

# Resettlement Plan

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## India: Rajasthan Urban Sector Development Investment Program—Baran Water Supply Subproject

Prepared by Local Self Government Department

## ABBREVIATIONS

ADB	—	Asian Development Bank
BPL	—	below poverty line
CBO	—	community-based organization
CLC	—	City Level Committee
DSC	—	Design and Supervision Consultant
GRC	—	Grievance Redress Committee
IPIU	—	Investment Program Implementation Unit
IPMC	—	Investment Program Management Consultant
IPMU	—	Investment Program Management Unit
LAA	—	Land Acquisition Act
LSGD	—	Local Self Government Department
MFF	—	Multitranches Financing Facility
MLD	—	million liter per day
NGO	—	nongovernmental organization
NRRP	—	National Resettlement and Rehabilitation Policy
PAF	—	Project Affected Family
PAH	—	Project Affected Household
PIU	—	Project Implementation Unit
PMU	—	Project Management Unit
ROW	—	Right of Way
RUIDP	—	Rajasthan Urban Infrastructure Development Project
RUSDIP	—	Rajasthan Urban Sector Development Investment Programme
SDS	—	Social Development Specialist
ULB	—	urban local body

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## EXECUTIVE SUMMARY

1. The Local Self Government Department (LSGD) under the Urban Governance Department of Government of Rajasthan is executing the Rajasthan Urban Sector Development Investment Program (RUSDIP) in fifteen (15) towns namely, Alwar, Baran-Chhabra, Barmer, Bharatpur, Bundi, Chittorgarh, Churu, Dhaulpur, Jaisalmer, Jhalawar-Jhalrapatan, Karauli, Nagaur, Rajsamand, Sawai Madhopur, and Sikar with financial assistance from Asian Development Bank (ADB) under Multi Tranche Financing Facility (MFF). The investment program covers major urban infrastructure works viz., water supply, wastewater management, solid waste management, urban transport and roads, social infrastructure, support infrastructure for cultural heritage and urban drainage. This report has been prepared for the Water Supply subproject for Baran town.

2. The Baran Water Supply subproject is category B as per the ADB policy. The Resettlement Plan has been prepared in accordance with ADB Handbook on Resettlement and the agreed Resettlement Framework and this report is based on the general findings of the census/socio-economic survey, field visits and meeting with Project Affected Persons in the project area. The primary objectives of the Resettlement Plan are to mitigate the adverse impacts of the project and to assist the Project Affected Persons in resettlement and restoration of their income and livelihood.

3. Scope and components of the works consist of construction of new intake well, water treatment plant (WTP), providing and laying of rising main, construction of CWRs, OHSRs, construction of pump houses including mechanical and electrical works, procurement and installation of bulk water meters and house meter, etc. The detail of sample subproject components is: (i) construction of Intake well cum pump house near existing intake arrangement at Heekar Deh; (ii) construction of WTP (21 MLD capacity) at Pateda Village, where vacant government land will be used; (iii) construction of CWR (1nos.) of 2500 kilo capacity at the WTP campus; (iv) construction of intermediate pumping station at Baran existing headworks and civil lines; (v) construction of 7 nos of OHSRs at Baran existing headwork, Civil Line, Mela Ground, Shivaji Colony, Near College HW, and Kajhi khera, and Lanka colony; (vi) laying of 3 km raw water rising main of 600mm dia from intake well to WTP; (vii) laying 10 km clear water pumping main of 600mm dia from WTP to Baran HW; (viii) laying 13 km clear water rising main from existing HW to CWR and OHSRs; (ix) providing and laying of distribution pipeline of 37km (uPVC) in different zones; and (x) 2000 nos of additional metered households connections and rehabilitation of existing 10600 nos households meters. The location of subproject components is provided in Map 1.

4. Subproject design minimized land acquisition and resettlement impacts. The following works are confined within the compound of existing facilities and will not have any resettlement impacts, construction of intake and pumping station. Construction of WTP, CWR and OHSRs will be in vacant government land. Laying of 3 km raw water rising, 10 km clear water rising mains and 37 km of distribution pipelines will not have resettlement impacts because it will be undertaken within sufficient and vacant road rights-of-way (ROW) which is government land. While the laying of 13 km clear water rising pipelines from existing HW to OHSRs will not require permanent land acquisition as it will be undertaken within ROWs, due to limited ROWs, it may cause temporary disruptions. Table 1 provides the summary of Resettlement Impacts and Appendix 1 provides the subproject component and resettlement impacts.

5. To estimate the temporary impacts of transmission/rising mains and distribution mains for the water supply subproject; initially a series of transect walks was conducted, this was followed by a 100% census and a socio-economic survey conducted in the areas, where the works are to be undertaken. The transect walk was concentrated on 13 km

covering area of Dindayal Park, Pratap Chowk, Hospital Road, College Road, Doll mela ground Police line, Collectorate road and Kaji khera. Based on the transect walks and confirmation from Program preparation engineers, there would be no expected permanent impacts on structures. There would however be temporary impacts on eight small business units near collectorate office site and Dollmela ground site, which are encroaching on the ROW and may experience temporary livelihood disruptions during laying of rising main. All the affected persons are non-titleholders.

S. No	Category	Residential	Commercial	Agriculture	Others
1	Titleholders	-	-	-	-
2	Non-titleholders	-	8	-	-
2	Squatters	-	-	-	-
3	Encroachers	-	8	-	-
4.	Kiosks	-	-	-	-

Note: No ST group possesses the characteristics of indigenous people based on ADB,s policy.

Category	Scheduled Caste	Scheduled Tribe	OBC	Below Poverty Line	GEN	Female Headed Household
<b>Residential</b>	-	-	-	-	-	-
<b>Commercial</b>	-	3	2	-	3	-
<b>Agriculture</b>	-	-	-	-	-	-
<b>Others</b>	-	-	-	-	-	-

6. **Policy Framework and Entitlements.** The policy framework and entitlements for the program are based on national laws: The Land Acquisition Act, 1894 (LAA, amended in 1984), and the National Resettlement and Rehabilitation Policy, 2007 (NRRP); ADB's Safeguards Policy Statement 2009; and the agreed Resettlement Framework (RF).

7. **Compensation and Income Restoration.** Affected persons will be provided 30 days advance notice to ensure no or minimal disruption in livelihood. If required, they will also be assisted to temporarily shift for continued economic activity. Compensation for lost income or a transitional allowance for the period of disruption whichever is greater will be provided.

8. **Information Dissemination, Consultation, disclosure and grievance redress.** The Resettlement Plan was prepared in consultation with the stakeholders. Discussions and meetings were held involving stake holders, particularly the affected households, and transect walks; census, survey and interviews were conducted to determine the potential impacts of subproject construction to prepare the sample subproject Resettlement Plan. The Resettlement Plan will be available in the urban local body (ULB) office, Investment Program Project Management Unit and Implementation Unit (IPMU and IPIU) offices, and the town library. The finalized Resettlement Plan will also be disclosed in ADB's website, the State Government website, the local government website, and the IPMU and IPIU website and information dissemination and consultation will continue throughout program implementation.

9. Grievances of affected persons will first be brought to the attention of the implementing NGO or Social Development Specialist (SDS). Grievances not redressed by the NGO or SDS will be brought to the City Level Committees (CLC) set up to monitor project implementation in each town. The CLC, acting as a grievance redress committee (GRC) is chaired by the District Collector with representatives from the ULB, state government agencies, IPIU, community-based organizations (CBOs) and NGOs. As GRC, the CLC will meet every month. The GRC will determine the merit of each grievance, and

resolve grievances within a month of receiving the complaint, failing which the grievance will be addressed by the inter-ministerial Empowered Committee.

**10. Institutional Framework, Resettlement Costs, and Implementation Schedule.**

The LSGD is the Executing Agency responsible for overall technical supervision and execution of all subprojects funded under the Program. The Implementing Agency is the Project Management Unit of the ongoing Rajasthan Urban Infrastructure Development Project (RUIDP), which has been expanded and assigned as the IPMU, to coordinate construction of subprojects and ensure consistency across the towns. The inter-ministerial Empowered Committee (EC) provides LSGD with central policy guidance and coordination. The IPMU is assisted by: Investment Program Management Consultants (IPMC) who manages the Program and assure technical quality of the design and construction; and Design and Supervision Consultants (DSC), who are designing the Infrastructure, managing the tendering of Contractors, and supervising construction. NGO will be responsible for the Resettlement Plan Implementation. Table 3 provides the summary of Resettlement Cost; Table 4 provides the schedule of Resettlement Implementation and Table 5 provides the Institutional Roles and Responsibilities.

