	Makund Singh	House
39	Left	Dhrubakari	Masturi	Bilaspur	24.200	Dhanesh Bhardwaj	House
40	Left	Dhrubakari	Masturi	Bilaspur	24.200	Dharmendra Bhardwaj	Boundary
41	Right	Dhrubakari	Masturi	Bilaspur	24.200	Hira Sai	Boundary


Sl. No.	Side	Name of the Village	Name of Block	Name of District	Kilometer	Name of the Owner	Use of Structure
42	Left	Dhrubakari	Masturi	Bilaspur	24.300	Suritram Mehilange	House
43	Left	Dhrubakari	Masturi	Bilaspur	24.300	Kailash Singh Bhardwaj	House
44	Right	Dhrubakari	Masturi	Bilaspur	24.300	Rabindra Bhardwaj	House
45	Right	Dhrubakari	Masturi	Bilaspur	24.300	Suksagar Bhardwaj	Shed
46	Right	Dhrubakari	Masturi	Bilaspur	24.300	Teramram Bhardwaj	Shed
47	Left	Dhrubakari	Masturi	Bilaspur	24.400	Manmohan Bhardwaj	House
48	Right	Dhrubakari	Masturi	Bilaspur	24.400	Krishna Kumar Bhardwaj	House
49	Left	Dhrubakari	Masturi	Bilaspur	24.400	Prakash Chand Bhardwaj	House
50	Left	Dhrubakari	Masturi	Bilaspur	24.400	Prakash Bhardwaj	House
51	Right	Dhrubakari	Masturi	Bilaspur	24.400	Devcharan Mahilange	Shed
52	Right	Dhrubakari	Masturi	Bilaspur	24.400	Kaushal Kumar Bhardwaj	Shed
53	Right	Dhrubakari	Masturi	Bilaspur	24.400	Narayan Prasad Khante	Shed
54	Right	Dhrubakari	Masturi	Bilaspur	24.500	Basant Bhardwaj	Shop
55	Left	Dhrubakari	Masturi	Bilaspur	24.500	Bisambar Bhrit Lahare	Toilet
56	Right	Dhrubakari	Masturi	Bilaspur	24.600	Kanheia Lal Banjare	Shop
57	Right	Dhrubakari	Masturi	Bilaspur	24.600	Kanheia Lal Banjare	Shed
58	Right	Pachphedi	Masturi	Bilaspur	25.500	Parmeswar Narang	Shed
59	Left	Panchpheri	Masturi	Bilaspur	25.800	Sanuj Soni	Shed
60	Right	Pachphedi	Masturi	Bilaspur	26.000	Nand Kumar Marshal	Shop
61	Right	Pachphedi	Masturi	Bilaspur	26.400	Ramprasad Madhukar	Shop
62	Right	Pachphedi	Masturi	Bilaspur	26.900	Bahar Singh Anchal	Boundary
63	Right	Chisda	Masturi	Bilaspur	37.200	Meghnath	Shop
64	Left	Chisda	Masturi	Bilaspur	38.100	Raja Das	House
65	Left	Chisda	Masturi	Bilaspur	38.100	Gendram Sahi	Hut
66	Left	Chisda	Masturi	Bilaspur	38.100	Gend Ram Sahis	Hut
67	Right	Chisda	Masturi	Bilaspur	38.200	Paltu	House
68	Right	Chisda	Masturi	Bilaspur	38.200	Paltu	Hut
69	Left	Chisda	Masturi	Bilaspur	38.200	Rajan Singh Kawar	Boundary
70	Right	Chisda	Masturi	Bilaspur	38.600	Santosh	Hut
71	Left	Jondhara	Masturi	Bilaspur	40.600	Umesh Kumar Habai	Kiosk
72	Left	Jondhara	Masturi	Bilaspur	40.600	Shiv Tamboli	Kiosk
73	Left	Jondhara	Masturi	Bilaspur	40.700	Pirat Tribar	Kiosk
74	Left	Jondhara	Masturi	Bilaspur	41.100	Baliram Kewat	House
75	Right	Jondhara	Masturi	Bilaspur	41.100	Sonaram Chandel	Boundary
76	Right	Jondhara	Masturi	Bilaspur	41.100	Nohar Patel	Shed
77	Left	Jondhara	Masturi	Bilaspur	42.000	Shiv Kumari	Hut
78	Right	Jondhara	Masturi	Bilaspur	42.000	Milauram Patel	Boundary
79	Left	Jondhara	Masturi	Bilaspur	42.300	Jawahar Kewar	House
80	Left	Jondhara	Masturi	Bilaspur	42.300	Akatram Yadav	House
81	Left	Jondhara	Masturi	Bilaspur	42.300	Chhatar Patel	House
82	Left	Jondhara	Masturi	Bilaspur	42.500	Baliram	Shed
83	Right	Jondhara	Masturi	Bilaspur	42.500	Derha Yadav	Shed
84	Left	Jondhara	Masturi	Bilaspur	42.900	Tilak Ram	House
85	Left	Pandariya	Baloda Bazar	Baloda Bazar	44.600	Goutariha Patel Late Gajananda Patel	House


