

Resettlement Plan

April 2016

IND: Rajasthan State Highway Investment Program

Package-2

1. Barmer - Sindhari - Jalore Road (SH-16)
2. Sanderao - Bali - Mundara Road (SH-16)

CURRENCY EQUIVALENTS

(as of 19 March 2016)

Currency unit	–	Indian rupees (INR/Rs)
INR1.00	=	\$.01502
\$1.00	=	INR 66.401

ABBREVIATIONS

ADB	–	Asian Development Bank
DC	–	District Collector
DH	–	Displaced Household
DP	–	Displaced Person
EA	–	Executing Agency
GOI	–	Government of India
GRC	–	Grievance Redressal Committee
IA	–	Implementing Agency
IAY	–	Indira Awaas Yojana
LA	–	Land Acquisition
RFCTLARR	–	The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
RLAB	–	Draft Rajasthan Land Acquisition Bill
NGO	–	Nongovernment organization
PD	–	Project Director
PIU	–	Project implementation Unit
PRoW	–	Proposed Right-of-Way
R&R	–	Rehabilitation and Resettlement
RF	–	Resettlement Framework
RO	–	Resettlement Officer
RoW	–	Right-of-Way
RP	–	Resettlement Plan
SC	–	Scheduled Caste
SO	–	Safeguards Officer
SH	–	State Highway
SPS	–	Safeguard Policy Statement
SoR	–	PWD Schedule of Rate
ST	–	Scheduled Tribe

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EXECUTIVE SUMMARY

1. Government of Rajasthan has proposed to upgrade its road network under Rajasthan State Highway Investment Program (RSHIP) and as part of this endeavour, Public Works Department (PWD) of Rajasthan has been mandated to undertake improvement and upgradation of various State Highways and Major District Roads at different locations in Rajasthan. As part of this mandate, the PPP Division of Rajasthan Public Works Department has identified the roads requiring improvement that would improve the connectivity to national highways, major towns and industrial belts. The proposed investment program under Tranche-1 will support up gradation and improvement of the identified 16 road-projects totalling of about 1009km spread across the State of Rajasthan.

2. The Public Private Partnership (PPP) Cell of the Public works Department has prepared this Resettlement Plan (RP) for Package-2 comprising of 2-road subprojects viz. *Barmer - Sindhari - Jalore* section of SH-16 up to *Bishangarh* and *Sanderao - Bali - Mundara* section of SH-16, being one of the four packages being proposed under Tranche-1 for improvements under RSHIP. This RP addresses social issues arising out of acquisition of land and other assets, eviction of squatters and removal of encroachments resulting in social and / or economic displacement to households / individuals / community, either direct or indirect and is in compliance with ADB's Safeguard Policy Statement, 2009 and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. The subprojects proposed under Package-2 involves improvements to the (i) *Barmer - Sindhari - Jalore* section of SH-16 up to *Bishangarh* involving widening of 148.090km; and (ii) *Sanderao - Bali - Mundara* section of SH-16 involving widening of 29.420km, totalling 177.510km of State Highways from the existing single/two lane to two lane road. The improvement works include geometric improvements; junction improvements; provision of drain; and footpath.

4. The road subprojects proposed under Package-2 will involve acquisition of private land measuring 10.80ha belonging to 60 landowners, transfer of 11.08ha of government land and will impact 140 private structures. The impact to 140 private structures will cause physical displacement to 14 households, economic displacement to 84 households, physical and economic displacement to 8 households and non-significant impact to 34 household. Further, 13 landowners losing 10 percent and more land would also face economic displacement. In addition to this 13 tenants and 18 common property resources will also be affected. In all the project will cause impact to 213 households comprising of 1764 persons.

5. The objective of this Resettlement Plan (RP) is to assist the affected people to improve or at least restore their living standards to the pre-project level. This RP is based on the final detailed measurement survey and captures the involuntary resettlement impacts arising out of the proposed improvements to the road subprojects proposed under Package-2 of RSHIP. The document describes the magnitude of impact, mitigation measures proposed, method of valuation of land, structure and other assets, eligibility criteria for availing benefits, baseline socio-economic characteristics, entitlements based on type of loss and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring.

6. The private land required for the improvements proposed is 10.80ha of wet land. The private land proposed for acquisition is mostly strips of land, with the width varying from 5-10m, and abutting the existing road. Further, government land measuring 11.08ha will also be

required to be transferred for the proposed improvements. The land acquisition plans have been prepared and the precise number of land owners and extent of land lost will be updated once the land plan schedule is completed.

7. Sixty five percent of the private structures getting affected are permanent in nature, followed by 31 percent structures that are semi-permanent in nature and 4 percent of the structures are temporary in nature. Seventy six percent of the structures getting affected are being used for commercial purpose, comprising largely of small business establishments, followed by 13 percent of the structures getting affected are used for residential purpose and 10 percent structures are used for both residence and commercial purpose. The subproject will not involve any private trees along with the structures belonging to the DHs, however the land being acquired will involve private trees, the estimate of it will be known during detailed scrutiny of land acquisition plans. The project will affect 18 common property resources.

8. During the census and socio economic survey, FGDs were conducted in villages along the subproject roads proposed under Package-2, in settlements and sections where impacts were recorded. All relevant aspects of subproject design, details of land required and impact to private property were discussed with the affected communities. A total of 121 persons (22 females and 99 males) participated in the 5 consultation meetings.

9. Information will be disseminated to DPs at various stages. Information including magnitude of loss, detailed asset valuations, entitlements and special provisions, grievance procedures, timing of payments, displacement schedule, civil works schedule will be disclosed by the PIU with assistance from the NGO hired for assisting in RP implementation. This will be done through public consultation and made available to DPs as brochures, leaflets, or booklets, in Hindi. The RP will be disclosed by the PMU upon receiving approval from GoR and uploaded in the PWD website along with the gist of the RP translated in local language. The translated gist of the RP would provide details of the project, magnitude of impact to land and assets, eligibility and entitlement, institutional arrangement and grievance redressal process. Hardcopies of the gist of the RP in local language will be made available at the office of the PMU, PIUs and distributed to the DPs.

10. The policy framework and entitlements for the RSHIP are based on national laws: The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, State laws and regulations and ADB's Safeguard Policy Statement (SPS), 2009.

11. For title holders, the date of SIA notification [Sec 4(2)] of intended acquisition as per the provisions of RFCTLARR Act will be treated as the cut-off date, and for non-titleholders the start date of project census survey for the subproject will be the cut-off date.

12. An Entitlement Matrix has been developed, that summarizes the types of losses and the corresponding nature and scope of entitlements; and is in compliance with National/State Laws and ADB SPS. The matrix presents the entitlements corresponding to the tenure of the DPs and the same has been approved and endorsed by Government of Rajasthan. The total resettlement cost for the subproject is INR 148 million.

13. Grievance Redressal Committee (GRC) will be established at two-levels, one at the District level and another at PMU level, to receive, evaluate and facilitate the resolution of displaced persons concerns, complaints and grievances.

14. The jurisdictional Additional Collector will be the administrator for Land Acquisition, Resettlement and Rehabilitation (LARR). The jurisdictional Additional Collector being the competent authority for land acquisition, he will also look into Resettlement and Rehabilitation and s/he will be supported by the Project Director, PIU in implementation of resettlement plan.

15. The PPP Division, PWD, Government of will be the Project Management Unit (PMU) and will be overall in charge of coordination between the eight Project Implementation Units (PIU) and in prioritising subprojects for subsequent tranches based on social safeguards compliance. The PIU will be responsible for screening subprojects, categorization based on IR impacts, conducting the social assessment, preparation and implementation of Resettlement Plans (RPs).

16. In view the significance of resettlement impacts under the facility, the monitoring mechanism for this project will have both monitoring by PIU and monitoring by an external agency / expert.

I. PROJECT DESCRIPTION

A. Background

1. Government of Rajasthan has proposed to upgrade its road network under Rajasthan State Highway Investment Program (RSHIP) and as part of this endeavour, Public Works Department (PWD) of Rajasthan has been mandated to undertake improvement and upgradation of various State Highways and Major District Roads at different locations in Rajasthan. As part of this mandate, the PPP Division of Rajasthan Public Works Department has identified the roads requiring improvement that would improve the connectivity to national highways, major towns and industrial belts. The proposed investment program will support up gradation and improvement of the identified roads and Tranche-1 will finance 16 road projects totalling of about 1009km spread across the State of Rajasthan. The road subprojects proposed under Tranche-1 and their packaging details is given below.

Table 1: List of Subprojects under Tranche-1

Package	State Highway / MDR Number	Name of the Road Subproject	Project Length (km)
Package e-1	SH-74	Kanwas - Aklera	80.020
	SH-74 A	Deoli - Kanwas	14.850
	SH-19 C	Alot (MP) - Gangdhar - Suwasara (MP)	24.550
	SH-22	Kherli - Pahari	61.160
Subtotal Package-1			180.580
Package -2	SH-16	Barmer - Sindhari - Jalore	148.090
	SH-16	Sanderao - Bali - Mundara	29.420
Subtotal Package-2			177.510
Package-3	MDR-103	Peelibanga - Lakhuwali	34.548
	SH-6A	Sardarsher - Lunkaransar	75.800
	SH-69	Churu - Bhaleri	34.800
	SH-60	Sanju - Tarnau	16.710
	SH-100	Roopangarh - Naraina	34.792
	SH-19, SH-60, SH-20, SH-83, SH-8, SH-82 and SH-82-A	Nagaur - Tarnau - Deewana -Mukundgarh	210.415
Subtotal Package-3			407.065
Package -4	SH-13B	Singhana - Buhana - Haryana Border	34.190
	SH-13	Ajeetgarh - Chala	33.135
	SH-20 & 20 A	Sikar-Ganeri-Jaswantgarh	83.260
	SH-20	Bidasar-Nokha	93.000
Subtotal Package-4			243.585
Grand Total			1008.740

2. The Public Private Partnership (PPP) Cell of the Public works Department has prepared this Resettlement Plan (RP) for Package-2 comprising of 2-road subprojects viz. *Barmer - Sindhari - Jalore* section of SH-16 up to *Bishangarh* and *Sanderao - Bali - Mundara* section of SH-16, being one of the four packages being proposed under Tranche-1 for improvements under RSHIP. This RP addresses social issues arising out of acquisition of land and other assets, eviction of squatters and removal of encroachments resulting in social and / or economic displacement to households / individuals / community, either direct or indirect and is in

compliance with ADB's Safeguard Policy Statement, 2009 and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

B. The Package

3. The Package-2 comprises of 2-road subprojects totalling a length of 177.510km and the proposed improvements in each road subproject is detailed below. The key plan of the subproject road is presented below and the google earth image is given in Appendix-I.

4. The *Barmer - Sindhari - Jalore* section of SH-16 up to *Bishangarh* involves widening of 148.090km of the State Highway. The existing width of carriageway along the project road is mostly 2-lane of 7.00 meter formation and in some places it is single lane of 3.5 meter formation. The proposed improvement of the road envisages 12.0 metre formation width and the improvements include provision of shoulders, drainage facility road furniture and accessories. The subproject road starts from km 0.000 at Mahatma Gandhi Circle in *Barmer* City and terminates at km 90.000 of SH-16 (BRO) at Hospital Square in *Jalore* City. The section from km 149.600 to km 163.200 has been declared as National Highway and hence this section is excluded from the scope of the subproject. This road connects two major National Highways, NH-15 at *Barmer* with NH-325 at *Bishangarh*. Further, the road crosses *Pahlodo to Ramji ki Gol*, the mega highway at Sindhari. There are proposals for establishing oil refineries in view of the oil wells in this region and this road subproject will provide the required connectivity.

5. The *Sanderao - Bali - Mundara* section of SH-16 involves reconstruction/widening of 29.420km of the existing two-lane State Highway. The improvements include provision of shoulders, drainage facility road furniture and accessories. The subproject road starts from km 183.000 of SH-16 with T-Junction of SH-64 (km 82, connecting *Jodhpur* on the left side and *Jalore* on the right side) at Bhimrao Ambedkar Circle in *Ahore* Village and terminates at km 253.000 of SH-16 at *Mundara* Village. The section from km 183.000 to km 225.000 has been declared as National Highway and hence is excluded from the scope of the subproject. The subproject road connects NH-62 and NH-325 at *Sanderao* with NH-162. Further, the subproject passes through *Falna* and *Bali* town on the western corridor of the Dedicated Freight Corridor.

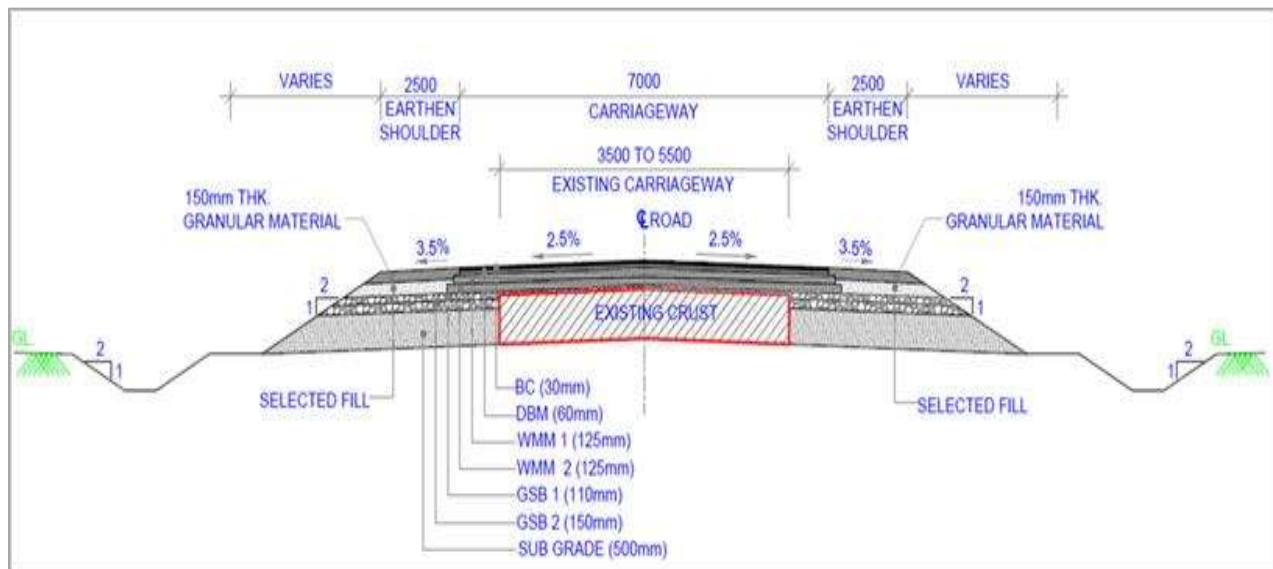


Figure 1: Typical Cross Section

C. Profile of the Subproject Area

6. The subproject roads proposed under Package-2 is spread across 3 districts of Rajasthan State. The subproject *Barmer - Sindhari - Jalore* section of SH-16 up to *Bishangarh* falls entirely in the district of *Pali* and the subproject *Sanderao - Bali - Mundara* section of SH-16 falls passes through 2 districts viz. *Barmer* District and *Jalore* District.

7. *Pali* district is bounded by eight districts, *Nagaur* District to the north, *Ajmer* District to the northeast, *Rajsamand* District to the east, *Udaipur* District to the southeast, *Sirohi* District to the southwest, *Jalore* District and *Barmer* District to the west, and *Jodhpur* District to the northwest. The district is situated between 24°45' and 26°29' north latitudes and 72°47' and 74°18' east longitudes. *Pali* District has a population of 20,37,573 accounting for 2.97 percent of the State's population. Urban population accounts for 22.6 percent of the district's population and rural population is just 77.4 percent. The percentage of male population (50.3%) is slightly higher than the percentage of female population (49.7%) and the sex ratio is 987, higher than the State average of 928. The literacy rate in the district is 53.3 percent, lower than the State literacy rate (55.8%) and the male literacy rate (65.1%) is much higher than the female literacy rate (41.3%). There are 41.3 percent workers, of which main workers account for 71.9 percent and marginal workers 28.1 percent. Main workers comprise of 33.1 percent cultivators and 19.1 agricultural workers, totaling 52.2 percent dependent on agriculture. Other workers comprising service, industry, etc account for 44.6 percent of the main workers.

8. *Barmer* district is bounded by *Jaisalmer* to its North, *Jalore* on its South, *Pali* and *Jodhpur* to its East and *Pakistan* to its West. The district is situated between 24°58' to 26°32' north latitudes and 70°05' to 72°52' east longitudes. The district has a population of 26,03,751 accounting 3.8 percent of the State's population. The district is largely rural with urban population accounting for a meager 7.0 percent and rural population is 91.0 percent. The percentage of male population (52.6%) is slightly higher than the percentage of female population (47.4%) and the sex ratio is 902, lower than the State average of 928. The literacy rate in the district is 45.6 percent, lower than the State literacy rate (55.8%) and the male literacy rate (57.2%) is higher than the female literacy rate (32.8%). There are 46.2 percent workers, of which main workers account for 61.7 percent and marginal workers 38.3 percent. Main workers comprise of 62.0 percent cultivators and 6.8 agricultural workers, totaling 68.8 percent dependent on agriculture. Other workers comprising service, industry, etc account for 28.9 percent of the main workers.