**11. Monitoring and Evaluation.** Resettlement Plan implementation will be closely monitored to provide the IPMU with an effective basis for assessing resettlement progress and identifying potential difficulties and problems. Internal monitoring will be undertaken by the IPIU with assistance from the IPMU. The job charts will indicate the targets to be achieved during the month. Monthly progress report will be prepared and submitted to the IPMU, reporting actual achievements against the targets fixed in their respective job charts and reasons for shortfalls, if any. The IPIU will be responsible for managing and maintaining affected person databases, documenting results of affected person census, and verifying asset and socio-economic survey data which will be used as the baseline for assessing Resettlement Plan implementation impacts.

## I. PROJECT DESCRIPTION

1. The Investment Program will optimize social and economic development in 15 selected towns<sup>1</sup> in Rajasthan through investments in urban infrastructure (water supply, wastewater management, solid waste management, urban drainage, and urban transport and roads), social infrastructure, and infrastructure support to cultural heritage. The Program will also provide policy reforms to strengthen urban governance, management, and support for urban infrastructure and services.<sup>2</sup> This resettlement plan has been prepared for the water supply subproject for Baran town.

## II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

2. Scope and components of the works consist of construction of new intake well, WTP, providing and laying of rising main, construction of CWRs, OHSRs, construction of pump houses including mechanical and electrical works, procurement and installation of bulk water meters and house meter, etc. The detail of sample subproject components is:(i) construction of intake well cum pump house near existing Intake arrangement at Heekar Deh; (ii) construction of WTP (21MLD capacity) at Pateda Village, where vacant government land will be used; (iii) construction of CWR (1nos.) of 2500 kilo capacity at the WTP campus; (iv) construction of Intermediate pumping station at Baran existing headwork and civil lines; (v) construction of 7 nos of OHSRs at Baran existing headwork, Civil Line, Mela Ground, Shivaji Colony, Near College HW, and Kajhi khera, and Lanka colony; (vi) laying of 3 km raw water rising main of 600mm dia from Intake well to WTP; (vii) laying 10 km clear water pumping main of 600mm dia from WTP to Baran HW; (viii) laying 13 km clear water rising main from existing HW to CWR and OHSRs; (ix) providing and laying of distribution pipeline of 37 km (uPVC) in different zones; and (x) 2000 nos of additional metered households connections and rehabilitation of existing 10600 nos households meters. The location of subproject components is provided in Map 1.

3. Subproject design minimized land acquisition and resettlement impacts. The following works are confined within the compound of existing facilities and will not have any resettlement impacts, construction of intake and pumping station. Construction of WTP, CWR and OHSRs will be in vacant government land. Laying of 3 km raw water rising, 10 km clear water rising mains and 37 km of distribution pipelines will not have resettlement impacts because it will be undertaken within sufficient and vacant road rights-of-way (ROW) which is government land. While the laying of 13 km clear water rising pipelines from existing HW to ESRs will not require permanent land acquisition as it will be undertaken within ROWs, due to limited ROWs, it may cause temporary disruptions. Table 1 provides the summary of Resettlement Impacts and Appendix 1 provides the subproject component and resettlement impacts.

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<sup>1</sup> Particularly district headquarters and towns with significant tourism potential.

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

### III. SOCIOECONOMIC INFORMATION / PROFILE

4. To estimate the temporary impacts initially a series of transect walks were conducted; this was followed by a 100% census and a socio-economic survey conducted in the areas, where the works are to be done. This was conducted with the help of a predesigned tool (Appendix 2). The Census was conducted using a two-page questionnaire with a battery of questions to address:

- (i) Name of respondent;
- (ii) Daily Income from the affected structure;
- (iii) Whether or not belongs to the under privileged / marginal class;
- (iv) Details of the construction package with address and chainage;
- (v) Whether location is in urban, peri-urban or rural area;
- (vi) Type of loss: viz. Residential, Commercial, Kiosks etc;
- (vii) Whether the occupant of the structure is a squatter;
- (viii) Address of the structure;
- (ix) Whether the affected occupant holds a legal paper for occupancy;
- (x) Whether the occupant has Ration Card & enlisted in Voter's list;
- (xi) Description of the affected structure and its present use;
- (xii) Description of the affected structure within the ROW;
- (xiii) Parallel Distance of the affected structure along the ROW;
- (xiv) Perpendicular Distance of the affected structure from the Centre line; and
- (xv) Type of construction of the structure for Roof, Walls, Floor & boundary.

5. A Socio-economic Survey on 20% of the occupants of the affected structures was conducted as per the requirements after the completion of Census survey in the stretches of impact of the proposed construction package. This was done with the aid of a structured close ended (for ease of information processing) battery of questions targeted to elicit responses on cardinal socio-economic enquiries:

- (i) Name of the Head of the Household;
- (ii) Name of Respondent;
- (iii) Relationship of the respondent with the household;
- (iv) Details of the family type e.g. Nuclear, Joint or Extended;
- (v) Social class & caste of the family e.g. Scheduled Tribe, Scheduled Caste, OBC or higher caste;
- (vi) Details of the family members with corresponding details:
  - (a) Name of each of the family members;
  - (b) Age of each of the family members;
  - (c) Relationship with the household;
  - (d) Sex of each of the family members;
  - (e) Marital status of each of the family members;
  - (f) Attained Educational levels of each of the family members;
  - (g) Any particular skill of each of the family members; and
  - (h) Main or marginal nature of work & general work of family members.
- (vii) Nature of business (Name) of each of the family members;
- (viii) Source of Annual Income of the Household;
- (ix) Type of Use of affected structure;
- (x) Details of nature of business carried out from the affected structure;
- (xi) Assets of the Household in terms of movable & immovable property;
- (xii) Standard of living in terms of expenses on essentials; and
- (xiii) Indebtedness of the Family.



6. Of the water supply network, there would be only temporary impacts on 2 km area, near Collectorate office site and Dollmela ground site.(location is marked in Maps 2 & 3) where the ROW is very limited; rest of the network would not cause any form of disruption. Based on these findings and confirmation from program preparation engineers, there are no expected permanent impacts on structures. There will however be temporary impacts on 8 small business units which are encroaching on the ROW & may experience livelihood disruptions when the construction would be undertaken in front of their shops. There is no below-poverty-line (BPL) vulnerable household. Moveable affected persons will be assisted in moving to the other side of the road and return their business once construction is complete. Where moving is not required, access will be ensured by the contractor by providing ramps. The construction period will be minimized as far as possible and is estimated to be 14 days per section of work. The scope of land acquisition and identified temporary resettlement impacts is presented in Table 1. The detail socio-economic data is presented in Appendix 3. Households losing income due to disruption during construction period would be eligible for rehabilitation assistance as per the resettlement policy and entitlement matrix of the program. Besides, affected households belonging to vulnerable category would be eligible for additional assistance as per the Entitlement Matrix.

7. As one of the objectives of the Project is reducing poverty levels in the State and identified the Affected Persons that will be affected during construction and provide improved standard of living to affected persons it has been decided to present the data disaggregated by economic status. This will help to understand how the Project impacts the poor and the nonpoor. The details of the social-economic profile of the affected persons under this subproject are mentioned below.

- (i) **Household Size, Sex and Gender.** The average family size amongst the surveyed affected households is 6.
- (ii) **Gender Impacts.** The proposed design will not have any potential impacts on female headed households. During survey no female headed household have been identified.
- (iii) **Vulnerable Groups.** During survey three affected household qualifies as vulnerable under the project as they are belong to Scheduled Tribe category.
- (iv) **Income, Employment, Education and Other Household details.** Business is the main source of income of these Affected Persons. Besides business they are sometimes engaged in agriculture works. None of the affected persons are working in any public/government/private institutions. The average household income works out to be Rs.3500 per month. All the affected persons have ration card and are enrolled in voter list. They don't have legal documents for the structures. Mostly found to be literate and the children are found to be studying in primary level.

**Table 1: Summary of Resettlement Impacts**

<b>Impacts</b>	
Permanent Land Acquisition (ha)	0
Temporary Land Acquisition (ha)	0
Temporary Affected Persons	8
Titled affected persons (Temporary Affected)	0
Non-titled affected persons (Temporary Affected)	8
Female affected person (Temporary Affected)	0
Indigenous People/STAP(Temporary Affected)	3
Below Poverty Line affected person (Temporary Affected)	0
Affected Trees/Crops	0
Temporary Affected common Structures	0

<b>Impacts</b>	
Average Family Size	6
Average Household Income (per month)	Rs.3500
Income Sources Temporary Affected	Small businesses such as Tea shops, Barbour Shops etc.