Sl. No.	Side	Name of the Village	Name of Block	Name of District	Kilometer	Name of the Owner	Use of Structure
86	Left	Pandariya	Baloda Bazar	Baloda Bazar	44.700	Mitha Lal Kewat	Shop
87	Left	Pandariya	Baloda Bazar	Baloda Bazar	44.800	Dhanuk Ram Patel	Boundary
88	Left	Passadih	Baloda Bazar	Baloda Bazar	46.000	Kamal Ghit Lahere	Shed
89	Right	Parsadih	Baloda Bazar	Baloda Bazar	46.200	Gotilal Jangre	Hut
90	Left	Chirchirda	Baloda Bazar	Baloda Bazar	47.200	Bhagwati Verma	Kiosk
91	Right	Chichirda	Baloda Bazar	Baloda Bazar	47.300	Phirtu Kewat	Kiosk
92	Left	Ahilda	Baloda Bazar	Baloda Bazar	48.200	Rama Kausle	House
93	Right	Ahilda	Baloda Bazar	Baloda Bazar	50.100	Genduram Yadav	House
94	Left	Ahilda	Baloda Bazar	Baloda Bazar	50.100	Ramau Ram Nisad	Shed
95	Right	Ahilda	Baloda Bazar	Baloda Bazar	50.100	Atmaram Yadav	Shed
96	Left	Ahilda	Baloda Bazar	Baloda Bazar	50.100	Raghu Ram	Chabutra
97	Left	Ahilda	Baloda Bazar	Baloda Bazar	50.200	Gulab Verma	House
98	Left	Ahilda	Baloda Bazar	Baloda Bazar	50.200	Munna Sahu	House
99	Left	Ahilda	Baloda Bazar	Baloda Bazar	50.200	Narayan Verma	Shop
100	Right	Ahilda	Baloda Bazar	Baloda Bazar	50.200	Girdhon Sahu	Shed
101	Left	Ahilda	Baloda Bazar	Baloda Bazar	50.300	Ram Prasad Sahu	Shed
102	Left	Ahilda	Baloda Bazar	Baloda Bazar	50.300	Bhim Sahu	Shed
103	Left	Ahilda	Baloda Bazar	Baloda Bazar	50.300	Nohar Lal	Shed
104	Right	Ahilda	Baloda Bazar	Baloda Bazar	50.800	Santu Nisad	Kiosk
105	Left	Ahilda	Baloda Bazar	Baloda Bazar	50.800	Santosh Sahu	Shed
106	Left	Ahilda	Baloda Bazar	Baloda Bazar	51.000	Jawahar Sahu	House

List of Affected CPR


Sl. No.	Side	Name of the Village	Name of Block	Name of District	Km.	Name of the Owner	Use of Structure
1	Left	Jairam Nagar Khaira	Masturi	Bilaspur	1.500	Grampanchayat	Village Gate
2	Right	Jairam Nagar Khaira	Masturi	Bilaspur	1.700	Kaleswar Nath Temple	Temple
3	Left	Masturi	Masturi	Bilaspur	6.400	Grampanchayat	Village Gate
4	Right	Bed Parsada	Masturi	Bilaspur	8.300	Bajrang Bali Mandir	Temple
5	Left	Bakarkuda	Masturi	Bilaspur	15.400	Grampanchayat	Temple
6	Left	Newari	Masturi	Bilaspur	21.600	Grampanchayat	Pump House
7	Right	Vinori	Masturi	Bilaspur	23.700	Grampanchayat	Puja Mandap
8	Left	Dhrubakari	Masturi	Bilaspur	23.900	Grampanchayat	Temple
9	Left	Dhrubakari	Masturi	Bilaspur	24.300	Temple	Temple
10	Left	Dhrubakari	Masturi	Bilaspur	24.300	Mahamaya Mandir	Temple
11	Right	Chisda	Masturi	Bilaspur	33.800	Panchayat (Mp Fund)	Statue
12	Left	Chilhathi	Masturi	Bilaspur	34.100	Grampanchayat	Sitting Place
13	Left	Chisda	Masturi	Bilaspur	36.900	Temple	Temple
14	Left	Jondhara	Masturi	Bilaspur	40.900	Grampanchayat	Boundary
15	Left	Jondhara	Masturi	Bilaspur	42.900	Water Resource Dept.	Water Tank
16	Left	Jondhara	Masturi	Bilaspur	43.100	Grampanchayat	Statue
17	Right	Pandariya	Baloda Bazar	Baloda Bazar	44.500	Shiv Mandir	Temple
18	Right	Ahilda	Baloda Bazar	Baloda Bazar	50.200	Durga Mandap	Durga Mandap
19	Right	Ahilda	Baloda Bazar	Baloda Bazar	50.800	Bajrang Bali Mandir	Temple
20	Left	Ahilda	Baloda Bazar	Baloda Bazar	50.800	Temple	Temple
21	Right	Ahilda	Baloda Bazar	Baloda Bazar	52.400	Bajrang Bali Mandir	Temple