9. *Jalore* District is bounded on the northwest by *Barmer* District, on the northeast by *Pali* District, on the southeast by *Sirohi* District, and by *Banaskantha* District of *Gujarat* state on the southwest. The district covers 10,640 sq.km and is situated between 25°22 north latitude and 72°58 east longitude. The district has a population of 18,28,730 accounting 2.7 percent of the State's population. The district is largely rural with urban population accounting for a meager 8.3 percent and rural population is 91.7 percent. The percentage of male population (51.2%) is slightly higher than the percentage of female population (48.8%) and the sex ratio is 952, higher than the State average of 928. The literacy rate in the district is 45.4 percent, lower than the State literacy rate (55.8%) and the male literacy rate (58.1%) is much higher than the female literacy rate (32.0%). There are 49.0 percent workers, of which main workers account for 73.7 percent and marginal workers 26.3 percent. Main workers comprise of 58.6 percent cultivators and 13.3 agricultural workers, totaling 71.9 percent dependent on agriculture. Other workers comprising service, industry, etc account for 25.8 percent of the main workers

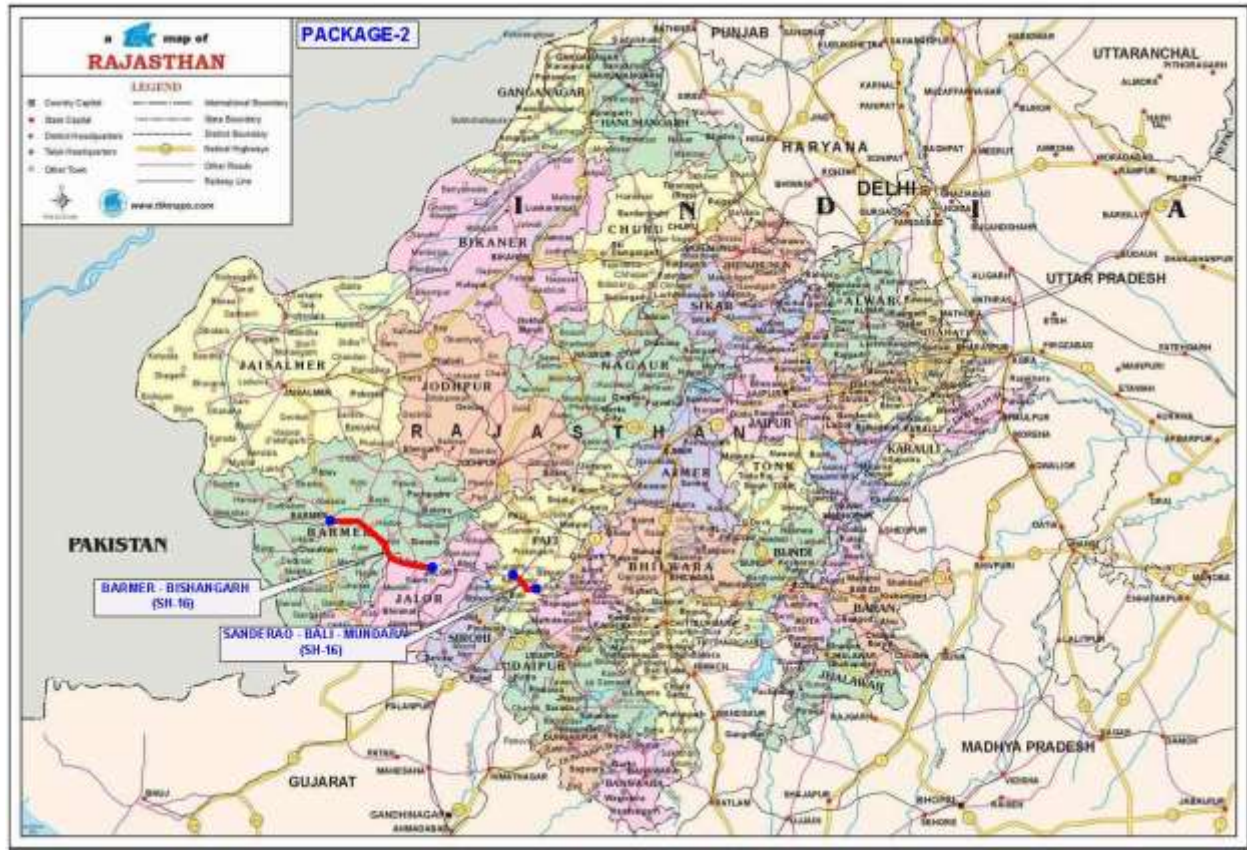


Figure 2: Key Plan of the Subproject Roads (Package-2)

D. Sub project Impacts

10. The towns and villages along the road subprojects would have improved connectivity with State Highways (SH), National Highways (NH), major trading, educational and administrative centres. Further, the improved road will reduce the travel time to the residents of this area to work place, schools, hospitals and markets. Agriculturist too will benefit by being able to quickly transport their produce without delay and can expect buyers coming to their doorstep to procure food grains. Better connectivity to the SH/NH will lead to industrial growth along the subproject road that will result in employment generation. However, the subproject will require private land and removal of encroachments and squatting for improving the road, resulting in negative impacts to some people living along the corridor.

11. The road subprojects proposed under Package-2 will involve acquisition of private land measuring 10.80ha belonging to 60 landowners, transfer of 11.08ha of government land and will impact 140 private structures. The impact to 140 private structures will cause physical displacement to 14 households, economic displacement to 84 households, physical and economic displacement to 8 households and non-significant impact to 34 household. There are 13 landowners losing 10 percent and more land who would also face economic displacement. In addition to this 13 tenants and 18 common property resources will also be affected. In all the project will cause impact to 213 households comprising of 1764 persons. The involuntary resettlement impacts is summarised in Table 2.

Table 2: Summary of Involuntary Resettlement Impacts

Impact	Extent/Numbers		
	SH-16 (Sanderao - Bali - Mundara Section)	SH-16 (Barmer - Sindhari - Jalore section)	Package-2
Private Land Acquisition (ha) - Wet	0.26 ha	10.54 ha	10.80 ha
Private Land Acquisition (ha) - Dry	Nil	Nil	Nil
Government Land Required	0.53 ha	10.55 ha	11.08 ha
Temporary Land Acquisition (ha)	Nil	Nil	Nil
Displaced Households (DHs)	92	121	213
Physically Displaced Households (Loss of Residence)	1	13	14
Economically Displaced Households (Loss of Shop)	52	32	84
Economically Displaced Titleholders losing land	1	12	13
Physically and Economically Displaced Households (Loss of Residence cum Shop)	8	0	8
Non Significant Impact ¹	28	6	34
Titleholders Losing strip of land	-	47	47
Tenants	2	11	13
Total Displaced Persons (DPs)	762	1002	1764
Titled DPs	8	488	496
Non-titled DPs	754	514	1267
Affected employees	35	13	48
Affected Structures	89	51	140
Affected Private Trees	-	-	-
Affected Common Property Resources	9	9	18

12. The road subprojects will cause impact to 1 women headed household, 1 scheduled tribe household and 8 scheduled caste households.

Table 3: Impact to Vulnerable Category (mutually exclusive)

Vulnerable Category	Extent/Numbers		
	SH-16 (Sanderao - Bali - Mundara Section)	SH-16 (Barmer - Sindhari - Jalore section)	Package-2
Women Headed Household (WHH) ²	-	1	1
Scheduled Tribe (ST) headed household ²	-	1	1
Scheduled Caste (SC) headed household ²	3	6	9
BPL household ²	-	-	-
Disabled Headed Households (DHH) ²	-	-	-
Total	3	8	11

Source: Census and Social Survey, October 2015

¹ Where the impact to structure is less than 10 percent of the total area, then such impacts are categorised as non-significant impacts as the DP is neither physically nor economically displaced.

² Vulnerability identified amongst the affected households is presented which are mutually exclusive in the order presented in the table.

E. Minimizing Involuntary Resettlement

13. Measures were taken to minimise adverse involuntary resettlement impacts by adopting concentric widening in built-up sections and reducing the proposed right-of-way to 9m in built-up sections. The available right-of-way (RoW) was utilised to the maximum, thereby reducing the additional land requirement for the proposed widening. In rural sections the improvements have been restricted to 16m.

F. Impact to Indigenous Peoples

14. The census and socio economic survey and consultations had along the project area confirm that there are no indigenous people in the settlements along the subproject roads and further the subprojects does not impact any indigenous people. Though there are scheduled tribe households who will be affected by this subproject, they are part of the mainstream population.

G. Scope and Objective of Resettlement Plan

15. The objective of this Resettlement Plan (RP) is to assist the affected people to improve or at least restore their living standards to the pre-project level. This RP captures the involuntary resettlement impacts arising out of the proposed improvements to the road subprojects proposed under Package-2 of RSHIP. The document describes the magnitude of impact, mitigation measures proposed, method of valuation of land, structure and other assets, eligibility criteria for availing benefits, baseline socio-economic characteristics, entitlements based on type of loss and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Introduction

16. The subprojects proposed under Package-2 involves improvements to the (i) *Barmer - Sindhari - Jalore* section of SH-16 up to *Bishangarh* involving widening of 148.090km; and (ii) *Sanderao - Bali - Mundara* section of SH-16 involving widening of 29.420km, totalling 177.510km of State Highways from the existing single/two lane to two lane road. The improvement works include geometric improvements; junction improvements; provision of drain; and footpath.

B. Scope of Land Acquisition

17. The available right-of-way has been fully considered for the proposed improvement and the existing right-of-way (RoW) for the road section were determined using village maps and verified at site. Since the available RoW is not sufficient to meet the design cross section for the proposed 2-lanning, the road construction would entail acquisition of private land resulting in adverse impacts to households. The private land required for the improvements proposed is 10.80ha of wet land. The private land proposed for acquisition is mostly strips of land, with the width varying from 5-10m, and abetting the existing road. Further, government land measuring 11.08ha will also be required to be transferred for the proposed improvements. The land acquisition plans have been prepared and the precise number of land owners and extent of land lost will be updated once the land plan schedule is completed.

Table 4: Category of Land being Acquired

S.I. No.	Type of Ownership	Hectare
1	Private Wet	10.80
2	Private Dry	-
3	Government	11.08
Total	Total	21.88

Source: LAP prepared by DPR Consultants, January 2016

18. The land proposed for acquisition is of different category and the extent of land by type of land is presented in the following table. Ninety eight percent of land proposed for acquisition is barren land and hence the acquisition will not have any impact on the livelihood of the these landowners.

Table 5: Classification of Loss of Private Land and Impacts

S. No	Use of Land	Number of Affected Household	Hectare
1	Agricultural	6	0.19
2	Residential	-	-
3	Commercial	-	-
4	Barren Land	54	10.61
5	Others (if any)	-	-
Total	Total	60	10.80

Source: LAP prepared by DPR Consultants, January 2016

19. The land being acquired has been categorised based on the extent of land lost and the scale of impact is presented in the following table along with the number of affected households in each category.

Table 6: Intensity of Land Impact

SNo	Scale of Impact	Number of Affected Household
1	Up to 10%	47
2	Above 10% and Below 25%	8
3	Above 25% and Below 50%	4
4	Above 50% and Below 75%	-
5	Above 75%	1
Total	Total	60

Source: LAP prepared by DPR Consultants, January 2016

C. Impact to Structures

20. The improvements proposed will cause impact to 140 private structures and 18 common property resources. Further, there are 13 tenants who would be affected and there are 48 employees affected in the subproject. The private land acquisition involves acquisition of 10.80ha belonging to about 60 landowners. Seventy six percent of the affected structures are being used for commercial purpose, followed by 14 percent used as residence and 10 percent being used for both residence and commercial purpose.

D. Loss of Private Structures

21. All the structures getting affected are squatter occupied and the ownership details of the private structures getting affected is presented in the following table.

Table 7: Ownership of Private Structures

Tenure	Package-2	Percentage
Owner	-	-
Encroacher	-	-
Squatter	140	100.0
Total	140	100.0

Source: Census and Social Survey, October 2015

22. Sixty five percent of the private structures getting affected are permanent in nature, followed by 31 percent structures that are semi-permanent in nature and 4 percent of the structures are temporary in nature. The type of construction of the affected structures is presented in the following table.

Table 8: Type of Construction of the Affected Structures

Type of Structure	Package-2	Percentage
Permanent	91	65.0
Semi permanent	43	30.7
Temporary	6	4.3
Total	140	100.0

Source: Census and Social Survey, October 2015

23. Seventy six percent of the structures getting affected are being used for commercial purpose, comprising largely of small business establishments, followed by 13 percent of the structures getting affected are used for residential purpose and 10 percent structures are used for both residence and commercial purpose. The use of the affected structure is presented in the following table.

Table 9: Use of the Affected Structures

Use of Structure	Package-2	Percentage
Residential	19	13.6
Commercial	107	76.4
Residence cum Commercial	14	10.0
Others & Kiosks	-	-
Total	140	100.0

Source: Census and Social Survey, October 2015

E. Magnitude of Impact on Structures

24. The subproject will cause impact to 140 structures and the structures have been assessed for the significance of impact, with loss of less than 10 percent being considered as non-significant and loss of 10 percent and above as significant. Out of these 140 structures, 106 (76%) structures will face significant impact requiring relocation and the remaining 34 (24%) structures will not face much impact and will be able to continue to reside and/or do their business in the same place. The significant impacted DHs comprise of 14 DHs who will face physical displacement, 84 DHs who will face economic displacement and 8 DHs will face both physical and economic displacement. The extent of loss to structure and its use is presented in the following table.

Table 10: Use by Extent of loss to the Affected Structures

Impact	Residence	Commercial	Residence cum Commercial	Others	Total
Less than 10%	5	23	6	-	34
≥ 10% and < 20%	4	31	3	-	38
≥ 20% and < 50%	5	38	3	-	46
≥ 50% and ≤ 99%	5	13	3	-	20
100%	-	2	2	-	2
Total	19	107	14	-	140

Source: Census and Social Survey, October 2015

F. Loss of Livelihood

25. The subproject causes significant impact to 84 commercial establishments (60%) and 8 residence cum commercial establishments (6%) [see Table 10] resulting in loss of livelihood to about 66 percent of the displaced household. Further, there are 12 commercial tenants (92% of the tenants) and there are 48 employees who would also face economic displacement. The 13 titleholders losing 10 percent and more land would also face economic displacement. The category of impacts causing loss of livelihood is presented in the following table.

Table 11: Loss of Livelihood

Category of Loss	Number of Displaced Households	Number of Displaced Persons
Owners of Business	92	762
Commercial Tenants	12	99
Employees	48	
Titleholders	13	108
Total	165	969

Source: Census and Social Survey, October 2015

G. Loss of Trees

26. The subproject will not require removal of any private trees belonging to the DHs. All trees getting affected in this project belong to the government and the re-establishment of government trees will be done in accordance with the Forest Act. Further, the LPS is under preparation and will be taken up for scrutiny by the revenue authorities and at that time if there are trees in the land being acquired, they will be compensated in accordance with the provisions contained in the EM.

H. Loss of Common Property Resources

27. The project will affect 18 common property resources and of this 14 (78%) are places of worship. The PIU with the support of RP implementation support NGO will consult the trustees of the places of worship and in consultation with the local panchayat will facilitate in the relocation of these places of worship. The common property resource that is getting affected in the subprojects is presented in the following table. Wherever required, the PIU will ensure that utilities are relocated, in accordance to ADB SPS, prior to commencement of civil works in that stretch of the road corridor in accordance with the civil works schedule, which will be executed in 2-milestone, sections having no physical displacement in the 1st milestone and sections having physical displacement, land acquisition and bypasses in the 2nd milestone.

Table 12: Loss of Community Structures

Type of Community Asset	Number of Structures	Percentage
Place of worship	14	77.8
Hand pump / Bore well	-	-
CW, Government buildings, etc	4	22.2
Total	18	100.0

Source: Census and Social Survey, October 2015

III. SOCIOECONOMIC INFORMATION PROFILE

A. Involuntary Resettlement Impacts

28. This RP is based on the census and socio economic survey carried out between July and August 2015 and updated in October 2015 based on final and detailed design of the road subprojects. The census survey identified 140 households losing their structure and the salient findings are presented in the following sections.

B. Methodology Adopted

29. The census survey enumerated all private assets/properties and common property resources within the proposed right-of-way (PRoW) of 16m in rural sections and 9m-12m in urban sections. For every displaced household, a pretested structured questionnaire was administered during the census survey. The survey recorded details of: (i) identity of the Displaced Household (DH); (ii) tenure; and (iii) type, use and extent of loss to the DH.

30. In addition to recording the above information, detailed socio economic characteristics, including demographic profile of members of the household, standard of living, inventory of physical assets, vulnerability characteristics, indebtedness level, health and sanitation, and ascertaining perceptions about project, resettlement options and compensation, was collected from all impacted household. All structures were photographed and numbered for reference and record. Details of common property resources within the PRoW were also recorded.

31. The displaced households were categorised based on the severity of impact as significant (loss of 10 percent and above of the productive asset or structure) and non-significant (loss of less than 10 percent of the productive asset or structure). The summary of Displaced Households and the summary of Affected Common Property Resources is presented in Appendix-II.

32. The census survey identified 140 households and 13 tenants who would be affected and 18 common property resource that would be affected and required to be relocated or compensated. Of the 140 households, excluding the tenant, 106 households face significant impact and for 34 households, the impact is not significant.

33. Further, as per the land-plan-schedule (LPS) under preparation, there are 60 land parcels which would involve at least that many number of landowners who would be losing a strip of their land due to widening or bypass or curve improvement. After finalization of the LPS, the list of land owners, based on the land acquisition notification and subsequent enquiry that would be carried out as part of land acquisition proceedings, along with the compensation and R&R assistance, in accordance with the provisions of the Resettlement Framework, would be disclosed as an addendum to this RP.

34. The socio-economic survey was carried out amongst 140 households and the details of the same are analyzed and presented in the following sections.

C. Demographic Profile of Project Displaced Households

1. Household by Sex

35. One household (0.7%) of the displaced households is headed by women and the remaining households are headed by men. Males account for 56.0 percent and female account for 44.0 percent amongst Displaced Persons (DPs).

Table 13: DHs by Sex

	Number	Percentage
Male	139	99.3
Female	1	0.7
Total	140	100.0

Source: Census and Social Survey, October 2015

2. Household by Religion

36. Hindus account for 96 percent of the household getting affected, followed by 4 percent Muslims and 1 household belongs to Christians.

Table 14: Household by Religion

Religion	Number	Percentage
Hindu	134	95.7
Muslim	5	3.6
Christian	1	0.7
Total	140	100.0

Source: Census and Social Survey, October 2015

3. Household by Social Group

37. Fifty four percent of the displaced household belong to the other backward caste, followed by 38 percent general category, 7 percent scheduled caste and 1 household belongs to scheduled tribe.

Table 15: Household by Social Category

Social Category	Number	Percentage
General	53	37.9
Other Backward caste	76	54.3
Scheduled caste	10	7.1
Scheduled Tribes	1	0.7
	140	100.0

Source: Census and Social Survey, October 2015

4. Household by Size of Family

38. Amongst the 140 DHs, the family details were provided only by 39 DHs and the same is presented below. Family of size above 6 members account for 62 percent, followed by 18 percent each with a family of size 5 to 6 members and with a family of size 3 to 4 members and family of size up to 2 members account for 2 percent. The average size of the displaced household is 8.28 members or say 8 members.

Table 16: Size of the household

Size of the Family	Number	Percentage
Up to 2	1	2.5
3 to 4	7	18.0
5 to 6	7	18.0
Above 6	24	61.5
Total	39	100.0
Average size of the family is 8.28		

Source: Census and Social Survey, October 2015

5. Age group of DPs

39. The percentage of women aged above 65 years is marginally higher compared to men in the same age group. However, in the 21 and below age group the men account for 36 percent and women account for 35 percent. In all, 35 percent of the displaced persons are in the age group of 21 and below, followed by 25 percent in the age group of 22 and 35, 21 percent in the age group of 36 and 50, 11 percent in the age group of 50 and 65 and 7 percent in the above 65 age group.

Table 17: Age Group of DPs

Age Group	Male		Female		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
Up to 21	65	35.9	49	34.5	114	35.3
> 21 and ≤ 35	42	23.2	39	27.5	81	25.1
> 35 and ≤ 50	41	22.7	27	19.0	68	21.1
> 50 and ≤ 65	21	11.6	15	10.6	36	11.1
Above 65	12	6.6	12	8.5	24	7.4
Total	181	100.0	142	100.0	323	100.0

Source: Census and Social Survey, October 2015

D. Socio-economic Profile

1. Educational level of DPs

40. Sixty six percent amongst females and 45 percent amongst males are uneducated. Below metric is the highest level of educational attainment for most of the females with the number of females from metric level declining compared to the males.

Table 18: Educational level of DPs

Educational level	Male		Female		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
Up to Middle	17	9.4	17	12.0	34	10.5
Below Metric	36	19.9	17	12.0	53	16.4
Metric	29	16.0	10	7.0	39	12.1
Graduate	18	9.9	4	2.8	22	6.8
Post Graduate	-	0.0	-	0.0	-	0.0
Uneducated	81	44.8	94	66.2	175	54.2
Total	181	100.0	142	100.0	323	100.0

Source: Census and Social Survey, October 2015

2. Occupation of DPs

41. Ninety seven percent amongst females and 41 percent amongst males are not in workforce, comprising largely of children, students, elderly, housewives and females who do not go for work. Thirty three percent of the male are involved in business/trade, followed by 16 percent who are labourers, 4 percent are into cultivation, 1 percent is unemployed and 5 percent are in service. Women are mostly into labour and some are also into cultivation and managing shops.