Source: Census and Socio-Economic Survey Feb, 2010.

#### **IV. INFORMATION DISSEMINATION, CONSULTATION, PARTICIPATORY APPROACHES AND DISCLOSURE REQUIREMENTS**

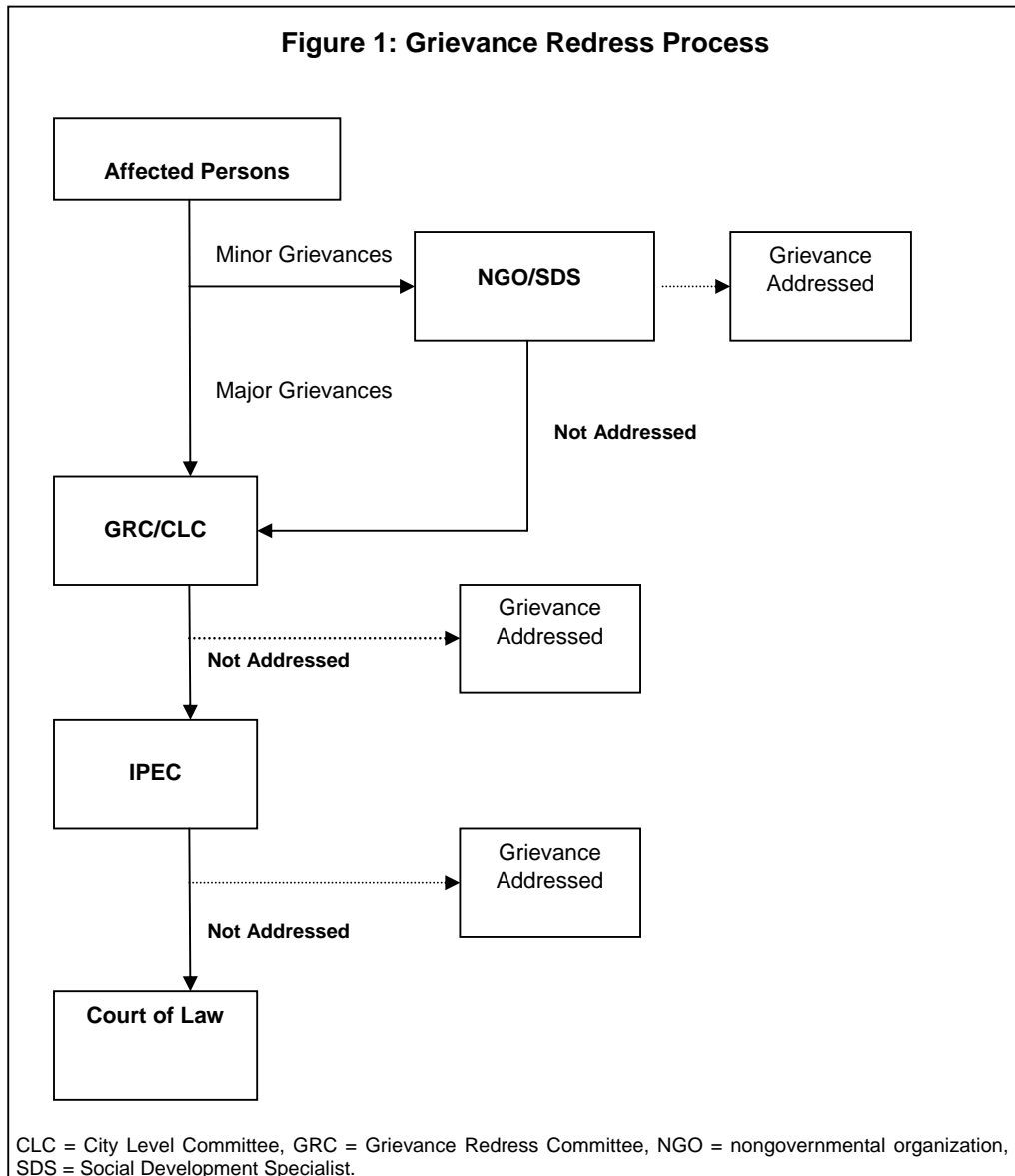
8. The Resettlement Plan was prepared in consultation with stakeholders. Meetings and individual interviews were held involving stakeholders, particularly potentially temporarily affected persons; and transect walks, census, survey and interviews were conducted to determine the potential impacts of subproject construction to prepare the sample subproject Resettlement Plan. Following the model developed for the multitranches financing facility (MFF), a town-wide stakeholder consultation workshop was conducted which provided an overview of the Program and subprojects to be undertaken in Baran and discussed the Government and Asian Development Bank's (ADB) resettlement policies and potential resettlement impacts of the subprojects in Chittorgarh. During the workshop, Hindi versions of the Resettlement Framework were provided to ensure stakeholders understood the objectives, policy principles and procedures for any land acquisition, compensation and other assistance measures for any affected person. During consultations, key issues raised were: (i) participants expressed satisfaction that there was a subproject taking care of their needs which they have waited for 25-30 years; (ii) they are not hesitant to move or shift if necessary to accommodate the work; (iii) they are willing to provide labor for the subproject; and (iv) they raised that it is important to repair the roads after subproject construction. Consultation records are in Appendix 5.

9. Information continues to be disseminated to affected persons and beneficiaries through various media. English and Hindi versions of the Resettlement Framework and Resettlement Plan are placed in the Urban Local Body (ULB) office and affected persons have access to Resettlement Plan. The NGO engaged to implement the Resettlement Plan will continue consultations, information dissemination, and disclosure. A strategy for continued consultations and participation is in the Resettlement Framework. The Resettlement Plan is available in the ULB office, Investment Program Management Unit and Implementation Unit (IPMU and IPIU) offices, and the town library. The finalized Resettlement Plan will also be disclosed in ADB's website, the State Government website, the local government website, and the IPMU and IPIU websites. ADB review and approval of the Resettlement Plan is required prior to award of civil works contracts; and compensation/assistance of affected persons is required prior to commencement of civil works. Consultation and disclosure activities to be followed are in Appendix 6.

#### **V. GRIEVANCE REDRESS MECHANISMS**

10. Grievances of affected persons will first be brought to the attention of the implementing NGO or Social Development Specialist (SDS). Grievances not redressed by the NGO or SDS will be brought to the City Level Committees (CLC) set up to monitor project implementation in each town. The CLC, acting as a grievance redress committee (GRC) is chaired by the District Collector with representatives from the ULB, state government agencies, IPIU, community-based organizations (CBOs) and NGOs. As GRC, the CLC will meet every month. The GRC will determine the merit of each grievance, and resolve grievances within a month of receiving the complaint, failing which the grievance will

be addressed by the inter-ministerial Empowered Committee. The Committee will be chaired by the Minister of Urban Development and Local Self Government Department (LSGD), and members will include Ministers, Directors and/or representatives of other relevant Government Ministries and Departments. Further grievances will be referred by affected persons to the appropriate courts of law. The IPIU will keep records of all grievances received including: contact details of complainant, date that the complaint was received, nature of grievance, agreed corrective actions and the date these were effected, and final outcome. The grievance redress process is shown in Figure 1.



11. All costs involved in resolving the complaints will be borne by the IPMU. The GRCs will continue to function throughout the project duration.

## VI. POLICY AND LEGAL FRAMEWORK

12. The policy framework and entitlements for the program are based on national laws: The Land Acquisition Act, 1894 (LAA, amended in 1984), and the National Resettlement and Rehabilitation Policy, 2007 (NRRP); ADB's Safeguards Policy Statement 2009; and the agreed Resettlement Framework. Based on these, the following core involuntary resettlement principles applicable are:

- (i) land acquisition, and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative subproject designs;
- (ii) where unavoidable, time-bound Resettlement Plans will be prepared and affected persons will be assisted in improving or at least regaining their pre-program standard of living;
- (iii) consultation with affected persons on compensation, disclosure of resettlement information to affected persons, and participation of affected persons in planning and implementing subprojects will be ensured;
- (iv) vulnerable groups will be provided special assistance;<sup>3</sup>
- (v) payment of compensation to affected persons including non-titled persons (e.g., informal dwellers/squatters, and encroachers) for acquired assets at replacement rates;
- (vi) payment of compensation and resettlement assistance prior to the contractor taking physical acquisition of the land and prior to the commencement of any construction activities;
- (vii) provision of income restoration and rehabilitation; and
- (viii) establishment of appropriate grievance redress mechanisms.

