

ASIAN DEVELOPMENT BANK

RESETTLEMENT PLAN

Subproject: SH-74 (Hajipur – Areraj)

**BIHAR STATE HIGHWAYS PROJECT
ROAD CONSTRUCTION DEPARTMENT (RCD)
GOVERNMENT OF BIHAR**

FEBRUARY 2008

TABLE OF CONTENTS

ITEM	Page No.
EXECUTIVE SUMMARY	3 – 8
1. PROJECT DESCRIPTION	9 – 11
1.1 The Project	9
1.2 Subproject Background	9
1.3 Scope of Subproject Work	9
1.4 Minimization of Resettlement	10
1.5 Subproject Impacts and Benefits	10
1.6 Scope and Objective of Resettlement Plan (RP)	11
2. SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACTS	12 – 16
2.1. Scope of Land Acquisition	12
2.2. Census Survey	12
2.3. Subproject Impacts	12
3. SOCIO ECONOMIC PROFILE	17 – 21
3.1 Socio-Economic Survey	17
3.2 Social Profile of APs	17
3.3 Socio-Economic Findings Based on Sample Survey	19
4. RESETTLEMENT POLICY AND LEGAL FRAMEWORK	22 – 26
4.1 Introduction	22
4.2 Existing Laws and Policies	22
4.3 Resettlement Principles for the Project	23
4.4 Valuation of Assets	24
4.5 Entitlement Matrix	25
4.6 Cut-off Date	26
5. PUBLIC CONSULTATION AND DISCLOSURE OF INFORMATION	27 – 30
5.1 Public Consultation in the Project	27
5.2 Major Findings of the Consultations	28
5.3 Plan for Further Consultation in the Project	29
5.4 Disclosure of RP	30
6. RELOCATION AND INCOME RESTORATION MEASURES	31 – 33
6.1 Need for Relocation	31
6.2 Relocation Strategy	31
6.3 Income Restoration Measures	32
6.4 Additional Support from Ongoing Poverty Reduction Programs	33
7. INSTITUTIONAL ARRANGEMENTS	34 – 37
7.1 Institutional Requirement	34
7.2 Executing Agency	34

7.3	Grievance Redressal Mechanism	35
7.4	Non-Government Organization (NGO) for Implementation of RP	36
8.	RESETTLEMENT BUDGET AND FINANCING	38 – 41
8.1	R&R Cost	38
8.2	Replacement Cost of Structures	38
8.3	Assistance for APs	38
8.4	RP Implementation Cost	39
8.5	Replacement Cost of CPR	39
8.6	R&R Budget	39
8.7	Summary Budget for R&R Activities	40
8.8	Sources of Funding	41
9.	IMPLEMENTATION SCHEDULE	42 – 43
9.1	Introduction	42
9.2	Schedule for Project Implementation	42
9.3	R&R Implementation Schedule	43
10.	MONITORING AND EVALUATION	44 – 47
10.1	Need for Monitoring and Evaluation	44
10.2	Monitoring in the Project	44
10.3	Stages of Monitoring	45
10.4	Monitoring Indicators	46
10.5	Reporting Requirements	47
ANNEXURE		
Annexure: 2.1	Census Survey Questionnaire	
Annexure: 3.1	Socio-Economic Survey Questionnaire	
Annexure: 5.1	List of Participants in FGD	
Annexure: 5.2	Resettlement Information Leaflet	
Annexure: 7.1	Terms of References for NGO	

EXECUTIVE SUMMARY

A. Subproject Background

1. The proposed Bihar State Highways Project (BSHP), to be funded by the Asian Development Bank (ADB) aims to strengthen and rehabilitate the deteriorated state roads and upgrade some newly declared state roads to provide reliable road transport services in the state. Nine subprojects road sections consisting of 826 kilometers are selected for which detailed design of all alignments have been completed by RCD.

2. The subproject road, i.e SH-74 starts from Hazipur in the district of Vaishali and ends at Areraj in the district of Motihari. The 85 kilometers of state highway connects three districts i.e. Hazipur, Mazhafarpur and Motihari traversing through some major towns and villages like Hazipur, Manikpur, Paru, Deoria, Sahebjanj, Kesharia, Khajuria and Areraj. At the start of the subproject road about 36 kilometers falling under the Hazipur district are already two-lane and needs only strengthening. In other sections the subproject road is single lane with 3.5 meter carriageway and having a right of way (ROW) ranging from 20 to 25 meters. In this section the condition of the existing road is very poor. There are villages in regular interval with many squatters and encroachers living or doing business along the road.

3. The proposed subproject work includes widening of existing single lane carriage way into two-lane carriage way. The widening of the road will be limited to the existing ROW only, as the available ROW is sufficient to accommodate the widening proposal. The proposed alignment is concentric widening for the whole stretch. Within the major settlements with congested market places the improvement work will be limited to strengthening of the existing pavement only.

B. Land Acquisition and Resettlement Impacts

4. There is no need for private land acquisition for the subproject as the proposed work is limited within the available ROW. However, structures built within ROW which owned by non-title holders such as squatters and encroachers; and their livelihoods will be affected by the subproject. The summary subproject impacts are presented in the **Table: E.1**.

Table: E.1 Summary Subproject Impacts

Sl. No.	Impacts	Number
1	Total number of structures affected	241
2	Total number of private structures affected	216
3	Total number of households affected	218
4	Total Number of APs	937
5	Total number of Community Property Resources Affected	19
6	Total Number of Government Property Affected	6

Source: Census Survey, Bihar State Highways Project, 2007

5. As stated earlier all the impact is limited to ROW and no private land acquisition is required therefore no legal titleholder is affected. Although all the affected land is belongs to government but there are 216 privately owned structures will be affected by the subproject. Out of these 216 structures 106 (49.07%) structures are belongs to encroachers and 110 (50.93%)

structures belong to squatter's category. In the subproject among CPR 18 temples and one mosque are partially affected. The partial impact i.e. below 1 meter width assessed through census survey does not require the entire structure to be dismantled. However this impact can be further reduced or avoided by adopting suitable design option at this location.

C. Socio-Economic Profile of APs

6. Due to the proposed subproject work there are 937 persons likely to be affected, out of which 502 (53.58%) are male and 435 (46.42%) are female. The sex ratio among APs is 867 and the average household size is four. In the subproject area there are many households falling below poverty line (BPL). Government of Bihar has distributed BPL cards to such families. According to subproject census survey among 216 households, there are 103 such households falling under BPL category.

D. Resettlement Policy and Legal Framework

7. Following the state law BLARRP (2007) on land acquisition, NPRR 2007 and incorporating ADB policy on Involuntary Resettlement (1995) and Operations Manual F2 on Involuntary Resettlement (2006), the broad resettlement principles for the Project as a whole will include the following elements:

- Involuntary resettlement (IR) will be avoided or reduced as much as possible by reviewing alternatives to the Project;
- Where IR is unavoidable, Affected Persons (APs) would be assisted to re-establish themselves in order to at least restore the pre-project income or improve their living standards;
- Gender equality and equity would be ensured and adhered to;
- APs shall be fully involved in the selection of relocation sites, livelihood compensation and development options at the earliest opportunity. RPs should also be prepared in full consultation with AP, including disclosure of RP and project related information;
- Replacement land shall be an option for compensation in the case of loss of land; in the absence of replacement land, cash-for-land compensation on replacement value option will be made available the APs;
- Compensation for loss of land, structures, other assets and income will be based on full replacement cost¹ and will be paid before physical displacement of AP. This shall include transaction costs;
- All compensation payments and related activities² will be completed prior to the commencement of civil works;
- RP will be planned and implemented with full participation of local authorities;
- In the event of necessary relocation, APs shall be assisted to integrate into host communities;
- Common property resources and community/public services will be provided to APs;
- Resettlement will be planned as a development activity for the APs;
- All APs are entitled to receive compensation/assistance irrespective of proof of their titles; however people moving in the project area after the cut-off date will not be entitled

¹ Replacement cost means the method of valuing assets to replace the loss at market value, or its nearest equivalent, plus any transaction costs such as administrative charges, taxes, registration, and titling costs.

² While compensation is required prior to dispossession or displacement of affected people from their assets, the full resettlement plan implementation, which may require income rehabilitation measures, might be completed only over a longer period of time after civil works have begun. Affected people will be provided with certain resettlement entitlements, such as land and asset compensation and transfer allowances, prior to their displacement, dispossession, or restricted access.

to any assistance. In case of land acquisition the date of notification for acquisition will be treated as cut-off date. For non-titleholders such as squatters and encroachers the date of census survey or a similar designated date declared by the executing agency will be considered as cut-off date; and

- Vulnerable groups (households below the recognized poverty line; disabled, elderly persons or female headed households) will be identified and given appropriate assistance to substantially restore their pre project status or improve their living standards.

E. Entitlement Matrix

8. Compensation for the lost assets to all APs will be paid on the basis of replacement cost. Resettlement assistance for lost income and livelihoods will be provided to APs regardless whether there are title or non-title holders; and special assistance to APs belong to 'vulnerable group'³. This Entitlement Matrix (**Table E-2**) has been formulated, according to the resettlement principles for this project and specifically reflects various types of losses resulting out of this particular subproject and specific compensation and resettlement packages.

Table: E-2 Entitlement Matrix

S. N.	Type of Loss	Unit of Entitlement	Entitlement	Details
A. LOSS OF STRUCTURE BY ENCROACHERS AND SQUATTERS				
1	Loss of structure (immovable assets constructed by squatters and encroachers)	Squatters having structure	<ul style="list-style-type: none"> ▪ No compensation for land ▪ Compensation for structures. ▪ Shifting Assistance 	<ul style="list-style-type: none"> a) Squatters will be notified and given one month time to remove their assets. b) Compensation for loss of structure at replacement cost. c) Shifting assistance of Rs. 10000⁴/-. d) Right to salvage material from the demolished structure.
		Encroachers having structure	<ul style="list-style-type: none"> ▪ No compensation for land ▪ Compensation for structures to only vulnerable household 	<ul style="list-style-type: none"> a) Encroachers will be notified and given one month time to remove their assets and harvest their crops. b) Compensation for structures at replacement cost to the vulnerable households only. c) Right to salvage materials from the demolished structure.
2	Impact on market place/ area on a minimum of 25 shops/ businesses	Non-titleholder ⁵ (tenants, leaseholders or squatters) losing commercial enterprise in the market area	Relocation Assistance	<ul style="list-style-type: none"> a) Affected enterprises will be provided with the following options: Self managed reconstruction of shops by the shop operators with all benefits as per the entitlement matrix; or b) Project assisted relocation option will be provided to those whose commercial structure can no longer be used as a commercial enterprise as a result of the Project impact. The allotment of the shops in the market complex will be based on the ownership status of those affected. c) Shifting assistance of Rs. 10000⁶/-. d) Right to salvage material from demolished structure at no cost.

³ The "Vulnerable Group" comprises of APs living below poverty line (BPL), SC, ST, women headed households, the elderly and the disabled.

⁴ As required by NRRP 2007

⁵ In case of affected non-title owners, tenants and leaseholders, squatters and vulnerable encroachers, who have been carrying out business for 3 or more years, will be re-established by creation of market place. The constructed shops in this market will be provided on rent to them. For first 3 months, no rent will be charged from these APs. However, after three months these APs need to pay to the authority the agreed rent by demand draft monthly and if

S. N.	Type of Loss	Unit of Entitlement	Entitlement	Details
B. LOSS OF LIVELIHOOD				
3	Loss of primary source of income by losing business opportunity	a) Squatters b) Vulnerable Encroachers	Rehabilitation Assistance	a) Training assistance for income generation @ Rs. 4000 ⁷ /- per affected household
C. LOSS OF COMMUNITY INFRASTRUCTURE/Common Property Resources				
4	Loss of Common Property Resources	Community	Reconstruction/ Cash Compensation at replacement cost	a) Cash compensation at replacement cost or reconstruction of the community structure in consultation with the affected community.
D. ADDITIONAL SUPPORT TO VULNERABLE GROUP				
5	Additional Assistance to vulnerable groups	Vulnerable households including BPL, SC, ST, WHH, disabled and elderly	Special Assistance	a) One time lump sum assistance of Rs. 10000/ to vulnerable households. (This will be paid above and over the other assistance(s) as per this framework).
E. OTHER UNANTICIPATED IMPACTS				
6	Temporary impact during construction like disruption of normal traffic, damage to adjacent parcel of land / assets due to movement of heavy machinery and plant site	Community / Individual	Compensation	a) The contractor shall bear the cost of any impact on structure or land due to movement of machinery during construction or establishment of construction plant b) All temporary use of lands outside proposed RoW to be through written approval of the landowner and contractor. c) Location of Construction camps by contractors in consultation with PWD.
7	Unforeseen impacts if any	Any unanticipated impacts due to the project will be documented and mitigated based on the spirit of the principle agreed upon in this framework.		

9. The entitlement matrix was based on census and socio-economic surveys carried out on the subproject road. During loan implementation, if additional impacts are identified, the entitlement matrix will be updated by including provision of compensation and assistance for the additional impacts in the resettlement plan.