Table 19: Occupation of DPs

Occupation	Male		Female		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
Service	9	5.0	-	0	9	2.8
Business / Trade	59	32.6	1	0.7	60	18.6
Agriculture	8	4.4	1	0.7	9	2.8
Labourer	29	16.0	1	0.7	30	9.3
Unemployed	2	1.1	2	1.4	4	1.2
Not in workforce	74	40.9	137	96.5	211	65.3
Total	181	100.0	142	100.0	323	100.0

Source: Census and Social Survey, October 2015

3. Income of Household

42. Ninety one percent of the households are earning above Rs.8000 per month, followed by 7 percent who earn between Rs.5001 and 8000, 1 percent each earn between Rs.4001 and Rs.5000 and between Rs.1001 and Rs.4000. The average monthly family income was reported as Rs.11,750.

Table 20: Monthly Household Income of DHs

Monthly Family Income Range	Number	Percentage
Up to 1000	-	-
1001 to 4000	2	1.4
4001 to 5000	2	1.4
5001 to 8000	9	6.5
>8000	127	90.7
Not disclosed	-	-
Total	140	100.0
The average monthly family income is Rs. 11,750		

Source: Census and Social Survey, October 2015

4. Impact to Vulnerable HH

43. The vulnerability amongst the significantly impacted DHs account for 9.4 percent (10 DHs out of 106 DHs). The vulnerable constitute 10 percent each of women headed households and scheduled tribe household, and 80 percent belong to scheduled caste. There were no household that qualified as BPL³ households. The vulnerable status of DHs in the package,

³ As per Planning Commission of India, the state specific poverty line for rural Rajasthan is Rs.1035.97 per capita per month for the year 2011-12 and the same updated for October 2015 based on CPIAL is Rs.1480. This is based on 'Dr. C . Rangarajan committees' proposed methodology. However, since many households had not disclosed their income and details of number of family members, it was not possible to determine BPL based on the above definition. Instead, the BPL families have been determined based on the ration card that they possess.

which is mutually exclusive in the order of priority as presented in the following table is given below.

Table 21: Vulnerable (mutually exclusive)

Vulnerability Type	Number of HH impacted	Percentage
Women Headed Household	1	10.0
Scheduled tribes	1	10.0
Scheduled Caste	8	80.0
Below poverty line	-	-
Disabled Headed Household	-	-
Total Vulnerable	10	100.0

Source: Census and Social Survey, October 2015

E. Key Socio-economic Indicators

44. The key socio-economic indicators established based on the census and socio-economic survey carried out amongst the DHs between July and August 2015 and updated in October 2015 are presented below. These indicators would form the baseline indicators that would be compared with the evaluation carried out by the independent external evaluation agency.

Table 22: Key Socio-economic Indicators

S. No	Indicator	Unit	Value/Figure
a)	Income (N = 140)		
1	Monthly family income	Average	Rs.11,750
2	Number of earners	Average	3.02
	Impact (N =140)		
3	Business establishment	%	42.8
b)	Housing/Shop Characteristics (N=140)		
4	Permanent	%	65.0
5	Semi-permanent	%	30.7
6	Temporary houses	%	4.3
c)	Family Characteristics (N=140)		
7	Family size	Average	8.28
8	Women headed household	%	0.7

Source: Census and Social Survey, October 2015

F. Resettlement Preferences

45. The DHs were asked to indicate their choice in resettlement and rehabilitation option of self-managed - cash assistance or project supported housing/livelihood assistance. All the DHs preferred self relocation.

Table 23: Resettlement and Relocation Preference

Vulnerability Type	Number of HH impacted	Percentage
Self Relocation	140	100.0
Project assisted relocation	-	-
Total	140	100.0

Source: Census and Social Survey, October 2015

IV. CONSULTATION, PARTICIPATION AND DISCLOSURE

A. Consultation in the Project

46. In order to engage with the community and enhance public understanding about the subproject and address the concerns and issues pertaining to compensation, rehabilitation and resettlement, individual interviews, focus group discussions (FGD) and meetings were undertaken amongst the various sections of DPs and other stakeholders, during the census and socio economic survey that was carried out as part of the detailed project report (DPR) for the subproject. The opinions of the DPs, stakeholders and their perceptions were obtained during these consultations. The consultations with the DPs and other stakeholders will continue throughout the RP implementation period.

B. Methods of Consultation

47. Consultations and discussions were held during census and socio economic survey period with both primary and secondary stakeholders. The primary stakeholders include project displaced persons (DPs), project beneficiaries and implementing agency (PWD). The secondary stakeholder includes Revenue Officers and elected representatives of the local body.

48. During the census and socio economic survey consultations were held with displaced households, commercial establishment owners along the project corridor, officials of the district administration and elected members of the local panchayat. In order to hear and address the concerns of women, women were encouraged to participate and opportunity to express their concern was provided during the consultations. The consultation methods followed and proposed are detailed in the following table.

Table 24: Consultation Methods

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

49. In addition to the web disclosure of the RP seeking views and suggestions of the general public, detailed consultations regarding the extent of involuntary resettlement impact and the mitigation measures proposed in the RP will be disclosed to the DPs and general public through public meetings held along the subproject road. The RP disclosure meetings will be held to explain the contents and provisions of the RP and obtain the feedback, suggestions and objections, if any, on the RP and accordingly make suitable amendments/corrections before finalising the RP.

50. During the census and socio economic survey, FGDs were conducted in villages along the subproject road in settlements and sections where impacts were recorded. All relevant aspects of subproject design, details of land required and impact to private property were discussed with the affected communities. A total of 121 persons (22 females and 99 males) participated in the 5 consultation meetings held along the 2-road subprojects. The issues and concerns raised during the consultations are summarised and provided in the following table.

The number of participants and the photographs are provided as Appendix-III to this report and the attendance sheets are available in the projects file with respective PIUs

C. Outcome of the Consultations

51. People were aware about the subproject and the 2-laning of the road but were not aware about specific details of the PRow, shift in centreline and the method of valuation for and building, payment of compensation and other rehabilitation and resettlement measures. During the census and socio economic surveys, the women were found not being actively engaged in the decision making process within family and also in the community. Women felt that the proposed improvements will provide (i) better access to higher levels of education, health services (especially in emergencies), and social interactions, (ii) better and more frequent public and private transport options, and (iii) increase in leisure time. The negative impacts could not be easily articulated by the communities apart from loss of assets. The salient points are summarised in the following table.

Table 25: Summary of Consultation Outcome

Village / Town	Concern	Design change / Mitigation measures proposed / Explanation
Sanderao - Bali - Mundara		
Sanderao	Requested for provision of bus shelter, footpath, toilet and drinking water	Bus shelters are being provided, footpath in built up sections are provided, but no amenities are proposed in this project
	Save as much trees as possible	Only trees that cannot be avoided will be cut and compensatory afforestation will be done
Falna	Provide an improved junction at Falna	Junction improvements have been proposed
	Change alignment to minimise impact and land requirement	Alignment has been designed within RoW in most places and only where design standards cannot be maintained, land is being acquired. This is to ensure safety of road user and the villagers
	Avoid cutting trees between Falna to Mundara section	Only trees that cannot be avoided will be cut and compensatory afforestation will be done
	Footpath with railing is required in Falna/ on both sides of the road	Footpath has been proposed but railing is not in the scope of the design
	The women wanted pedestrian crossing for school children	Pedestrian crossing has been provided in the design
Mundara	Construct a roundabout near bus stand and <i>Chammunda Mata Mandir</i>	Junction improvements have been proposed
	Provide parking for taxis	These are to be taken up by the local administration
	Provide some area for tea vendors in the bus stand	These are to be taken up by the local administration
	Require lights in the bus stand and also a new water dispenser	These are to be taken up by the local administration
	Avoid tree cutting	Only trees that cannot be avoided will be cut and compensatory afforestation will be done
	The women wanted pedestrian crossing for school children	Pedestrian crossing has been provided in the design
Barmer - Sindhari - Jalore		
Barmer	Requested for a roundabout at the	Proper improvements have been proposed at

Village / Town	Concern	Design change / Mitigation measures proposed / Explanation
	starting point	the starting point
	Require footpath with side railing in all urban locations	Footpath will be there in built up sections, but no railing is provided
	Wanted service roads in built up areas	With limited RoW available, service road cannot be provided
	The women wanted road side drain and pedestrian crossing for school children	Built up sections will have drain and pedestrian crossing will be provided
Sayla	Require a bypass for Sayla	Adequate RoW is available and hence no bypass proposed
	Road should have median	Not provided in all places
	Inside the Sayla town, the market is abetting the road and hence widening is not possible	The widening will be done with least impact and within available RoW
	No revenue record is available for the road from Ambaji temple to Police station	Will be resolved by the revenue officials
	The women wanted road side drain and pedestrian crossing for school children	Built up sections will have drain and pedestrian crossing will be provided

D. Plan for further Consultation in the Project

52. The extent and level of involvement of stakeholders at various stages of the project from design stage and through RP implementation will open up the line of communication between the various stakeholders and the project implementing authorities, thereby aiding the process of resolving conflicts at early stages of the project rather than letting it escalate into conflicts resulting in implementation delays and cost overrun. Participation of the local community in decision-making will help in mitigating adverse impacts.

53. Further, successful implementation of the RP is directly related to the degree of involvement of those affected by the road-projects. Consultations with DPs has been proposed during RP implementation and the PIU (PD, PIU, PWD) and the implementing support NGO will be responsible for conducting these consultations. The proposed consultation plan will include the following.

- i) In case of any change in project design, the DPs and other stakeholders will be consulted regarding the factors that necessitated the change, efforts taken to minimize resettlement impacts and mitigation measures available in accordance with the principles of the RF of RSHIP.
- ii) The PIU, with the assistance of the NGO, will carry out information dissemination sessions in the project area.
- iii) During the implementation of RP, NGO will organize public meetings, and will appraise the communities about the schedule/progress in the implementation of civil works, including awareness regarding road construction and HIV AIDS prevention.
- iv) Consultation and focus group discussions will be conducted with the vulnerable groups like women headed households, ST and SC to ensure that the vulnerable groups understand the process and their needs are specifically taken into consideration in the implementation.

54. A Public Consultation and Disclosure Plan will be finalised by PIU for the subproject as per the tentative schedule given in the following table.

Table 26: Public Consultation and Disclosure Plan

Activity	Task	Period	Agencies	Remarks
Screening of subproject and stakeholder identification	Identifying built-up sections and assessment of likely impact	October 2015	DPR Consultants	Completed
Census and Socio-economic survey	Identifying DPs and collected socioeconomic information on DP's. Carrying out consultations to capture issues and concerns of people and incorporate in the design.	October 2015	DPR Consultants	Completed
Public Notification for SIA/LA	Publish list of affected lands/sites in a local newspaper	March 2016	PIU / Additional Collector	As per RFCTLARR Act, 2013
Web disclosure of the RF and RP	RF and RP posted on PWD website	March 2016	PIU	
RF and RP disclosure meetings	Carryout consultations with DPs on significance of impact, entitlement, implementation arrangement and GRC	March 2016	PIU	After RF and RP approval by GoR
Project information dissemination	Project commencement details and scheduling of civil works	March 2016	PIU / NGO	
Consultation with DPs	Throughout during RP implementation and formal consultation meetings to be held at least once in every quarter	Throughout RP implementation	PIU / NGO	
Dissemination of monitoring reports	Internal and external monitoring reports will be uploaded in the website of PWD along with corrective actions taken, if any.	Throughout RP implementation	PIU	
Dissemination of GRC actions	Summary of complaints received and action taken will be uploaded in the website of PWD	Throughout RP implementation	PIU	

E. Disclosure

55. The RP will be disclosed by the PMU upon receiving approval from GoR and uploaded in the PWD website along with the gist of the RP translated in local language. The translated gist of the RP would provide details of the project, magnitude of impact to land and assets, eligibility and entitlement, institutional arrangement and grievance redressal process. Hardcopies of the gist of the RP in local language will be made available at the office of the PMU, PIUs and distributed to the DPs.

56. Information will be disseminated to DPs at various stages. Information including magnitude of loss, detailed asset valuations, entitlements and special provisions, grievance

procedures, timing of payments, displacement schedule, civil works schedule will be disclosed by the PIU with assistance from the NGO hired for assisting in RP implementation. This will be done through public consultation and made available to DPs as brochures, leaflets, or booklets, in Hindi. The Hindi version of executive summary of RP along with Entitlement Matrix and structure and process of GRC will also be disclosed.

57. Gist of each RP will be translated and made available to the DPs. Hard copies of the resettlement plan will also be made available at: (i) the offices of the PIU/PWD; (ii) office of the District Magistrates; (iii) Offices of the Panchayat / Municipality, as soon as the plans are available and certainly before initiating land acquisition process for the project.

58. Electronic version of the RP will be placed on the official website of the PWD. In addition, all safeguard documents including the quarterly progress reports and concurrent monitoring reports, impact evaluation reports, list of eligible DPs will be disclosed. RPs will be maintained in the website throughout the life of the project.

V. POLICY AND LEGAL FRAMEWORK

A. Background

59. Recognising the social issues that can arise in transport projects being proposed under Rajasthan State Highway Investment Program (RSHIP), the Public Private Partnership (PPP) Division of the Public Works Department (PWD) of Rajasthan has prepared a Resettlement Framework (RF) and indigenous peoples planning framework in line with National and State Laws and Policies, and ADB Safeguards Policy Statement. The resettlement framework describes the principles and approach in avoiding, minimizing and mitigating adverse social impacts that may arise in implementing subprojects proposed under RSHIP.

B. National Legislations, Policies and ADB Policy

60. The policy framework and entitlements for the RSHIP are based on national laws: The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, State laws and regulations and ADB's Safeguard Policy Statement (SPS), 2009.

1. Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCTLARR), 2013

61. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013, provides for a transparent process and just and fair compensation to the affected families whose land is acquired or proposed to be acquired or are affected by such acquisition and provides for rehabilitation and resettlement of the affected families. The basic principle of the RFCTLARR Act is to ensure that the cumulative outcome of compulsory land acquisition should be such that, the affected persons become partners in development, leading to an improvement in the standard of living after acquisition. This act came into effect on January 01, 2014 and the Land Acquisition Act, 1894 stands repealed. The salient provisions of RFCTLARR Act are discussed below.

62. The RFCTLARR Act applies to acquisition of land for a public purpose, as defined in the act. The act provides for consultation with and involvement of local self government in undertaking a Social Impact Assessment (SIA). The SIA is reviewed by an Expert Group to assess if the potential benefits of the project outweigh the social cost and adverse social impacts. The expert group can recommend either for or against proceeding with the project. The appropriate government is not bound by the decision of the expert group and can decide otherwise.

63. The act prohibits acquisition of multi crop land for any project, however on exceptional cases allows acquisition of multi crop land, wherein the State specific threshold of acquiring such land is not exceeded and equivalent waste land is developed for agricultural purpose.

64. The competent authority while determining the market value of the land has to consider the higher value of the land arrived at by 3-methods of valuation viz: (i) market value as per Indian Stamp Act, 1899 for the registration of sale deed or agreements to sell, in the area where land is situated; or (ii) average sale price for similar type of land, situated in the nearest village or nearest vicinity area, ascertained from the highest 50% of sale deeds of the preceding 3 years; or (iii) consented amount paid for PPPs or private companies. In case of rural areas, the market value of land so determined is multiplied by a factor, to be decided by the appropriate

government. A solatium of 100% is payable on the market value of land multiplied by the factor and all immovable properties or assets, trees and plants.

65. A Resettlement and Rehabilitation award detailing the entitlements to be provided as per the Second Schedule of Act is passed by the competent authority. Possession of land can be taken only after payment of compensation and rehabilitation and resettlement entitlements as detailed in Second Schedule and Third Schedule. The amenities to be provided in a resettlement site are detailed in the Third Schedule.

2. Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Removal of Difficulties) Order, 2015

66. In order to expedite land acquisition for infrastructure projects, the government promulgated an ordinance in December 2014, amending certain provisions in the RFCTLARR Act, 2013. Since the ordinance was to lapse, the second ordinance was promulgated in May 2015, wherein infrastructure projects were exempted from (i) the provisions of SIA; and (ii) the bar on acquisition of multi crop land . Further, through the ordinance, the determination of compensation as per the First Schedule, rehabilitation and resettlement provisions contained in the Second Schedule and infrastructure amenities to be provided in resettlement sites as per the Third Schedule, became applicable to the exempted acts in the Fourth Schedule with effect from January 01, 2015. Since this second ordinance also was to lapse and the replacement bill relating to the RFCTLARR (Amendment) Ordinance has been referred to the Joint Committee of the Houses (Parliament) for examination, this order dated August 28, 2015 has been passed wherein the provisions of the RFCTLARR Act, relating to the determination of compensation in accordance with the First Schedule, rehabilitation and resettlement in accordance with the Second Schedule and infrastructure amenities in accordance with the Third Schedule shall apply to all cases of land acquisition under the enactments specified in the Fourth Schedule to the said Act with effect from September 01, 2015. Further, the exemption of SIA and acquisition of multi crop land for infrastructure projects has been done away with, thereby SIA provisions become applicable to the Investment Program.

C. Legal and Policy Frameworks of Rajasthan State

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

1. Rajasthan Land Revenue Code, 1959

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 Rajasthan. This Act basically deals with the land rights of landholders and power of revenue departments but does not reflect and specific on acquisition and payment of compensation.

2. Rajasthan Highway Act, 2003

69. The Rajasthan Highway Act, 2003 is meant to provide for the restriction of ribbon development along highways for prevention and removal of encroachment thereon, for the construction, maintenance and development of highways, for the levy of betterment charges,

and for certain other matters, and to provide for the public such conditions as will ensure safety and maximum efficiency of all road transport of highways in the Rajasthan State.

3. Rajasthan Resettlement Policy-2007

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

4. The Rajasthan Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2016

71. The Rules framed and notified by GoR for the RFCTLARRR Act, 2013 details the process of SIA, public hearing and SIA report and social impact management plan. The consent requirement in the format specified is to be obtained during the SIA. The rules also explain the process of preparing and publishing the rehabilitation and resettlement scheme.

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

72. ADBs Safeguard Policy Statement (SPS) 2009 describes the policy objective, its scope and triggers and principles of (i) environmental safeguards; (ii) involuntary resettlement safeguards; and (iii) indigenous people’s safeguards. The objectives of involuntary resettlement safeguards are: (i) avoid involuntary resettlement where possible; (ii) if avoidance is not possible, minimize involuntary resettlement by exploring project and design alternatives; (iii) enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and (iv) improve the standards of living of the displaced poor and other vulnerable groups.

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

74. The three important elements of involuntary resettlement safeguards are: (i) compensation at replacement cost for lost assets, livelihood, and income prior to displacement; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to enhance, or at least restore, the livelihoods of all displaced persons relative to pre-project levels and to improve the standard of living of displaced poor and other vulnerable groups.

E. Comparison of Government and ADB Policies

75. A comparison between Government Statutes and ADB’s involuntary resettlement safeguards policy that provides gap-filling measures reflected in the entitlement matrix is presented as Appendix-IV. The Right to Fair Compensation and Transparency in Land

Acquisition, Rehabilitation and Resettlement Act, 2013', which has integrated provisions of NRRP with that of LA Act 1894, recognises titleholders and non-titleholders affected by land acquisition. Wherein, the squatters, encroachers and those present in RoW and other government lands are excluded from the purview of the Act.

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

77. A significant development in Government statute is the notification of 'The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013', which has repealed the Land Acquisition Act of 1894 (as amended in 1984). This Act would both complement the revision of the NRRP (2007) and decrease significantly the gaps between the LA Act 1894 and ADB's SPS. In particular, the Act would require social impact assessments for projects involving land acquisition. The Act also expands compensation coverage of the principal act by requiring that the value of structure, trees, plants, or standing crops damaged must also be included and the solatium being 100 percent of all amounts inclusive. The Act furthermore meets ADB requirement of all compensation to be paid prior to project taking possession of any land and provision of R&R support including subsistence grant and transportation cost.