Public Consultation in Jairamnagar-Lawan road

List of Participants				Village: Tikhari	Date: 09/09/2012
Name	Profession	Age	Sex	Photograph	
Santosh kr. Lahare	Labour	36	M		
Gauri Patle	Business	26	M		
Krishna kumar Tandon	Labour	36	M		
Krishna kr. Rai	Labour	34	M		
Renka Sehes	Labour	22	M		
Prashant kr. Patle	Business	21	M		
Mahinder Patle	Labour	40	M		
Trilok Sahu	Labour	32	M		
Sabir Sahu	Labour	22	M		
Manik Nath Sahu	Business	28	M		
Abhi Ram Rai	Labour	25	M		
Sadi Ram Lahare	Labour	35	M		
Panchee Lahare	Business	30	M		
Bibhishan Lahare	Labour	25	M		
Santosh Patle	Cultivator	45	M		
Radlonath Sahu	Cultivator	40	M		

List of Participants				Village: Bakarkuda	Date: 09/09/2012
Name	Profession	Age	Sex	Photograph	
Shiv Kumar Dhare	Business	40	M		
Ramukrishna	Labour	33	M		
Purrsottam	Labour	35	M		
Manoj Agre	Labour	30	M		
Kumar Bhasker	Labour	50	M		
Ram Sandil	Labour	35	M		
Amar Das	Labour	35	M		
Satkumar Khante	Labour	42	M		
Dilharan Bhaskaer	Labour	37	M		
Hori Lal Agre	Labour	60	M		
Gyandas Agre	Labour	32	M		
Mani Ram Yadav	Labour	23	M		
Kutalia Bai	Labour	70	M		
Saphra Dahare	Labour	32	F		
Lakshmi Ratre	Labour	36	F		
Samudri bai	Labour	30	M		
Son Bai Agre	Labour	23	F		

List of Participants				Village: Vinori	Date: 16/09/2012
Name	Profession	Age	Sex	Photograph	
Nirmala Yadav	Labour	26	F		
Kanti Yadav	Labour	25	F		
Biras Pati	Labour	23	F		
Kamla	Labour	30	F		
Laxmi Bai	Labour	22	F		
Mandila Soni	Labour	35	F		
Sukhmat Bai Purena	Labour	55	F		
Sahetram Mangraj	Labour	30	M		
Thuker	Labour	55	M		
Dharmendre Bajare	Labour	25	M		
Kamlesh Soni	Labour	27	M		
Nirmala Bai	Labour	26	F		
Jathi Bai	Labour	32	F		
Manoj Soni	Labour	25	M		
Karan	Labour	25	M		
Jetram Banjare	Labour	22	M		
Abhiram Banjare	Labour	30	M		
Janaram Purena	Business	30	M		

List of Participants				Village: Chisda	Date: 18/09/2012
Name	Profession	Age	Sex	Photograph	
Chhote Lal	Cultivator	80	M		
Bhagu Ram	Cultivator	45	M		
Rajesh	Cultivator	26	M		
Gokul	Cultivator	26	M		
Gajeshwar	Cultivator	15	M		
Maniram Patel	Cultivator	50	M		
Tarjeet	Cultivator	19	M		
Geer Singh	Cultivator	47	M		
Rajkumar	Cultivator	30	M		
Nabhu Das	Cultivator	60	M		

Terms of References (TOR) for the NGO to Implement the Resettlement Plan (RP) for Jayramnagar - Lawan Subproject under Chhattisgarh State Road Sector Project

1. Project Background

1. The Asian Development Bank (ADB) has agreed with national and state government of Chhattisgarh to fund the Chhattisgarh State Road Sector Project (CSRSP) which will include up-gradation and strengthening of various roads in the state. Jayramnagar - Lawan Road subproject is one among several other subprojects under the CSRSP.
2. The Jayramnagar - Lawan subproject road section with a length of 52.94 Kilometers starts at Km 0.00 near railway crossing in Jairamnagar in Bilaspur district and ends on SH-9 at Km 42.600 in Balodabazar district.
3. All possible steps have been taken to minimize land acquisition and demolition of structures so as to reduce adverse impacts on people settled along the road. Based on the State Resettlement and Rehabilitation (R&R) Policy, GOI norms and ADB R&R policies, CGPWD has prepared Resettlement Plans (RP) to deal with involuntary resettlement involve in the entire Subproject. All RPs have been prepared based on census and baseline socio-economic surveys conducted in the fields.
4. To assist in the implementation of the RP for Jayramnagar - Lawan subproject road, CGPWD now invites the services of eligible NGO.