## VII. ENTITLEMENTS

13. Policy framework and entitlements are further discussed in Appendix 3. The entitlement matrix<sup>4</sup> for the subproject based on the above policies and Section D of this Resettlement Plan are in Table 2.

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<sup>3</sup> Including poor households, households headed by women, the elderly, the disabled, and scheduled tribes considered vulnerable based on the agreed Indigenous Peoples Development Framework (IPDF).

<sup>4</sup> While no impacts are noted on common resources, such row is included in the entitlement matrix as there is a probability of impacts on common resources should alignments change after detailed design.

**Table 2: Entitlement Matrix**

	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
1	Temporary disruption of livelihood		Legal titleholders, non-titled affected persons	30 days advance notice regarding construction activities, including duration and type of disruption. Contractor's <sup>a</sup> actions to ensure there is no income <sup>b</sup> /access loss consistent with the IEE. <sup>c</sup> Assistance to mobile vendors/hawkers to temporarily shift for continued economic activity <sup>d</sup> For construction activities involving unavoidable livelihood disruption, compensation for lost income or a transitional allowance for the period of disruption whichever is greater.	Identification of alternative temporary sites to continue economic activity.	Valuation Committee will determine income lost. Contractors will perform actions to minimize income/access loss.
2	Impacts on vulnerable affected persons	All impacts	Vulnerable affected persons	Livelihood. Vulnerable households will be given priority in project construction employment.	Vulnerable households will be identified during the census.	NGO will verify the extent of impacts through a 100% surveys of affected households determine assistance, verify and identify vulnerable households.
3	Any other loss not identified	-	-	Unanticipated involuntary impacts will be documented and mitigated based on the principles of the Resettlement Framework.	-	NGO will ascertain the nature and extent of such loss. IPMU will finalize the entitlements in line with the Resettlement Framework.

IPMU = Investment Program Management Unit, NGO = nongovernmental organization.

<sup>a</sup> As mentioned in Clause 93.1 of Section VIII: Particular Condition of Contract of Bid Document.

<sup>b</sup> Minimum wage in Rajasthan is Rs.73 per day.

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

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

## VIII. RELOCATION OF HOUSING AND SETTLEMENTS

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

## IX. INCOME RESTORATION AND REHABILITATION

15. Should construction activities result in unavoidable livelihood disruption, compensation for lost income or a transitional allowance for the period of disruption whichever is greater will be provided. Vulnerable affected persons will be given priority in project construction employment. Compensation and assistance to affected persons must be made prior to possession of land/assets and prior to the award of civil works contracts.

## X. RESETTLEMENT BUDGET AND FINANCIAL PLAN

**Table 3: Summary of Land Acquisition and Resettlement Costs**

Srl.	Item	Unit	APs	Rate Rs.	Cost.
<b>1.</b>	<b>Relocation &amp; Transfer</b>				
	Loss of Income Livelihood	14Days	8	116.67	13067.00
	Assistance to vulnerable APs	14Days	3	350	14700.00
	Shifting assistance		8	200	1600.00
	<b>Sub Total Item 1</b>				<b>29367.00</b>
<b>2</b>	<b>Administrative &amp; Implementation costs</b>				
	Implementing NGO covering NGO engagement, cost of census and survey of APs and inventory of assets, cost of information and consultations, training and monitoring (including evaluation by independent agency), and rental of office space and required physical facilities and materials.		Lump Sum		100000.00
<b>3</b>	<b>Contingencies</b>				
	Price (5%) of Project Cost				6468.00
	Physical (20%) for unanticipated impacts such as temporary impacts on structures or temporary loss of land				25873.00
	<b>Total</b>				<b>161708.00</b>

AP = affected person, NGO = nongovernmental organization.

Note: 1. Additional Assistance to Vulnerable Vendors/Shop Owners for loss of Livelihood.

2. Less than 3 days impact- @ Rs 500/-per day, Between 4 to 7 days impact-@ Rs 400/-per day, Between 8 to 15 days impact-@Rs 350/-per day, Between 16 to 31 days impact-@ Rs 300/-per day, More than 31 days impact- A lump sum of Rs 10000/-

3. Based on assessment made during the socio-economic survey.

## XI. IMPLEMENTATION SCHEDULE

**Table 4: Schedule of Resettlement Implementation**

Activity	Months																	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
i. Appointment of NGOs	◆																	
ii. Briefing of the CLC on GRC functions	◆																	
iii. Census and socio-economic surveys (issuance of identity cards) <sup>a</sup>	◆	◆																
iv. Consultations and disclosure		◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
v. Confirmation of government land to be used and transfer from other departments	◆	◆																
vi. Resettlement Plan updating <sup>b</sup>		◆	◆															
vii. Resettlement Plan review and approval (IPMU and ADB) <sup>c</sup>			◆															
viii. Issue notice to affected persons				◆														
ix. Compensation and resettlement assistance					◆	◆	◆											
x. Relocation as required					◆	◆	◆											
xi. Skills training as required					◆	◆	◆											
xii. Takeover possession of acquired property								◆	◆	◆								
xiii. Internal monitoring				◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
xiv. Handover land to contractors											◆							
xv. Start of civil works												◆						
xvi. External monitoring												◆						◆
xvii. Rehabilitation of temporarily occupied lands																		Immediately after construction

ADB = Asian Development Bank, CLC = City Level Committee, GRC = Grievance Redress Committee, IPMU = Investment Program Management Unit, NGO = nongovernmental organization.

<sup>a</sup> The census will be the cut-off date for non-titled affected persons. For titled affected persons, the cut-off date is the date of notification.

<sup>b</sup> The Resettlement Plan will be updated based on final detailed design and affected person census and surveys.

<sup>c</sup> Endorsement and disclosure of finalized Resettlement Plans consistent with the Resettlement Framework to be undertaken.

## XII. INSTITUTIONAL FRAMEWORK FOR RESETTLEMENT

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

17. IPIUs have already been established in the project towns to manage implementation of subprojects in their area. CLCs will monitor subproject implementation in each town. They will appoint Construction Contractors to build elements of the infrastructure in a particular

town (supervised by DSC). Once the infrastructure begins to operate, responsibility will be transferred to the appropriate state or local Government Agency, who will be given training, support and financial assistance through the Program where necessary to enable them to fulfill their responsibilities. They will employ local Operations and Maintenance Contractors (OMC) to maintain and repair the infrastructure as required.

18. Resettlement issues are coordinated by a Social Development Specialist (IPMU SDS) within the IPMU, who ensures that all subprojects comply with involuntary resettlement safeguards. A Resettlement Specialist who is part of the IPMC team assists the SDS. SDS, as part of the DSC, have been appointed to work with each IPIU to update the Resettlement Plan in the detailed design stage, and to prepare Resettlement Plans for new subprojects, where required to comply with Government and ADB policies. NGOs are appointed to implement Resettlement Plans. Resettlement costs, implementation schedules and the responsible agencies are provided in Tables 3, 4, and 5, respectively.