F. Involuntary Resettlement Safeguard Principles for the Project

78. Based on the above analysis of government provisions and ADB policy, the following resettlement principles are adopted for this Project:

- (i) Screen the project early, to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a census and socio-economic survey of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- (ii) Adopt measures to avoid and minimize involuntary resettlement impacts by taking the following measures: (i) explore siting the subproject components in government land or locations which are less impacting; (ii) ensure use of appropriate technology to reduce land requirement; and (iii) modify the designs of subproject components to minimise land requirement and ensure involuntary resettlement is avoided or minimized.

- (iii) Where displacement is unavoidable, improve, or at least restore, the livelihoods of all displaced persons through: (i) land-based resettlement strategies, where possible, when affected livelihoods are land based, and when loss of land is significant, or cash compensation at replacement cost for land when the loss of land does not undermine livelihoods; (ii) prompt replacement of assets with access to assets of equal or higher value; and (iii) prompt compensation at full replacement cost for assets that cannot be restored.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets at replacement value.
- (vi) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to national minimum standards or standard before displacement whichever is higher.
- (vii) Carry out meaningful consultations with displaced persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land, and ensure their participation in consultations.
- (viii) Prepare a resettlement plan elaborating on the entitlements of displaced persons, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- (ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced persons and other stakeholders.
- (x) Pay compensation and provide all resettlement entitlements before physical or economic displacement and before physical and economic displacement.. Implement the resettlement plan under close supervision throughout project implementation.
- (xi) Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of displaced persons.
- (xii) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement⁴ to ensure that those people who

⁴ ADB SPS 2009 (Safeguards Requirements 2) does not apply to negotiated settlements. The policy encourages acquisition of land and other assets through a negotiated settlement wherever possible, based on meaningful consultation with affected persons, including those without title to assets. A negotiated settlement will offer adequate and fair price for land and/or other assets. Also, an independent external party will be engaged to document the negotiation and settlement processes. In cases where the failure of negotiations would result in expropriation through eminent domain or the buyer could acquire the property regardless of its owner's decision to

enter into negotiated settlements will maintain the same or better income and livelihood status.

- (xiii) Monitor and assess resettlement outcomes, their impacts on the standard of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

G. Valuation of land and assets

1. Compensation for Land

79. Land will be acquired in accordance with provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and while determining the compensation for land, the competent authority will be guided by the provisions of Sec 26, Sec 27, Sec 28, Sec 29 and Sec 30 of RFCTLARR Act, 2013. The compensation includes, the multiplying factor⁵ of 1.25-1.75 times on the land value being higher of the guideline value or average of higher 50% of sale dead rates for last 3 years or any rates consented for PPP or private projects. In addition 100% solatium for involuntary acquisition of land will be added. If the residual land, remaining after acquisition, is unviable, the owner of such land/property will have the right to seek acquisition of his entire contiguous holding/property.

2. Compensation for Structures

80. The replacement value of houses, buildings and other immovable properties will be determined on the basis of latest PWD Schedule of Rates (SoR) as on date without depreciation and 100% solatium will be added to the structure compensation. While considering the PWD SSR rate, PIU will ensure that it uses the latest SSR for the residential and commercial structures in the urban and rural areas of the region. Wherever the SSR for current financial year is not available, the PIU will update the SSR to current prices based on approved previous year escalations. Compensation for properties belonging to the community or common places of worship will be provided to enable construction of the same at new places through the local self-governing bodies like Village Panchayat/Village council in accordance with the modalities determined by such bodies to ensure correct use of the amount of compensation. The compensation for reconstruction/relocation of places of worship will also include the associated cost of carrying out rituals/ceremonies during reconstruction/relocation. Further, all compensation and assistance will be paid to DPs at least 1 month prior to displacement or dispossession of assets.

3. Compensation for Trees

81. Compensation for trees will be based on their market value. Loss of timber bearing trees will be compensated at their replacement cost and compensation for the loss of crops, fruit bearing trees will be decided by the PIU in consultation with the Departments of Forest or Agriculture or Horticulture as the case may be. In line with the provision of RFCTLARR Act 2013, 100% solatium will be added to the assessed value of the trees. Prior to taking

sell it or not, will trigger ADB's involuntary resettlement policy. The Safeguard Requirements 2 will apply in such cases, including preparing a resettlement plan.

⁵ As per Rajasthan Land Acquisition Bill, 2014

possession of the land or properties, the compensation will be fully paid and DPs will have the opportunity to harvest crops/trees within 1-month from the date of payment of compensation.

82. Even 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. A notice to that effect will be issued intimating that DPs can take away the materials so salvaged within 15 days of their demolition; otherwise, the same will be disposed by the project authority without giving any further notice. Trees standing on the land owned by the government will be disposed of through prevailing practice by the concerned Revenue Department/ Forest Department.

VI. ENTITLEMENTS, ASSISTANCE AND BENEFITS

A. Introduction

83. The subproject will have two types of displaced persons i.e.: (i) persons with formal legal rights to land lost in its entirety or in part; and (ii) persons who have neither formal legal rights nor recognized or recognizable claims to such land. The involuntary resettlement requirements apply to all these two types of displaced persons.

B. Eligibility Criteria

84. In accordance with the principles of the RF, the displaced persons falling in any of the following three categories will be eligible for compensation and resettlement assistance:

- (i) those who have formal legal rights to land lost in its entirety or in part;
- (ii) those who lost the land they occupy in its entirety or in part and have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national/state laws; and
- (iii) those who lost the land they occupy in its entirety or in part and have neither formal legal rights nor recognized or recognizable claims to such land.

85. Cut-off Date: For title holders, the date of SIA notification [Sec 4(2)] of intended acquisition as per the provisions of RFCTLARR Act will be treated as the cut-off date, and for non-titleholders the start date of project census survey (July 2015) for the subproject will be the cut-off date. There will be adequate notification of cut-off date and measures will be taken to prevent encroachments/squatting after the cut-off date is established.

86. Non title holders who settle in the affected areas after the cut-off date will not be eligible for compensation. They, however will be given sufficient advance notice (60 days) to vacate the premises and dismantle affected structures prior to project implementation. The project will recognize both licensed and non-licensed vendors, and titled and non-titled households

C. Entitlement Matrix

87. In accordance with the R&R measures suggested for the project, all displaced households and persons will be entitled to a combination of compensation packages and resettlement assistance depending on the nature of ownership rights on lost assets and scope of the impacts including socio-economic vulnerability of the displaced persons and measures to support livelihood restoration if livelihood impacts are envisaged. Unforeseen impacts will be mitigated in accordance with the principles of the RF for this loan. The displaced persons will be entitled to the following six types of compensation and assistance packages:

- (i) Compensation for the loss of land, crops/ trees at their replacement cost;
- (ii) Compensation for structures (residential/ commercial) and other immovable assets at their replacement cost;
- (iii) Assistance in lieu of the loss of business/ wage income and income restoration assistance;
- (iv) Alternate housing or cash in lieu of house to physically displaces households not having any house site;
- (v) Assistance for shifting and provision for the relocation site (if required), and
- (vi) Rebuilding and/ or restoration of community resources/facilities.

88. An Entitlement Matrix has been developed, that summarizes the types of losses and the corresponding nature and scope of entitlements; and is in compliance with National/State Laws and ADB SPS. The following entitlement matrix presents the entitlements corresponding to the tenure of the DPs and the same has been approved⁶ and endorsed by Government of Rajasthan.

Table 27: Entitlement Matrix

SNo	Impact Category	Entitlements		Implementation Guidelines
PART I. TITLE HOLDERS - Compensation for Loss of Private Property				
1	Loss of Land (agricultural, homestead, commercial or otherwise)	1.1	Compensation for land at Replacement Cost or Land for land, where feasible.	<p>Land will be acquired by the competent authority in accordance with the provisions of RFCTLARR Act, 2013.</p> <p>Replacement cost for land will be, higher of (i) market value as per Indian Stamp Act, 1899 for the registration of sale deed or agreements to sell, in the area where land is situated; or (ii) average sale price for similar type of land, situated in the nearest village or nearest vicinity area, ascertained from the highest 50% of sale deeds of the preceding 3 years; or (iii) consented amount paid for PPPs or private companies.</p> <p>Plus 100% solatium and 12% interest from date of notification to award.</p> <p>The multiplier factor adopted by GoR for land in rural area, based on the distance from urban area to the affected area, will be applied.</p> <p>In case of severance of land, house, manufactory or other building, as per Section 94 (1), the whole land and/or structure shall be acquired, if the owner so desires.</p>
2	Loss of Structure (house, shop, building or immovable property or assets)	2.1	Compensation at replacement cost	<p>The market value of structures and other immovable properties will be determined by PWD on the basis of relevant PWD Schedule of Rates (SR) as on date without depreciation.</p> <p>Plus 100% solatium</p>

⁶ GO No. F7 (143) SHA/PPP/2015/D-1262 of Public Works Department, Government of Rajasthan dated 17.11.2015

SNo	Impact Category	Entitlements		Implementation Guidelines
	attached to the land, including trees)			For partly affected structures, the DP will have the option of claiming compensation for the entire structure, if the remaining portion is unviable.
PART II. REHABILITATION AND RESETTLEMENT -			Both Titleholders and Families Whose Livelihood is Primarily dependent on Land Acquired	
3	Loss of Land	3.1	<p>Employment to at least one member per affected family in the project or arrange for a job in such other project as may be required after providing suitable training and skill development in the required field and at a rate not lower than the minimum wages provided for in any other law for the time being in force.</p> <p style="text-align: center;">or</p> <p>One time payment of Rs.5,00,000/- for each affected household</p> <p style="text-align: center;">or</p> <p>Annuity policy that shall pay Rs.2000/- per month for 20 years with appropriate indexation to CPIAL</p>	
		3.2	Monthly subsistence allowance of Rs.3,000/- per month for a period of one-year to affected households who require to relocate due to the project	
		3.3	Transportation assistance of Rs.50,000/- for affected households who require to relocate due to the project	
		3.4	One time assistance of Rs.25,000 to all those who lose a cattle shed	
		3.5	One time Resettlement Allowance of Rs.50,000/- for affected household who have to relocate	
		3.6	Additional onetime assistance of Rs.50,000/- to scheduled caste and scheduled tribe families who are displaced from scheduled areas and who require to relocate due to the project	

SNo	Impact Category	Entitlements		Implementation Guidelines
4	Loss of Residence	4.1	An alternative house for those who have to relocate, as per IAY specifications in rural areas and a constructed house/flat of minimum 50 sq.m. in urban areas or cash in lieu of house if opted (the cash in lieu of house will be Rs.70,000/- in line with GoI IAY standards in rural areas and Rs.1,50,000 in case of urban areas).	Stamp duty and registration charges will be borne by the project in case of new houses or sites.
		4.2	Employment to at least one member per affected family in the project or arrange for a job in such other project as may be required after providing suitable training and skill development in the required field and at a rate not lower than the minimum wages provided for in any other law for the time being in force. or One time payment of Rs.5,00,000/- for each affected household or Annuity policy that shall pay Rs.2000/- per month for 20 years with appropriate indexation to CPIAL	
		4.3	Monthly subsistence allowance of Rs.3,000/- per month for a period of one-year to affected households who require to relocate due to the project	
		4.4	Transportation assistance of Rs.50,000/- for affected households who require to relocate due to the project	
		4.5	One time assistance of Rs.25,000 to all those who lose a cattle shed	
		4.6	One time assistance of Rs.25,000 for each affected family of an artisan or self-employed and who has to relocate.	
		4.7	One time Resettlement Allowance of Rs.50,000/- for affected household who have to relocate	

SNo	Impact Category	Entitlements		Implementation Guidelines
		4.8	Additional onetime assistance of Rs.50,000/- to scheduled caste and scheduled tribe families who are displaced from scheduled areas and who require to relocate due to the project	
		4.9	Right to salvage affected materials	
5	Loss of shop / trade / commercial structure	5.1	<p>Employment to at least one member per affected family in the project or arrange for a job in such other project as may be required after providing suitable training and skill development in the required field and at a rate not lower than the minimum wages provided for in any other law for the time being in force.</p> <p style="text-align: center;">or</p> <p>One time payment of Rs.5,00,000/- for each affected household</p> <p style="text-align: center;">or</p> <p>Annuity policy that shall pay Rs.2000/- per month for 20 years with appropriate indexation to CPIAL</p>	
		5.2	Monthly subsistence allowance of Rs.3,000/- per month for a period of one-year to affected households who require to relocate due to the project	
		5.3	Transportation assistance of Rs.50,000/- for affected households who require to relocate due to the project	
		5.4	One time assistance of Rs.25,000 for each affected family of an artisan or self-employed or small trader and who has to relocate.	
		5.5	One time Resettlement Allowance of Rs.50,000/- for affected household who have to relocate	
		5.6	Additional onetime assistance of Rs.50,000/- to scheduled caste and scheduled tribe families who are displaced from scheduled areas and who require to relocate due to the project	
		5.7	Right to salvage affected materials	

SNo	Impact Category	Entitlements		Implementation Guidelines
PART III. IMPACT TO SQUATTERS / ENCROACHERS -				Those in the existing right-of-way where no land acquisition is done
6	Impact to Squatters	6.1	Loss of House	<p>Only those directly affected squatters who live there will be eligible for all assistance.</p> <p>Structure owners in RoW/Government lands who do not live there and have rented out the structure will be provided compensation for structure and no other assistance will be provided to them. The occupier (squatter-tenant) will be eligible for other assistances.</p>
6.1.1	Compensation at scheduled rates, equivalent to replacement cost, without depreciation for structure with 1-month notice to demolish the affected structure	6.1.2	Right to salvage the affected materials	
6.1.3	House construction grant of Rs.70,000 for all those who have to relocate and who do not have a house. Additional house site grant of Rs.50,000 to those who do not have a house site.	6.1.4	One time subsistence allowance of Rs.18,000/-	
6.1.5	Shifting assistance of Rs.10,000/-	6.2	Loss of shop	
6.2.1	Compensation at scheduled rates, equivalent to replacement cost, without depreciation for structure with 1-month notice to demolish affected structure	6.2.2	Right to salvage the affected materials	
6.2.3	One time rehabilitation grant of Rs.20,000 for reconstruction of affected shop	6.2.4	One time subsistence allowance of Rs.18,000/-	
6.2.5	Shifting assistance of Rs.10,000/-	6.3	Kiosks / Street Vendors	
6.3.1	1-month advance notice to relocate to nearby place for continuance of economic activity.	6.3.2	For temporary loss of livelihood during construction period, a monthly subsistence allowance of Rs.3,000/- will be paid for the duration of disruption to livelihood, but not exceeding 3-months	
6.3.3	If relocation to nearby place and continuance of economic activity in the same place is not possible, then one time rehabilitation grant of Rs.18,000/-	6.4	Cultivation	
6.4.1	2-month notice to harvest standing crops or market value of			

SNo	Impact Category	Entitlements		Implementation Guidelines
			compensation for standing crops	
7	Impact to Encroachers	7.1	Cultivation	Market value for the loss of standing crops will be decided by the PIU, PWD in consultation with the Agriculture or Horticulture Department.
		7.1.1	2-month notice to harvest standing crops or market value of compensation for standing crops, if notice is not given.	
		7.2	Structure	
		7.2.1	1-month notice to demolish the encroached structure	
		7.2.2	Compensation at scheduled rates, equivalent to replacement cost, without depreciation for the affected portion of the structure	The value of commercial structures and other immovable properties will be determined by PWD on the basis of relevant Schedule of Rates (SR) as on date without depreciation.
PART IV. IMPACT TO VULNERABLE HOUSEHOLD				
8	Vulnerable Households	8.1	Training for skill development. This assistance includes cost of training and financial assistance for travel/conveyance and food.	One adult member of the affected household, whose livelihood is affected, will be entitled for skill development. The PIU with support from the NGO will identify the number of eligible vulnerable displaced persons during joint verification and updating of the RP and will conduct training need assessment in consultations with the DPs so as to develop appropriate training programs suitable to the DPs skill and the region. Suitable trainers or local resources will be identified by PIU and NGO in consultation with local training institutes.
		8.2	One time assistance of Rs.25,000 to DHs who have to relocate	
		8.3	provision of access to basic utilities and public services	
PART V. IMPACT DURING CIVIL WORKS				
9	Impact to structure / assets / tree / crops	9.1	The contractor is liable to pay damages to assets/trees/crops in private/public land, caused due to civil works	The land will be restored to its original condition by the contractor. The PIU will ensure compliance
10	Use of Private Land	10.1	The contractor should obtain prior written consent from the landowner and pay mutually agreed rental for use of private land for storage of material or movement of vehicles and machinery or diversion of traffic during civil works	The land will be restored to its original condition by the contractor. The PIU will ensure compliance
PART VI. COMMON PROPERTY RESOURCES				

SNo	Impact Category	Entitlements		Implementation Guidelines
11	Impact to common property resources such as places of worship, community buildings, schools, etc	11.1	Relocation or restoration, if feasible, or cash compensation at replacement cost.	
12	Utilities such as water supply, electricity, etc.	12.1	Will be relocated and services restored prior to commencement of civil works.	The PIU will ensure that utilities are relocated prior to commencement of civil works in that stretch of the road corridor in accordance with the civil works schedule.

PART VII. UNFORSEEN IMPACTS

Unforeseen impacts encountered during implementation will be addressed in accordance with the principles of RFCTLARR 2013 / Asian Development Bank's Safeguard Policy Statement, 2009

89. Compensation for land and structure, in accordance with the eligibility and entitlement, will be paid prior to physical and economic displacement. One-time rehabilitation assistances and shifting assistances paid as cash will also be disbursed prior to physical and economic displacement. However, any long term rehabilitation measures like training for skill development and annuity for life, if any, will continue for a longer period and such rehabilitation measures will not be a bar to commence civil works.

VII. RELOCATION OF HOUSING AND SETTLEMENTS

A. Provision for Relocation

90. The PIU will provide compensation at replacement cost for affected land and structure in accordance with the RFCTLARR Act, 2013 to the title holders. Further, compensation for partially damaged structures, along with cost of restoration has been included and shifting assistance has also been provided for the displaced households in the entitlement matrix. Compensation to the non-title holders for the loss of assets other than land, such as dwellings and shops have been provided for in the entitlement matrix. The entitlements to the non-titleholders will be given only if they were in occupation of the land or structure in the project area prior to the cut-off date, the date of census survey i.e. October, 2015.

B. Relocation Strategy

91. The physical displacement of encroachers will be a challenge in developing a suitable resettlement site as not only choices and options will have to be obtained from the DPs, but also it requires to be ascertained on the extent of viability of the land in their possession. This will be a factor in deciding on developing suitable resettlement sites for small groups of physically displaced households as those who have adequate land remaining will prefer to build a house in the same location. As part of the implementation activity, the PIU with the help of the implementation support NGO should consult each and every DPs to obtain their choice based on the options available to them. Further, during the implementation their preference to move into the nearest resettlement site should also be ascertained.

92. The census survey impacts indicate that the subprojects proposed under Package-2 will require a resettlement site for about 22 DHs (see Table 2). Given the number of DHs facing physical displacement and the fact that they are spread in both road subprojects, the identification and development of resettlement site should look into the feasibility of resettlement site being developed and explore the possibility of providing individual houses in the same settlement where the DHs live.