2. Objectives of the Assignment

5. The NGO shall be responsible for the following, according to the Resettlement Plan:
 - Educating the DPs on their rights to entitlements and obligations.
 - To ensure that the DPs are given the full entitlements due to them, according to the entitlements in the RP.
 - To provide support and information to DPs for income restoration.
 - Assist the DPs in relocation and rehabilitation, including counseling, and coordination with local authorities.
 - Assist the DPs in redressing their grievances (through the grievance redress committee set up by the subproject)
 - Impart information to all the DPs about the functional aspects of the various set up by the subproject, and assist them in benefiting from such institutional mechanisms.
 - To assist the ADB-Project Implementation Unit and Project Implementation Unit (PIU) with social responsibilities of the subproject, such as compliance with labour laws, prohibition of child labour, and gender issues.
 - To conduct awareness program for HIV/AIDs, Human Trafficking.
 - To collect data and submit progress reports on a monthly and quarterly basis for CGPWD to monitor the progress of RP implementation.

3. Scope of Work

6. The NGO shall play the role of a secondary stakeholder in implementation of the RP and in mitigating adverse effects of the subproject. The NGO shall be responsible for the development of a comprehensive livelihood restoration system to facilitate the DPs to take advantage of the options available (as per the RP).

3.1 Administrative Responsibilities of the NGO

7. The administrative responsibilities of the NGO will include:

- Working in co-ordination with the Subproject Resettlement Officer (RO) in the PIU and Resettlement Officer in the PIU;
- Assist the RO in carrying out the implementation of the RP;
- To co-ordinate with the GRCs in implementing the RP;
- Assist the RO in conducting all public meetings, information campaigns at the commencement of the subproject and give full information to the affected community;
- Translate the summary RP in local language to implement actions for mitigating adverse impacts on the DPs;
- To assist the PIU/Engineers (Construction Supervision Consultants) to ensure that the Contracts comply with the applicable labour laws (including prohibition of child labour) and gender issues;
- To assist the PIU and /or the Engineers in ensuring compliance with the safety, health and hygiene norms, and the conduct HIV/AIDS and Human Trafficking awareness/prevention campaigns.
- Report to the RO on a monthly and quarterly basis. The report should include physical and financial progress, both in quantitative and qualitative terms. The report should prominently feature the problems and issues addressed and tackled with the DPs and the solutions found. The report should have a separate chapter on women's issues, their problems and what has been done (within the framework of the RP) to ensure their participation in decision-making as well as the options made available to them to access economic opportunities, marketing and credit. The report should clearly indicate the number of field visits made by the NGO staff and the outcome of consultations with people.
- Data base management of the DPs.
- The displaced persons will be assisted in the Income Generation Scheme training through the NGO i.e. the provision made for training will be best utilised through the active support and involvement of the NGO.

3.2 Responsibilities for Implementation of the RP

3.2.1 Identification DPs and Verification of Database from RP

- NGO shall verify the information already contained in the RP and the individual losses of the DPs. They should validate the data provided in the RP and make suitable changes if required. The NGO shall establish rapport with DPs, consult and provide information to them about the respective entitlements as proposed under the RP, and distribute entitlement cum Identity Cards to the eligible DPs. The identity card should include a photograph of the DP, the extent of loss suffered due to the subproject, and the choice of the DP with regard to the mode of compensation and assistance.

- The NGO shall develop rapport between the DPs and the Subproject Authority, particularly the RO. This will be achieved through regular meetings with both the RO and the DPs. Meetings with the RO will be held at least fortnightly, and meetings with the DPs will be held monthly, during the entire duration of the assignment. All meetings and decisions taken shall be documented by the NGO.
- Prepare monthly action plans with targets in consultation with the RO.
- The NGO shall prepare a list of the subproject-displaced persons/families for relocation, enlisting the losses and the entitlements, after verification. It shall also prepare a list of the displaced persons (DPs) enlisting the losses and the entitlement as per the RP, after verification. Verification shall include actual measurement of the extent of total property loss/damage, and valuation of the loss/damage/affect along with the RO. The NGO shall display the list of eligible DPs in prominent public places like villages, Panchayat Offices, Block/Tehsil headquarters, and the District Headquarters.
- During the identification and verification of the eligible DPs, the NGO shall ensure that each of the DPs are contacted and consulted either in groups or individually. The NGO shall specially ensure consultation with women from the DP families especially women headed households.
- Participatory methods should be adopted in assessing the needs of the DPs, especially with regard to the vulnerable groups of DPs. The methods of contact may include village level meetings, gender participation through group's interactions, and Individual meetings and interactions.
- While finalizing the entitled persons (EPs) for compensation/assistance the NGO shall make a list of entitled DPs, and distribute Identity Cards to each and every verified eligible DP.