**Table 5: Institutional Roles and Responsibilities**

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

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

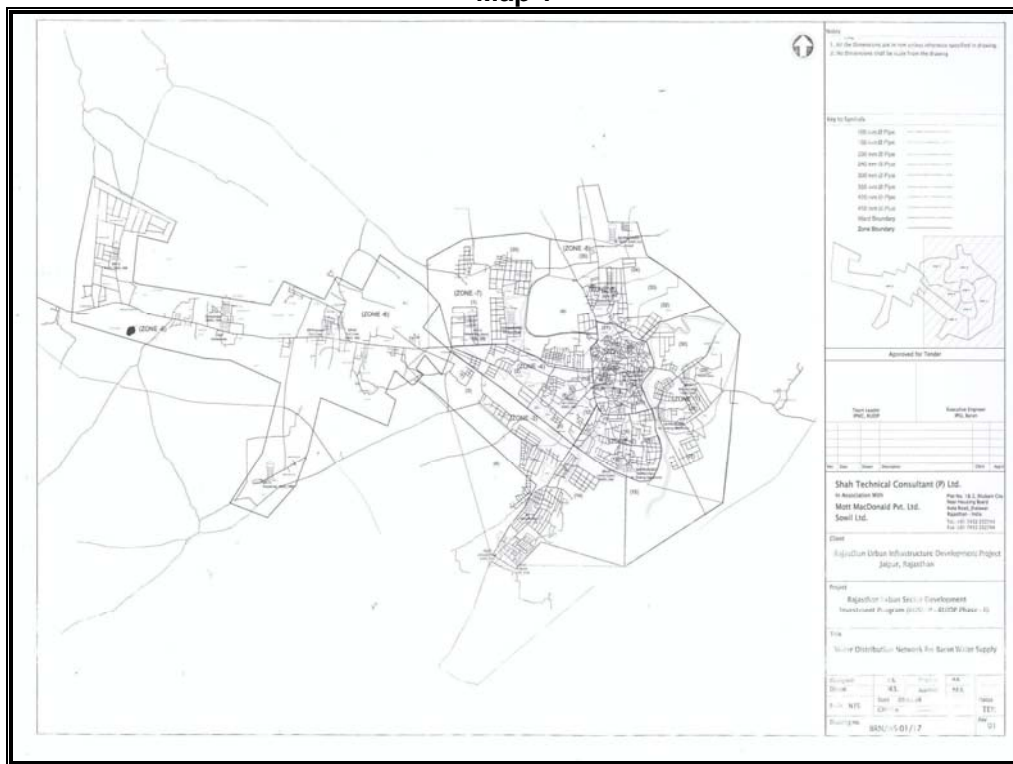
### **XIII. MONITORING AND EVALUATION**

19. Resettlement Plan implementation will be closely monitored to provide the IPMU with an effective basis for assessing resettlement progress and identifying potential difficulties and problems. Internal monitoring will be undertaken by the IPIU with assistance from the IPMU. Internal monitoring will involve: (i) administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis; (ii) socio-economic monitoring during and after any resettlement impact utilizing baseline information established through the socio-economic survey of affected persons undertaken during project sub-preparation, and (iii) overall monitoring to assess affected person status. Job



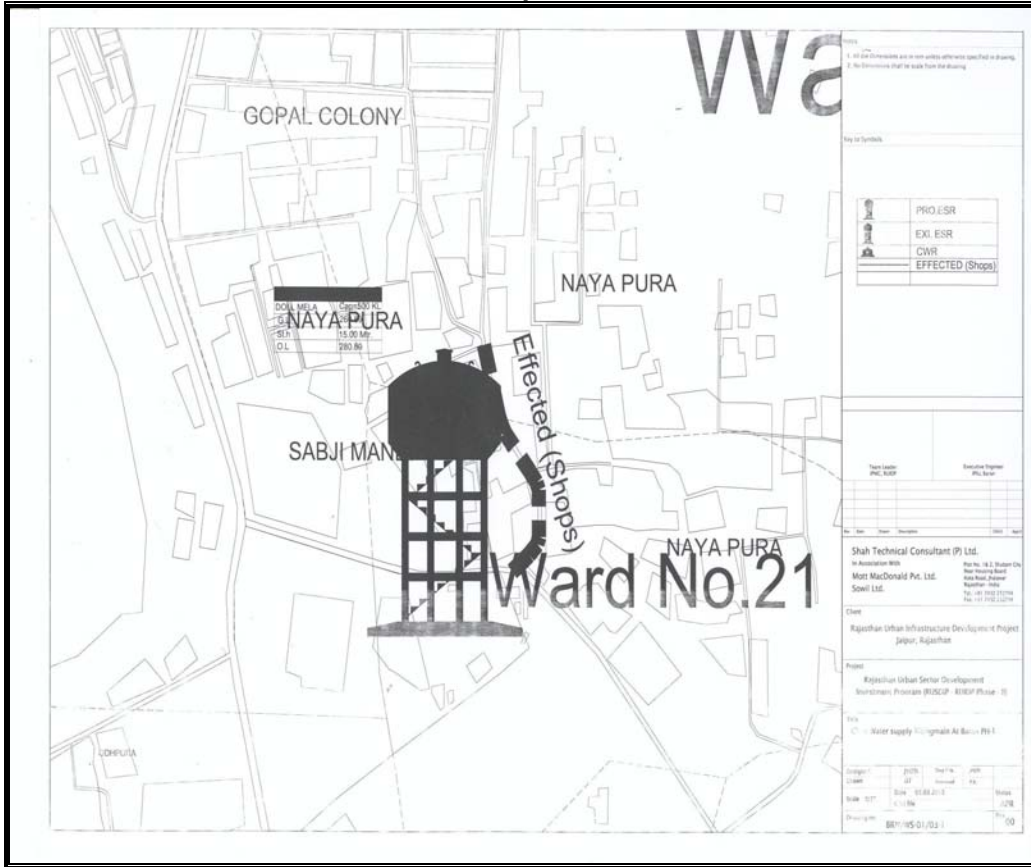
charts will be given to the SDS. The job charts will indicate the targets to be achieved during the month. Monthly progress report will be prepared and submitted to the IPMU, reporting actual achievements against the targets fixed in their respective job charts and reasons for shortfalls, if any. The IPIU will be responsible for managing and maintaining affected person databases, documenting results of affected person census, and verifying asset and socio-economic survey data which will be used as the baseline for assessing Resettlement Plan implementation impacts. The Executing Agency will appoint an independent agency to undertake external monitoring to document: (i) restoration of income levels; (ii) changes and shifts in occupation pattern; (iii) changes in affected person type of housing; (iv) assessment of affected persons access to amenities, such as water, electricity, and transportation; and (v) performance of NGO, IPIU, and IPMU in resettlement implementation. The independent agency will monitor subprojects twice a year and submit reports directly to the Executing Agency (IPMU). The Executing Agency will submit all external monitoring reports to ADB for review. Further details are in the Resettlement Framework.

Map 1





Map 3



**COMPONENTS AND RESETTLEMENT IMPACTS**

<b>SI No.</b>	<b>Component</b>	<b>Involuntary Resettlement Impact</b>
1.	Construction of Intake well at Heekar Deh	No impact as on vacant government land
2.	Construction of WTP (21 MLD) capacity at Patheda village	No impact as on vacant government land
3.	Construction of 7 nos of OHSRs	No impact as on vacant government land
4.	Construction of 2 nos. of Intermediate pumping station.	No impact as on vacant government land
5.	Laying of 3 km raw water rising main of 600mm dia from Intake well to WTP	vacant road within rights-of-way (ROW)
6.	Laying 10 km clear water pumping main of 600mm dia from WTP to Baran HW	vacant road within rights-of-way (ROW)
7.	providing and laying of distribution pipe line of 37 km	vacant road within rights-of-way (ROW)
8.	Laying of 13 km clear water rising pipelines	Only temporary impacts on livelihood of shops/vendors/ hawkers as the work will be done in road ROW

MLD = million liter per day, ROW = right of way.



2-3 <kjps ds ifjokjkas dk fo

2-4 D;k vkids ikl <kjps @ d`f`k Hkwfe ds dkuwuh dkxtkr ¼tekanh  
dh udy@fdlku ikl cqd½ gSaA  
¼1½ gkj ¼2  ha

**3-0 ukekadu**

3-1 D;k vkids ikl jk'ku dkMZ gS ?  
1- gka 2-

3-2 ;fn gka] iz'u 3-1 esa gS rks fdrus o"kZ ls ¼dsoy      
fy[ksa½

3-3 D;k vkidk uke oksVj fyLV esa gS?  
¼1½ gkj ¼2½ ughaa

**4-0 vkj-vks-MCYw- esa <kjps dk fooj.k**

4-1

4-2

4-3

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2			
3			
4			
5			

dksM% 4-1

1	vkokl	6	<kapk o lykWV
2	O;kolkf;d	7	pkj nhokjh
3	vkoklh; ,oa O;kolkf;d	8	#Q ISM ¼dsoy Nr ds <dk gqvk½
4	[kkyh lykV	9	daVhys rkjksa ls f?kjk gqvk
5	d`f`k Hkwfe	10	?kj ckjh
		11	vU; ¼fy[ksa½

dksM 4-2

1	LFkk;h	2	v}ZLFkk;h	3	vLFkk;h
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dksM 4-3

1	vkoklh;	4	dk;kZy;	7	QkeZ gkml
2	O;olkf;d	5	ckM+k ¼i`kq ?kj½	8	vU; ¼fy[ksa½
3	vkoklh; ,oa O;olkf;d	6	d`f`k Hkwfe		

dksM 4-4 & <kjps dk eki

- 1- IM+d ds lekUry nwjh  $\frac{1}{4}$ pkSM+kbZ $\frac{1}{2}$   $\frac{1}{4}$ ehVj esa $\frac{1}{2}$
- 2- IM+d ds yEcor nwjh  $\frac{1}{4}$ yEckbZ $\frac{1}{2}$   $\frac{1}{4}$ ehV 

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- 3- IM+ds ds e/; ls nwjh  $\frac{1}{4}$ ck,a $\frac{1}{2}$ 

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 $\frac{1}{4}$ nk,a $\frac{1}{2}$   $\frac{1}{4}$ ehVj esa 