C. Development of Resettlement Sites

93. While selecting the resettlement site the suitability for housing purpose, land ownership and use will be verified. Only those sites which are suitable for housing and amenable for issue of titles will be selected. If Government lands are not available, then private land acquisition will be initiated. The suitability of sites for housing will be confirmed from the District Administration and title will be issued to the DPs prior to the commencement of construction of houses. In case of resettlement sites, the minimum facilities described in Third Schedule of the RFCTLARR Act, 2013 will be provided. Consultations with the displaced families will be held to ascertain their acceptance. The resettlement sites will be developed if more than 20 displaced families are displaced in a continuous stretch of 10 Kms. If fewer number of DPs are there in a 10km stretch or if there are some isolated DPs who require to be provided with alternate housing, then in such cases individual sites will be offered. Displaced families will be given the option of getting a house or cash in lieu of house and based on options exercised by the affected people, resettlement sites or house sites will be developed.

94. The NGO involved in the RP implementation, during the verification stage, will consult all DPs eligible for alternate housing, and seek their preference on whether they would like to move into a resettlement site, developed in accordance with the provisions of the Third Schedule of

the RFCTLARR Act, or would prefer to relocate themselves to their place of choice. Upon obtaining the choice from the eligible DPs and if adequate number of DPs have opted for moving into a resettlement site, the NGO in consultation with PIU will submit the requirement for resettlement site to the PD, PIU for onward transmission to the jurisdictional Additional Collector. The preference of the DPs is required to be obtained during joint verification as during the census and socio-economic survey the DPs had preferred self relocation when asked about if they would like to move into a project assisted resettlement site or would prefer cash assistance for self-managed relocation.

95. The jurisdictional Additional Collector will take efforts to identify suitable government land free from encumbrance for resettlement site and if no land is identified within 1-month, the PIU will request the jurisdictional Additional Collector to initiate steps to acquire suitable land for the same and make necessary funds available with the Additional Collector.

96. The land obtained/acquired for resettlement site will be provided with all amenities and facilities as stipulated in the Third Schedule of the RFCTLARR Act. Plots will be allotted to the DPs through public draw of lots and *patta* will be issued to the DPs.

97. The DPs will be provided with built house in accordance with the provisions of the RFCTLARR Act and the RF of EM of RSHIP. The stamp duty and registration charges for the house site and built house will be borne by PWD. In case of resettlement sites that are situated close to existing villages or urban areas, appropriate measures will be taken to integrate the host population and enhance the various common facilities for smooth integration of host population with resettlers.

98. The subprojects proposed under Package-2 will impact 22 DPs losing their place of residence and place of residence cum business. The resettlement sites will be developed depending upon those who opt to take the house instead of the cash in lieu of house. Wherever houses or house sites are provided to the DPs, the same will be registered in the name of the wife or women of the household and title will be issued in the joint name. In case of non-title holders, cash grants for purchase of house site and construction of house is provided in the entitlements. The NGOs will assist the displaced families to find alternative houses by way purchasing alternative lands collectively, purchasing ready to move in houses or taking houses on rent or other mechanism.

VIII. INCOME RESTORATION AND REHABILITATION

A. Loss of Livelihood in this Subproject

99. The subprojects proposed under Package-2 will cause loss of livelihood to 84 DHs losing their place of business, 8 DHs losing their place of residence cum business, 12 commercial tenant and 48 employees, in all totalling 104 DHs and 48 employees losing livelihood (see Table 2 and 11). Further, 13 titleholders losing their agricultural land will also be facing loss of livelihood.

B. Entitlements for Loss of Livelihood

100. The displaced persons losing livelihood will be assisted to improve or at least restore their income levels to pre-project level. The subproject entitlements for loss of livelihood include the following entitlements in accordance with the EM of RSHIP.

- i) Loss of livelihood to title owner losing business:
 - a) cash compensation at replacement cost for affected land as per RFCTLARR Act provisions and structure at scheduled rates without depreciation along with 100 percent solatium on market value of land and structure;
 - b) one time payment of Rs.5,00,000/- for each affected household or annuity policy that shall pay Rs.2000/- per month for 20 years with appropriate indexation to CPIAL;
 - c) right to salvage affected materials,
 - d) one time assistance of Rs.25,000 for each affected family of an artisan or self employed or small trader and who has to relocate;
 - e) subsistence allowance of Rs.36,000/- for affected households who require to relocate due to the project;
 - f) shifting assistance of Rs.50,000/- to the business owner, who is required to relocate, and
 - g) one time Resettlement Allowance of Rs.50,000/- for affected household who have to relocate.
- ii) Commercial squatters:
 - a) compensation at scheduled rates without depreciation for structure with 1-month notice to demolish affected structure;
 - b) right to salvage the affected materials,
 - c) one time rehabilitation grant of Rs.20,000 for reconstruction of affected shop;
 - d) one time subsistence allowance of Rs.18,000/-; and
 - e) shifting assistance of Rs.10,000/-

101. Effort will be made by the PIU with the support of the NGO to assist the DP in their effort to restore their income. If the DP so desires, the subsistence allowance can be utilized to deliver suitable income restoration activities in order to leverage on the existing skills of the DP.

C. Income Restoration Measures

102. The entitlement proposed under this programme (RSHIP) has adequate provisions for restoration of livelihood of the affected persons. Wherever feasible and if the DP so desires,

income restoration schemes will be identified and implemented by the PIU with the assistance of the implementing NGO. Towards this the DP will be guided and assisted by the PIU with the support of the NGO, in effectively using the compensation and R&R assistances towards establishing an income generating activity and re-establishing the shop/kiosk/vending or utilising the finances for buying land or taking land on lease. The compensation for land and assets and the R&R assistances arrived at in accordance with the provisions of the RFCTLARR Act are adequate to restore the income levels. Further, the subsistence allowance and annuity policy are aimed at providing long term support to the affected households will ensure that the income levels are restored. Further, efforts will be made to provide employment to the DPs during the construction phase by facilitating their engagement by the civil works contractor. It may be noted that during the census and socio-economic survey all the DHs had indicated their preference to work in the construction. The PD, PIU should ensure that local people and in particular the willing DPs are engaged by the contractor in suitable civil work as stipulated in the contract. The PIU with the assistance of the implementing NGO will make the training need assessment and will impart training to the eligible DPs, in particular to the vulnerable DPs, for income restoration and skill up-gradation as necessary.

IX. RESETTLEMENT BUDGET AND FINANCING PLAN

A. Introduction

103. The resettlement cost estimate for the subprojects proposed under Package-2 include compensation for private land determined in accordance with RFCTLARR Act and by adopting the multiplying factor adopted in accordance with the Draft Rajasthan Land Acquisition Bill (RLAB), 2014. The compensation for structure at replacement cost without depreciation, resettlement and rehabilitation assistances to titleholders in accordance with the RFCTLARR Act and to non-titleholders in accordance with the provisions of the EM, RF of RSHIP and cost of RP implementation. The total resettlement cost for the subproject is INR 148 million. The major heads of budget items are listed below.

B. Compensation

104. Private Land: The compensation for private land has been calculated as an average of replacement cost of land in rural and semi-urban area adjoining the road corridor. The replacement cost was gathered during census survey in discussion with local community and the elected local body representatives. For budgetary purpose, the replacement cost for land has been taken as Rs.4,39,250 per biga or approximately Rs.173.67 per sq.m, being the highest rate for rural land from the DLC records. The multiplying factor as per Draft RLAB rules is 1.25-1.75 based on the distance from the nearest urban centre and for budgeting purpose, the highest of the multiplying factor of 1.75 has been taken and along with the 100% solatium. Thus the land cost has been taken as Rs.607.85 or say Rs.608 including the multiplying factor and the solatium.

105. Structure: The compensation for structures have been arrived at based on PWD Schedule of Rates (SoR), 2014 for building works, material and labour. For budgetary purpose, the replacement cost for structure without depreciation has been taken as Rs.8,411 per sq.m. for permanent structure, Rs.5,514 per sq.m. for semi-permanent structure and Rs. 2,052 per sq.m. of temporary structure. Replacement cost for compound wall of stone masonry has been taken as Rs.1,354 per running meter and a budgetary provision of Rs.30,000/- per well has been made for private wells of maximum 3' wide and 20' depth. However, at the time of joint verification, the competent authority will value each and every structure to arrive at the replacement cost as per the latest SoR. The solatium of 100% on structure rate is adopted for titleholders.

C. Assistances

106. All other unit rates as per the minimum provisions contained in RFCTLARR Act and as per the approved EM. For budgeting purpose, the onetime grant of Rs.5,00,000 has been provided for significantly impacted titleholders assuming that this grant will be preferred in lieu of the annuity policy.

D. Compensation for Community Assets and Government Structures

107. The unit cost for the place of worship has been budgeted at a lumpsum Rs.3,00,000 to cover the cost of reconstruction which would be assessed and paid during implementation by PIU.

E. RP Implementation Cost

108. The cost of hiring NGO for assisting PIU in RP implementation has been provided with a budget of Rs.1,40,00,000, for intermittent inputs and the RP implementation is expected to be completed in 36 months including disbursement of compensation for land acquired under RFCTLARR Act. A budgetary cost for external monitoring and evaluation has also been envisaged, as this facility is a Category-A for IR and also the Package-2 subprojects together will come under Category-A, a budgetary provision of Rs.60,00,000 has been made available for hiring of a consultant for the same. The budgetary provision for meeting administrative expenses including the allocation towards grievance redressal mechanism related expenses is included as part of the project cost. Further, a lump sum provision of Rs.50,000 to meet disclosure expenses and a lump sum provision of Rs.2,00,000/- for staff training, in particular the PIU staff involved in RP implementation, has also been budgeted.

F. Source of Funding and Fund Flow

109. Government will provide adequate budget for all land acquisition compensation, R&R assistances and RP implementation costs from the counterpart funding. The funds as estimated in the budget for a financial year and additional fund required based on revised estimates, shall be available at the disposal of the PD, PIU at the beginning of the financial year. The PD, PWD, being the EA for this subproject, will provide necessary funds for compensation for land and structure and the cost of resettlement assistances in a timely manner to the jurisdictional Additional Collector. The PIU will ensure timely availability of funds for smooth implementation of the RP. The NGO under the PIU will facilitate disbursements, but the responsibility of ensuring full and timely payment to displaced persons will be that of PIU.

G. Resettlement Budget Estimates

110. The budget for this sub-project is based on data and informed collected during census and socio-economic surveys conducted between July and August 2015 and updated in October 2015. The unit rate for structure has been worked out from the SoR. The total budget for Package-2 under RP is estimated at Rs.148 million. A detailed budget estimate for the package is given along with subproject wise cost break-up in the following table.

H. Disbursement of Compensation and Assistances

111. In order to ensure that: (i) the DP need not make frequent visits to his/her bank for depositing the physical paper instruments; (ii) s/he need not apprehend loss of instrument and fraudulent encashment; and (iii) the delay in realization of proceeds after receipt of paper instrument is obviated, all disbursement of compensation for land and structure and R&R assistances shall be done only through Electronic Clearing Service (ECS) mechanism and charges for ECS, if any, will be borne by PIU. If the DPs destination branch does not have the facility to receive ECS (Credit), then the disbursement shall be done through respective lead banks' IFSC (Indian Financial System Code). Payment through account payee cheques will be made wherever required and no cash payment will be made.

112. The NGO and PIU, while collecting bank particulars from the DPs, will also check with the respective bank branches if the branch has ECS (Credit) mechanism, and if not, details of lead bank offering the facility will be collected to facilitate ECS transfer. Wherever new accounts are to be opened, preference will be given to bank's having ECS (Credit) facility. The bank

account particulars of the DP as part of the micro plan will be submitted to the jurisdictional Additional Collector for disbursement.

Table 28: Budget Estimate

Item	Input Unit	Rate	Quantity b1 (SH 16 - Barmer - Bishnagarh)	Amount b1 (SH 16 - Barmer - Bishnagarh)	Quantity b2 (SH 16 - Sanderao - Mundara)	Amount b2 (SH 16 - Sanderao - Mundara)	Package-2 Qunatity	Package-2 Amount
Compensation								
Land Cost (Multilying Factor 1.75 and Solatium 100%)	Sq.m	608	105,356	64,056,448	2,620	1,592,960	107,976	65,649,408
Temporary Structures with Solatium 100% (titleholders)	Sq.m	4,104	-	-	-	-	-	-
Semi-permanent Structures with Solatium 100% (titleholders)	Sq.m	11,028	-	-	-	-	-	-
Permanent Structures with Solatium 100% (titleholders)	Sq.m	16,200	-	-	-	-	-	-
Temporary Structures (non titleholders)	Sq.m	2,052	246.00	504,792	32.75	67,203	278.75	571,995
Semi-permanent Structures (non titleholders)	Sq.m	5,514	816.80	4,503,835	257.80	1,421,509	1,074.60	5,925,344
Permanent Structures (non titleholders)	Sq.m	8,100	950.40	7,698,240	1,115.70	9,037,170	2,066.10	16,735,410
Compund Wall	Running meter	1,510	5.00	7,550	-	-	5.00	7,550
R&R Assistance								
One time grant for land owners	One Time	500,000	59	29,500,000	1	500,000	60	30,000,000
One time resettlement allowance for Major Owner Res / Com	One Time	50,000	-	-	-	-	-	-
Subsistence allowance for Major Res / Com Owners	One Time	36,000	-	-	-	-	-	-
Shifting allowance major owners	One time	50,000	-	-	-	-	-	-
Alternate house for Major Impacted Owner Residences (R)	One Time	70,000	-	-	-	-	-	-
Alternate house for Major Impacted Owner Residences (U)	One Time	150,000	-	-	-	-	-	-
One time assistance for loss of trade / self employment (Major owner/tenant)	One Time	25,000	-	-	-	-	-	-
Housing and house site grant to major impacted Res non-titleholders	One Time	120,000	13	1,560,000	9	1,080,000	22	2,640,000
Subsistence allowance for Major Res / Com non-titleholders	One Time	18,000	45	810,000	61	1,098,000	106	1,908,000
Shifting allowance major Res / Com non-titleholders	One Time	10,000	45	450,000	61	610,000	106	1,060,000
Rehabilitation grant for reconstruction of major impacted commercial non-titleholder	One Time	20,000	32	640,000	60	1,200,000	92	1,840,000
Rehabilitation granr for Kiosks	One Time	18,000	-	-	-	-	-	-
Vulnerable Household assistance	One Time	25,000	8	200,000	2	50,000	10	250,000
Training for Vulnerable household	One Time	5,000	8	40,000	2	10,000	10	50,000
Community Assets								
Places of worship	Unit	300,000	7	2,100,000	7	2,100,000	14	4,200,000
Part of School	Unit	250,000	-	-	-	-	-	-
Water tank, tap, etc	Unit	125,000	-	-	-	-	-	-
Compound wall, sitting place, etc	Unit	30,000	-	-	-	-	-	-
Govt / Trust buildings	Unit	200,000	2	400,000	2	400,000	4	800,000
Administrative Cost								
NGO Recruitment	LS	14,000,000						
External Monitor	LS	6,000,000						
Administrative Expenses (PIU)	LS	-						
Disclosure Expenses	LS	50,000						
Training for PIU and PMU Staff	LS	200,000						
Total based on data				112,470,865		19,166,842		131,637,707
Admin cost per road (total LS div 16)	20,250,000	1,265,625	-	1,265,625	-	1,265,625	-	2,531,250
Subtotal			-	113,736,490	-	20,432,467	-	134,168,957
10% Contingency			-	11,373,649	-	2,043,247	-	13,416,896
TOTAL Subtotal + 10% Contingency			-	125,110,139	-	22,475,714	-	147,585,853
Total INR in Crores				12.51		2.25		14.76

X. GRIEVANCE REDRESSAL MECHANISM

A. Grievance Redressal Committee

113. Grievance Redressal Committee (GRC) will be established at two-levels, one at the District level and another at PMU level, to receive, evaluate and facilitate the resolution of displaced persons concerns, complaints and grievances. The GRC will provide an opportunity to the DPs to have their grievances redressed prior to approaching the State level LARR Authority, constituted by Government of Rajasthan in accordance with Section 51(1) of the RFCTLARR Act, 2013. The GRC is aimed to provide a trusted way to voice and resolve concerns linked to the project, and to be an effective way to address displaced person's concerns without allowing it to escalate resulting in delays in project implementation.

114. The GRC will aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns linked to the project. The GRC is not intended to bypass the government's inbuilt redressal process, nor the provisions of the statute, but rather it is intended to address displaced persons concerns and complaints promptly, making it readily accessible to all segments of the displaced persons and is scaled to the risks and impacts of the project.

115. This RP provides for entitlements for the various types of losses corresponding to the tenure and an institutional mechanism to disburse compensation and R&R assistances. A consultations and disclosure plan is also provided for meaningful consultations and timely disclosure. The GRC is expected to resolve the grievances of the affected persons arising in the implementation of this RP in a transparent and timely manner. The decision of the GRCs will be final unless vacated by the LARR Authority.

116. The GRC will continue to function, for the benefit of the DPs, during the entire life of the project including the defects liability period. The response time prescribed for the GRCs would be four weeks. Since the entire resettlement component of the project has to be completed before the construction starts, to resolve the pending grievances, the GRC, at PIU and PMU level, will meet at least once every month in the first year of RP implementation and once in two months thereafter. Other than disputes relating to ownership rights and apportionment issues on which the LARR Authority has jurisdiction, GRC will review grievances involving eligibility, valuation, all resettlement and rehabilitation benefits, relocation and payment of assistances. Grievances received by the PD, PIU will be resolved at his level, if possible, else it will be placed before the GRC.

117. First Level of GRC: The District level GRCs will function out of each District where the subprojects are being implemented. The GRC will be chaired by District Collector, as its Chairman, and the members will comprise of the PD, PIU, PWD as member secretary and a local person of repute and standing in the society. The District Collector will nominate the local person and the PIU, PWD will be the secretariat of the GRC.

118. Second Level GRC: The Project Director, PMU will be the appellate authority who will be supported by the Superintending Engineer, PMU, and PWD.

B. Functions of First Level GRC

119. The GRC should meet at least once in a month in the respective office of the jurisdictional District Collector. Petitions received from DPs of any concerns or complaints or

grievances should be taken up in the GRC. The member secretary should maintain a register of all petitions received with details of date of receipt of the petition, date of hearing, if any, date when it was considered by the committee, along with nature of complaint/concern, action taken and date of communication sent to petitioner. Communication, in writing should be sent to the aggrieved person about the date, time and venue of the GRC sitting and make it known that s/he is entitled for personal hearing and that representation through proxy will be not be entertained. Communication will also be sent through implementation support NGO so as to ensure that the petitioner is informed about the date of GRC sitting.

120. Copies of petitions received 1-week prior to the committee's sitting, should be sent to Chairman and the member along with an explanatory note from appropriate authority and/or RP implementation support NGO, as the case may be, to enable the Chairman and member to scrutinize the petitions in detail. Petitions received in the week of the committee's sitting, shall be taken up during the sitting and resolved.

121. Decision of the committee will be final unless an appeal is preferred with the Project Director, PMU. If the committee is unable to arrive at a decision through consensus, the matter will be referred to the appellate authority with a note on opinion of the committee members. The complaint/concern will be redressed in four week time and written communication should be sent to the complainant about the decision taken.

122. The RP implementation support NGO will assist displaced persons in registering their grievances and being heard. The complaint / grievance will be redressed in 4 week time and written communication will be sent to the complainant. A complaint register will be maintained at PIU/PMU level with details of complaint lodged, date of personal hearing, action taken and date of communication sent to complainant. If the complainant is still not satisfied s/he can approach the appellate authority and/or the jurisdictional LARR Authority. The complainant can access the appropriate LARR Authority at any time and not necessarily go through the GRC.