3.2.2 Counseling the Entitled Persons

8. The counseling shall include the following activities:
 - The NGO shall explain to the DPs the provisions of the policy and the entitlements under the RP. This shall include communication to the roadside squatters and encroachers about the need for their eviction, the timeframe for their removal and their entitlements.
 - The NGO shall disseminate information to the DPs on the possible consequences of the subproject on the communities' livelihood systems and the options available, so that they do not remain ignorant.
 - The NGO shall prepare micro-level plans for income restoration, in consultation with the DPs. Women's perceptions are important to be incorporated in the development of these plans.
 - NGO will monitor the involvement of child labour in the civil construction work in each package.
9. In all of these, the NGO shall consider women as a special focus group, and deal with them with care and sympathy.

3.2.3 Disbursing the Assistance

- Prepare micro plans indicating category of entitlement.

- Prepare micro plans for livelihood indicating alternative livelihood options, land identification, skills up grading and institutions responsible for training for eligible DPs.
- The NGO shall assist the subproject authorities in ensuring a smooth transition (during the part or full relocation of the DPs), helping the DPs to take salvaged materials and shift. In close consultation with the DPs, the NGO shall inform the RO about the shifting dates agreed with the DPs in writing and the arrangements desired by the DPs with respect to their entitlements.
- The NGO shall assist the DPs in opening bank accounts explaining the implications, the rules and the obligations of a joint account and how s/he can access the resources s/he is entitled to.
- The NGO shall ensure proper utilisation of the R&R budget available for each of the packages. The NGO shall ensure that the DPs have found economic investment options and are able to restore the losses of land and other productive assets. The NGO shall identify means and advise the RO to disburse the entitlements to the eligible persons/families in a manner that is transparent, and shall report to the CGPWD on the level of transparency achieved in the subproject.

3.2.4 Accompanying and Representing the EPs at the Grievance Committee Meetings

- The NGO shall nominate a suitable person (from the staff of the NGO) to be a member of the GRCs for the respective contract packages.
- The NGO shall make the DPs aware of the grievance redress committees (GRCs)
- The NGO shall train the DPs on the procedure to file a grievance application and to confirm that a statement of claim from the concerned DP accompanies each grievance application. The NGO shall help the DPs in filling the grievance application and also in clearing their doubts about the procedure as well as the context of the GRC award.
- The NGO shall record the grievance and bring it to the notice of the GRCs within seven days of receipt of the grievance from the DPs. It shall submit a draft resolution with respect to the particular grievance of the AP, suggesting multiple solutions, if possible, and deliberate on the same in the GRC meeting through the NGO representative in the GRC.
- To accompany the DPs to the GRC meeting on the decided date, help the DP to express his/her grievance in a formal manner if requested by the GRC and again inform the DPs of the decisions taken by the GRC within 3 days of receiving a decision from the GRC. (The time frame for the GRC to take a decision is 15 days).

3.2.5 Assisting the EPs and the RO to Identity and Negotiate for New Land for Resettlement

10. As part of the RP, it is proposed that a sizable number among the eligible DPs will receive alternative land (commercial) building structures. Some of the more vulnerable among the DPs will be eligible to receive these free of cost. Regarding these the NGO shall,

- Obtain the DPs choice in terms of Land identification, Site for relocation, Shifting plan and arrangements, Grant utilization plan and Community asset building plan and institutional arrangements in maintaining the assets.
- Assist squatters whose structures needs to be shifted to the remaining government land for continuation of earning their livelihood before construction of road starts.
- Assist the DPs/ RO in identifying suitable land for relocation and for agriculture, ensuring the replacement of the land lost in terms of quality and quantity.
- Identify suitable government land in consultation with the Revenue Department officials and assist in negotiating its transfer to the DPs/ RO at reasonable prices and motivate them to appreciate and welcome the new neighbours.