F. Public Consultation and Disclosure of Information

10. All relevant aspects of project planning and development were discussed with primary and secondary stakeholders, including directly affected people, Executing Agency, and other local administrative agencies and departments. The directly affected population was consulted to understand their concerns and receive their suggestions on the types of mitigation measures that should be considered to address them. At the field level, to ensure a comprehensive perspective on the project and its impacts, focus group discussions involved (i) head of village panchayats; (ii) village administrative officers; (iii) men; (iv) women; (v) farmers; (vi) business communities; (vii) concerned government departments; and (viii) vulnerable groups. Further, the consultations and discussions with the APs will continue throughout the implementation of the subproject. A local non-government organization (NGO) will assist the project implementation units (PIU) with it. The NGO⁸ involved in the resettlement implementation activities will keep the APs informed about the impacts, compensation, and assistance proposed for them; and will facilitate in addressing any grievances. The summary of the RP and the entitlement matrix will

he/she wishes to own the same can pay the total amount in agreed installments. The APs opting for this option will not be paid cash compensation for their structure loss.

⁶ As required by NRRP 2007

⁷ This rate has been fixed based on the assessment of local prevalent rates for organizing training program.

⁸ Refer Annexure 7.1: Terms of Reference for engaging NGO

be translated into the local language⁹; disclosed to the APs; and made available at the offices with Project Implementation Unit (PIU) and Project Management Unit (PMU). A copy of the RP will be disclosed through the RCD/PMU website and in ADB website also.

G. Relocation and Income Restoration Measures

11. The proposed subproject has limited negative impacts on the livelihood of the affected persons. The impact is limited to non-titleholders and all efforts are made through various provisions in this RP to mitigate negative social impacts on APs by supporting relocation of APs and by restoration of pre-project levels of income.

12. For loss of structures, all APs will be compensated for their affected structures at replacement cost, for which provision has been kept in the Entitlement Matrix. It will be difficult to provide resettlement colony due to the scattered nature of impacts, therefore cash compensation will be more practical in this case. However, if there is any impact on market place/area on a minimum of 25 shops, 2 options will be provided, either (i) self managed reconstruction of shops with all benefits as per the entitlement matrix; or (ii) project assisted relocation option by providing market place. These two options reflected the discussion with the landless APs during public consultations. All the squatters with structures and only vulnerable encroachers will be eligible for compensation for loss of their structures.

13. The RP implementing NGO will play a proactive role to mobilize various government schemes and ensure their accessibility and benefits to the APs, particularly vulnerable groups. The NGO will work with the *panchayat* governments to make available to the APs benefits of some of the ongoing pro-poor programs for poverty reduction.

H. Institutional Arrangements

14. The existing Road Construction Department, Government of Bihar has already set up a Project Management Unit (PMU) headed by a Chief Engineer (CE) with one Superintending Engineer (SE) and three Executive Engineers (EEs). This office will be functional for the whole Project duration.

15. For resettlement activities, PMU will do the overall coordination, planning, implementation, and financing. The PMU will create a Resettlement Cell (RC) within itself with appointment of a Resettlement Officer (RO) and required support staff for the duration of the Project to ensure timely and effective planning and implementation of RPs. The candidate to be selected as RO is desired to have similar earlier experience in resettlement and social development planning and implementation. The RO will be assisted by the respective PIU and staff, NGO, for planning and implementation of resettlement activities in the project.

16. The Project Implementation Unit (PIU) headed by PD will be responsible for all subproject level resettlement planning and implementation. At this PIU level a RCD staff in the rank of Assistant Engineer (AE) will be designated for coordinating the R&R activities at the subproject level. He will be assisted by NGO and other required support staffs. The staffs at the PIU level will be provided with weeklong training and orientation program for implementation of the RP. The PIU will maintain all databases, work closely with APs and other stakeholders and monitor the day today resettlement activities.

17. A Grievance Redress Committee (GRC) at PIU level will be formed to deal with the disputes and AP's grievance and facilitate timely implementation of the Project. The GRC will be headed by the DC or a representative from the collector's office. The GRC will have R&R officer

⁹ Refer Annexure 5.2

from the PIU office, representatives of APs, local government representatives, and NGO. The GRC will meet as and when grievances are referred to it for redress. Other than disputes relating to ownership rights under the court of law, GRC will review grievances involving all resettlement benefits, compensation, relocation, and other assistance.

I. Resettlement Budget and Financing

18. The details of the budget estimates are given in **Table: E-3**. Contingency provision would cover non-identified and other costs during R&R implementation.

Table: E-3 Summary Budget for Resettlement and Rehabilitation Activities

Sl. No.	Item	Amount (in Million Rs.)
1	Compensation cost	5.25
2	Assistance	1.55
4	RP implementation cost	1.00
5	Contingency	0.78
Total		8.58

19. As agreed upon the project financing proposal and provision made in the RP all R&R cost will be borne by the EA. EA will ensure allocation of funds and availability of resources for smooth implementation of the subproject RP activities.

J. Implementation Schedule

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

21. The major activities to be performed in this period include establishment of PMU and PIU at project and subproject level respectively; submission of RP for ADB's approval; appointment of NGO and establishment of GRC etc. The information campaign & community consultation will be a process initiated from this stage and will go on till the end of the project.

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

K. Monitoring and Evaluation

23. Monitoring and Evaluation (M&E) are critical activities in involuntary resettlement management and helps in order to ameliorate problems faced by the APs and develop solutions immediately. RP implementation for the subproject will be closely monitored by PMU internally.

24. The PIU responsible for supervision and implementation of the RP will prepare monthly progress reports on resettlement activities and submit to PMU. PMU will submit quarterly reports to ADB. The independent monitoring & evaluation expert will be hired under construction supervision consultation by EA in agreement with ADB to undertake overall monitoring of the subproject will submit a biannual review directly to ADB and determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/enhanced and suggest suitable recommendations for improvement.

1. PROJECT DESCRIPTION

1.1 The Project

1. The proposed Bihar State Highways Project (BSHP), to be funded by the Asian Development Bank (ADB) aims to strengthen and rehabilitate the deteriorated state roads and upgrade some newly declared state roads to provide reliable road transport services in the state. Nine subproject road sections consisting of 826 kilometers are selected for which detailed designs have been completed by Road Construction Department (RCD). The list of subproject road sections are presented in the **Table: 1**.

Table: 1 List of Subproject Roads

Sl. No.	State Highway No.	Name of the Subproject Road	Length (in Km.)	District Covered
1	SH-68	Shivgunj – Baidrabad	78	Aurangabad, Arwal
2	SH-69	Dumaria – Ranitalab	153	Gaya, Jahanabad
3	SH-70	Gaya – Rajauli	58	Gaya, Nawada
4	SH-71	Jahanabad - Parwatipur	91	Jahanabad, Nalanda
5	SH-73	Siwan – Shitalpur	88	Siwan, Chapra
6	SH-74	Hajipur – Areraj	85	Vaishali, Muzaffarpur, Motihari
7	SH-75	Darbhangha - Madhwapur	47	Darbhangha
8	SH-76	Araria – Bhaptiyahi	121	Araria, Supaul
9	SH-77	Kursela – Forbisgunj	105	Katihar, Purnia, Araria
Total			826	18 districts

1.2 Subproject Background

2. The subproject road, i.e SH-74 starts from Hazipur in the district of Vaishali and ends at Areraj in the district of Motihari. The 85 kilometers of state highway connects three districts i.e. Hazipur, Mazhafarpur and Motihari traversing through some major towns and villages like Hazipur, Manikpur, Paru, Deoria, Sahebjanj, Kesharia, Khajuria and Areraj.

3. At the start of the subproject road about 36 kilometers falling under the Hazipur district are already two-lane and needs only strengthening. In other sections, the subproject road is single lane with 3.5 meter carriageway and having a right of way (ROW) ranging from 20 to 25 meters. In this section the condition of the existing road is very poor. There are villages in regular interval with many squatters and encroachers living or doing business along the road.

1.3 Scope of Subproject Work

4. The proposed subproject work includes widening of existing single lane carriage way into two-lane carriage way. The widening of the road will be limited to the existing ROW only, as the available ROW is sufficient to accommodate the widening proposal. The proposed alignment is concentric widening for the whole stretch. Within the major settlements with

congested market places the improvement work will be limited to the existing formation width only.

1.4 Minimization of Resettlement

5. Sufficient consideration has been given at this stage of the project preparation to minimize the adverse impacts on the community in the project area within the limitation of technical requirement. For the proposed work the following specific measures are taken to minimize resettlement in this project road.

- Accommodating road widening within available RoW;
- Concentric widening to avoid maximum damage;
- Saving cultural properties and community structures by adopting suitable measures; and
- Restriction of improvement work within the existing formation width in congested market places and major settlements.

6. In this subproject context, the available right of way (RoW) is sufficient to accommodate the required widening and strengthening work. As envisaged from this subproject situation, no land acquisition is required for widening the road

1.5 Subproject Impacts and Benefits

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

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

8. Although various positive subproject impacts and benefits are expected from the proposed subproject as mentioned above, there will be some negative impacts on non-title

holders such as encroachers and squatters who are living near the immediate corridor of impacts in terms of loss structures and livelihoods even though no fresh private land acquisition is required.

1.6 Scope and Objective of Resettlement Plan (RP)

9. The aim of this Resettlement Plan (RP) is to mitigate all such unavoidable negative impacts caused due to the project and to resettle the displaced persons and restore their livelihoods. This Full Resettlement Plan¹⁰ has been prepared on the basis of census survey findings and consultation with various stakeholders. The plan complies with ADB policy on *Involuntary Resettlement (1995)* and *Policy on Indigenous Peoples (1999)* designed by ADB to protect the rights of the affected persons and communities. The issues identified and addressed in this document are as follows:

- Assessment of type and extent of loss of land and non-land assets, loss of livelihood or income opportunities and collective losses, such as common property resources and social infrastructure;
- Identification of impacts on Indigenous people, vulnerable groups and assessment of other social issues in the project;
- Public consultation and peoples participation in the project;
- Assessment of existing legal and administrative framework and formulation of resettlement policy for the project;
- Development of entitlement matrix, provisions for relocation assistance and restoration of businesses/income;
- R&R cost estimate including provision for fund; and
- Institutional framework for the implementation of the plan, including monitoring and evaluation.

¹⁰ According to ADB Operational Manual Section F2/OP, any subproject falls under Involuntary Resettlement Category A require preparation of a Full Resettlement Plan. A subproject identifies as Category A when involuntary resettlement is significant, i.e. 200 or more people experience major impacts. Major impacts are defined as involving affected people being physically displaced from housing and/or having 10% or more of their productive, income generating assets lost.

2. SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACTS

2.1 Scope of Land Acquisition

10. There is no need for land acquisition for the subproject as the proposed work is limited within the available right of way only. Based on the detailed design of the alignment prepared by Road Construction Department (RCD) for this subproject, information on subproject proposal was obtained and accordingly resettlement impacts were established for preparation of RP. The availability of this ROW was obtained from the department and also verified and confirmed from communities at site.

11. Since the subproject road is passing through some settlements with residences and market, there are numbers of commercial structures or small business establishments within the right of way being affected due to the widening. The impact is limited to the encroachers and squatters.

2.2 Census Survey

12. A census survey was carried out during July-August 2007 to assess the impacts as per technical requirements based on detailed design of the alignment prepared by RCD. A structured census questionnaire (**refer Annexure: 2.1**) was used to collect detailed information on affected households/ properties for a full understanding of impacts in order to develop mitigation measures and resettlement plan for the APs. The objective of the census survey was to generate an inventory of social impacts on the people affected by the project, the type of impact, type, ownership and market value of land and/or structure, social profile of the affected people, poverty status, and their views about the project and on various options for rehabilitation and resettlement. The major findings and magnitude of impacts are discussed in the following sections.

2.3 Subproject Impacts

13. Based on the 100% census findings, it has been confirmed that there is no need for private land acquisition for the subproject as the proposed work is limited within the available ROW. However, structures built within ROW which owned by non-title holders such as squatters and encroachers; and their livelihoods will be affected by the subproject. It was noted that altogether 241 structures will be affected. Out of 241 structures 216 are private structures, 19 are CPR and another 6 are government properties. The details of subproject impacts are discussed in the following section and the summary subproject impacts are presented in the **Table: 2.1**.

Table: 2.1 Summary Subproject Impacts

Sl. No.	Impacts	Number
1	Total number of structures affected	241
2	Total number of private structures affected	216
3	Total number of households affected	218
4	Total Number of APs	937
5	Total number of Community Property Resources Affected	19
6	Total Number of Government Property Affected	6

Source: Census Survey, Bihar State Highways Project, 2007

2.3.1 Type of Structures Affected by the Subproject

14. Various types of structures are being affected due to the subproject work. Out of 241 structures, 112 (46.47%) are of commercial type followed by 91 (37.76%) are residential type and 5 (2.07%) residential cum commercial structures. Among Community Property Resources, there are 19 religious structures being affected by the subproject. Among 6 government structures three are schools and another three are bus stops being affected. The details of structures by type of use are given in the **Table: 2.2**.

Table: 2.2 Types of Structures Affected by the Subproject

Sl. No.	Type of Structure	No. of Structure	%Age
1	Residential Structure	91	37.76
2	Commercial Structure	112	46.47
3	Residential cum Commercial	5	2.07
4	Religious Structure	19	7.88
5	Government Structure	6	2.49
6	Other Private Structure	8	3.32
Total		241	100.00

Source: Census Survey, Bihar State Highways Project, 2007

2.3.2 Type of Residential Structures Affected

15. Out of 91 residential structures being affected by the project, 69 are houses and 22 are temporary residential structure like huts as presented in the Table: **Table: 2.3**.