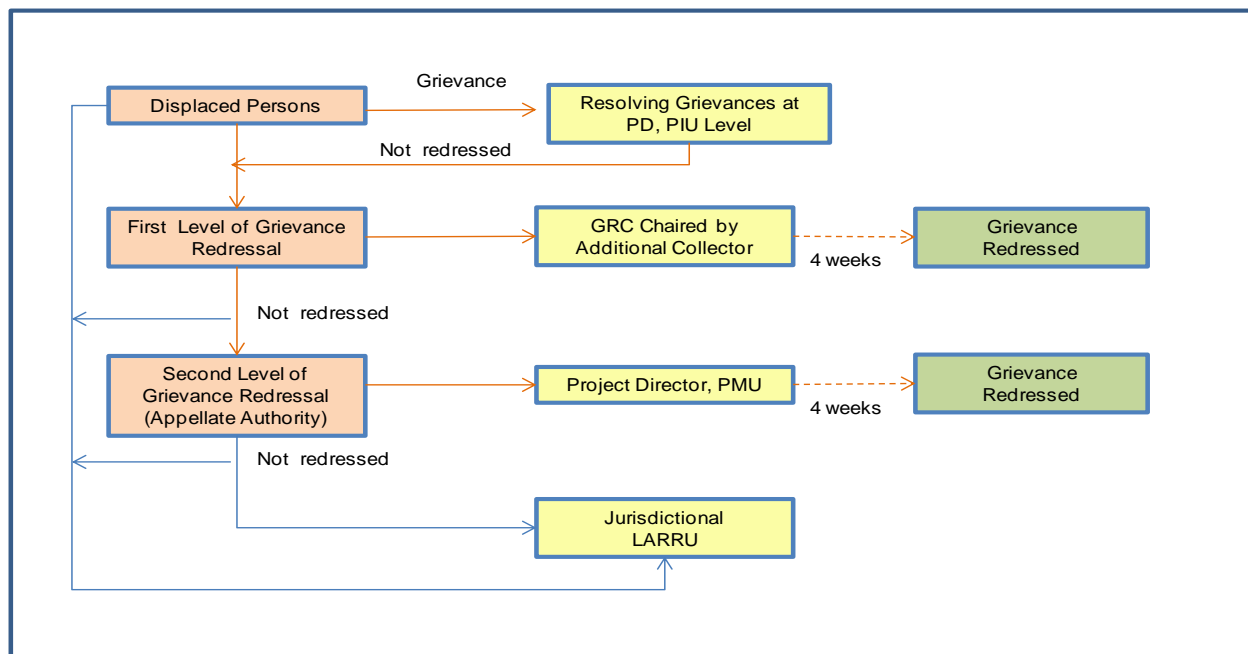


Figure 3: Grievance Redressal Process

123. People who are, or may in the future be, adversely affected by the project may submit complaints to ADB's Accountability Mechanism. The Accountability Mechanism provides an independent forum and process whereby people adversely affected by ADB-assisted projects can voice, and seek a resolution of their problems, as well as report alleged violations of ADB's operational policies and procedures. Before submitting a complaint to the Accountability Mechanism, affected people should make an effort in good faith to solve their problems through the GRC and also by working with the concerned ADB operations department. Only after doing that, and if they are still dissatisfied, should they approach the Accountability Mechanism⁷.

7

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

XI. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION

A. Administrator of LARR

124. The jurisdictional Additional Collector will be the administrator for Land Acquisition, Resettlement and Rehabilitation (LARR). The jurisdictional Additional Collector being the competent authority for land acquisition, he will also look into Resettlement and Rehabilitation and s/he will be supported by the Project Director, PIU in implementation of resettlement plan.

B. Project Management Unit

125. The PPP Division, PWD, Government of will be the Project Management Unit (PMU) and will be overall in charge of coordination between the eight Project Implementation Units (PIU) and in prioritising subprojects for subsequent tranches based on social safeguards compliance.

126. The PMU will have a Safeguards Officer (SO) in the rank of Executive Engineer or an social development and resettlement specialist hired on contract basis, who would coordinate with the PD, PIUs and ensure that road subprojects under RSHIP are in compliance with the Resettlement Framework (RF) and also be proactive in identifying likely safeguard issues that could be relevant in the context of its portfolio of projects.

127. The SO at the PMU will have the following responsibilities:

- (i) The SO will assess the capacity of the PIU in identifying and managing social safeguard issues and facilitate capacity building of PIU officers and RP implementation support NGO.
- (ii) Review and update Resettlement Framework (RF) as and when there are changes in the applicable law.
- (iii) Review whether the PIUs have taken efforts to avoid or minimize IR impacts during the subproject design stage and during implementation stage.
- (iv) Verify whether the resettlement plan has been prepared and is in commensurate to the significance of the impact and whether the documents have been submitted along with the detailed project report.
- (v) Facilitate coordination between various government departments in land acquisition and implementation of the RP.
- (vi) Carry out periodic review of the progress on RP implementation and ensure that the progress reports are submitted in a timely manner.
- (vii) Verify whether the PIUs are handing over the land free from encumbrance as stipulated in the contract document.
- (viii) Consolidate the progress reports received from the respective PIUs and submit the quarterly progress report to ADB and any other information as required by ADB in a timely manner.
- (ix) Initiate engagement of an external monitor/agency to undertake semi-annual monitoring of the subprojects either through PMU or PIU and submit the semi-annual monitoring report to ADB along with PMU/PIU's response to the comments/observations made in the report.

C. Project Implementation Unit

128. The PIU will be responsible for screening subprojects, categorization based on IR impacts, conducting the social assessment, preparation and implementation of Resettlement Plans (RPs).

129. The road subprojects will be implemented by the jurisdictional PIU. The PD, PIU will be responsible for subproject compliance to social safeguards and concurrent internal monitoring of RP implementation. The following will be the responsibility of the PD, PIU:

- (i) Review IR impact categorization checklist, subproject appraisal note and undertake field visits wherever required and advise the field units about the social safeguards documentation required for subprojects.
- (ii) Review RP prepared by the DPR consultants and finalize the same.
- (iii) Ascertain the extent of private land to be acquired and extent of government to be transferred and liaison with the jurisdictional Additional Collector and concerned government departments in getting possession of the same.
- (iv) Initiate engagement of an RP implementation support NGO to assist the field units in RP implementation.
- (v) Review and approve micro plans, containing the list of DPs and their entitlements, prepared by field units.
- (vi) Obtain necessary approval for the micro plans and make necessary funds available for disbursement and for development of resettlement sites.
- (vii) Coordinate with Additional Collector and field units in identifying suitable land for resettlement sites and monitor the progress of development of site and relocation of DPs.
- (viii) Undertake internal monitoring of the progress made in RP implementation and take necessary corrective actions, if required.
- (ix) Review and consolidate the LA and RP implementation progress reports submitted by the jurisdictional Additional Collector, RP implementation support NGO, and submit monthly progress report to PMU.

D. NGO/Agency for RP Implementation Support

130. The implementation of the R&R provisions will be carried out by jurisdictional Additional Collector with the support of the PIU. The PIU will engage implementation support NGO, who have had experience in implementing RPs and experienced in working on similar infrastructure development projects. The NGO to be engaged will have proven experience in carrying out resettlement and rehabilitation activities and community development and consultations in projects of similar nature, preferably in Rajasthan or in any State.

131. The NGO will play a key role in the implementation of the RP. Their tasks will include the final verification of DPs, consultations, establishment of support mechanisms and facilitate the delivery of the rehabilitation assistances as per the RP provisions and to ensure that the DPs receive all the entitlements as per the R&R policy of the project.

132. Key activities of the NGO in relation to resettlement planning and implementation include: (i) assist PIU in verification and updating, if required, the detailed census and socio-economic survey of displaced persons carried out during DPR preparation based on detailed design, and verify the identity of below poverty line, female-headed, and other vulnerable households affected by land acquisition and involuntary resettlement and issue ID cards; (ii) prepare micro plan and get vetted by PIU; (iii) facilitate the process of disbursement of

compensation to the DPs – coordinating with the PIU and informing the displaced persons of the compensation disbursement process and timeline; (iv) assist DPs in opening bank accounts explaining the implications, the rules and the obligations in having a bank account, process of disbursement adopted by the Additional Collector and how s/he can access the resources s/he is entitled to; (v) assist the DPs in ensuring a smooth transition (during the part or full relocation of the affected persons), helping them to take salvaged materials and shift; (vi) in consultation with the DPs, inform the PIU about the shifting dates agreed with DPs in writing and the arrangements they desire with respect to their entitlements; (vii) organize training programs to the vulnerable for income restoration; (viii) conduct meaningful consultations throughout the RP implementation and ensure disclosure of the gist of resettlement plans in an accessible manner to the displaced persons; (ix) assist DPs in grievance redressal process; (x) assist PIU in keeping detailed records of progress and monitoring and reporting system of RP implementation; and (xi) act as the information resource center for community interaction with the project and maintain liaison between community, contractors, project implementing units and the administrator, during the execution of the works. Terms of reference for the recruitment of a NGO/agency for RP implementation support is given in Appendix-V.

E. Rehabilitation and Resettlement Award

133. In accordance with the provisions of the RFCTLARR Act [Sec31(1)], the competent authority will pass a Rehabilitation and Resettlement (R&R) Award. All the affected land owners who are eligible for R&R assistance will be notified along with details of eligible assistance as per the provisions of RFCTLARR Act. Initially a draft list will be notified by giving minimum of 15 days time inviting objections, if any, regarding discrepancies on the nature and quantum of assistance. The final list will be notified after taking into account the objections, if any. Similarly, the list of those affected non- title holders will also be notified along with the details of R&R assistance and a separate R&R award enquiry will be conducted for the non-titleholders.

1. Micro plan

134. The implementation support NGO will prepare the draft micro plan, milestone wise for each of the subproject roads detailing the type of loss, tenure of the DP, vulnerability status and the entitlements as per the provisions of the Entitlement Matrix (EM) in the RF. The draft micro plan will be disclosed in the jurisdictional village panchayat where the DPs are living/having business, and 1-week after the disclosure, the R&R award enquiry will be held by the jurisdictional Additional Collector.

135. Based on the R&R award enquiry outcome, the NGO will submit the final micro plan to PD, PIU for verification and onward transmission to Project Director, PMU. The Project Director, PMU, after scrutiny of the micro plan will accord approval for the same and submit to the jurisdictional Additional Collector with necessary funds for disbursement.

2. R&R Award Process

136. The Additional Collector will hold R&R award enquiry in the project area and will send prior intimation to all concerned DPs through the jurisdictional *Patwaris* and the NGO.

137. During the R&R award enquiry, each DP will be informed about the type of loss and tenure as recorded during census and socio economic survey and verified subsequently, and the entitlements due to the DP as per the provisions contained in the EM of the RF. All the DPs will be given an opportunity to be heard and concerns if any, will be addressed. The R&R

proceedings will be recorded and copy of the R&R award will be issued to the DP then and there.

F. Management Information System (MIS)

138. A well-designed MIS will be created and will be maintained at PIU and PIU level. The MIS will be supported with approved software and will be used for maintaining the DPs baseline socio-economic characteristics, developing pre-defined reports, algorithms and calculations based on the available data and updating tables/fields for finding compensation and assistances, tracking the land acquisition and resettlement progress. The individual entitlements, compensation calculations, structure valuation, etc. will be updated using MIS software. In addition, land acquisition notices, identity cards will also be generated thorough MIS. All quires will be generated and the baseline data will also be maintained and updated as needed. The data and information required for periodical progress reports will be generated using MIS database. The required computer terminals and software will be established at PIU level in order to feed the data to be maintained in the web with backup at PMU.

G. Capacity Building of PIU

139. The staff of PIU, NGO and the staff of PMU, who are involved in LA and R&R will require to be familiar with land acquisition procedures and ADB Social Safeguards policy requirements. In order to build the capacity of the PIU and the PMU, an orientation and training in resettlement management at the beginning of the project will be undertaken. The training activities will focus on issues concerning (i) principles and procedures of land acquisition, (ii) public consultation and participation, (iii) entitlements and compensation disbursement mechanisms, (iv) Grievance redressal, and (v) monitoring of resettlement operation.

XII. IMPLEMENTATION SCHEDULE

A. Introduction

140. Implementation of RP mainly consists of compensation to be paid for private land, compensation for structures, assistance for loss of homestead resulting in physical displacement, loss of livelihood resulting in economic displacement, obtaining options and choices from the DPs, development of resettlement sites, relocation to resettlement sites and additional assistance to vulnerable household. Public consultation, monitoring and grievance redressal will be an ongoing process throughout the RP implementation period but will happen intermittently.

B. Schedule for Project Implementation

141. The proposed RP implementation activities are divided into three broad phases viz. project preparation phase, RP implementation phase, and monitoring and reporting phase, and the activities envisaged in each phase is discussed below.

142. Project Preparation Phase: The activities to be performed in this phase include: (i) designating or appointing an officer/staff as safeguards officer (SO) in PMU to be in charge of safeguards; (ii) submission of RP to ADB for approval; (iii) appointment of NGO in PIU; and (iv) establishment of GRC. The information dissemination and stakeholder consultations will commence in this stage and continue till the end of the project.

143. RP Implementation Phase: In this phase, key activities will be carried out including: (i) joint verification; (ii) valuation of structures; (iii) preparation of micro plan; (iv) R&R award enquiry; (v) approval of final micro plan; (vi) identification and development of resettlement site; (vii) payment of compensation for land and structure; (viii) payment of other rehabilitation assistances; (ix) relocation of DPs to resettlement site; and (x) issuing site clearance certificate to enable commencement of civil works.

144. Monitoring and Reporting Phase: Internal monitoring will commence as soon as RP implementation begins and continue till end of RP implementation. External monitoring will also commence from the beginning of RP implementation.

C. RP Implementation Schedule

145. An implementation schedule for land acquisition, payment of compensation and resettlement and rehabilitation activities in the project including various sub tasks and time line matching with civil work schedule is provided in the work plan. The following are the key implementation activities that are presented in the work plan.

- a) Updating of RP based on design changes, if any
- b) Approval of RP and Disclosure
- c) Appointment of NGOs and External Monitoring consultants
- d) Constitution and notification of GRCs
- e) SIA Notification
- f) Verification of DPs and Notification of DP list
- g) Obtaining options for resettlement and choice of resettlement site location
- h) MIS in operational for tracking LA and R&R Implementation progress
- i) Structure Valuation
- j) Disclosure of Microplan (list of eligible PAPs and their entitlements)

- k) Issue of Identity cards
- l) R&R Award including assistance for non-title holders
- m) Relocation of CPRs
- n) Payment of R&R assistance
- o) Allotment of house sites or development of Resettlement sites
- p) Shifting of DPs of alternative resettlement sites
- q) LA Award
- r) Certification of payment of R&R assistance for first milestone
- s) Certification of payment of LA and R&R assistance for second milestone
- t) Impact Evaluation

146. Coordination with Civil Works: The land acquisition and resettlement implementation will be co-coordinated with the timing of procurement and commencement of civil works. The required co-ordination has contractual implications, and will be linked to procurement and bidding schedules, award of contracts, and release of encumbrance free land to the contractors. The project will provide adequate notification, counselling and assistance to DPs so that they are able to move or give up their assets without undue hardship before commencement of civil works and after receiving the compensation and R&R assistances. Wherever provision of housing is involved, sections involving DPs requiring housing in a particular road-stretch will be taken up in the second milestone of the civil works schedule.

147. The construction of resettlement sites should commence well in advance, as it would take about 12-months to complete the construction and relocation of the physically displaced. The land acquisition for the construction of the proposed carriageway and corresponding payment of compensation and R&R assistance with encumbrance free certification will be available prior to award of contract.

148. The relocation of common property resources will be linked to handing over of encumbrance free land to the contractors. The handing over of land to the contractor will be organised in two sections. Sections having no IR impact and non-significant impacts will be in the first-milestone and will be handing over after signing of the contract and by the financial closure date, and the rest within one year/one and half years of contract signing as spelled out in the respective civil work contracts.

XIII. MONITORING AND REPORTING

A. Introduction

149. The objective of monitoring is to provide the PIU with an effective tool for assessing rehabilitation progress, identifying potential difficulties and problems areas and provide an early warning system for areas that need correction. Continuous supervision and periodic monitoring are an integral part of successful implementation. Monitoring is a warning system for project managers and a channel for the DPs to express their needs and reactions to the programme.

B. Internal Monitoring

150. The Project Implementation Unit (PIU) will carry out concurrent monitoring of RP implementation through the PD, PIU and prepare monthly and quarterly progress report in terms of physical and financial progress. In addition, the monitoring process will also look into: the communication and reactions of DPs; use of grievance procedures; information dissemination to DPs on benefits; and implementation time table. The monthly internal monitoring reports based on the outcome of consultations and feedback with displaced people who have received assistance and compensation and review of progress of other implementation activates including complains/concerns/issues raised by the DPs, will be submitted to PMU by the end of 1st week of the subsequent calendar month. The progress report will be reviewed by the SO, PMU and comments if any, will be communicated to PIU for immediate action.

151. A copy of the quarterly report will be made available to ADB. In view the significance of resettlement impacts, the monitoring mechanism for this project will have both monitoring by PIU and monitoring by an external agency / expert.

C. External Monitoring

152. The external monitoring will include but not limited to: (i) review and verify the monitoring reports prepared by PIU; (ii) monitor the work carried out by NGO and provide training and guidance on implementation; (iii) review the grievance redressal mechanism and report on its working; (iv) mid-term impact assessment through sample surveys amongst displaced persons for midterm corrective action; (v) consultation with DPs, officials, community leaders for preparing review report; (vi) assess the resettlement efficiency, effectiveness and efficiency of PIU, impact and sustainability, and drawing lessons for future resettlement policy formulation and planning. Some of the important task of external monitoring is the feedback of the DPs who receives compensation and assistance and also alerts on the risks, non-compliances and early warnings in the implementing.

153. The indicative monitoring indicators for physical monitoring will be: land acquired (ha) - private; land transferred (ha) - government; issue of ID cards; number of DPs received full R&R assistance (titleholders); number of DPs received full R&R assistance (non titleholders); number of families provided alternative resettlement house; number of vulnerable people received additional support; number of women DPs who have receive compensation and R&R assistances; number of CPRs relocated; and number of grievance received and resolved. The indicative monitoring indicators for financial monitoring will be: amount paid as land compensation; amount paid as structure compensation; amount paid as R&R assistances; and amount spent on common property resources.

154. The indicators should be revisited prior to RP implementation and revised in accordance with the final approved RF. Terms of reference for the recruitment of an External Monitoring Agency/Expert is given in Appendix-VI

155. In addition to the above, the following will also be tracked to judge social inclusion and gender mainstreaming in RP implementation. Proportion of women land owners who received compensation; number of women headed households who received R&R assistances; local female and scheduled caste labour force participation in unskilled jobs under contractors; number of vulnerable people who received R&R assistances; proportion of women as beneficiaries of house sites/houses offered in the resettlement site under R&R assistance; and proportion of women participation in consultation meetings during implementation.