3.2.6 Assisting Eligible DPs to take advantage of the existing Government Housing and Employment Schemes

11. With regard to the above, the NGO shall,
- Co-ordinate (and impart wherever required) the training and capacity building of the DPs, for upgrading their skills for income restoration. This will include the training to be given by the NGO to women self-help-group members in accounting, record maintenance, skill acquisition in the chosen enterprise, and marketing, etc.
 - Help the DPs in realizing and optimising the indigenous technology knowledge (ITK) through use of local resources.
 - Define, evolve, and explore alternative methods of livelihood using the local skill and resources.
 - Contact financial institutions like NABARD, DIC, and the Lead Bank of the area in accessing the credit required by the individual as well as groups of DPs and the women's groups from the DPs. The NGO shall maintain a detailed record of such facilitation, and plan for each DP to repay the loan.
 - Establish linkages with the district administration to ensure that the DPs are benefited from the schemes available and those they are entitled to. The focus for this component of the NGO work shall be the vulnerable DPs for their income restoration. The NGO shall maintain a detailed record of such facilitation.

3.2.7 Inter-Agency Linkages for Income Restoration and other R&R Services

12. The NGO shall be responsible for establishing linkages with,
- Financial institutions to assist the DPs to access credit.
 - Government departments, district administration, etc., to ensure that the DPs are included in the development schemes, as applicable;
 - Training institutes to impart skills and management training for enterprise creation and development.
 - NGO shall conduct training programmes for income restoration for DPs.
 - NGO should prepare an income restoration plan.

3.2.8 Carry out Public Consultation

13. In addition to counseling and providing information to dps, the ngo will carry out periodic consultation with dps and other stakeholders in terms of public meetings, workshops etc. This continuous process of consultation will help in flag out the relevant issues related to the subproject implementation and provide solutions to the manifold issues arised during the subproject execution and RP implementation.

3.2.9 Assisting the Supervision Consultant with the Subproject's Social Responsibilities

14. The NGO shall assist the Engineers (Supervision Consultants) to ensure that the Contractors are abiding by the various provisions of the applicable laws, concerning the worker's safety, health and hygiene; women's issues and the child labour issues. The applicable laws include (A) the maternity benefit Act, 1951; (B) the contract labour (Regulation and Abolition) Act, 1948; (C) the Minimum Wagers act, 1948. (D) The Equal Remuneration Act, 1979. (E) the industrial Employment (Standing Order) Act, 1946; (F) the Child Labour (Prohibition and Regulation) Act, 1986; (G) the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act 1996; (H) the cess Act of 1996 and (I) the Factories Act, 1948. any divergence from the (workers welfare and remuneration, safety, health, hygiene, women's issues, and child labour issues) provisions of these laws should be brought to the notice of the supervision consultant and the RO.

15. According to these laws, there are specifications regarding the facilities/requirements at the construction camp/site, including basic health care facilities, Mother and Child Welfare units and facilities for vaccinations, day crèche facilities, etc. The NGO shall work in co-ordination of the Lady Inspector of Works or the Resident engineers of the Contractor, or any other representative of the Contractors, to ensure these facilities are provided in a satisfactory manner, and all social responsibilities of the Contract is implemented satisfactorily.

3.2.10 Assisting the ADB-PIU/Supervision Consultant in HIV/AIDS Awareness/Prevention Campaigns

16. Information campaigns/advertisements in collaboration with line agencies (such as NACO, DFID, etc), including provision of signage/hoardings at suitable locations, distribution of vehicle stickers, and provision of condom vending machines at suitable locations (rest areas, truck parking lay-byes, etc.). The NGO shall assist the ADB-PIU to implement these measures, including collaboration with the line agencies.

17. The contractors are required to provide condom vending machines at the construction camps, provide for medical facilities and regular medical checkups especially for detecting/curing STD/AIDS. The NGO shall ensure, in collaboration with the Engineer that such facilities and medical checkups are provided to the workers at the construction camps.

3.2.11 Monitoring and Reporting

18. The RP includes provision for monitoring by NGO/ RO and quarterly, mid-term, and post-subproject monitoring and reporting by external agency. The NGO involved in the implementation of the RP will be required to supply all information, documents to the external monitoring consultants. To this end, the NGO shall keep proper documentation of their work and

the R&R process involved in the subproject, and shall be responsible for the upkeep and updating of such documents periodically and regularly. The documentation shall include photographs and videotapes of the pre-intervention and post-intervention scenario of all the properties, structures, and assets affected by the subproject.

3.2.12 Recommending Improvement of R&R Services

- Extend all services recommended by any additional studies to be undertaken by the subproject, in respect to the R&R services to be provided as part of the subproject.
- Recommend and suggest techniques and methods for improvement of services extended by the concerned government departments and other agencies and committees in disbursement/extension of R&R services in the subproject.
- Document implementation of the R&R process and services, including difficulties faced and corresponding solutions.
- Discuss, with the ADB-PIU/PIU on contingency management and other improvement of R&R services, within the subproject period.
- Documenting of tasks carried out by the NGO and evaluation of the achievements of RP.