Table: 2.3 Types of Residential Structures Affected

Sl. No.	Type of Structure	No. of Structure	%Age
1	House	69	75.82
2	Hut	22	24.18
Total		91	100.00

Source: Census Survey, Bihar State Highways Project, 2007

2.3.3 Type of Commercial Structures Affected

16. Along the road people are doing various kinds of businesses such as grocery shops, small eateries/tea stalls, workshops etc. Out of 112 commercial structures being affected in the subproject road 34 (30.36%) are shops and 71 (63.39%) are kiosks. The type of commercial structures affected due to the subproject work which is also a replica business type by affected persons is summarized in the **Table: 2.4**.

Table: 2.4 Types of Commercial Structures Affected

Sl. No.	Type of Structure	No. of Structure	%Age
1	Shops	34	30.36
2	Hotel	6	5.36
3	Kiosk	71	63.39
4	STD Booth	1	0.89
Total		112	100.00

Source: Census Survey, Bihar State Highways Project, 2007

2.3.4 Type of Residential cum Commercial Structures Affected

17. Many road side people have their residential structures close to the road and using the front part for business purpose. There are 5 such residential cum commercial structures being affected in the subproject.

2.3.5 Type of Other Private Structures Affected

18. Among private properties being affected, in addition to residential and commercial structures, there are five boundary walls and three cattle sheds being affected in the subproject.

2.3.6 Intensity of Impacts on Private Structures

19. As discussed earlier the subproject impact is limited to the existing ROW and affecting squatters and encroachers partially in most of the cases. According to the census survey 210 (97.22%) households are losing only up to 25% of their structures while another 6 (2.78%) households are losing only up to 50% of their structures. The intensity of impacts is presented in the **Table: 2.5**. The percentage losses of structures are assessed to measure the intensity of impact on the entire structure including the encroached portion on the government land. Less than 25% was assessed based on the encroachers who have extended their own structures on the government land by constructing temporary or semi-permanent (above 73% of the affected structures as presented in the table: 2.6) structures without causing damage to their permanent structure.

Table: 2.5 Intensity of Impacts on Private Structures

Sl. No.	Scale of Impact	No. of Household	%Age
1	Up to 25% of the Structure	210	97.22
2	Up to 50 % of the Structure	6	2.78
Total		216	100.00

Source: Census Survey, Bihar State Highways Project, 2007

2.3.7 Type of Construction of Private Structure

20. The structures likely to be affected by the subproject are categorized as temporary (buildings with mud/brick/wood made walls, thatched/tin roof), semi-permanent (buildings, with tiled roof and normal cement floor), and permanent (with RCC, Single/Double storey building). Out of 216 structures there are 98 (45.37%) of temporary nature, 59 (27.31%) of semi-permanent nature, and 59 (27.31%) of permanent nature. The types of construction of the affected structures are summarized in the **Table: 2.6**.

Table: 2.6 Type of Construction of Private Structure

Sl. No.	Construction Type	No. of Structure	%Age
1	Temporary	98	45.37
2	Semi-Permanent	59	27.31
3	Permanent	59	27.31
Total		216	100.00

Source: Census Survey, Bihar State Highways Project, 2007

2.3.8 Ownership Status of Private Structure

21. In this subproject all the impacts are limited to the existing ROW. Out of these 216 structures 106 (49.07%) structures are belongs to encroachers and 110 (50.93%) structures belong to squatter's category. The details of legal status of the structures are presented in **Table: 2.7**.

Table: 2.7 Ownership Status of Private Structure

Sl. No.	Ownership Status	No. of Structure	%Age
1	Encroacher	106	49.07
2	Squatter	110	50.93
Total		182	100.00

Source: Census Survey, Bihar State Highways Project, 2007

2.3.9 Indirect Impacts on Livelihood by Loss of Private Structure

22. As reveals from the census survey, there are 2 tenants in commercial structures being affected indirectly by loosing their business due to loss of commercial structures in the subproject.

2.3.10 Relocation Options by Affected Households

23. While asked about relocation options if required, 141 (65.28%) households opted for self relocation where as 75 (34.72%) household desired assistance from project as presented in the **Table: 2.8**.

Table: 2.8 Relocation Options by Affected Households

Sl. No.	Relocation Option	No. of Households	% age
1	Self Relocation	141	65.28
2	Project Assisted Relocation	75	34.72
Total		216	100.00

Source: Census Survey, Bihar State Highways Project, 2007

2.3.11 Compensation Option by Households losing Structures

24. During the census survey various options for compensation by APs were documented where 130 were responded to the question. According to the survey all the households opted for cash compensation for their lost assets. The compensation options desired by affected households are summarized in the **Table: 2.9**.

Table: 2.9 Compensation Option by Households losing Structures

Sl. No.	Compensation Options	No. of Households	% age
1	Structure for Structure	0	0.00
2	Cash for Land Structure	130	100.00
Total		130	100.00

Source: Census Survey, Bihar State Highways Project, 2007

2.3.12 Options for Project Assistance and Other Help

25. According to the preferences of affected households about various assistances, maximum APs prefer employment opportunities in road construction work. AP's second preference for assistance is loan from ongoing development schemes and third preference is vocational training. Various options preferred by APs are summarized in the **Table: 2.10**.

Table: 2.10 Options for Project Assistance and Other Help by APs

SI. No.	Options for Assistance	P-1	P-2	P-3	P-4
1	Employment Opportunities in Construction work	213	0	0	0
2	Loan from other ongoing development scheme	0	213	0	0
3	Vocational Training for Up-gradation of Skill	0	0	213	0
Total		182	0	0	0

Source: Census Survey, Bihar State Highways Project, 2007

2.3.13 Subproject Impacts on Community Properties Resources (CPR)

26. In the subproject among CPR, 18 temples and one mosque are partially being affected. The partial impact consists of below 1 meter width and boundary walls in most of the cases as assessed through census survey and does not require the entire structure to be replaced. However this impact can be further reduced or avoided by adopting suitable design option at this location.

2.3.14 Subproject Impacts on Government Properties

27. There are 6 government structures including 3 bus stops and 3 schools are being affected due to the subproject work. The bus stops will be shifted to suitable locations and all other structures are partially being affected with maximum 1 meter width i.e. boundary walls and do not require replacement of the whole structure.

3. SOCIO ECONOMIC PROFILE

3.1 Socio-Economic Survey

28. In addition to the demographic and social data collected through census survey additional socio-economic information was collected from APs through a structured socio-economic questionnaire. This socio-economic questionnaire (refer **Annexure-3.1**) was administered in the subproject area covering 20% of the census households. This chapter presents the socio-economic profile of APs in two separate sections based on two different surveys i.e. census and socio-economic survey. Under this subproject, more than 34% (20 out of 58) of households covered under social survey belong to vulnerable category.

3.2 Social Profile of APs

29. Based on the census survey findings the social profile of the affected persons such as number of APs, socio-economic characteristics etc. presented in the following sections.

3.2.1 Number of Affected Persons (APs)

30. Due to the proposed subproject work there are 937 persons likely to be affected out of which 502 (53.58%) are male and 435 (46.42%) are female. The sex ratio among APs is 867 and the average household size is four. The details of affected persons are summarized in the **Table: 3.1**.

Table: 3.1 Numbers of APs

SI. No.	Categories of APs	No. of APs	% age
1	Male	502	53.58
2	Female	435	46.42
Total		937	100.00

Source: Census Survey, Bihar State Highways Project, 2007

3.2.2 Social Categories of the APs

31. The social stratification of the subproject area shows that the dominance of other backward caste (OBC) population with 61.11%. The second stratum of the social grouping in the area is of Higher Caste population (33.80%) followed by Scheduled Caste (3.24%). The presence of schedule tribe (ST) population in the subproject area is insignificant as there are only four household from the ST community is enumerated by census survey. The detail of social grouping in the subproject area is presented in the **Table: 3.2**.

Table: 3.2 Social Categories of the APs

SI. No.	Description of the Caste	No. of Households	% age
1	Scheduled Caste	7	3.24
2	Scheduled Tribe	4	1.85
3	Other Backward Caste	132	61.11
4	Higher Caste	73	33.80
Total		216	100.00

Source: Census Survey, Bihar State Highways Project, 2007

3.2.3 Religious Categories of the APs

32. The subproject area is dominated by Hindu community as they form 90.28% (195) of the APs. Among other, 9.72% (21) are Muslim community. The religious categories of APs are presented in the **Table: 3.3**.

Table: 3.3 Religious Categories of the APs

SI. No.	Religious Categories	No. of Households	% age
1	Hindu	195	90.28
2	Muslim	21	9.72
Total		216	100.00

Source: Census Survey, Bihar State Highways Project, 2007

3.2.4 Vulnerable Households being Affected

33. In the subproject area there are many households falling below poverty line (BPL). Government of Bihar has distributed BPL cards to such families. According to subproject census survey there are 103 such households falling under BPL category. In this subproject there is no any women headed households and households headed by physically handicapped people being affected. The vulnerable households' details are presented in the **Table: 3.4**.

Table: 3.4 Vulnerable Households being affected

SI. No.	Vulnerable Categories	No. of Households	% age
1	Women Headed Households	0	0.00
2	Households Headed by PH Person	0	0.00
3	Below Poverty Line Households	103	100.00
Total		103	100.00

Source: Census Survey, Bihar State Highways Project, 2007

3.2.5 Annual Income Level of the Affected Households

34. As revealed from the Table: 3.4, there are 103 households belong to below poverty line (BPL) category. This is further evident from the data on monthly income by households. There are 113 (55.12%) households having an average monthly income of Rs. 20000/-. 82 (40.00%) of the affected families are earning an average monthly income below Rs. 50000. The average income level of households in the subproject area is summarized in the **Table: 3.5**

Table: 3.5 Annual Income Levels of the Affected Households

SI. No.	Annual Income Categories in (Rs.)	No. of Households	% age
1	Up to 10000	3	1.46
2	Above 10000 and Below 20000	113	55.12
3	Above 20000 and Below 50000	82	40.00
4	Above 50000 and Below 75000	7	3.41
Total		205	100.00

Source: Census Survey, Bihar State Highways Project, 2007

3.3 Socio-Economic Findings Based on Sample Survey

35. In addition to the social profile of APs based on the census survey findings, the socio-economic profile of the APs based on the 20% sample socio-economic survey is presented in the following sections. Since all the APs belong to non-titleholder category i.e. encroachers and squatters, the information on land holdings, cropping patterns etc. are limited.

3.3.1 Average Landholdings by APs

36. Out of 58 surveyed households 51 (87.93%) are holding up to one acres of land. In the subproject 7 (12.07%) are land less households. The details of average total landholdings size of the affected families are presented in the **Table: 3.6**.

Table: 3.6 Average Total Landholdings Size

Holding Size	No. of Households	% age
Up to 1 Acre	51	87.93
Land Less	7	12.07
Total	58	100.00

Source: Socio-Economic Survey, Bihar State Highways Project, 2007

3.3.2 Average Yearly Expenditure Pattern of APs

37. As per the socio-economic survey findings, most of the spending of the APs are on basic requirements like food, fuels, clothing, social functions and health etc. The average yearly expenditures of APs as revealed are summarized in the **Table 3.7**.

Table: 3.7 Average Yearly Expenditure Pattern

Items	Average Yearly Expenditure in (Rs.)				
	Up to 1000	>1000 and <3000	>3000 and <5000	>5000 and <10000	>10000
Food	5	9	1	26	17
Cooking Fuel	33	19	5	1	0
Clothing	30	21	6	1	0
Health	51	4	2	1	0
Education	39	12	3	2	2
Communication	55	0	2	1	0
Social functions	44	6	4	2	2
Agriculture	52	2	3	0	1
Others	57	0	0	0	1

Source: Socio-Economic Survey, Bihar State Highways Project, 2007

3.3.3 Possession of Durable Consumer Items by APs

38. Another low standard of living of the APs in the subproject area is revealed by the indicators like possession of durable consumer items. In the sub project area out of 57 surveyed households a good number of households are having few basic items like radios bicycles and televisions as presented in the **Table: 3.8**.

Table: 3.8 Possession of Durable Consumer Items by APs

Item	Households	%Age
Radio	57	98.28
Bicycle	57	98.28
Television	19	32.76
Telephone (Land Line)	5	8.62
Cell Phone	7	12.07
L.P.G Connection	3	5.17
Computer	4	6.90
Refrigerator	1	1.72
Washing Machine	5	8.62
Motor cycle/Scooter	2	3.45
Car	10	17.24
Total No. of Households	58	

Source: Socio-Economic Survey, Bihar State Highways Project, 2007

3.3.4 Women's Participations in Economic and Households Activities

39. Women members of the affected household in the subproject area re engaged in various economic and non-economic (household) activities. 27 (46.55%) are engaged in trade and business while 3 (5.17%) are engaged as agricultural laborer. The details of women's participations in various economic and household activities are presented in the **Table: 3.9**.