Appendix 1: Google Earth Image of the Subproject Road



Appendix 2: Summary of DPs and CPR

Q.No	Village Name	Chainage	Side	Name of the Owner / Occupier	Offset	Type of structure	Use of Structure	Tenure
R0254001	Sanderao	233.78	Left	Raja ram	6.2	Permanent	Residential	Squatter
R0255001	Sanderao	235.47	Left	Budhha ram ji	9.5	Permanent	Residential cum Commercial	Squatter
R0258001	Sanderao	235.38	Left	Gopal chand dadiya	0	Semi-Permanent	Commercial	Squatter
R0259001	Sanderao	236.3	Left	Subhash jain	10	Semi-Permanent	Commercial	Squatter
R0251001	Sanderao	236.32	Left	Harjeet singh	10	Semi-Permanent	Commercial	Squatter
R0251101	Falana	236.322	Left	Gopal singh	10	Semi-Permanent	Commercial	Squatter
R0251201	Falana	236.323	Left	Pardeep kumar	10	Permanent	Residential cum Commercial	Squatter
R0251301	Falana	236.356	Left	Mahender kumar	9	Permanent	Commercial	Squatter
R0251401	Falana	236.4	Left	Mohan lal	9	Semi-Permanent	Commercial	Squatter
R0251501	Falana	236.43	Left	Vinod kumar	9	Permanent	Commercial	Squatter
R0251601	Falana	236.44	Left	Jeth mal	10	Permanent	Commercial	Squatter
R0251701	Falana	236.45	Left	Khim raj	8	Tempreory	Commercial	Squatter
R0251801	Falana	236.46	Left	Som lal	9	Semi-Permanent	Commercial	Squatter
R0251901	Falana	236.465	Left	Madan lal	9	Permanent	Commercial	Squatter
R0252001	Falana	236.47	Left	Gautam ponmiyan	9	Semi-Permanent	Commercial	Squatter
R0252101	Falana	236.475	Left	Parkash Poonmiyan	9	Semi-Permanent	Commercial	Squatter
R0252201	Falana	236.48	Left	Mahaveer chand	9	Permanent	Commercial	Squatter
R0252301	Falana	236.482	Left	Kuldeep singh	8	Semi-Permanent	Commercial	Squatter
R0252401	Falana	236.485	Left	Balbir singh	8	Semi-Permanent	Commercial	Squatter
R0252501	Falana	236.5	Left	Charanjeet singh	9	Permanent	Commercial	Squatter
R0252601	Falana	236.55	Left	Saka chand	9	Semi-Permanent	Commercial	Squatter
R0252701	Falana	236.56	Left	Kanti lal	9	Permanent	Commercial	Squatter
R0252801	Falana	236.57	Left	Mahender bhandari	9	Permanent	Commercial	Squatter
R0252901	Falana	236.575	Left	Narender	8	Permanent	Commercial	Squatter
R0253001	Falana	236.58	Left	Dinesh	8	Permanent	Commercial	Squatter
R0253101	Falana	236.585	Left	Lakshan chand	8.5	Permanent	Commercial	Squatter
R0253201	Falana	236.79	Left	Rattan lal	9	Permanent	Residential	Squatter
R0253301	Falana	236.86	Left	Dinesh vashnav	7.5	Permanent	Commercial	Squatter
R0253401	Falana	236.862	Left	Vishnu ji	8.5	Permanent	Commercial	Squatter
R0253601	Falana	236.865	Left	Mangal das ji	8.5	Permanent	Commercial	Squatter
R0253701	Falana	236.886	Left	Ram kumar	8.5	Permanent	Commercial	Squatter
R0253801	Falana	236.89	Left	Kailash	8.5	Permanent	Commercial	Squatter
R0253901	Falana	237.43	Left	Chama ram ji	8.5	Permanent	Residential	Squatter

Q.No	Village Name	Chainage	Side	Name of the Owner / Occupier	Offset	Type of structure	Use of Structure	Tenure
R0254001	Falana	237.445	Left	Keeka ram	9	Permanent	Commercial	Squatter
R0254201	Bali	243.4	Left	Sohan lal	9	Permanent	Commercial	Squatter
R0254301	Bali	243.9	Left	Kanti lal	9	Permanent	Commercial	Squatter
R0254501	Bali	245.008	Left	Mahaveer singh	8.5	Permanent	Commercial	Squatter
R0254601	Bali	246.2	Left	Narpat sain	7	Permanent	Commercial	Squatter
R0254701	Bali	246.6	Left	Rakesh	7	Permanent	Residential cum Commercial	Squatter
R0254801	Bali	247.56	Left	Ram chander soni	9	Permanent	Commercial	Squatter
R0254901	Bali	248.5	Left	Bhaira singh	7	Permanent	Commercial	Squatter
R0255001	Bali	249.2	Left	Arun chaudhary	8.5	Permanent	Commercial	Squatter
R0255101	Bali	250.8	Left	Jethha	8.5	Permanent	Commercial	Squatter
R0255201	Bali	252.8	Left	Jagga ram	8	Permanent	Commercial	Squatter
R0255301	Bali	252.9	Left	Irfan khan	8	Permanent	Residential	Squatter
R0253001	Sanderao Road	235.45	Right	Sukha Ram	9	Permanent	Residential cum Commercial	Squatter
R0255001	Sanderao Road	235.51	Right	Jagat Singh	10.5	Permanent	Residential cum Commercial	Squatter
R0257001	Falna	231.54	Right	Bheru Bharti maharaj	8.3	Permanent	Residential	Squatter
R0258001	Falna	236.32	Right	Shankar Singh	9.5	Temporary	Residential cum Commercial	Squatter
R0259001	Falna	236.321	Right	Bika Ram	9.3	Temporary	Commercial	Squatter
R0251001	Falna	236.324	Right	Narayan Lal	8.9	Permanent	Residential cum Commercial	Squatter
R0251101	Falna	236.36	Right	Bala Ram Kalal	9.7	Semi-Permanent	Commercial	Squatter
R0251201	Falna	236.38	Right	Narayan Singh	9	Semi-Permanent	Residential cum Commercial	Squatter
R0251301	Falna	236.4	Right	Ram Narayan Sharma	9	Semi-Permanent	Residential cum Commercial	Squatter
R0251401	Falna	236.402	Right	Shanti Lal	9	Permanent	Residential cum Commercial	Squatter
R0251501	Falna	236.404	Right	lakshman Singh	9	Semi-Permanent	Commercial	Squatter
R0251601	Falna	236.5	Right	Nishar Khan	9	Semi-Permanent	Commercial	Squatter
R0251701	Falna	236.57	Right	Mitha Lal Punniya	9	Permanent	Commercial	Squatter
R0251801	Falna	236.58	Right	Jayesh	9	Permanent	Commercial	Squatter
R0251901	Falna	237.095	Right	Bhik Suthar	9.7	Permanent	Residential cum Commercial	Squatter
R0252001	Falna	237.345	Right	Vijay Singh	9	Permanent	Commercial	Squatter

Q.No	Village Name	Chainage	Side	Name of the Owner / Occupier	Offset	Type of structure	Use of Structure	Tenure
R0252101	Falna	237.48	Right	Kapur Chand	9	Permanent	Commercial	Squatter
R0252201	Falna	237.5	Right	Arjun Kumar Byaas	9.8	Permanent	Residential cum Commercial	Squatter
R0252301	Falna	237.53	Right	Manmohan	9	Permanent	Commercial	Squatter
R0252401	Falna	237.55	Right	Dinesh Singh	9	Permanent	Commercial	Squatter
R0252501	Falna	237.58	Right	Bishu Lal	9	Permanent	Commercial	Squatter
R0252601	Falna	237.6	Right	Nand Singh	9	Temporary	Commercial	Squatter
R0252701	Bali	242.3	Right	Bheera Ram Chaudhary	9	Permanent	Residential cum Commercial	Squatter
R0252801	Bali	242.35	Right	Mohan Lal	9	Permanent	Commercial	Squatter
R0252901	Bali	242.4	Right	Joharudeen khan	9	Permanent	Residential cum Commercial	Squatter
R0253001	Bali	242.45	Right	Ramchander soni	5	Semi-Permanent	Commercial	Squatter
R0253101	Bali	242.5	Right	Foj Mal	7	Permanent	Commercial	Squatter
R0253201	Bali	242.6	Right	Teja Ram	7	Permanent	Commercial	Squatter
R0253301	Bali	242.7	Right	Ramesh	7	Permanent	Commercial	Squatter
R0253401	Bali	242.75	Right	Ramesh	9.5	Permanent	Commercial	Squatter
R0253501	Bali	242.9	Right	Bhera Ram	9.5	Permanent	Commercial	Squatter
R0253601	Bali	243.3	Right	Mahesh	9	Permanent	Commercial	Squatter
R0253701	Bali	243.55	Right	Naina Ram	9.5	Semi-Permanent	Commercial	Squatter
R0253801	Bali	243.56	Right	Madan Lal	9.5	Permanent	Commercial	Squatter
R0253901	Bali	243.7	Right	Gheesa Ram	7.5	Permanent	Commercial	Squatter
R0254001	Bali	243.75	Right	Uma Ram	9	Permanent	Commercial	Squatter
R0254101	Bali	243.8	Right	Gheesa Ram	9	Semi-Permanent	Commercial	Squatter
R0254201	Bali	244	Right	Mani Ram	9	Permanent	Commercial	Squatter
R0254301	Bali	244.05	Right	Mana Ram	9	Permanent	Commercial	Squatter
R0254401	Bali	244.1	Right	Kailash Kumar	9	Permanent	Commercial	Squatter
R0254501	Bali	244.15	Right	Hatna Ram	9	Permanent	Commercial	Squatter
R0254601	Bali	244.2	Right	Abdul Majid	9	Permanent	Commercial	Squatter
R0254701	Bali	244.25	Right	Bhavar Lal Solanki	9	Permanent	Commercial	Squatter
R0254801	Bali	244.3	Right	Shokat Sha	8.5	Permanent	Commercial	Squatter
R0261001	Sayla	121.05	Right	Kanak singh	7.2	Permanent	Commercial	Squatter
R0262001	Sayla	121.1	Right	Prithraj	7	Semi-permanent	Commercial	Squatter
R0263001	Sayla	121.1	Right	Dinesh kumar	6.5	Semi-permanent	Commercial	Squatter
R0264001	Sayla	121.15	Right	Shanti lal	6.6	Semi-permanent	Commercial	Squatter
R0265001	Sayla	121.17	Right	Sunghraj chhippa	7.6	Permanent	Commercial	Squatter
R0266001	Sayla	121.2	Right	Sudha ji	7	Semi-permanent	Commercial	Squatter

Q.No	Village Name	Chainage	Side	Name of the Owner / Occupier	Offset	Type of structure	Use of Structure	Tenure
R0267001	Sayla	121.25	Right	Ganpat lal	7	Semi-permanent	Commercial	Squatter
R0268001	Sayla	121.3	Right	Jitender kumar	7	Permanent	Commercial	Squatter
R0269001	Sayla	121.35	Right	Reva shankar	6.5	Semi-permanent	Residential	Squatter
R0261001	Sayla	121.4	Right	Harish kumar	6	Semi-permanent	Commercial	Squatter
R0261101	Sayla	121.45	Right	Harish trivedi	6	Permanent	Commercial	Squatter
R0261301	Sayla	121.55	Right	Mahesh trivedi	6	Semi-permanent	Commercial	Squatter
R0261401	Sayla	121.6	Right	Narender kumar	7	Permanent	Commercial	Squatter
R0261501	Sayla	121.65	Right	Poonma Ram	6.5	Semi-permanent	Commercial	Squatter
R0261601	Sayla	121.7	Right	Ramesh kumar jain	7	Permanent	Commercial	Squatter
R0261701	Sayla	121.75	Right	Mangla ram	7.5	Semi-permanent	Commercial	Squatter
R0261801	Sayla	121.8	Right	Jitender kumar	6.5	Semi-permanent	Commercial	Squatter
R0261901	Sayla	121.85	Right	Chatra ram ji	7.5	Semi-permanent	Commercial	Squatter
R0262001	Sayla	121.9	Right	Jalam singh	7	Semi-permanent	Commercial	Squatter
R0262101	Sayla	121.95	Right	Shanti lal	6	Permanent	Commercial	Squatter
R0262201	Sayla	122	Right	Ashwin trivedi	7	Permanent	Commercial	Squatter
R0262301	Sayla	122.05	Right	Bagga ram	6.5	Permanent	Commercial	Squatter
R0262501	Otwaal	127.15	Right	Joga	6.5	Semi-permanent	Residential	Squatter
R0262601	Otwaal	127.2	Right	Bagga ram	7.5	Semi-permanent	Residential	Squatter
R0262701	Otwaal	127.25	Right	Bhabuta ram	7	Permanent	Residential	Squatter
R0262801	Otwaal	127.3	Right	Babu lal	7	Permanent	Residential	Squatter
R0262901	Otwaal	127.35	Right	Babbra ji	7	Permanent	Residential	Squatter
R0263001	Otwaal	127.4	Right	Satjari Malvi	76.8	Permanent	Commercial	Squatter
R0263101	Otwaal	127.45	Right	Rupavaas	7.5	Permanent	Commercial	Squatter
R0263201	Otwaal	127.5	Right	Soma G	6	Permanent	Residential	Squatter
R0263301	Otwaal	127.55	Right	Bhava ram	6.7	Permanent	Commercial	Squatter
R0263401	Otwaal	127.6	Right	Pakka ram	7	Permanent	Commercial	Squatter
R0263501	Kharal	129.9	Right	Sukhdev soni	5.5	Permanent	Commercial	Squatter
R0263601	Kharal	129.87	Right	Rouna ram	7	Permanent	Residential	Squatter
R0263701	Kharal	129.91	Right	Bhola ji	6.4	Temporary	Residential	Squatter
R0263901	Ummedabad	132.72	Right	Chunni lal	6.4	Semi-permanent	Commercial	Squatter
R0264001	Ummedabad	132.78	Right	Narmada	7	Semi-permanent	Residential	Squatter
R0264101	Ummedabad	132.8	Right	Dr.parveen Ladda	6	Permanent	Residential	Squatter
R0261001	Sayla	121.15	Left	Rupa ram	6	Semi-permanent	Commercial	Squatter
R0262001	Sayla	121.17	Left	Pukhraj singh		Permanent	Commercial	Squatter
R0263001	Sayla	121.19	Left	Deepa ram	7	Temporary	Commercial	Squatter
R0264001	Sayla	122.21	Left	Kuber mobile	5.5	Permanent	Commercial	Squatter
R0265001	Sayla	122.23	Left	Suja ram	7	Semi-permanent	Residential	Squatter

Q.No	Village Name	Chainage	Side	Name of the Owner / Occupier	Offset	Type of structure	Use of Structure	Tenure
R0266001	Sayla	122.29	Left	Hastimal	7	Semi-permanent	Commercial	Squatter
R0267001	Sayla	122.33	Left	Aam singh	6	Semi-permanent	Commercial	Squatter
R0268001	Sayla	122.35	Left	Jabra ram	5.5	Semi-permanent	Commercial	Squatter
R0261001	Autwal	127.7	Left	Dhan ji	7.6	Semi-permanent	Residential	Squatter
R0261101	Autwal	127.75	Left	Mohan lal	6.2	Semi-permanent	Commercial	Squatter
R0261301	Kharal	129.95	Left	Dadhmee	5.8	Permanent	Residential	Squatter
R0261401	Ummedabad	133	Left	Rupa ram	7	Permanent	Commercial	Squatter
R0261901	Elana	137.05	Left	Ramu	7	Permanent	Commercial	Squatter

Summary of Common Property Resources

Q.No	Village Name	Chainage	Side	Name of the Owner / Occupier	Offset	Type of structure	Tenure
R0251001	Nimbeshwar	230.52	Left	Temple	5.8	Permanent	Squatter
R0252001	Sanderao	230.6	Left	Temple	7	Permanent	Squatter
R0253001	Sanderao	230.62	Left	Temple	6.2	Permanent	Squatter
R0256001	Sanderao	235.5	Left	Khalsa Palace	10.4	Temporary	Squatter
R0257001	Sanderao	235.6	Left	Trust (Bharo Bharti)	9	Permanent	Squatter
R0253501	Falana	236.775	Left	Temple	8.5	Permanent	Squatter
R0254101	Bali	243.25	Left	Temple	8.5	Permanent	Squatter
R0254401	Bali	244.2	Left	Temple	8.5	Permanent	Squatter
R0256001	Sanderao Road	235.58	Right	Khalsa Palace	9.5	Permanent	Squatter
R0261201	Sayla	121+550	Right	Jain Temple	0	Permanent	Squatter
R0263801	Ummedabad	132+500	Right	Temple	6	Semi-Permanent	Squatter
R0264201	Alaana	137+000	Right	Temple	6.8	Semi-Permanent	Squatter
R0269001	Sayla	122+400	Left	Jain Dharmshala	6	Permanent	Squatter
R0261201	Kharal	129+900	Left	Temple	5.8	Semi-Permanent	Squatter
R0261501	Ummedabad	133+150	Left	Temple	0	Permanent	Squatter
R0261601	Ummedabad	133+170	Left	Temple	7	Permanent	Squatter
R0261701	Rutaja	136+200	Left	Temple	6.5	Permanent	Squatter
R0261801	Elana	137+000	Left	Temple	4.3	Permanent	Squatter

Appendix 3: Participants in Consultation

SNo	Place	Date	Number of participants	Photo
Sanderao - Bali - Mundara				
1	Sanderao	01.10.2015	18 (including 3 women)	
2	Falna	02.10.2015	18 (including 2 women)	
3	Mundara	02.10.2015	17 (including 3 women)	
Barmer - Sindhari - Jalore				
4	Barmer	03.10.2015	26 (including 9 women)	
5	Sayla	06.10.2015	42 (including 5 women)	

Appendix 4: Comparison between ADB IR Policy Requirements and RFCTLARR Act 2013 with Gap filling measures

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
Policy Objectives				
1	Avoid involuntary resettlement (IR) wherever feasible	✓	Social Impact assessment (SIA) should include: (i) whether the extent of land proposed for acquisition is the absolute bare minimum extent needed for the project; (ii) whether land acquisition at an alternate place has been considered and found not feasible [Ref: Section 4 sub-section 4(d) and 4(e)]	
2	If IR is unavoidable, minimise involuntary resettlement by exploring viable alternate project design	x		The principles of RF addresses this requirement.
3	DPs should be assisted in their efforts to enhance or at least restore the livelihoods of all displaced persons in real terms to pre-project levels	✓	The cumulative outcome of compulsory acquisition should be that affected persons become partners in development leading to an improvement in their post acquisition social and economic status and for matters connected therewith or incidental thereto [Ref: Preamble of the RFCTLARR ACT]	-
Scope of Application				
4	Involuntary acquisition of land	✓	In the definition of affected family, it includes 'a family whose land or other immovable property has been acquired' [Ref: Section 3 sub-section c (i)]	
5	Involuntary restriction of land use or on access to legally designated parks and protected areas.	✓	In the definition of affected family in includes 'family whose primary source of livelihood for three years prior to the acquisition of the land is dependent on forests or water bodies and includes gatherers of forest produce, hunters, fisher folk and boatmen and such livelihood is affected due to acquisition of land' [Ref: Section 3 sub-section c (vi)]	

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
Eligibility Criteria				
6	Those who have formal legal rights to land lost in its entirety or in part	✓	In the definition of affected family, it includes 'a family whose land or other immovable property has been acquired' [Ref: Section 3 sub-section c (i)]	
7	Those who do not have formal legal rights to land lost but who have a claim to such land that are recognized or recognizable under national laws	✓	In the definition of affected family, it includes 'the Scheduled Tribes and other traditional forest dwellers who have lost any of their forest rights recognised under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 due to acquisition of land'; and also includes 'a member of the family who has been assigned land by the State Government or the Central Government under any of its schemes and such land is under acquisition'. [Ref: Section 3 sub-section c(iii) and (v)]	
8	Those who have neither formal legal rights nor recognised or recognizable claim to land lost	x		The RF, under eligibility criteria, this is addressed.
9	Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.	x		The RF, the cut-off date has been defined.
Policy Principles				
10	Carry out meaningful consultations with affected persons, host communities and concerned non-government originations	✓	Whenever a SIA is required, the appropriate Government shall ensure that a public hearing is held at the affected area, after giving adequate publicity about the date, time and venue for the public hearing, to ascertain the views of the affected families to be recorded and included in the SIA Report. [Ref: Section 5]	

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
11	Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns.	✓	For the purpose of providing speedy disposal of disputes relating to land acquisition, compensation, rehabilitation and resettlement, establish, by notification, one or more Authorities to be known as "the Land Acquisition, Rehabilitation and Resettlement Authority" [Ref: Section 51 sub-section 1]	The RF provides for a District level GRC to resolve grievances in the First Level and the appellate authority at the Second Level of grievance resolution mechanism, prior to referring/approaching the LARR authority
12	Preference to land-based resettlement strategies for displaced persons whose livelihoods are land-based.	✓	Land for land is recommended in irrigation projects and in projects where SC/ST is involved equivalent land. [Ref: Second Schedule S.No.2]	Land for land option, if feasible, is provided in the EM. If not feasible, then cash compensation at replacement cost has been provided
13	Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.	✓	The Rehabilitation and Resettlement Award shall include all of the following: (c) particulars of house site and house to be allotted, in case of displaced families; (d) particulars of land allotted to the displaced families; (e) particulars of one time subsistence allowance and transportation allowance in case of displaced families;..... [Ref: Section 31 sub-section 2(c), (d) and (e)]	
14	Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards	✓ (partly)	The act provides for special provisions and assistance for scheduled caste and scheduled tribe in scheduled area. [Ref: Section 41] Further the act recognizes widows, divorcees and women deserted by	Special provision for vulnerable have been provided in Entitlement matrix.