3.3 Documentation and Reporting by NGO

19. The NGO selected for the assignments shall be responsible to:
 - Submit an inception report within three weeks; on signing up of the contract including a work plan for the whole contract period, staffing and personnel deployment plan, and a withdrawal plan at the end of the period of contract. The withdrawal plan shall be detailed and reflect how the DPs will maintain the assets created and transferred to the DPs.
 - Prepare monthly progress reports to be submitted to the RO, with weekly progress and work charts as against the scheduled timeframe of RP implementation.
 - Prepare and submit quarterly reports on a regular basis, to be submitted to the RO.
 - Submit a completion report at the end of the contract period summarizing the actions taken during the subproject, the methods and personnel used to carry out the assignment, and a summary of support/assistance given to the DPs.
 - All other reports/documentation as described in these terms of reference.
 - Record minutes of all meetings.
20. All progress reports shall include data on input and output indicators as required by the RO. Reporting in writing as well as photographs, videotapes etc., taken during the assignment shall be submitted in support of the reports, along with an electronic copy of the documents in a floppy or a CD. All reports should be in English only. Accounts reports both on expenditure on administration as well as training and other heads shall be submitted with the quarterly and the completion reports.

21. In addition to these above, the NGO shall prepare and submit separate descriptive reports on participatory micro-plans with full details of the Participatory Rapid Appraisal exercises conducted.

22. The NGO shall document in full detail, the consultation/counseling processes, the process of identification of the resettlement sites, and a full description of the training imparted (on facilitated) as part of the assignment. This documentation shall be submitted to the CGPWD as annual reports.

3.4 Condition of Services

23. The NGO shall ensure that the RP is implemented in an effective and proper manner. The prime responsibility of the NGO shall be to ensure that each and every eligible DP receives appropriate and due entitlement (within the Entitlement Framework) and that, at the end of the subproject R&R services, the eligible DPs have improved (or at least restored) their previous standard of living. Additionally the NGO shall help the PIU in all other matters deemed to be required to implement the RP in its spirit and entirely including activities involving some financial implications.

24. All documents created, generated or collected during the period of contract, in carrying out the services under this assignment will be the property of the PIU. No information gathered or generated during and in carrying out this assignment shall be disclosed by the NGO without explicit permission of the PIU.

3.5 Timeframe for Services

25. The NGO will be contracted for a period of 12 months from the date of commencement, with a withdrawal methodology built in to the proposals from the NGO.

3.6 Data, Services and Facilities to be provided by the Client

26. The PIU will provide to the NGO the copies of the SIA report/ DPs' Census, the RP, the strip plan final design report and any other relevant reports/data prepared by the subproject preparation consultants. The PIU will assist the NGO in collaborating with the Supervision Consultants. All facilities required in the performance of the assignment, including office space, office stationery, transportation and accommodation for staff of the NGO, etc., shall be arranged by the NGO.

3.7 Payment Schedule:

27. The following payment milestone is proposed for making the payment to the NGO. The payment will be made subject to the submission of a certificate from the PIU/RO that the targets have been achieved in a satisfactory manner.

Sl. No.	Payment Milestone	Payment (% of contract Value)
	On submission of the inception Report complete in all respects	20%
1.	On completion of the identification, verification of DPs and initial consultation sessions, and submission of updated data	20%

	on DPs (Identification and Verification report) and review of the same by the PIU.	
2.	On submission and approval of the Micro Plan of DPs	20%
3.	On completion of the rehabilitation process and implementation of I.R. Plan	20%
4.	On submission of the Final Completion Report	20%
	Total	100%

28. The above remuneration includes all costs related to carrying out the services, including overhead. The service tax or any other tax component shall be reimbursed/ paid to NGO on production of documents. The insurance cost will be separate of the total subproject cost; the client shall be billed for this.

3.8 Team for the Assignment

29. The NGO shall assign a team of professionals to the site. The constitution of the team and the qualification for the team members is given below:

Sl. No.	Position	No. Of Positions	Qualifications
1.	Team Leader	1	The Team Leader should be a post-graduate in sociology/social work/r, and should have experience of working in civil engineering projects. S/he should have more than 10 years experience in implementation of R&R and rural development works. S/he should have held responsible positions in previous assignments possess participatory management skills and should have good knowledge of the region and the local languages.
2.	Key Professionals (A)	1	Should be at least a graduate in social science. S/he should have at least 5 years experience in fieldwork. S/he should have participated in at least one project involving R&R activities, should have participatory knowledge of land measurement, and should be conversant with land valuation methods. Knowledge of local language is a necessary qualification. S/he should have experience in livelihood analysis, developing and implementing vocational training, experience in participatory management.
3.	Key Professionals (B)	2	Should be at least a graduate in social sciences. S/he should have about 5 years of working experience of which about 2 years in R&R or rural development projects. Should have sound understanding of the land acquisition process and experience in participatory management. S/he should have experience in livelihood analysis, developing and implementing vocational training, experience in participatory

			management. Knowledge of local language is a necessary qualification.
4.	Technical support professionals	Adequate as per the NGO	Should be graduate or equivalent in social sciences with field work experiences. Knowledge of local language and experience of working in the region desired.
5.	Other support Personnel	Adequate as per the NGO	No minimum qualification