Table: 3.9 Women's Participations in Economic and Households Activities

Activities	Households	%Age
Trade & Business	27	46.55
Agricultural Labour	3	5.17
Non Agricultural Labour	1	1.72
Service	2	3.45
Households Work	34	58.62
Total No. of Households	58	

Source: Socio-Economic Survey, Bihar State Highways Project, 2007

3.3.5 Women's Participations in Household's Decision Making

40. To know the status of women and gender disparity in the subproject area the women's involvements in household's decision making process was assessed through socio-economic survey. The survey findings show that more women are participating and have a say in matters like education and health care of children only. The women involvement in household decision making process is summarized in the **Table: 3.10**.

Table: 3.10 Women's Participations in Household's Decision Making

Activities	Households	%Age
Financial matters	1	1.72
Education of child	20	34.48
Health care of child	43	74.14
Purchase of assets	1	1.72
On social functions	6	10.34
Total No. of Households	58	

Source: Socio-Economic Survey, Bihar State Highways Project, 2007

4. RESETTLEMENT POLICY AND LEGAL FRAMEWORK

4.1 Introduction

41. The legal framework and principles adopted for addressing resettlement issues in the Project have been guided by the existing legislation and policies of the GOI, the Government of Bihar, and the Asian Development Bank. Prior to the preparation of the Resettlement Plan, a detailed analysis of the existing national and state policies was undertaken. The section below provides details of the various national and state level legislations studied and their applicability within this framework.

4.2 Existing Laws and Policies

42. In India, compensation for land acquisition (LA) and resettlement assistance for project-affected people is generally governed by the Land Acquisition Act (1894), which has been amended from time to time. The Act has no provision for assistance for project-affected persons particularly those without titles or ownership records such as encroachers. A National Policy on Resettlement and Rehabilitation (NPRR) 2003 was adopted by the Government of India (GOI) to address the issues not addressed in the LA Act and also to cover development-induced resettlement. This policy has been recently revised in the form of National Resettlement and Rehabilitation Policy (NRRP) 2007, which is applicable to all developmental projects leading to involuntary resettlement of people. The policy aims to minimize displacement and promote, as far as possible, non-displacing or least displacing alternatives. The policy also aims to ensure adequate rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of those affected. The policy also recognizes the need for protecting the weaker sections of the society especially members of the Scheduled Castes and Scheduled Tribes.

43. While the key entitlements in the new NRRP 2007 emphasize more comprehensively on rehabilitation of displaced person, some of the salient features of the policy are listed below:

- The benefits to be offered to the affected families include; land-for-land, to the extent Government land would be available in the resettlement areas; preference to affected families in employment in the project, subject to availability of vacancies & suitability of skills, trainings of affected persons so as to enable them to take up suitable jobs, scholarships & other skill development opportunities; preference to affected persons in labour work during construction;
- Preference to the affected persons or their groups or cooperatives in the allotment of outsourced contracts, shops or other economic opportunities coming up in or around the project site;
- The project authorities shall, at their cost, arrange for annuity policies that will pay a pension for life to the vulnerable affected persons as, of such amount as may be prescribed by the appropriate Govt subject to a minimum of five hundred rupees per month; and
- The affected families who have not been provided agricultural land or employment shall be given the option, if the requiring body is a company of taking up to twenty per cent of their rehabilitation grant amount in the form of shares or debentures of the requiring body.

44. The policy also recognizes non-titleholders such as any agricultural or non-agricultural labourer, landless person (not having homestead land, agricultural land, or either homestead or agricultural land), rural artisan, small trader or self-employed person; who has been residing or engaged in any trade, business, occupation or vocation continuously for a period of not less than three years as affected families. The policy further makes provisions for public disclosures of draft R&R Plans to the community, Grievance redress procedures and Monitoring & Evaluation systems.

45. In addition to the new NRRP, at the state level as well, there exists a Bihar Land Acquisition Resettlement & Rehabilitation Policy (BLARRP) 2007. This policy comprises provision for compensation for land at the replacement cost to be provided to the affected families. Apart from the provision of compensation for land at the replacement cost, where homestead land is being acquired, the affected families will be given "land for land". The policy also provides shifting and transitional assistance to the affected families. For agricultural labourer who has been working for a period of minimum three years and who used to earn his livelihood by working on the land which is now under acquisition and who has become jobless because of the acquisition, shall be entitled for one time payment of two hundred days wages as fixed by the govt. under minimum wages act and shall also be entitled for National/State level job card under National Rural Employment Guarantee Program.

4.3 Resettlement Principles for the Project

46. Following the state law BLARRP (2007) on land acquisition, NRRP 2007 and incorporating ADB policy on Involuntary Resettlement (1995) and Operations Manual F2 on Involuntary Resettlement (2006), the broad resettlement principles for the Project as a whole will include the following elements:

- Involuntary resettlement (IR) will be avoided or reduced as much as possible by reviewing alternatives to the Project;
- Where IR is unavoidable, Affected Persons (APs) would be assisted to re-establish themselves in order to at least restore the pre-project income or improve their living standards;
- Gender equality and equity would be ensured and adhered to;
- APs shall be fully involved in the selection of relocation sites, livelihood compensation and development options at the earliest opportunity. RPs should also be prepared in full consultation with AP, including disclosure of RP and project related information;
- Replacement land shall be an option for compensation in the case of loss of land; in the absence of replacement land, cash-for-land compensation on replacement value option will be made available the APs;
- Compensation for loss of land, structures, other assets and income will be based on full replacement cost¹¹ and will be paid before physical displacement of AP. This shall include transaction costs;
- All compensation payments and related activities¹² will be completed prior to the commencement of civil works;
- RP will be planned and implemented with full participation of local authorities;

¹¹ Replacement cost means the method of valuing assets to replace the loss at market value, or its nearest equivalent, plus any transaction costs such as administrative charges, taxes, registration, and titling costs.

¹² While compensation is required prior to dispossession or displacement of affected people from their assets, the full resettlement plan implementation, which may require income rehabilitation measures, might be completed only over a longer period of time after civil works have begun. Affected people will be provided with certain resettlement entitlements, such as land and asset compensation and transfer allowances, prior to their displacement, dispossession, or restricted access.

- In the event of necessary relocation, APs shall be assisted to integrate into host communities;
- Common property resources and community/public services will be provided to APs;
- Resettlement will be planned as a development activity for the APs;
- All APs are entitled to receive compensation/assistance irrespective of proof of their titles; however people moving in the project area after the cut-off date will not be entitled to any assistance. In case of land acquisition the date of notification for acquisition will be treated as cut-off date. For non-titleholders such as squatters and encroachers the date of census survey or a similar designated date declared by the executing agency will be considered as cut-off date; and
- Vulnerable groups (households below the recognized poverty line; disabled, elderly persons or female headed households) will be identified and given appropriate assistance to substantially restore their pre project status or improve their living standards.

47. In accordance with the resettlement and rehabilitation (R&R) policy suggested for the project, all affected 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 affected persons and measures to support livelihood restoration if livelihood impacts are envisaged. Since no private land acquisition is required, the affected persons will be entitled to the following five types of compensation and assistance packages:

- (i) compensation for structures (residential/commercial) and other immovable assets at their replacement cost;
- (ii) rehabilitation assistance in lieu of the loss of business/wage/income/livelihood;
- (iii) assistance for shifting to the APs losing structures;
- (iv) transitional assistance to APs relocated; and
- (v) rebuilding and/or restoration of community property resources/facilities.

4.4 Valuation of Assets

48. The compensation for houses, buildings and other immovable properties will be determined on the basis of replacement cost as on date without depreciation. The EA will determine the replacement cost based on market survey and in consultation with the owners by assessing (i) sources and cost of materials, whether the materials are locally available; (ii) type of shops (private or state-owned); (iii) distance to be traveled to procure materials; (iv) obtaining cost estimates through consultation with local contractors/suppliers in order to identify cost of materials and labor; and (v) identifying the cost of different types of houses of different categories.

49. Cash compensation for properties belonging to the community if opted by the community, will be provided to enable construction of the same at new places through the community/local self-governing bodies/appropriate authority in accordance with the modalities determined by such bodies/authority to ensure correct use of the amount of compensation.

50. All compensation and other assistances will be paid to APs before taking possession of the land/properties. APs will be provided with an advance notice of one month prior to relocation. After payment of compensation, APs 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 APs can take away the materials.

The EA will provide satisfactory evidences of payment of compensation and assistances for each section prior to commencement of civil works in the respective sections.

4.5 Entitlement Matrix

51. Compensation for the lost assets to all APs will be paid on the basis of replacement cost. Resettlement assistance for lost income and livelihoods will be provided to APs regardless whether there are title or non-title holders; and special assistance to APs belong to 'vulnerable group'¹³. This Entitlement Matrix (**Table 4.1**) has been formulated, according to the resettlement principles for this project and specifically reflects various types of losses resulting out of this particular subproject and specific compensation and resettlement packages.

Table: 4.1 Entitlement Matrix

S. N.	Type of Loss	Unit of Entitlement	Entitlement	Details
A. LOSS OF STRUCTURE BY ENCROACHERS AND SQUATTERS				
1	Loss of structure (immovable assets constructed by squatters and encroachers)	Squatters having structure	<ul style="list-style-type: none"> ▪ No compensation for land ▪ Compensation for structures. ▪ Shifting Assistance 	<ul style="list-style-type: none"> a) Squatters will be notified and given one month time to remove their assets. b) Compensation for loss of structure at replacement cost. c) Shifting assistance of Rs. 10000¹⁴/-. d) Right to salvage material from the demolished structure.
		Encroachers having structure	<ul style="list-style-type: none"> ▪ No compensation for land ▪ Compensation for structures to only vulnerable household 	<ul style="list-style-type: none"> d) Encroachers will be notified and given one month time to remove their assets and harvest their crops. e) Compensation for structures at replacement cost to the vulnerable households only. f) Right to salvage materials from the demolished structure.
2	Impact on market place/ area on a minimum of 25 shops/ businesses	Non-titleholder ¹⁵ (tenants, leaseholders or squatters) losing commercial enterprise in the market area	Relocation Assistance	<ul style="list-style-type: none"> e) Affected enterprises will be provided with the following options: Self managed reconstruction of shops by the shop operators with all benefits as per the entitlement matrix; or f) Project assisted relocation option will be provided to those whose commercial structure can no longer be used as a commercial enterprise as a result of the Project impact. The allotment of the shops in the market complex will be based on the ownership status of those affected. g) Shifting assistance of Rs. 10000¹⁶/-. h) Right to salvage material from demolished structure at no cost.
B. LOSS OF LIVELIHOOD				
3	Loss of primary source of income by losing business opportunity	a) Squatters b) Vulnerable Encroachers	Rehabilitation Assistance	a) Training assistance for income generation @ Rs. 4000 ¹⁷ /- per affected household

¹³ The "Vulnerable Group" comprises of APs living below poverty line (BPL), SC, ST, women headed households, the elderly and the disabled.

¹⁴ As required by NRRP 2007.

¹⁵ In case of affected non-title owners, tenants and leaseholders, squatters and vulnerable encroachers, who have been carrying out business for 3 or more years, will be re-established by creation of market place. The constructed shops in this market will be provided on rent to them. For first 3 months, no rent will be charged from these APs. However, after three months these APs need to pay to the authority the agreed rent by demand draft monthly and if he/she wishes to own the same can pay the total amount in agreed installments. The APs opting for this option will not be paid cash compensation for their structure loss.

¹⁶ As required by NRRP 2007.

S. N.	Type of Loss	Unit of Entitlement	Entitlement	Details
C. LOSS OF COMMUNITY INFRASTRUCTURE/Common Property Resources				
4	Loss of Common Property Resources	Community	Reconstruction/ Cash Compensation at replacement cost	a) Cash compensation at replacement cost or reconstruction of the community structure in consultation with the affected community.
D. ADDITIONAL SUPPORT TO VULNERABLE GROUP				
5	Additional Assistance to vulnerable groups	Vulnerable households including BPL, SC, ST, WHH, disabled and elderly	Special Assistance	a) One time lump sum assistance of Rs. 10000/ to vulnerable households. (This will be paid above and over the other assistance(s) as per this framework).
E. OTHER UNANTICIPATED IMPACTS				
6	Temporary impact during construction like disruption of normal traffic, damage to adjacent parcel of land / assets due to movement of heavy machinery and plant site	Community / Individual	Compensation	d) The contractor shall bear the cost of any impact on structure or land due to movement of machinery during construction or establishment of construction plant e) All temporary use of lands outside proposed RoW to be through written approval of the landowner and contractor. f) Location of Construction camps by contractors in consultation with PWD.
7	Unforeseen impacts if any	Any unanticipated impacts due to the project will be documented and mitigated based on the spirit of the principle agreed upon in this framework.		

52. The entitlement matrix was based on census and socio-economic surveys carried out on the subproject road. During loan implementation, if additional impacts are identified, the entitlement matrix will be updated by including provision of compensation and assistance for the additional impacts in the resettlement plan.

4.6 Cut-off Date

53. For non-titleholders such as squatters and encroachers the date of project census survey, i.e. July-2007 or a similar designated date notified by the Executing Agency will be considered as cut-off date. People moving in the subproject area after the cut-off date will not be entitled to any kind of compensation or assistance as per provision made here in.

¹⁷ This rate has been fixed based on the assessment of local prevalent rates for organizing training program.