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- 4-5 fuekZ.k ds izdkj

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1	vkj-lh-lh-@vkj-ch-lh-	3	iRFkjd iV~Vh ls	<input type="checkbox"/>
2	,LosLVI@fVu@ftad	4	Nlij	<input type="checkbox"/>
nhokj				
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2	bZV ls cuh	4	vU; $\frac{1}{4}$ fy[ksa $\frac{1}{2}$	<input type="checkbox"/>
Q'kZ				
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2	iRFkj	4	vU; $\frac{1}{4}$ fy[ksa $\frac{1}{2}$	<input type="checkbox"/>
pkj nhokjh				
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### 3-0 ifjokj dk fooj.k%

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xdz	ifjokj ds lnL;ksa dk uke	me z	ifjokj ds eqf[k;k ls laca/k	tyax iq#"k 1 L=h 2	oSokf gd fLFkfr	'kSf{ kd Lrj	gguj dk Kku	lkek U: dk:Z dyki	dk;Z dk izdkj 1 eqf; lhekUr 2	O;olk;	eq[;	xk S. k
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**ifjokj ds eqf[k;k ls laca/k ds fy, dksM**

1	Lo;a	6	cgw	11	lkyk
2	iq=	7	iksrk@iksrh	12	Hkrhth
3	HkkbZ	8	cfgu	13	Hkrhtk
4	iq=h	9	tsBkuh@nsojkuh	14	vU; ¼fy[ksa½
5	iRuh	10	nkekn		

**oSokfgd fLFkfr ds fy, dksM**

1	fookfgr	6	vyx&vyx ¼fcuk fdlh dkuwuh dk;Zokgh ds½	7	fcNqM x;s@mtM+ x;s
2	vfookfgr	5	fo/kok		
3	rykd 'kqnk	6	fo/kqj		

**'kS{kf.kd Lrj ds fy, dksM**

1	fuj{kj	6	nloh d{k;k rd	11	vU; ¼fy[ksa½
2	Ldwy ds fcuk i<+us fy[kus dh tkudkj	7	ckjoh d{k;k rd	99	ykw ugha gksrk
3	f'kf{kr Ldwy esa tk jgs gS	8	Lukrd		
4	izkbZejh d{k;k rd	9	LukrdksUkj		
5	vkBoha d{k;k rd	10	O;kolkf;d		

**lkekU; fØ;k dyki ds fy, dksM**

1	jkstxkj	4	fo?kkFkhZ	7	Ldwyh mez dk cPPkk fdUrq Ldwy ugha tkrk ¼6 o"KZ ;k mlls vf/kd vk;q ds½
2	csjkstxkj	5	o`}@lsok fuo`r	8	fodykax
3	?kj dk dk;Z	6	cPpk ¼Ldwy u tkus okys 6 o"kZ l de vk;q ds½	9	vU; ¼fy[ksa½

**eq[; o lhekUr etnwj dh ifjHkk"kk**

- 1- eq[; ¼;fn o"kZ esa 183 fnuksa ;k bls vf/kd fnuksa rd dk;Z djrs gSa½
- 2- lhekUr ¼;fn o"kZ esa 183 fnuksa ls de dk;Z djrs gS½

**O;olk; ds fy, dksM**

1	d`f`k dk;Z@dk`rdkj	6	ljdkjh ukSdjh	1	vU;
				1	¼fy[ks½
2	[ksrhgj etnwj	7	izkbosV ukSdjh		
3	d`f`k ij vk/kkfjr dk;Z tSls i`kqikyU e/kqeD[kh ikyu vkfn	8	m?kksx ,oa O;kikj		
4	xSj [ksrhgj etnwjh tSls bZV] iRFkj] IM+d dk;Z vkfn	9	O;kolkf;d ¼MkDV]]] baftfu;]] vkfn½		

**4-0 Hkwfe dk mi;ksx**

4-1 d`i;k fuEu tkudkjh nsa]

Hkwfe dk izdkj	Lo;a dh dqy Hkwfe	vkj-vks-MCyw- esa vkus okyh Hkwfe dk {ks=Qy
flafpr ¼LFkkuh; eki esa½		
vflafpr ¼LFkkuh; eki esa½		
ckx&cxhpk ¼LFkkuh; eki esa½		
?kjokjh Hkwfe ¼oxZ ehVj esa½		
vU; ¼fy[ksa½ ----- -----		

4-2 D;k vkids ikl bl izHkkfor Hkwfe ds vykok Hkwfe gSA 1-gka 2-ugha

;fn gka] iz`u la[;k 4-2 esa gS rks bl izdkj dh Hkwfe dk eki ¼,dM+ esa½ &&&&&&

**5-0 ifjokj dh vkenuh**

d`i;k vius ifjokj dh fiNys o"kZ dh vkenuh IHkh L=ksrksa ls crk;sA

dz-	en	vkenuh ¼#i;s esa½
v	d`f`k	
1	viuh Hkwfe ij [ksrh ls	
2	ikarh@caVkbZ ij yh xbZ Hkwfe ls	

3	vfrØe.k dh xbZ Hkwfe ls	
4	ikarh@caVkbZ ij yh xbZ Hkwfe ls	
5	d`f"k ;a=ksa dks fdjk;s ij nsus ls	
<b>c</b>	<b>d`f"k vk/kkfjr O;olk; ls</b>	
6	nqX/k mRiknu] eqxhZ ikyu] cdjh ikyu] lqvj ikyu] HksM+ ikyu vkfn	
7	m?kku ls	
<b>l</b>	<b>taxykr</b>	
8	tykou ba/ku ls	
9	taxy mRikn ls	
10	dqVhj m?kksx ls	
11	m?kksx ,oa O;kikj ls	
12	O;olk; @iS'kk ls	
13	ljdkjh ukSdjh ls	
14	izkbZosV ukSdjh ls	
15	xSj [ksrhgj etnwjh ls	
16	[ksrhgj etnwjh ls	
17	fdjk;s ls ¼edku nqdku vkfn ls½	
18	vU; ¼fy[ksa½	

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- 1- nqdku                      3- odZ'kkWi  
2- xksnke                    4- dk;kZy; ¼vkwfQl½

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7	Lis;j ikVZ~l	15	Vsyfjaax	23	dqVhj m?kksx		
8	feBkbZ	16	tujy LVksj	24	oSfYMax		

## 7-0 IEifÙk

## 7-1 d`i;k fuEu IEifÙk dh tkudkj ns

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yksax V <sup>a</sup> e fMiksftV		
fjdfjax fMiksftV		
djsUV ,dkmUV		
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## 8-0 thou Lrj ¼okf" kZd [kpZ½

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2	tykou@bZ/ku ij	
3	diMks ij	
4	LokLF; ¼nokbZ½ ij	
5	f'k{kk ij	
6	vkus tkus ,oa lapkj ij	
7	ioZ@R;kSgkj ij	
8	d`f"k ¼tSls cht] [kkn] ikuh] d`f"k ;a= vkfn fdjk;s ij½	
9	vU; ¼fy[ksa½	
10	dqy	

### 9-0 dtZ

9-1 d`i;k vius fiNys o"kZ ds dtksZ ds ckjs esa tkudkj nsaA

<b>L=ksr</b>	<b>dqy dtZ ¼#i;ksa esa½</b>	<b>vnk fd;k ¼#i;s esa½</b>	<b>'ks"k ¼#i;s esa½</b>
cSad ls ¼uke½			
izkbZosV dtZnkrk ls			
vU;			

**SOCIO-ECONOMIC SURVEY SUMMARY**

<b>Location</b>	<b>Owner</b>	<b>Type of Structure</b>	<b>Type of business</b>	<b>Family Type</b>	<b>Social Category</b>	<b>Monthly Income</b>	<b>Nature Of Impact</b>
Near Collectorate Office, Baran	Pappulal Meena	Kutcha Hut	Tea Shop	Nuclear	ST	3000	Temporary Impact On Livelihood
	Radheshyam Sharma	Kutcha Hut	Tea Shop	Joint	GEN	3000	Temporary Impact On Livelihood
	Jugraj Meena	Kutcha Hut	Tea Shop	Joint	ST	3000	Temporary Impact On Livelihood
	Ramrattan Meena	Kutcha Hut	Tea Shop	Joint	ST	3000	Temporary Impact On Livelihood
	Gyanchandar	Kutcha Hut	Tea Shop	Nuclear	OBC	3000	Temporary Impact On Livelihood
	Hemraj Gujjar	Kutcha Hut	Tea Shop	Nuclear	OBC	3000	Temporary Impact On Livelihood
DollMela Ground, Baran	Abdul Aziz	Kaccha	Barber Shop	Nuclear	GEN	5000	Temporary Impact On Livelihood
	Md.Rafiq	Kaccha	Barber Shop	Nuclear	GEN	5000	Temporary Impact On Livelihood



## **POLICY FRAMEWORK AND ENTITLEMENTS**

### **A. Policy and Legal Framework**

1. The policy framework and entitlements for the Program are based on national laws: The Land Acquisition Act, 1894 (LAA, amended in 1984) the National Resettlement and Rehabilitation Policy, 2007 (NRRP); and ADB's Safeguards Policy Statement 2009. The salient features of Government and ADB policies are summarized below.