30. Additionally the following conditions shall apply to the team proposed by the NGO.

- The proposal should accompany a personnel deployment schedule, clearly indicating whether the deployment is home-office based or in the field.
- The NGO must propose at least one woman as part of the key personnel. The person-month deployment of the woman key personnel shall constitute at least 33 % of the person-month deployment of all key professionals (including the team leader) in the assignment. At least two proposed woman key person shall be available to work at site for at least 50% of the duration.
- The women key persons, if selected for the contract, may be replaced during the period of contract, only with women key persons of equivalent qualifications and experience.

31. The NGO will assign a 'technical support' team to work at the site, which will consist of at least 33 % of women members. Junior support personnel and/or administrative staff will not be considered as 'technical support' professionals, as far as this condition is concerned.

TERMS OF REFERENCE FOR AN EXTERNAL MONITORING AGENCY/EXPERT

A. Project Description

1. The Project namely **Chhattisgarh State Road Sector Project** includes identified roads subprojects for upgradation and rehabilitation, to achieve effectively the objective of improving connectivity of state road network. Keeping in view the significant involuntary resettlement impacts, the overall project has been categorized as 'A'. The project includes a provision for monitoring and evaluation of the implementation of the subproject resettlement plans by an external monitor. However, some of the subprojects have insignificant resettlement impacts and may not require extensive external monitoring and a selective approach can be followed based on the professional judgment of the monitor. The Executing Agency (EA) for this project requires services of a reputed individual/consultancy firm for monitoring and evaluation of RP implementation.

B. Scope of work - Generic

- To review and verify the progress in resettlement implementation as outlined in the RP;
- To monitor the effectiveness and efficiency of PIU, and NGO in RP implementation.
- To assess whether resettlement objectives, particularly livelihoods and living standards of the Affected Persons (APs) have been restored or enhanced;
- To assess the efforts of PIU & NGO in implementation of the 'Community Participation strategy' with particular attention on participation of vulnerable groups namely (a) those who are below the poverty line (BPL); (b) those who belong to scheduled castes (SC), scheduled tribes (ST); (c) female-headed households (FHH); (d) elderly and (e) disabled persons.
- To assess resettlement efficiency, effectiveness, impact and sustainability, drawing both on policies and practices and to suggest any corrective measures, if necessary.
- To review the subproject impacts on Indigenous People and groups and assess the effectiveness of the mitigative actions taken;

C. Scope of work- Specific

2. The major tasks expected from the external monitor are:

- To develop specific monitoring indicators for undertaking monitoring for Resettlement and Community Participation Strategy;
- Review results of internal monitoring and verify claims through random checking at the field level to assess whether land acquisition/resettlement objectives have been generally met.
- Involve the affected people and community groups in assessing the impact of land acquisition for monitoring and evaluation purposes.
- Identify the strengths and weaknesses of the land acquisition/resettlement objectives and approaches, implementation strategies.

- To review and verify the progress in land acquisition/resettlement implementation of the subproject on a sample basis and prepare quarterly reports for the EA and ADB.
- Evaluate and assess the adequacy of compensation given to the APs and the livelihood opportunities and incomes as well as the quality of life of APs of subproject-induced changes.
- To evaluate and assess the adequacy and effectiveness of the consultative process with affected APs, particularly those vulnerable, including the adequacy and effectiveness of grievance procedures and legal redress available to the affected people, and dissemination of information about these.

D. Time Frame and Reporting

3. The independent monitoring agency/expert will be responsible for overall monitoring of the Executing Agency (EA) and will submit quarterly review directly to ADB and determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/ enhanced and suggest suitable recommendations for improvement.

E. Qualifications

4. The monitoring agency/expert will have significant experience in resettlement policy analysis and RP implementation. Further, work experience and familiarity with all aspects of resettlement operations would be desirable. Candidates with degrees in anthropology, sociology, human geography, and development studies will be preferred. Interested agencies/consultants should submit proposal for the work with a brief statement of the approach, methodology, and relevant information concerning previous experience on monitoring of resettlement implementation and preparation of reports.

5. The profile of agency along with full CV of monitors to be engaged must be submitted along with the proposal. The agency must be an established organization registered with the Government of India.

F. Budget and Logistics

6. Copies of the proposal - both technical and financial - should be submitted and the budget should include all cost and any other logistics details necessary for resettlement monitoring. Additional expense claims whatsoever outside the budget will not be entertained.