5. PUBLIC CONSULTATION AND DISCLOSURE OF INFORMATION

5.1 Public Consultation in the Project

54. To ensure peoples' participation in the planning phase of this project and to treat public consultation and participation as a continuous two way process, numerous events were arranged at this stage of project preparation. Aiming at promotion of public understanding (APs and other beneficiaries) and fruitful solutions of developmental problems such as local needs and problem and prospects of resettlement, various sections of APs and other stakeholders were consulted through focus group discussions and individual interviews.

5.1.1 Methods of Public Consultation

55. Consultations and discussions were held along the subprojects with the affected families and other stakeholders including village heads, Head of Gram Panchayat members, village administrative officers, heads of households, women's groups, farmers, business communities, and other vulnerable APs like the scheduled caste and BPL people. These meetings were organized to get wider public input from both the primary and secondary stakeholders. The consultation methods followed to elicit required information (their views & opinions) are detailed below in **Table 5.1**.

Table 5.1: Methods of Public Consultations

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

5.1.2 Scope of Consultation and Issues

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

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

5.2 Major Findings of the Consultations

57. Some of the major issues that were discussed and feedback received from the villagers during the course of the consultations are summarized in the **Table: 5.2**: The list of persons attended the FGD are presented in the **Annexure: 5.1**.

Table: 5.2 Findings of the Consultations

Sl. No.	Location and Date	No. of Participants	Summary Findings
1	Village: Blachra, Block: Saraiyya, Date: 19th July, 2007	20	<ul style="list-style-type: none"> ▪ In the village no facilities like electricity, post office, secondary school, telephone, bank, health center and irrigation etc are available. ▪ Villagers are well aware about the subproject proposal ▪ People are facing acute problem related to access to the near by towns, major hospitals and district HQ etc although this is the shortest rout. ▪ Villagers demand all weathered connected road which can improve their standard of life. ▪ Loss of kiosks and other temporary structures due to the project anticipated by the APs ▪ Cash compensation against structure and business loss will be preferred option by APs ▪ There will be no problem in relocation as they will voluntarily shift ▪ The villagers gives top priority to the road and assured of providing full cooperation during project implementation
2	Village: Jagdishpur Dharmu, Block: Paru, Date: 20 th July, 2007	15	<ul style="list-style-type: none"> ▪ In the village some basic facilities like post office, secondary school, and bank are not available. ▪ Villagers are well aware about the subproject proposal ▪ People are facing acute problem related to access to the near by towns, major hospitals and district HQ etc. ▪ Villagers demand all weathered connected road which can improve their standard of life. ▪ Loss of temporary structures erected by encroachers due to the project anticipated by the APs ▪ Cash compensation against structure and business loss will be preferred option by APs ▪ There will be no problem in relocation as only kiosks are being affected at this location and they will voluntarily shift ▪ The villagers assured of providing full cooperation during project implementation
3	Village: Kesaria, Block: Kesaria, Date: 20 th July, 2007	14	<ul style="list-style-type: none"> ▪ In the village all facilities like electricity, post office, secondary school, telephone, bank, health center and irrigation etc are available. ▪ Villagers are well aware about the subproject proposal ▪ People are facing acute problem related to access to the near by towns, major hospitals and district HQ etc. ▪ Villagers demand all weathered connected road which can improve their standard of life. ▪ Loss of structures by landless people living within the ROW due to the project anticipated by the APs ▪ Cash compensation against structure and business loss will be preferred option by APs ▪ Government should assist the displaced people in relocation

Sl. No.	Location and Date	No. of Participants	Summary Findings
			<ul style="list-style-type: none"> ▪ Employment opportunity for local laborers in construction work will benefit the villagers ▪ The villagers assured of providing full cooperation during project implementation
4	Village: Vaishali, Block: Vaishali, Date: 20 th July, 2007	14	<ul style="list-style-type: none"> ▪ In the village all facilities like electricity, post office, secondary school, telephone, bank, health center and irrigation etc are available. ▪ Villagers are well aware about the subproject proposal ▪ People are facing acute problem related to access to the near by towns, major hospitals and district HQ etc. ▪ Villagers demand all weathered connected road which can improve their standard of life. ▪ Loss of kiosks and other temporary structures due to the project anticipated by the APs ▪ Cash compensation against structure and business loss will be preferred option by APs ▪ There will be no problem in relocation as affected squatters will voluntarily shift since enough space is available ▪ The villagers assured of providing full cooperation during project implementation
5	Village: Lal Ganj, Block: Lal Ganj, Date: 20 th July, 2007	14	<ul style="list-style-type: none"> ▪ In the village all facilities like electricity, post office, secondary school, telephone, bank, health center and irrigation etc are available. ▪ Villagers are well aware about the subproject proposal ▪ People are facing acute problem related to access to the near by towns, major hospitals and district HQ etc. ▪ Villagers demand all weathered connected road which can improve their standard of life. ▪ No major loss due to the project anticipated by the APs ▪ Cash compensation against structure and business loss will be preferred option by APs ▪ There will be no problem in relocation as affected squatters will voluntarily shift since enough space is available ▪ The project should provide employment to local people ▪ The villagers assured of providing full cooperation during project implementation

5.3 Plan for further Consultation in the Project

58. The effectiveness of the R&R program is directly related to the degree of continuing involvement of those affected by the Project. Several additional rounds of consultations with APs will form part of the further stages of project preparation and implementation. A local NGO will be entrusted with the task of conducting these consultations during RP implementation, which will involve agreements on compensation, assistance options, and entitlement package and income restoration measures suggested for the subproject. In this particular subproject context 11 women members were presented in the FGD and many women were involved and responded well during census and socio-economic survey. The consultation will continue throughout the project implementation.

59. The following set of activities will be undertaken for effective implementation of the Plan:

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

5.4 Disclosure of RP

60. To keep more transparency in planning and for further active involvement of APs and other stakeholders the project information will be disseminated through disclosure of resettlement planning documents. A resettlement information leaflet containing information on compensation, entitlement and resettlement management adopted for the subproject will be made available in local language(s) and distributed to APs.

61. Each AP will be provided information regarding specific entitlements. The NGO to be hired for involvement in the implementation activities will keep the affected people informed about the impacts, the compensation and assistances proposed for them and facilitate addressing any grievances.

62. The summary of the RP and the entitlement matrix will be translated into the local language; disclosed to the APs; and made available at the offices with Project Implementation Unit (PIU) and Project Management Unit (PMU). A copy of the RP will be disclosed through the RCD/PMU website and in ADB website also. Once this draft RP is approved, the resettlement information leaflet containing information on compensation, entitlement and resettlement management will be translated into local language and prepared (**Annexure: 5.2**). The summary RP translated to local language will also be disclosed as above mentioned process.

6. RELOCATION AND INCOME RESTORATION MEASURES

6.1 Need for Relocation

63. The proposed subproject has limited negative impacts on the livelihood of the affected persons in general and on the income as well as socio-cultural systems of the area in particular. The impact is limited to non-titleholders affecting 106 encroachers and 110 squatters. However, all efforts are made through various provisions in this RP to mitigate negative social impacts on project-affected persons and communities by supporting relocation of affected households and by restoration of pre-project levels of income.

64. Out of 216 affected households it is estimated that only 91 households will be affected negatively in terms of partial loss of their residential structures and 117 households will be suffering loss of livelihoods by losing their commercial or residential-cum-commercial structures due to the subproject. The impact is spread in about 30 villages along 85 kilometer stretch of three districts.

6.2 Relocation Strategy

65. For loss of structures, all APs will be compensated for their affected structures at replacement cost, for which provision has been kept in the Entitlement Matrix. It will be difficult to provide resettlement colony due to the scattered nature of impacts, therefore cash compensation will be more practical in this case. However, if there is any impact on market place/area on a minimum of 25 shops, 2 options will be provided, either (i) self managed reconstruction of shops with all benefits as per the entitlement matrix; or (ii) project assisted relocation option by providing market place. These two options reflected the discussion with the landless APs during public consultations. For loss of residential and commercial structures the various compensation and assistances are provided for relocation as described in entitlement matrix. All the squatters with structures and only vulnerable APs will be eligible for compensation for loss of their structures. APs losing kiosks will not be entitled for any kind of compensation or assistance because their structures will not be dismantled rather shifted/pushed back to the remaining land after widening. The NGOs will be engaged from the early stage to ensure reestablishment of the kiosks. The same in the TOR of NGO has been included. All the encroachers have their permanent structure intact because the widening will affect only the encroached part which is mostly temporarily constructed in the government land. The number of eligible structures for compensation summarized in the **Table: 6.1**.

Table: 6.1 Eligible APs

1	Encroachers	Number of Households
	Women Headed Households	0
	Households Headed by PH Person	0
	Below Poverty Line Households	32
	Scheduled Caste	3
	Scheduled Tribe	0
	Sub Total 1	35
2	Squatters	
	With Structures	69
	Sub Total 2	69
	Total	104

Source: Census Survey, Bihar State Highways Project, 2007

6.3 Income Restoration Measures

66. APs engaged in various commercial activities ranges from petty shop keepers, owners of small eateries and tee stalls, kiosk owners and auto/cycle repair shop owners etc. This complex nature of occupational diversity poses a problem for mitigation measures in the context of economic rehabilitation. The task becomes even more challenging due to the inherent pressure of completion of construction work in a time bound manner.

67. However, the entitlement matrix proposed for the subproject has adequate provisions for restoration of livelihood of the affected communities. The focus of restoration of livelihoods is to ensure that the APs are able to at least regain their previous living standards. To restore and enhance the economic conditions of the APs, certain income generation and income restoration programs are incorporated in the RP. To begin with providing employment to the local people during the construction phase will enable them to benefit from the project, reduce the size of intrusive work forces and keep more of the resources spent on the project in the local economy. It will also give the local communities a greater stake and sense of ownership in the project. The laborer/employees in residential and commercial establishment etc. will be identified and included in the bidding document. The NGO will play a proactive role during RP implementation in this regard. Only squatters losing business due to loss of structures (23) and “vulnerable” commercial encroachers (23) are losing business and therefore eligible for this income restoration assistance. 29 squatter households with structures (the structure needs to be dismantled) are eligible for shifting assistance. No encroachers or movable structures (kiosk) will be entitled for shifting assistance. APs eligible for various assistances under the subproject according to entitlement matrix are summarized in the **Table: 6.2**.

Table: 6.2 Eligible APs for Various Assistances in the Subproject

Type of Assistance	Number of APs
Shifting Allowance to Squatters @ Rs. 10000	29
Training Assistance to squatters @ Rs. 4000	23
100 days wage to employees/tenants @ 10000	2
3 months rental or Rs 3000/- per month to Tenants	2
Training Assistance to encroachers @ Rs. 4000	23
Special Support to Vulnerable Households	103

68. A set of possible alternative livelihood measures are suggested based on local assessment and consultation during the social survey. The NGO to be engaged for R&R implementation will assist APs in finding capital from various sources such as by forming self help group, from bank, from various government schemes or utilizing project assistance. Following training programs will be considered based on further training need assessment to be carried out by the NGO.

- Food processing such as making pickle, making sweets, making tomato sauce etc.;
- Manufacturing of detergent items like soap, and shampoo;
- Manufacturing cosmetic items like talk and perfumes;
- Manufacturing candle;
- Manufacturing Incense sticks;
- Cycle repairing;
- Auto workshop;
- Electric fitting and repairing;
- Mushroom plantation;
- Animal husbandry, Poultry and Piggery; and
- Sewing cloths and weaving.

6.4 Additional Support from Ongoing Poverty Reduction Programs

69. In addition to project-sponsored programs, the implementing NGO will play a proactive role to mobilize APs to get benefits from various government schemes and ensure their accessibility particularly of vulnerable groups. In India, *panchayat* government systems at the village, block and district/*zilla* levels are now responsible for planning and implementation of all anti-poverty programs funded by the central and state governments.

70. Employment to the rural poor is a key component of anti-poverty strategy in the rural areas. Towards this objective, various schemes of employment generation have been undertaken in the past. The implementing NGO will work with the *panchayat* governments to make available to the APs benefits of some of the ongoing pro-poor programs for poverty reduction.

7. INSTITUTIONAL ARRANGEMENTS

7.1 Institutional Requirement

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

- State Government of Bihar (SGB);
- Road Construction Department (RCD), Government of Bihar;
- Project Management Unit (PMU);
- Project Implementation Unit (PIU);
- Non Government Organization (NGO);
- Grievance Redressal Committee (GRC); and
- Construction Supervision Consultant (CSC).

7.2 Executing Agency

72. The Executing Agency (EA) for the Project is the Road Construction Department (RCD), Government of Bihar. Secretary, RCD will chair in project steering committee, responsible for monitoring the use of loan funds and overall implementation process. The EA, headed by Engineer-in-Chief (EIC), will have overall responsibility for policy guidance, coordination and planning, internal monitoring and overall reporting of the Project. The EA will set up a Project Management Unit (PMU) in its Head Quarter level at Patna fully dedicated for the Bihar State Highways Project (BSHP). The PMU will be functional for the whole Project duration. For subproject planning and implementation Project Implementation Unit/s (PIUs) will be established headed by Project Director (PD) at the subproject level.