#### **1. Government Policy**

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

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

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

3. Though NRRP is applicable for projects where over 400 PAFs in the plains or 200 PAFs in hilly or tribal areas are displaced, the basic principles can be applied to resettling and rehabilitating PAFs regardless of the number affected. NRRP's provisions are intended to mitigate adverse impacts on PAFs. While key principles of NRRP are similar, and for some items go beyond ADB's Safeguards Policy Statement 2009, NRRP excludes linear projects (which acquire only narrow strips of land). Linear impacts and temporary linear impacts (which is the likely impact of the Program) are not covered by NRRP. Further, there is no law on resettlement in the country. The law relating to the acquisition of privately owned immovable property is the Land Acquisition Act of 1894 (LAA, amended 1984) discussed in the following section.

##### **b. Land Acquisition Act, 1894**

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

- (i) Land identified for the purpose of a project is placed under Section 4 of the LAA. This constitutes notification. Objections must be made within 50 days to the District Collector (the highest administrative officer of the concerned District).
- (ii) The land is then placed under Section 6 of the LAA. This is a declaration that the Government intends to acquire the land. The District Collector is directed to take steps for the acquisition, and the land is placed under Section 9. Interested parties are then invited to state their interest in the land and the price. Under Section 11, the District Collector will make an award within one year of the date of publication of the declarations. Otherwise, the acquisition proceedings shall lapse.
- (iii) In case of disagreement on the price awarded, within 6 weeks of the award, the parties (under Section 18) can request the District Collector to refer the matter to the Courts to make a final ruling on the amount of compensation.

- (iv) Once the land has been placed under Section 4, no further sale or transfer is allowed.
- (v) Compensation for land and improvements (such as houses, wells, trees, etc.) is paid in cash by the project authorities to the State Government, which in turn compensates landowners.
- (vi) The price to be paid for the acquisition of agricultural land is based on sale prices recorded in the District Registrar's office averaged over the three years preceding notification under Section 4. The compensation is paid after the area is acquired, with actual payment by the State taking about two or three years. An additional 30% is added to the award as well as an escalation of 12% per year from the date of notification to the final placement under Section 9. For delayed payments, after placement under Section 9, an additional 9% per annum is paid for the first year and 15% for subsequent years.

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

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

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

- (i) Involuntary resettlement will be avoided whenever feasible.
- (ii) Where population displacement is unavoidable, it should be minimized.
- (iii) All lost assets acquired or affected will be compensated. Compensation is based on the principle of replacement cost.
- (iv) Each involuntary resettlement is conceived and executed as part of a development project or program. Affected persons need to be provided with sufficient resources to re-establish their livelihoods and homes with time-bound action in co-ordination with civil works.
- (v) Affected persons are to be fully informed and closely consulted.
- (vi) Affected persons are to be assisted to integrate economically and socially into host communities so that adverse impacts on the host communities are minimized and social harmony is promoted.
- (vii) The absence of a formal title to land is not a bar to ADB policy entitlements.
- (viii) Affected persons are to be identified and recorded as early as possible to establish their eligibility, through a census which serves as a cut-off date, and prevents subsequent influx of encroachers.
- (ix) Particular attention will be paid to vulnerable groups including those without legal title to land or other assets; households headed by women; the elderly or disabled; and indigenous groups. Assistance must be provided to help them improve their socio-economic status.
- (x) The full resettlement costs will be included in the presentation of project costs and benefits.

## C. Comparison of Borrower's Policy with the Resettlement Framework

7. The NRRP represents a significant milestone in the development of a systematic approach to address resettlement issues in India. LAA, 1894 however gives directives for acquisition of land in public interest and provides benefits only to titleholders. Table A4

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

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

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

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

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

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed Resettlement Framework with ADB's SPS
	incremental benefits over the "without project" situation, should be included in the presentation of Project costs and benefits.			experience major impacts. A Short Resettlement Plan is required when resettlement is insignificant when less than 200 people will experience major impacts. According to the NRRP, Resettlement Plan should be prepared when it involves resettlement of more than 500 families (roughly about 2,500 persons) in plain areas and 250 families (roughly about 1,250 people) in hilly areas, Desert Development Programme (DDP) blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India.	
				The NRRP's concept of replacement cost is not clearly defined. However, the NRRP does consider various compensation packages to substitute the losses of affected persons.	This is addressed in the Entitlement Matrix
9.	To better assure timely availability of required resources and to ensure compliance with involuntary resettlement procedures during implementation, eligible costs of resettlement and compensation may be considered for inclusion in Bank loan financing for the project, if requested.	X	✓	-	The impacts have been assessed and Resettlement Plan costs according to the entitlement matrix have been worked out. These costs are included in the Project Costs.

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

**PUBLIC CONSULTATIONS -1**

**Location: Near Doll Mela Ground  
Baran**

**Date: 01-02-2010  
Time: 3:30 pm**

**Duration of Discussion (in Hrs): 1 hrs.**

Sl. No	Name <sup>a</sup>	Profession	Sex	Age	Social Category
1		Cutting Shop	M	38	GEN
2		House wife	F	36	GEN
3		Cutting Shop	M	22	GEN
4		House wife	F	19	GEN
5		Vegetable Shop	M	35	OBC

<sup>a</sup> Names taken out to protect privacy.

**Public Consultations - 2**

**Location: Near Collectorate Office  
Baran**

**Date: 01-02-2010  
Time: 5 pm**

**Duration of Discussion (in Hrs): 1 hrs.**

Sl. No	Name <sup>a</sup>	Profession	Sex	Age	Social Category
1		Tea Shop	M	35	ST
2		Tea Shop	M	55	GEN
3		Tea Shop	M	35	GEN
4		Tea Shop	M	22	GEN
5		Tea & Breakfast Shop	M	27	ST
6		Tea & Breakfast Shop	M	19	ST
7		Tea & Breakfast Shop	M	56	ST
8		Tea & Breakfast Shop	M	21	ST
9		Tea Shop	M	35	GEN
10		Tea Shop	M	39	OBC

<sup>a</sup> Names taken out to protect privacy.



**Abdul Aziz**



**Md. Rafiq**



**Hemraj Gujjar**



**Gyanchandra**



**Radheshyam Sharma**



**Pappulal Meena**



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क्रमांक: 498-517

दिनांक: 02.07.09

### बैठक कार्यवाही विवरण

दिनांक 22.06.2009 को आर.यू.आई.डी.पी. से सम्बन्धित कार्यों हेतु बारां-छवड़ा सिटी लेवल कमेटी की बैठक अतिरिक्त जिला कलक्टर, बारां की अध्यक्षता में आयोजित की गई। सिटी लेवल कमेटी के सदस्यों एवं अधिशाही अभियंता जल संसाधन विभाग, चण्ड बारां को बैठक में आमंत्रित किया गया। बैठक में उपस्थित सदस्यों/अधिकारियों की सूची परिशिष्ट 'अ' पर संलग्न है। बैठक में निम्न बिन्दुओं पर चर्चा की गई तथा निर्णय लिये गये।