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
			<p>families as separate families [Ref: Section sub-section (m)]</p> <p>The act does not recognize other vulnerable category and also SC/ST from non-scheduled areas.</p>	
15	Develop procedures in a transparent, consistent, and equitable manner if actuation is through negotiated settlement.	x	Not explicitly stated	Provided for in the RF
16	Prepare a resettlement plan elaborating on displaced persons entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget and time-bound implementation schedule	✓	The Act provides for the preparation of Rehabilitation and Resettlement Scheme including time line for implementation [Ref: Section 16 - sub-section 2]	
17	Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders	✓	<p>The appropriate Government shall ensure that the Social Impact Assessment study report and the Social Impact Management Plan, are prepared and made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be, and the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil, and shall be published in the affected areas, in such manner as may be prescribed, and uploaded on the website of the appropriate Government. [Ref: Section 6 sub-section 1]</p> <p>Further the commissioner shall cause the approved Rehabilitation and Resettlement Scheme to be made available in the local language to the Panchayat, Municipality or Municipal Corporation. As the case may be, and the offices of the district collector, the Sub-Divisional Magistrate and Tehsil, and shall be published in</p>	

SNo	Asian Development Bank's Involuntary Resettlement Policy Requirement	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap
			affected areas, in such manner as may be prescribed and uploaded on the website of the appropriate Government [Ref: Section 18]	
18	Pay compensation and provide other resettlement entitle before physical or economic displacement. Implant the resettlement plan under close supervision throughout project implementation	✓	The Collector shall take possession of land after ensuring that full payment of compensation as well as rehabilitation and resettlement entitlements are paid or tendered to the entitled persons within a period of three months for the compensation and a period of six months for monetary part of rehabilitation and resettlement entitlements listed in the Second Schedule commencing from the date of the award made under section 30. [Ref: Section 38 - sub-section 1]	The RF stipulated that all compensation and assistance will be paid to DPs at least 1 month prior to displacement or dispossession of assets
19	Monitoring and assess resettlement outcomes, their impacts on the standard of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.	✓	The Central Government may, whenever necessary for national or inter-state projects, constitute a National Monitoring Committee for reviewing and monitoring the implementation of rehabilitation and resettlement schemes or plans under this Act. [Ref: Section 48 - sub-section 1]	The RF provides for internal and external monitoring of LA,R&R

Appendix 5: Terms of Reference (TOR) for the NGO/agency to assist PIUs in Resettlement Plan Implementation

A. Project Background

1. Government of Rajasthan has proposed to upgrade its road network under Rajasthan State Highway Investment Program (RSHIP) and as part of this endeavour, Public Works Department (PWD) of Rajasthan has been mandated to undertake improvement and upgradation of various State Highways and Major District Roads at different locations in Rajasthan. As part of this mandate, the PPP Division of Rajasthan Public Works Department has identified the roads requiring improvement that would improve the connectivity to national highways, major towns and industrial belts. The proposed investment program will support up gradation and improvement of the identified 17 road-projects totalling of about 1050km spread across the State of Rajasthan.

2. The Public Private Partnership (PPP) Cell of the Public works Department has prepared this Resettlement Plan (RP) for Package-2 comprising of 2-road subprojects viz. *Barmer - Sindhari - Jalore* section of SH-16 up to *Bishangarh* and *Sanderao - Bali - Mundara* section of SH-16, being one of the four packages being proposed under Tranche-1 for improvements under RSHIP. This RP addresses social issues arising out of acquisition of land and other assets, eviction of squatters and removal of encroachments resulting in social and / or economic displacement to households / individuals / community, either direct or indirect and is in compliance with ADB's Safeguard Policy Statement, 2009 and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. A Resettlement Plan (RP) has been prepared to assist the affected people to improve or at least restore their living standards to the pre-project level. This RP captures the involuntary resettlement impacts arising out of the proposed improvements to the 2-road subprojects under this Package-2 of RSHIP. The document describes the magnitude of impact, mitigation measures proposed, method of valuation of land, structure and other assets, eligibility criteria for availing benefits, baseline socio-economic characteristics, entitlements based on type of loss and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring. The length of the 2-road subprojects and the summary of subproject impacts is given in Appendix-I. Similarly, for each package a RP has been prepared that captures the involuntary resettlement impacts arising out of the proposed improvements in that package.

4. The PMU has decided to call in for the services of RP implementation support agency/NGO experienced in carrying out such rehabilitation and resettlement activities at the grass root level to assist the PIUs in RP implementation.

B. Objectives of the Assignment

5. The NGO shall assist the PPP Division, PWD(R), Rajasthan in the implementation of the Resettlement Plan for Tranche-1 road subprojects grouped as four packages and comprising of 15-road subprojects and shall undertake the following tasks:

- 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 to resettlement site and rehabilitation, including counseling, and coordination with local authorities/line departments.
- Assist the DPs in redressing their grievances (through the grievance redress committee set up for the subproject)
- To assist the Project Implementation Unit (PIU) with social responsibilities of the subproject, such as compliance with labour laws, prohibition of child labour, and gender issues.
- To conduct awareness program on HIV/AIDs, Health and Hygiene, and Human Trafficking in affected villages.
- To collect data and submit progress reports on a monthly and quarterly basis for PIU to monitor the progress of RP implementation.

C. Scope of Work

a) Administrative Responsibilities of the NGO

- Working in co-ordination with the PD, PIU; and assist the PD in carrying out the implementation of the RP;
- To assist the DPs in redressing their grievances through the GRCs;
- Assist the PIU in disclosure, conducting public meetings, information campaigns during the RP implementation and give full information to the affected community;
- Translate the summary of RP in local language for disclosure and disseminate to DPs;
- To assist the PIU in ensuring that the Contractors comply with the applicable labour laws (including prohibition of child labour, bonded labour and gender requirements) as contained in the contract document;
- To assist the PIU in ensuring compliance with safety, health and hygiene norms, and the conduct HIV/AIDS and Human Trafficking awareness/prevention campaigns;
- Submit monthly and quarterly progress report to the PIU including both physical and financial progress. The report should also cover implementation issues, summary of grievances and summary of consultations.
- Provide data and information that PIU will require in the management of the data base of the DPs.
- Assist PIU in providing training to DPs, wherever required in the implementation of RP.

b) Responsibilities for Implementation of the RP

- Agency/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 report to PIU on changes required, if any, along with documentary evidence.
- Wherever required, update the census and socio-economic survey data and administer the census and socio-economic survey questionnaire, if there are DPs who have been not covered during baseline survey and in particular the land owners from whom land is being acquired.
- The Agency/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, the entitlement and contact details of the PIU, NGO and GRC.

- The Agency/NGO shall develop rapport between the DPs and the Project Director, PIU. This will be achieved through regular interactions with both the PIU and the DPs. Meetings with the PD, PIU 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/Agency.
- Prepare monthly action plans with targets in consultation with the PIU.
- The Agency/NGO shall prepare micro plan detailing the type of impact and entitlements for each DP and display the list in prominent public places like villages, Panchayat offices, etc prior to R&R award enquiry.
- During the verification of the eligible DPs, the Agency/NGO shall ensure that each of the DPs are contacted and consulted either in groups or individually. The Agency/NGO shall specially ensure consultation with women from the DPs 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.
- The Agency/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 encroaches about the need for the timely shifting/relocation to resettlement site, the timeframe for disbursement of their entitlement.
- The Agency/NGO shall disseminate information to the DPs on the possible consequences of the project on the communities' livelihood systems and the options available, so that they do not remain ignorant.
- Agency/NGO will monitor the civil construction work in each package to ensure there is no bonded/child labour.
- In all of these, the Agency/NGO shall consider women as a special focus group, and deal with them with care and sympathy.
- The Agency/NGO shall assist the project 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 Agency/NGO shall inform the PIU about the shifting dates agreed with the DPs in writing and the arrangements desired by the DPs with respect to their entitlements.
- The Agency/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.

c) Accompanying and Representing the DPs at the Grievance Redressal Committee (GRC) Meetings

- The Agency/NGO shall nominate a suitable person (from the staff of the NGO) to assist the DPs in the GRC.
- The Agency/NGO shall make the DPs aware of the existence of grievance redressal committees (GRCs)
- The Agency/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 Agency/NGO shall record the grievance and bring it to the notice of the GRCs within seven days of receipt of the grievance from the DPs. It shall submit

a draft note with respect to the particular grievance of the DP, suggesting multiple solutions, if possible, and deliberate on the same in the GRC meeting with the permission of the Chair of the GRC.

- 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.
- d) Carry out Public Consultation
- In addition to counseling and providing information to DPs, the Agency/NGO will carry out periodic consultation with DPs and other stakeholders
 - Should organise meetings and appraise the communities about the schedule / progress of civil works
 - All the consultations should be documented and if possible, photographs and attendance sheets should be compiled. The list of participants and a summary of the consultations and outcome should be submitted to PIU.
- e) Assisting the PIU with the Project's Social Responsibilities
- The Agency/NGO shall assist the PIU to ensure that the Contractors are abiding by the various provisions of the applicable laws pertaining to labour standards.
 - The Agency/NGO shall assist the PIU to implement HIV/AIDS awareness measures, including collaboration with the line agencies.
 - The Agency/NGO will assist the PIU in conducting the R&R award enquiry
 - Assist the PIU to incorporate changes in the micro plan, if any based on R&R award and resubmit the same to PIU for verification, endorsement and onward transmission to Additional Collector for disbursement.
- f) Monitoring and Reporting
- The RP includes provision for monitoring by PIU and quarterly, mid-term, and post-project monitoring and evaluation by external agency. The Agency/NGO involved in the implementation of the RP will be required to supply all information, documents to the external monitoring consultants.

D. Documentation and Reporting by NGO

6. The NGO selected for the assignments shall be responsible to:
- 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.
 - Prepare monthly progress reports to be submitted to the PIU, 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 PIU.
 - Submit a completion report at the end of the contract period summarizing the actions taken during the project, the methods and personnel used to carry out the assignment, summary of support/assistance given to the DPs, lessons learnt, best practices and suggestions, if any, for effective implementation..
 - All other reports/documentation as described in these terms of reference.
 - Record minutes of all meetings.

- Four copies of each report shall be submitted to PIU together with one soft copy of each report in the CD

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

7. The PIU will provide to the NGO the copies of the RP, DPs' Census records and structure photographs, the strip plan of final design and any other relevant reports/data prepared by the DPR consultants. All facilities required in the performance of the assignment, including office space, office stationery, transportation and accommodation for staff of the Agency/NGO, etc., shall be arranged by the NGO.

E. Timeframe for Services

8. It is estimated that the NGO services will be required for about 36 months with intermittent inputs of key-personnel, to undertake the assignment of facilitating the implementation of the RP. The inputs of key personnel should be in accordance with the tasks and the corresponding time required for their completion. The time schedule for completion of key tasks is given below

SNo	Task Description	Time for completion
1	Inception Report	At the end of the 3 rd week after commencement of services
2	a. Joint verification, issue of identity card and submission of corrected data, if any, including proposal for replacement and upgradation of community assets b. Additional and /or missing census survey records of DPs (to be collected only after due approval of such cases by RO in writing) including profiles of DP in such survey	At the end of the 2 nd month after commencement of services At the end of the 3 rd month after commencement of services
3	Monthly Progress Report /Quarterly Progress Report covering the activities in the scope of works and corresponding deliverables	In 7 days from the end of each month /quarter
4	Facilitating disbursement of the entitlements for 50% of total DPs in the 1 st milestone coinciding with the milestone sections fixed by PIU	At the end of the 5 th month after commencement of services
5	Disbursement of the entitlements for the remaining DPs in the 1 st milestone	At the end of the 6 th month after commencement of services
7	a. Disbursement of the entitlements for remaining DPs in the 2 nd milestone b. Facilitating resettlement of DPs to the resettlement site(s)	At the end of the 15 th month after commencement of services
8	Draft Final Report summarising the action taken and other resettlement works to be fulfilled by the NGO	One month before the service / 35 th month after commencement of services
9	Final report summarising the action taken and other resettlement works to be fulfilled by the NGO	At the end of the service / 36 th month after commencement of services incorporating suggestions of PIU on the draft report.

G. Team for the Assignment

9. The Agency/NGO shall assign a team of professionals for assisting PIU in RP implementation. The Agency/NGO team should consist of the following 5-core professionals and a minimum of 4 support staff including a skilled data entry operator. The core team should have a combined professional experience in the areas of social mobilization, community development, land acquisition and resettlement, census and socio economic surveys and participatory planning and consultations.

SNo	Key Professional	No. of Persons	Experience
1	Team Leader cum R&R expert (intermittent input)	1	Postgraduate in Social Science with a minimum of 10 years experience in R&R, with land acquisition and R&R implementation experience in 5 projects of which at least 3 should be linear projects (Highway) funded by external agencies. Should be proficient in Hindi and English
3	R&R Expert and Field Coordinator (intermittent input)	4	Graduate in Social Science with knowledge and experience in census and socio-economic surveys, RP implementation PRA Technique and fluent in Hindi and English. Should have a minimum of 5 years experience in R&R, with land acquisition and R&R implementation experience in 3 projects of which at least 2 should be linear projects (Highway) funded by external agencies. One field coordinator should be posted for each of the road subproject in this packager

H. Payment Terms

10. The payment will be made corresponding to the tasks described under 'Timeframe for Services' above. For awareness campaigns on HIV-AIDS, health and hygiene, the PIU will provide funds separately at actuals, based on specific campaign proposals submitted by the NGO. Cost of printing disclosure material will paid by PIU directly or PIU will make available printed disclosure material.

11. The financial quote should include remuneration of key personnel and support staff, and all costs related to carrying out the services, excluding cost of awareness campaigns for HIV-AIDS, health and hygiene, printing of disclosure handouts and printing and laminating identity cards for DPs. Service tax, if applicable, will be paid by PIU and proof of remittance should be submitted to PIU after each payment is made. The NGO should cover their staff with adequate insurance and the cost shall be included in the financial quote under overheads.

Appendix 6: Terms of Reference for engaging an External Monitoring Agency/Expert

A. Project Description

1. Government of Rajasthan has proposed to upgrade its road network under Rajasthan State Highway Investment Program (RSHIP) and as part of this endeavour, Public Works Department (PWD) of Rajasthan has been mandated to undertake improvement and upgradation of various State Highways and Major District Roads at different locations in Rajasthan. As part of this mandate, the PPP Division of Rajasthan Public Works Department has identified the roads requiring improvement that would improve the connectivity to national highways, major towns and industrial belts. The proposed investment program will support up gradation and improvement of the identified 17 road-projects totalling of about 1050km spread across the State of Rajasthan.

2. The Public Private Partnership (PPP) Cell of the Public works Department has prepared this Resettlement Plan (RP) for Package-2 comprising of 2-road subprojects viz. *Barmer - Sindhari - Jalore* section of SH-16 up to *Bishangarh* and *Sanderao - Bali - Mundara* section of SH-16, being one of the four packages being proposed under Tranche-1 for improvements under RSHIP. This RP addresses social issues arising out of acquisition of land and other assets, eviction of squatters and removal of encroachments resulting in social and / or economic displacement to households / individuals / community, either direct or indirect and is in compliance with ADB's Safeguard Policy Statement, 2009 and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. A Resettlement Plan (RP) has been prepared to assist the affected people to improve or at least restore their living standards to the pre-project level. This RP captures the involuntary resettlement impacts arising out of the proposed improvements to the road subprojects under this Package-2 of RSHIP. The document describes the magnitude of impact, mitigation measures proposed, method of valuation of land, structure and other assets, eligibility criteria for availing benefits, baseline socio-economic characteristics, entitlements based on type of loss and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring. The summary of RP with subproject impacts is given in the annexure XX

4. The PIUs have appointed agencies/NGO's to support the respective PIU in RP implementation. The subproject includes a provision for monitoring and evaluation of the implementation of the subproject resettlement plans by an external monitor/agency. Therefore, the PMU requires the services of a reputed individual/consultancy firm for monitoring and evaluation of RP implementation.

B. Scope of work – Generic

5. The scope of work include:
- 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 Displaced Persons (DPs) have been restored or enhanced;

- To assess resettlement efficiency, effectiveness, impact and sustainability, drawing both on policies and practices and to suggest any corrective measures, if necessary; and
- To review the project impacts on vulnerable groups, indigenous people and groups and assess the effectiveness of the mitigative actions taken.

C. Scope of work- Specific

6. The major tasks expected from the external monitor are:
- To develop specific monitoring indicators for undertaking monitoring for RP implementation;
 - Review results of internal monitoring and verify claims through random checking by adopting suitable sampling method at the field level to assess whether land acquisition/resettlement objectives have been generally met;
 - Involve the affected people and community groups in assessing the impact of land acquisition for monitoring and evaluation purposes;
 - Evaluate and assess the adequacy of compensation and R&R assistances given to the DPs, the resettlement sites developed and relocation process and the livelihood opportunities and incomes as well as the quality of life of DPs; and
 - To evaluate and assess the adequacy and effectiveness of the consultative process with DPs, particularly those vulnerable, including the adequacy and effectiveness of grievance procedures and legal redress available to the displaced persons, and dissemination of information about these.

D. Time Frame and Reporting

7. The independent monitoring agency/expert will be responsible for overall monitoring of the RP implementation and will submit quarterly review directly to PMU for onward transmission to ADB with PMU's comments.

E. Qualifications

8. The monitoring agency/expert will have significant experience in resettlement policy analysis and RP implementation. Further, work experience and familiarity with all aspects of resettlement operations would be desirable. The Team Leader / Expert should have the following qualification: (i) postgraduate degree in social science; (ii) 15 years experience in R&R; (iii) experience in ADB/WB funded R&R projects; and (iv) R&R monitoring experience in ADB/WB funded projects. Interested agencies/consultants should submit proposal for the work with a brief statement of the approach, methodology, and relevant information concerning previous experience on monitoring of resettlement implementation and preparation of reports.

9. The profile of agency/expert along with full CV of monitors to be engaged must be submitted along with the proposal.

F. Budget and Logistics

10. Copies of the proposal - both technical and financial - should be submitted and the budget should include all cost and any other logistics details necessary for resettlement monitoring.