7.2.1 Resettlement Management at PMU Level

73. For resettlement activities, PMU will do the overall coordination, planning, implementation, and financing. The PMU will create a Resettlement Cell (RC) within itself with appointment of a Resettlement Officer (RO) and required support staff for the duration of the Project to ensure timely and effective planning and implementation of RPs. The candidate to be selected as RO is desired to have similar earlier experience in resettlement and social development planning and implementation. The RO will be assisted by the respective PIU and staff, NGO, for planning and implementation of resettlement activities in the project. Some of the specific functions of the PMU in regards to resettlement management will include:

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

7.2.2 Resettlement Management at PIU Level

74. The Project Implementation Unit (PIU) headed by PD will be responsible for all subproject level resettlement and implementation. At this PIU level a RCD staff in the rank of Assistant Engineer (AE) will be designated for coordinating the R&R activities at the subproject level. He will be assisted by implementing NGO and other required support staffs. The staffs at the PIU level will be provided with weeklong training and orientation program for implementation of the RP. The PIU will maintain all databases, work closely with APs and other stakeholders and monitor the day today resettlement activities. Some of the specific tasks to be performed by PIU include:

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

7.3 Grievance Redressal Mechanism

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

7.3.1 Constitution and Function of the GRC

76. The GRC will be established at the district level with the primary objective of providing a mechanism to mediate conflict and cut down on lengthy litigation. It will also provide people, who might have objections or concerns about their assistance, a public forum to raise their objections and through conflict resolution, address these issues adequately. The GRCs will continue to function, for the benefit of the APs, during the entire life of the subproject including the defects liability periods. The response time prescribed for the GRCs is 15 days. Since the entire resettlement component of the subproject has to be completed before the construction starts, the GRC will meet at least once in 15 days to resolve the pending grievances. It is expected that the GRCs will play a very crucial role in redressing grievances of the APs, and will help the implementation of the subproject as scheduled.

77. Apart from the District Magistrate as head of the committee at district level, the committee will comprise of representatives of local NGO, representative of blocks, representative of line departments, and representative of affected persons in the Committee. At least one member out of all members from each Panchayat will be a woman. The Committee will co-opt a member from the *Panchayat* institution on the recommendation of *zilla parishad* for dealing with matters coming from particular *panchayats*. Some of the specific functions of the GRC will be as following:

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

7.3.2 Operational Mechanisms of GRC

78. It is proposed that GRC will meet regularly (at least twice in a month) on a pre-fixed date. The committee will look into the grievances of the people and will assign the responsibilities to implement the decisions of the committee. The claims will be reviewed and resolved within 15 days from the date of submission to the committee All Grievance will be routed through the NGO to the GRC. Arbitrator may also be appointed for unresolved cases. Minimizing litigation will be the prime effort and going to judiciary will be avoided as far as possible.

79. The various queries, complaints and problems that are likely to be generated among the APs and that might require mitigation, include the following:

- APs not enlisted;
- Losses not identified correctly;
- Compensation/assistance inadequate or not as per entitlement matrix;
- Dispute about ownership;
- Delay in disbursement of compensation/assistance; and
- Improper distribution of compensation/assistance in case of joint ownership.

80. Through public consultations, the APs will be informed that they have a right to grievance redress. The APs can call upon the support of the NGO to assist them in presenting their grievances or queries to the GRC .The NGO will act as an in-built grievance redress body.

81. The APs, who would not be satisfied with the decision of the GRC, will have the right to take the grievance to the PMU Head Office for its redress. Failing the redressal of grievance at PMU, the APs may take the case to Judiciary. Taking grievances to Judiciary will be avoided as far possible and the NGO will make utmost efforts at reconciliation at the level of GRC.

7.4 Non-Government Organization (NGO) for Implementation of RP

82. Involuntary resettlement is a sensitive issue and strong experience in R&R matters along with community related skills will be required by the PIU in order to build a good rapport with the affected community and facilitate satisfactory R&R of the APs. To overcome this deficiency, experienced and well-qualified Non-Government Organization (NGO) in this field will be engaged to assist the PIU in the implementation of the RP. The NGO would play the role of a facilitator and will work as a link between the PIU and the APs. Further the NGO will educate the APs on the need to implement the subproject, on aspects relating to LA and R&R measures and ensure proper utilization of various compensations extended to the APs under the R&R entitlement package.

83. Taking into account the significant role of the NGO in RP implementation, it is extremely important to select NGO that are capable, genuine and committed to the tasks assigned in order

to ensure the success of the Plan. The Terms of Reference for the NGO is appended as **Annexure: 7.1**.

84. The roles and responsibilities of various agencies to be involved in resettlement planning process and implementation of resettlement activities are summarized in **Table: 7.1**.

Table: 7.1 Agencies Responsible for Resettlement Implementation

Activity	Agency Responsible
Establishment of Resettlement Units in PMU and appointment of Resettlement officer (RO)	RCD/PMU
Organizing resettlement training workshop	PMU
Hiring of (Non Government Organization) NGOs	PMU
Public consultation and disclosure of RP	PIU/NGO
Payment of compensation and assistance	PIU
Taking possession of acquired structures	PIU
Handing over the land to contractors for construction	PIU
Notify the date of commencement of construction to APs	PIU/NGO
Assistance in relocation, particularly for vulnerable groups, if required	PIU/NGO
Internal monitoring of overall RP Implementation	PIU/NGO
External Monitoring and Evaluation (M&E)	CSC

8. RESETTLEMENT BUDGET AND FINANCING

8.1 R&R Cost

85. R&R budget has been worked out for the subproject based on RP preparation. Since there is no need to acquire private land for the subproject, the R&R cost includes cost of structures, R&R assistance according to the entitlement matrix and RP implementation cost. Contingency provisions have also made to take into account variations from this estimate. Some of the features of this R&R cost estimate are outlined below:

- Compensation for structures (residential/commercial) and other immovable assets at their replacement cost;
- Assistance in lieu of the loss of business/wage income;
- Assistance for shifting;
- Assistance for Income Restoration; and
- Cost for implementation of RP.

8.2 Replacement Cost of Structures

86. All structures either commercial or residential will be compensated at replacement cost as per entitlement matrix. The structures are classified in to three broad categories i.e. Permanent, Semi-permanent and Temporary structures based on different material used in the structures as identified by census survey. The compensation cost of structures are arrived at by assessment of market value, consultation with APs and data collected from building contractors and property agents and this meets the replacement cost of the structures. The average rate for permanent structures without land has been calculated at Rs. 3500/m², semi-permanent structures have been calculated at Rs. 2500/m², and temporary structures have been calculated at the rate of Rs. 1500/m². In this subproject impacts are limited to non-titleholders like encroachers and squatters. As per entitlement matrix structure by only vulnerable encroachers and squatters are entitled for the compensation. The replacement cost of structure is summarized in the **Table: 8.1**.

Table: 8.1 Replacement Cost of Structures

SI. No.	Structure	Area (Sq. M.)	Rate @ Sq. M.	Cost (in Rs)
1	Permanent	681.00	3500	2383500
2	Semi-permanent	537.00	2500	1342500
3	Temporary	283.00	1500	424500
Total		1501.00		4150500

8.3 Assistance for APs

87. In addition to replacement cost of the structures, the additional assistance has to be provided to the affected persons as per the entitlement framework adopted for the Project. Rs 4000 are for training and it is based on the assessment of local prevalent rates for organizing training program for each household. This includes transitional allowance, sifting allowance, reestablishment of business, assistances for livelihood loss etc. The cost estimates for various assistances are provided in the **Table: 8.2**.

Table: 8.2 Estimates of Various Assurances

Sl. No.	Entitlement	Number	Amount (in Rs.)
1	Shifting Allowance to Squatters @ Rs. 10000	29	290000
2	Training Assistance to squatters losing livelihood @ Rs. 4000	23	92000
3	100 days wage to employees/tenants @ 10000	2	20000
4	3 months rental or Rs 3000/- per month to Tenants	2	27000
5	Training Assistance to vulnerable encroachers losing livelihood @ Rs. 4000	23	92000
6	Special Support to Vulnerable Households	103	1030000
Total			1551000

8.4 RP Implementation Cost

88. Keeping in view the R&R impacts in the subproject and as mentioned in the institutional arrangement for R&R planning and implementation section of this report, an NGO will be hired under the subproject to implement the RP. A lump sum Rs. 1000000/- budget provision is made in the R&R budget to meet this cost. The cost of other institutional requirement for implementation of RP such as staff in charge at PIU level and for internal monitoring is not included because this will be apart of internal arrangement by RCD as suggested in institutional arrangement for the project. The external monitoring and evaluation will be carried out by the construction supervision consultant to be engaged for overall project supervision and the cost of this requirement is included in the total project cost. Further availability of contingency provision of 5% of total project cost is also confirmed.

8.5 Replacement Cost of CPR

89. In the subproject among CPR, 19 religious structures and 3 schools are being affected partially. None of the structure needs to be replaced or relocated. However for enhancement of this community property and mitigating the impacts a lump sum budget provision is made. The details compensation for CPR is listed in **Table: 8.3**.

Table: 8.3 Replacement Cost of CPR

Sl. No.	Type of CPR	No. of Structure	Unit/Cost	Amount
1	Religious Structure	19	50000 lump sum	950000
2	School/Hospital	3	50000 lump sum	150000
Total		22		1100000

8.6 R&R Budget

90. The total R&R budget for the proposed subproject RP works out to Rs. **8581650/-**. Details of the budget estimates are given in **Table 8.4**. Contingency provision would cover non-identified and other costs during R&R implementation.

Table: 8.4 R&R Budget for the subproject

S.N.	Item	Unit Rates	Quantity	R&R Costs (in Rs)
A: Compensation for Structure and Trees				
A1	Acquisition of Structures	Refer Table no. 8.1	1501 Sq.m.	4150500.00
A2	Compensation for CPR	Refer Table no. 8.3	22 CPR	1100000.00
1. Subtotal: A				5250500.00
B: Assistance				
B1	Shifting Allowance to Squatters @ Rs. 10000	Refer Table 8.2	29	290000
B2	Training Assistance to squatters @ Rs. 4000	Refer Table 8.2	23	92000
B3	100 days wage to employees/tenants @ 10000	Refer Table 8.2	2	20000
B4	3 months rental or Rs 3000/- per month to Tenants	Refer Table 8.2	2	27000
B5	Training Assistance to encroachers @ Rs. 4000	Refer Table 8.2	23	92000
B6	Special Support to Vulnerable Households	Refer Table 8.2	103	1030000
2. Subtotal: B				1551000.00
C: Support Implementation of RP				
C1	Hiring of NGO for RP implementation	Refer Para 8.4		1000000.00
3. Subtotal C				1000000.00
4. Total (1+2+3)				7801500.00
5. Contingency (10% of R&R Cost)				780150.00
Total R&R Cost (4+5)				8581650.00

8.7 Summary Budget for R&R Activities

91. The summary budget for R&R activities for the subproject is presented in the **Table: 8.5**.

Table: 8.5 Summary Budget for Resettlement and Rehabilitation Activities

Sl. No.	Item	Amount (in Million Rs.)
1	Compensation cost	5.25
2	Assistance	1.55
4	RP implementation cost	1.00
5	Contingency (excluding compensation)	0.78
Total		8.58

8.8 Sources of Funding

92. As agreed upon the project financing proposal and provision made in the RF all R&R cost will be borne by the EA. EA will ensure allocation of funds and availability of resources for smooth implementation of the subproject R&R activities.

9. IMPLEMENTATION SCHEDULE

9.1 Introduction

93. Implementation of RP mainly consists of compensation to be paid for affected structures; Rehabilitation and Resettlement activities. It is likely that the overall project will be implemented over a 3 years period and civil works likely to commence six months or so after loan approval. As part of advance actions following loan negotiations the EA will establish the PMU, PIU, GRC, and appoint NGO for resettlement implementation. The civil works contract for each subproject will only be awarded after all compensation and relocation has been completed for subproject and rehabilitation measures are in place.

94. The R&R officers in the PMU and PIU will receive training and orientation for implementation of RP. The NGO will be trained to upgrade their skills to deliver the R&R components more effectively over time. This training and orientation will be conducted by the TA consultant who prepared the RP. The following components will be covered in the training:

- Understanding of the ADB Policy Guidelines and requirements;
- Understanding of the policy and procedure adopted for the Project;
- Understanding of the Implementation Schedule activities step-by-step;
- Understanding of the Monitoring and reporting mechanism; and
- Understanding of the economic rehabilitation schemes.

9.2 Schedule for Project Implementation

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

9.2.1 Project Preparation Phase

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

9.2.2 RP Implementation Phase

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

9.2.3 Monitoring and Evaluation Period

98. As mentioned earlier the internal monitoring will be the responsibility of PMU, PIU and implementing NGO and will start early during the project when implementation of RP starts and will continue till the complementation of the subproject. The independent monitoring and evaluation will be the responsibility of Construction Supervision Consultant (CSC) to be hired for the sub project.

9.3 R&R Implementation Schedule

99. A composite implementation schedule for R&R activities in the subproject including various sub tasks and time line matching with civil work schedule is prepared and presented in the form of **Table: 9.1**. However, the sequence may change or delays may occur due to circumstances beyond the control of the Project and accordingly the time can be adjusted for the implementation of the plan.