1. बैठक में आर.यू.आई.डी.पी. विभाग द्वारा संचालित योजनाओं के बारे में प्रजेन्टेशन अधिशाही अभियंता, आर.यू.आई.डी.पी. द्वारा दिया गया जिसमें आर.यू.आई.डी.पी. के फेज-प्रथम के स्टेटस एवं फेज-द्वितीय की आवश्यकता, इसमें सम्मिलित शहरों, आर.यू.आई.डी.पी. के वित्तीय प्लान, क्रियान्वयन सेटअप, ए.डी.बी. लोन की राशि शहरी स्थानीय निकाय की सहयोग राशि, बारां-छवड़ा में ट्रेड चाइज कार्यों का चिन्हीकरण एवं बारां-छवड़ा के द्वितीय ट्रेड के कार्य आर.ओ.बी. तथा ड्रेनेज की जानकारी एवं प्रगति, रि-सेटलमेन्ट प्लान, कार्यों के लिए भूमि आवंटन की स्थिति तथा एनवॉययरनेन्टल इश्यूज आदि की जानकारी दी। अधिशाही अभियंता ने बताया कि ट्रेड तृतीय में बारां शहर जलापूर्ति हेतु हीकड देह को पूर्ण में स्ट्रोत लिये जाने तथा प्राथमिकता से कैपेसिटी सर्वे की प्रगति से सदस्यों को अवगत कराया।
2. शहर बारां के लिये ट्रेफिक मास्टर प्लान पर प्रस्तुति श्री नीरज बामनिया, सपोर्ट इंजिनियर, कन्सल्टेन्ट द्वारा दी गई तथा शहर की वातावरण व्यवस्था के लिए लघु अवधि, मध्यम अवधि एवं दीर्घावधि के लिए प्रस्तावित कार्यों की सूची भी प्रस्तुत की गई। वरिष्ठ नगर नियोजक द्वारा ट्रेफिक मास्टर प्लान की प्रतिलिपी चाही गई जिस पर समिति सदस्यों द्वारा शीघ्र मास्टर प्लान की प्रतिलिपि उपलब्ध कराने के लिए तथा 7 दिवस में प्रस्तावित ट्रेफिक मास्टर प्लान पर अपनी राय देने के लिए कहा गया।

मीटिंग में सदस्यों द्वारा सुझाव दिया गया कि शहर में पार्किंग की जगह, ट्रेफिक के आवागमन, बोक बाजार, बिल्डिंग जेटिरियल से सम्बन्धित वाहनों के आवागमन, सडक वार समस्याओं को ध्यान में रखकर मास्टर प्लान में विकास कार्य सम्मिलित किये जाने चाहिये।

List of Participants

पत्रि संख्या-31

1	5	1	5	1
2	6	2	6	2
3	7	3	7	3
4	8	4	8	4
5	9	5	9	5
6	10	6	10	6
7	11	7	11	7
8	12	8	12	8
9	13	9	13	9
10	14	10	14	10
11	15	11	15	11
12	16	12	16	12
13	17	13	17	13
14	18	14	18	14
15	19	15	19	15
16	20	16	20	16
17	21	17	21	17
18	22	18	22	18
19	23	19	23	19
20	24	20	24	20
21	25	21	25	21

### City Level Committee Meeting In Baran



## **CONSULTATION AND DISCLOSURE**

### **A. Consultation**

1. Consultations will be held with special emphasis on vulnerable groups. Encouraging public participation in consultations informs the public of the Program and serves as a venue for the public to express their opinion on priorities which the Program should address.
2. The key stakeholders to be consulted during Resettlement Plan implementation and Program implementation includes:
  - (i) all affected persons, including vulnerable households;
  - (ii) program beneficiaries;
  - (iii) host populations in resettlement sites;
  - (iv) elected representatives, community leaders, and representatives of community-based organizations;
  - (v) local NGOs;
  - (vi) local government and relevant government agency representatives; and
  - (vii) Program staff, IPMU, IPIU, and consultants.
3. Consultations conducted during Resettlement Plan implementation will identify help required by affected persons during rehabilitation. Continuing involvement of those affected by subprojects is necessary in the resettlement process. The IPIU will ensure that affected persons and other stakeholders are informed and consulted about the subproject, its impact, their entitlements and options, and allowed to participate actively in the development of the subproject. This will be done particularly in the case of vulnerable affected persons, who will be encouraged to choose options that entail the lowest risk. This exercise will be conducted throughout the subproject—during preparation, implementation, and monitoring of subproject results and impacts.
4. The implementing NGOs will ensure that views of affected persons, particularly those who are vulnerable, related to the resettlement process are looked into and addressed. The NGOs will ensure that affected persons consulted are informed of the outcome of the decision-making process, and will confirm how their views were incorporated. Since resettlement is a continuous process and baseline data/information will be collected, the implementing NGO will regularly update the baseline information.

### **B. Disclosure**

5. Information was and continues to be disseminated to affected persons for the sample subprojects. Finalized Resettlement Plans will be disclosed in ADB's website, IPMU websites, and IPIU or town websites; and information dissemination and consultation will continue throughout program implementation.
6. The IPIU SDS will conduct consultations and disseminate information to all affected persons. Resettlement Plans will be translated into the local language and made available at offices of the: (i) Urban Local Bodies (ULBs); (ii) relevant local government line agencies; and (iii) IPMU and IPIUs. Resettlement Plans will also be kept in the public libraries, accessible to citizens as a means to disclose the document and at the same time creating wider public awareness.
7. The Resettlement Framework and Resettlement Plans will be disclosed in the following websites: IPMU, IPIU, State Government, local governments, and ADB. The IPMU will issue notification of implementation start dates for each subproject. The notice will be

issued by the IPMU in local newspapers one month ahead of implementation. This will create awareness of project implementation. The IPMU and IPIUs will provide information on Involuntary Resettlement policies and features of the Resettlement Plan. Basic information such as subproject location, impact estimates, entitlements, and implementation schedule will be presented in the form of a brochure that will be circulated among affected persons. Posters containing basic Resettlement Plan information will also be posted in different localities to increase awareness. Copies of Resettlement Plan summaries will be kept in the IPMU and IPIU offices and will be distributed to any affected person consulting on resettlement issues. The Resettlement Framework will be made available in local language during public meetings. This will enable stakeholders to provide inputs on the resettlement process, prior to award of civil work contracts.

8. An intensive information dissemination campaign for affected persons will be conducted by the IPIU with assistance from the implementing NGO at the outset of Resettlement Plan implementation. All the comments made by the affected persons will be documented in the subproject records and summarized in subproject monitoring reports. A summary of consultation and disclosure activities to be followed for each subproject are in Table A6.

**Table A6: Consultation and Disclosure Activities**

<b>Program Phase</b>	<b>Activities</b>	<b>Details</b>	<b>Responsible Agency</b>
Investment Program Bridging Phase	Mapping of the Program areas	Area to be mapped, clearly showing survey numbers of titleholders of land/property proposed for acquisition	IPMU in coordination with District Collector's offices and other local bodies.
	Stakeholder identification	Cross section of stakeholders to be identified in order to facilitate their participation in the Program.	IPMU and IPIUs in consultation with stakeholders.
	Program/subproject information dissemination; Disclosure of proposed land acquisition	Leaflets containing information on the Program and subproject to be prepared. Public notice issued in local newspapers (and disclosed on IPMU/IPIU websites) including survey numbers and names of titleholders for land to be acquired concurrent with consultation with titleholders.	SDS and Resettlement Specialist from IPMU. IPMU may seek the assistance of CAAP consultants for leaflet preparation. Notice will be issued from the District Collector's office. SDS IPMU and SDS IPIU to disclose on the web.
	Stakeholder consultations	Further consultations with affected titleholders and households. Consultations with non-titled affected persons and other stakeholders during subproject scoping.	SDS IPIU and NGO.
Resettlement Plan Preparation Phase	SIA surveys	Surveys to be conducted. Summary Resettlement Framework to be disclosed in local language through printed materials to affected persons particularly those who are vulnerable and other stakeholders.	IPIU to conduct surveys. SDS IPIU to disclose Resettlement Framework to stakeholders (including making it available in IPMU/IPIU offices and government agency offices), SDS IPMU to disclose on the web.
	Formulating compensation and resettlement assistance measures	Conducting stakeholder consultations particularly affected persons in and reflecting issues raised in revised Resettlement Plan.	SDS IPIU and NGO.
	Disclosure of final entitlements and rehabilitation packages	Provision of Resettlement Plans to all stakeholders particularly affected persons. Conducting consultations and distributing	SDS IPMU, and SDS IPIU to disclose on the web. SDS IPIU and NGO to conduct consultations.

<b>Program Phase</b>	<b>Activities</b>	<b>Details</b>	<b>Responsible Agency</b>
		local language versions of the summary Resettlement Plan.	
Resettlement Plan Implementation Stage	Disclosure of Resettlement Plan	Review and approval of Resettlement Plan by Executing Agency. Review and approval of Resettlement Plan by ADB. Web disclosure of the Resettlement Plan.	Executing Agency to provide ADB with Resettlement Plan for review and approval. SDS IPMU, and SDS IPIU to disclose on the web.
	Consultation with affected persons during Resettlement Plan implementation	Consultations with affected persons.	NGO with monitoring from IPIU and external agency.

ADB = Asian Development Bank, IPIU = Investment Program Implementation Unit, IPMU = Investment Program Management Unit, NGO = nongovernmental organization, SDS = Social Development Specialist, SIA = social impact assessment.