Table: 9.1 R&R Implementation Schedule

Subproject R&R Component/Activities	2008				2009				2010			
	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4
A. Project Preparation Phase												
Establishment of PMU and PIU												
Submission of RP for ADB Approval												
Community Consultation												
Appointment of NGOs												
Establishment of GRC												
B. RP Implementation												
Issue compensation to APs												
Payment of all eligible assistance												
Relocation of APs												
Initiation of Rehabilitation Measures												
Start of Civil Work												
C. Monitoring and Evaluation												
Appointment of CSC												
Internal Monitoring by PMU and PIU												
Independent M&E (intermittent) by CSC												

10. MONITORING AND EVALUATION

10.1 Need for Monitoring and Evaluation

100. Monitoring and Evaluation (M&E) are critical activities in involuntary resettlement management in order to ameliorate problems faced by the APs and develop solutions immediately. Monitoring is a periodic assessment of planned activities providing midway inputs. It facilitates change and gives necessary feedback of activities and the directions on which they are going. Evaluation is a summing up activity at the end of the project assessing whether the activities have actually achieved their intended goals and purposes. In other words, M&E apparatus is crucial mechanism for measuring project performance and fulfillment of the project objectives.

10.2 Monitoring in the Project

101. RP implementation for the subproject will be closely monitored by the EA through NGO and will be at the helm of all activities related to the RP implementation. The monitoring mechanism will have a two-tier system at the EA level, i.e. Internal Monitoring and Independent Monitoring.

10.2.1 Internal Monitoring

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

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

10.2.2 Independent Monitoring

103. The independent monitoring & evaluation expert will be hired under construction supervision consultation (CSC) by EA in agreement with ADB to undertake overall monitoring of the subproject will submit a biannual review directly to ADB and determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/enhanced and suggest suitable recommendations for improvement.

104. The monitoring consultant will be selected within three months of loan approval. The monitoring will be carried out every year during the RP implementation. The key tasks during external monitoring will include:

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

105. The following should be considered as the basis for indicators in monitoring and evaluation of the project:

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

10.3 Stages of Monitoring

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

10.3.1 Preparatory Stage

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

- Conduct of baseline survey;
- Consultations;
- Identification of AP and the numbers;
- Identification of different categories of APs and their entitlements;
- Collection of gender disaggregated data;
- Inventory & losses survey;
- Asset inventory;
- Entitlements;
- Valuation of different assets;
- Budgeting;
- Information dissemination;
- Institutional arrangements; and

- Implementation schedule review, budgets and line items expenditure.

10.3.2 Relocation Stage

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

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

10.3.3 Rehabilitation Stage

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

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

10.4 Monitoring Indicators

110. The most crucial components/indicators to be monitored are specific contents of the activities and entitlement matrix. The RP contains indicators and benchmarks for achievement of the objectives under the resettlement program. These indicators and benchmarks are of three kinds:

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

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

- Training of PIU staff completed;
- Public meetings held;
- Census, assets inventories, assessments and socio-economic studies completed;

- NGO recruited and trained;
- Meetings of GRC;
- Grievance redress procedures in-place and functioning;
- Compensation payments disbursed;
- Relocation of APs completed;
- Employment provided to APs;
- Training of APs initiated;
- Income restoration activities initiated;
- Number of families physically displaced and resettled; and
- Monitoring and evaluation reports submitted.

10.5 Reporting Requirements

112. PIU responsible for supervision and implementation of the RP will prepare monthly progress reports on resettlement activities and submit to PMU. PMU will submit quarterly reports to ADB.

113. The CSC responsible for overall monitoring of the subproject will submit a biannual review directly to ADB and determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/ enhanced and suggest suitable recommendations for improvement.

**BIHAR STATE HIGHWAYS PROJECT
CENSUS SURVEY QUESTIONNAIRE**

- A. Questionnaire No: B. Subproject Road Name:
- C. Name of the Village: D. Name of Block:
- E. District: F. Plot No. G. Km.
1. Ownership of the Land
1. Private 2. Government 3. Religious 4. Community 5. Others
2. Type of Land
1. Irrigated 2. Non-Irrigated 3. Barren 4. Forest 5. Other
3. Use of Land
1. Cultivation 2. Orchard 3. Residential 4. Commercial
5. Forestation 6. Others 7. No Use/ Barren
4. Affected area of the Land (in Acre)
5. Total Area of the Land/Plot (in Acre)
6. Rate of the Land (Per Acre) 1. Market Rate..... 2. Revenue Rate.....
7. Status of Ownership
1. Titleholder 2. Customary Right 3. License from Local Authority
4. Encroacher 5. Squatter
8. Name of the Owner/Occupier:
9. Father's Name:
10. Total Land Holding (in Acre)
1. Irrigated..... 2. Non-irrigated..... 3. Other..... 4. Total.....
11. Any of the following people associated with the Land
- A. Agricultural Laborer 1. Yes 2. No
- (i). Name.....
- B. Tenant 1. Yes 2. No
- (ii). Name.....
- C. Sharecropper 1. Yes 2. No
- (iii). Name.....
12. Any structure in the Affected Land 1. Yes..... 2. No.....
13. Area of the affected structure (in Square Meter)
- a) Length b) Width c) Height
14. Area of the total structure (in Square Meter)
- a) Length b) Width c) Height
15. Distance of structure from center line of the road (in mtr.).....
16. Scale of Impact
- a) 25% b) 50% c) 75% d) 100%
17. Type of Construction of the Structure
1. Temporary (buildings with mud/brick/wood made walls, thatched/tin roof)
2. Semi-Permanent (buildings, with tiled roof and normal cement floor)
3. Permanent (with RCC, Single/ Double storey building)
18. Market Value of the Structure (in Rs.).....

19. Use of the Structure (select appropriate code from below)

A. Residential Structure	1 House	2 Hut	3 Other		
B. Commercial Structure	4 Shops	5. Hotel	6 Small Eatery	7 Kiosk	8 Farm House
	9 Petrol Pump	10 Clinic	11 STD Booth	12 Workshop	13 Vendors
	14 Com. Complex	15 Industry	16. Squatter	17 Other	
C. Mixed Structure	18 Residential-cum-Commercial Structure				
D. Community Structure	19 Comm. Center	20 Club	21 Trust	22 Memorials	23 Other....
E. Religious Structure	24 Temple	25 Church	26 Mosque	27 Gurudwara	28 Shrines
	29 Sacred Grove	30. Other			
F. Government Structure	31 Govt. Office	32 Hospital	33 School	34 College	35 Bus Stop
	36 Other				
G. Other Structure	37 Boundary Wall	38 Foundation	39 Cattle Shed	40 Other	

20. Type of Business/Profession.....

21. Status of the Structure

1. Legal Titleholder 2. Customary Right 3. License from Local Government
4. Encroacher 5. Squatter

22. Any of the following people associated with the Structure?

- A. Tenant 1. Yes 2. No

(i). Name.....

- B. Employee/ wage earner in commercial structure 1. Yes 2. No

(ii). Name.....

- C. Employee/ wage earner in residential structure 1. Yes 2. No

(iii). Name.....

23. Number of trees within the affected area

1. Total.....2. Fruit Bearing.....3. Non-fruit Bearing.....

24. Social Category

1. SC 2. ST 3. OBC 4. General 5. Others (specify).....

25. Religious Category

1. Hindu 2. Muslim 3. Christian 4. Buddhist 5. Jain 6. Other (specify).....

26. Number of family members Total.....Male.....Female.....

27. Number of family members with following criteria

1. Unmarried Son > 30 years.....2. Unmarried Daughter/Sister > 30 years.....
3. Divorcee/Widow.....4. Physically/Mentally Challenged Person

5. Minor Orphan.....

28. Vulnerability Status of the Household:

- A. Is it a woman headed household? 1. Yes 2. No

- B. Is it headed by physically/mentally challenged person? 1. Yes 2. No

- C. Is it a household Below Poverty Line (BPL) 1. Yes 2. No

29. Annual income of the family Rs.....

30. Resettlement/ Relocation Option

1. Self Relocation 2. Project Assisted Resettlement

31. Compensation Option for Land loser

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

32. Compensation Options for Structure loser

1. House/Shop for House/ Shop loss 2. Cash for House/ Shop loss

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

1. Employment Opportunities in Construction work
 2. Assistance/ Loan from other ongoing development scheme
 3. Vocational Training
 4. Others (specify)

34. Details of Family Members above 18 years old only: (fill appropriate code)

Sl. No	Name of the Family Member	Age (in years)	Sex 1. Male 2. Female	Marital Status 1. Married 2. Unmarried 3. Widow 4. Widower 5. Others	Education 1. Illiterate 2. Literate 3. Up to middle 4. Below metric 5. Metric 6. Graduate 7. Above	Occupation 1. Service 2. Business 3. Agriculture 4. Study 5. Housewife 6. Labour 7. Unemployed 8. Professional
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						

35. Age of Structure.....

(Signature of the Supervisor) Date:

(Signature of the investigator)

BIHAR STATE HIGHWAYS PROJECT**QUESTIONNAIRE FOR SOCIO-ECONOMIC SURVEY**

Questionnaire No..... Census Questionnaire No:

1. GENERAL IDENTIFICATION

1.1 Subproject Road Section (Name).....

1.2. Address a. District:b. Block:c. Village/Town:

1.3. Settlement Type: 1 Rural 2 Semi- Urban 3 Urban **2. HOUSEHOLD INFORMATION**

2.1. Name of the Head of the Household.....

2.2. Household Composition

No. of Family Member	Male	Female	Total
Adult (10 to 60 Year)			
Children (Below 10 Years)			
Aged (Above 60 Year)			
TOTAL			

2.3. Family Type: 1 Joint 2 Nuclear 3 Extended 4 Other 2.4. Religious Group: 1 Hindu 2 Muslim 3 Sikh 4 Christian 5 Budhist 6 Jain 7 Other..... 2.5. Social Stratification: 1 SC 2 ST 3 OBC 4 Higher Castes 5 Other **3. LANDHOLDING (in Acre)**

Irrigated	Non-Irrigated	Homestead	Other	Total

4. CROPPING PATTERN

SI No.	Type of Crops	Total Cultivated Land (Acres)	Total Yield (Rs)
1	Kharif		
2	Rabi		
3	Other/Summer Crop		
TOTAL			

5. ANNUAL INCOME (in Rs)

Agriculture	Service	Business	Labor	Professional	Any other	Total

6. CONSUMPTION PATTERN (Kindly indicate the consumption/expenditure on different items in last one year)

SI. No.	Particulars / Source	Expenditure (Rs.)
		Annual
A	Food	
B	Cooking Fuel	
C	Clothing	
D	Health	
E	Education	
F	Communication	
G	Social functions	
H	Agriculture	
I	Others (Specify)	
Grand Total		

7. POSSESSION OF DURABLE CONSUMER ITEMS: (Do you possess following items?)

Sl. No.	Items	1. Yes 2. No
1	Radio	
2	Bicycle	
3	Television	
4	Telephone (Land Line)	
5	Cell Phone	
6	Oven	
7	L.P.G Connection	
8	Computer	
9	Refrigerator	
10	Washing Machine	
11	Motor cycle/Scooter	
12	Car	
13	Air Conditioner	
14	Any other (specify)	

8. INDEBTEDNESS (Please indicate your borrowings during last one year):

SL. No	Source	Amount taken (Rs.)	Amount returned (Rs.)	Balance (Rs)
1	Bank			
2	Private money lender			
3	Others.....			
Total				

9. COVERAGE UNDER GOVERNMENT DEVELOPMENT SCHEMES9.1. Have you availed any benefit under any govt. scheme? 1. Yes 2. No

9.2. If 'Yes', kindly give the following details

Name of the Scheme	Kind of Help 1 Loan, 2 Training, 3 Employment

9.3. If '1', kindly indicate the amount Rs:

9.4. If '2', kindly indicate the type of training.....

9.5. After availing this scheme did your annual income increase? 1 Yes 2 No

9.6 If 'Yes', how much? Rs:

9.7. If 'No', why.....

10. HEALTH STATUS10.1. Was any member of your family affected by any illness in last one year? 1 Yes 2 No

10.2. If 'Yes', please indicate the details

No. of Cases	Type of disease/ illness	Treatment Taken*
1		
2		
3		

* 1. Allopathic 2. Homeopathic 3. Ayurvedic 4. Traditional 5. No treatment

11. MIGRATION11.1. Do you migrate for work? 1 Yes 2 No 11.2. If 'Yes', for how many months in a year.....

11.3. Where do you migrate? 1. Within the District 2. Outside the District 3. Outside the State

11.4. What kind of job do you undertake when you migrate?

1 Agricultural Labour 2 Non Agricultural Labour 3 Trade & Business 4 Others (Specify)

11.5. How much do you earn Rs.....

11.6. Trend of Migration 1. Once in a year 2. Twice in a year 3. Every alternative year
4. Once in every three years 5. No regular interval/as and when required

11.7. At what time of the year do you migrate? 1 Summer 2 Winter 3 Rainy Season

12. WOMEN STATUS

12.1. Kindly indicate, female members of your family are engaged in what kind of economic/ non-economic activities.

Si. No.	Economic/Non-economic Activities	1. Yes	2. No
1	Cultivation		
2	Allied Activities*		
3	Collection and Sale of forest products		
4	Trade & Business		
5	Agricultural Labour		
6	Non Agricultural Labour		
7	HH Industries		
8	Service		
9	Households Work		
10	Others (Specify):		

* Dairy, Poultry, Piggery, Sheep rearing, Grocery etc.

12.2. If, engaged in economic activities total income of the year: Rs.....

12.3. Do your female member have any say, in decision making of household matters? 1 Yes 2 No

12.4. If 'Yes, give the following details?

SI. No.	Issues	1 Yes	2 No
1	Financial matters		
2	Education of child		
3	Health care of child		
4	Purchase of assets		
5	Day to day activities		
6	On social functions and marriages		
7	Others.....		

13. LITERACY

	Post Graduate	Graduate	Metric	Secondary	Primary	Just literate	Illiterate
Male adult							
Female adult							

(Signature of the Supervisor)

Date:

(Signature of the investigator)

LIST OF PARTICIPANTS IN FGD (SH-74)

SI No	Block	Village	Name	Profession	Age	Sex
1	Saraiyya	Blachra	Mohd. Kallu	Labour	38	M
			Mohd. Swfuddin	Band	32	M
			Amina Khatoon	House wife	68	F
			Kamrun Khatoon	House wife	52	F
			Zubeda Khatoon	Labenr	48	F
			Rukhasana Khatoon	Labenr	32	F
			Rizwan Khatoon	House wife	30	F
			Mohd. Sahmad Mis	Labour	36	F
			Neelam Chawdhay	House wife	42	F
			Hahzadi Khatoon	Labour	38	F
			Mohd. Batkhali myan	Labour	52	M
			Gulgeni myan	Labour	40	M
			Mohd.Jumrali Miyan	old cuthen	72	M
			Griya thakur	Panstall	35	M
			Dharmendra Kumar	Panstall	30	M
			Raja Sahni	Panstall	38	M
			Ramji Sharma	Farmer	35	M
			Raghunath Bhagat	Farmer	62	M
			Rakesh Kumar	Student	32	M
			Ravi Bhushan Singh	Hardware work	38	M
2	Paru	Jagdishpur Dharmu	Bhuvaneshwar Bhagat	Farmer	52	M
			Mahesh bhagat	Farmer	35	M
			Dinish bhagat	Farmer	28	M
			Mahesh bhagat	Farmer	38	M
			Chandrika prasad	Farmer	40	M
			Chitranjan Singh	Farmer	34	M
			Satyada Pandit	Farmer	36	M
			Ramesh Chandra	Farmer	52	M
			Pappu Singh	Farmer	48	M
			Birendra Singh	Panstall	38	M

Annexure: 5.1

SI No	Block	Village	Name	Profession	Age	Sex
			Pramod Kumar Choudhary	Pvt. Service	40	m
			Chatur Bhay Chowdhary	Panstall	34	M
			Jodhan Rai	Farmer	70	M
			Laxaman Singh	Farmer	54	M
			Basarat Ansari	Farmer	32	M
3	Kesaria	Kesaria	Dasai Ram	Rikshaw puller	40	M
			Smt. Ram Sakhi devi	Labour	38	F
			Ram lal	Labour	58	M
			Mahendra Ram	Labour	42	M
			Smt. Sona Devi	Labour	36	F
			Nagina Ram	Labour	48	M
			Smt. Manju Devi	Labour	40	F
			Rajendra Kumar	Labour	38	M
			Smt. Urmila Dcevi	House wife	32	F
			Ram Narayan Prasad	Shop keeper	52	M
			Kishandeo Rao	Farmer	62	M
			Balram Sahni	Farmer	32	M
			Umesh Choudhary	Farmer	52	M
			Prem Nath Jha	Farmer	50	M
4	Vaishali	Vaishali	Devendra Prasad Jha	Tea stall	32	M
			Umesh Kumar Jha	Panstall	42	M
			Jitendra yadav	Farmer	52	M
			Suraj Bhanu Yadav	Teacher	58	M
			Dinesh chowdhary	Panstall	40	M
			Shivaji Yadav	Sweet shop	38	M
			Birju Sah	Farmer	56	M
			Ram Narayan	Post office	58	m
			Bharat Paswan	Panstall	36	M
			Saroj Paswan	Panstall	42	M
			Ram babu	Tea stall	38	M
			Satish Paswan	Cycle Aeparig	30	M

Annexure: 5.1

SI No	Block	Village	Name	Profession	Age	Sex
			Anil Mehta	Panstall	40	M
			Mohd.usman	Panstall	42	M
5	Lal Ganj	Vaishali lal ganj	Ram chandra Sah	Panstall	34	M
			Suman Sah	Panstall	38	M
			Arun Jha	Panstall	42	M
			Pitambar Sah	Cement shop	54	M
			Punit thakur	Tea stall	40	M
			Shankar Thakur	Cycle Aeparing	38	M
			Surendra Mehta	Tea stall	46	M
			Triliki Sah	Panstall	42	M
			Mukesh Jha	Sweet shop	40	M
			Baidyanath Sah	Sweet shop	42	M
			Ashok Sah	Tea stall	35	M
			Sanjay Paswan	Cycle Aeparing	32	M
			Ranjit Yadav	Tea stall	36	M
			Kamal paswan	Auto work	32	M

पुनर्वास सूचना प्रपत्र

बिहार राज्य पथ योजना

(क) योजना की पृष्ठभूमि

1 प्रस्तावित बिहार राज्य पथ योजना, जो एशियन डेवलपमेंट बैंक (ADB) द्वारा वित्तप्रदत्त है, इसका लक्ष्य राज्य के कमजोर सड़कों का जीर्णोद्धार और शक्ति प्रदान करना एवं कुछ नये घोषित राज्य सड़कों को उन्नत करना है जिससे विश्वसनीय सड़क को यातायात सेवा के लिए उपलब्ध कराया जाय। नो सड़क उपयोगना जिसमें 826 किमी लम्बी सड़क सम्मिलित है का चयन किया गया है जिसके लिए विस्तृत रूपरेखा और पुनर्वास योजना पथ निर्माण विभाग द्वारा पंक्तिबद्ध किया गया है। यह पुनर्वास योजना पथ निर्माण विभाग द्वारा निर्मित विस्तृत योजना की सूचना पर आधारित है। नो सड़क उपयोगना का विस्तार विवरण सारणी 1 में तालिकाबद्ध किया गया है।

सारणी 1 सड़क उपयोगनाओं का विस्तार विवरण

क्र. सं.	राज्य पथ संख्या	उपयोजना का नाम	लम्बाई (कि.मी.)
1	राज्य पथ -68	शिवगंज – बैदराबाद	78
2	राज्य पथ -69	डूमरिआ – रानितालाब	153
3	राज्य पथ -70	गया – रजौलि	58
4	राज्य पथ -71	जहानाबाद – पारबतिपूर	91
5	राज्य पथ -73	सिवान – सितलपूर	88
6	राज्य पथ -74	हाजिपूर – अरेराज	85
7	राज्य पथ -75	दरभंगा – मधवापूर	47
8	राज्य पथ -76	अररिआ – भाबतिहाइ	121
9	राज्य पथ -77	कूरशेला – फरबिशगंज	105
कूल लम्बाई			826

2 सारी सड़क उपयोगनाएँ इकहरी पथ की हैं, जो 3.5 मी0 वाहन मार्ग दोहरी पथ श्रेणी की है जो राज्य पथ संख्या -74 को छोड़कर 25 से 30 मी0 की हैं। जो की पहले से द्विपथ है। विद्यमान सड़क कि चौड़ाई को अनेक स्थानों पर अतिक्रमण किया गया है और बैठाया गया है मुख्य रूप से विद्यमान मण्डी का स्थान। विद्यमान सड़कों की अवस्था अत्यन्त दयनीय है जो गड्डों से भरी है।

3 यह प्रस्तावित परियोजना के तहत विद्यमान इकहरी पथों को दोहरी पथों में परिवर्तन किया जाएगा तथा विद्यमान दोहरी पथों कि जीर्णोद्धार किया जाएगा। विद्यमान सड़क कि चौड़ाई प्रस्तावित चौड़िकरण के लिए पर्याप्त है। प्रस्तावित पथों कि चौड़िकरण सभी पथों के लिए समान है। इस योजना के तहत संभावित यांत्रिक प्रयासों के दायरे में हर तरह कि कोशिश किया गया है कि स्थानिय लोगों के उपर कम से कम प्रभाव पड़े। विस्तृत रूपरेखा के अनुसार बनाया गया पुनर्वास योजनाओं के तहत सभी प्रभावों को कम करने तथा लोगों कि जीविकाओं का पुनरोर्धार करने कि प्रयास किया गया है।

(ख) पात्रता सारणी

4 सभी संपत्तियों का मुआवजा प्रभावित लोगों को उसकी प्रतिस्थापन लागत पर दिया जाएगा। हर तरह कि आय और रोजगार कि हानि कि लिए सभी प्रभावित खातेदार तथा गैरखातेदार को पुनर्स्थापन के लिए सहायता मिलेगी। प्रभावित असुरक्षित व्यक्तियों को स्वतंत्र सहायता दी जाएगी। यह पात्रता सारणी इस परियोजना के पुनर्वास निति तथा सम्मिलित नौ सड़कों में होने वाली हानि के मुताबिक बनाया गया है जो कि सारणी: 2 में दर्शाया गया है।

सारणी: 2 पात्रता सारणी

(क) अतिक्रमण कारी एवं अस्थायी बैठने वालो के इमारत की हानी			
हानी के प्रकार	अधिकार की इकाई	अधिकार	विवरण
1) इमारत की हानी खाली जगह पर कब्जा करने वालों और अतिक्रमण करने वालों निर्मित अचल सम्पत्ति	खाली जगह पर कब्जा करने वालों का निर्मित स्थल है।	<ul style="list-style-type: none"> भूमि के लिए कोई क्षतिपूर्ति नहीं निर्मित स्थल की क्षतिपूर्ति जगह बदलने में सहयोग 	<p>क) खाली जगह पर कब्जा करने वाले को सूचित किया जाएगा और अपनी सम्पत्ति हटाने के लिए एक माह का समय दिया जाएगा।</p> <p>ख) निर्मितस्थल के हानी पर प्रतिस्थापन लागत पर क्षतिपूर्ति</p> <p>ग) जगह बदलने के सहयोग पर देय राशि 10000/-</p> <p>घ) ढाये गये निर्मित स्थल से मलवे के ढेर का अधिकार</p>
	अतिक्रमण करने वालों का निर्मित स्थल	<ul style="list-style-type: none"> भूमि के लिए कोई क्षतिपूर्ति नहीं निर्मित स्थल की क्षतिपूर्ति केवल आरक्षित क्षतिग्रस्त घरों के लिए 	<p>क) अतिक्रमण करने वालों को सूचित किया जाएगा और अपनी सम्पत्ति हटाने के लिए और अपनी फसल काटने के लिए</p> <p>ग) एक माह का समय दिया जाएगा।</p> <p>घ) निर्मित स्थल के हानी एवं बुरी तरह से क्षतिग्रस्त घरों पर प्रतिस्थापन लागत पर क्षतिपूर्ति।</p> <p>च) ढाये गये निर्मित स्थल से मलवे के ढेर का अधिकार।</p>
2) बाजार क्षेत्र पर प्रभाव/न्यूनतम 25 दुकानों/व्यवसाय का क्षेत्र	लेखापत्र रहित किरायेदार (पट्टेदार और खाली जगह पर कब्जा करने वाले) बाजार क्षेत्र में व्यवसायिक उपक्रम खोने वाले	पुनर्स्थापन सहयोग	<p>क) प्रभावित उपक्रम को निम्नलिखित विकल्प दिए जाएंगे। स्वयं व्यवस्थित कर दुकान का पुनर्निर्माण दुकान चालकों द्वारा पूरे मुनाफा के साथ अधिकार ढाँचे के अनुसार अथवा</p> <p>ख) योजना पुर्णस्थापन सहयोग विकल्प उनलोगों को उपलब्ध कराया जाएगा जिनका व्यवसायिक निर्माण व्यवसायिक उपक्रम के लिए आगे इस्तेमाल नहीं किया जाएगा जो योजना के प्रभाव के परिणामस्वरूप होगा।</p>

			बाजार क्षेत्र में दुकानों का आवंटन प्रभावित दुकान के मालिक की आर्थिक स्थिति के आधार पर होगा। ग) जगह बदलने के सहयोग पर देय राशि 10000/- घ) ढाये गये निर्मित स्थल के मलवे के ढेर का अधिकार।
(ख). जीविकोपार्जन की हानि :-			
3) व्यापार करने के अवसर	क) खाली जगह पर कब्जा करने वाले ख) आरक्षित अतिक्रमण करने वाले	पुर्णवास सहयोग	क) प्रशिक्षण सहयोग आय उत्पाद हेतु 4000/- प्रति प्रभावित निकासी
(ग). सामाजिक ढाँचे की हानि/आम सम्पत्ति संसाधन :-			
4) आम जनता की हानी, सम्पत्ति संसाधन	समाज	पुर्णनिर्माण आर्थिक सहयोग प्रतिस्थापन दर पर	सहयोग राशि प्रतिस्थापन दर पर अथवा सामाजिक भवन का पुर्णनिर्माण प्रभावित समाज के सहयोग के साथ
(घ). आरक्षित वर्ग को अतिरिक्त सहयोग :-			
5) आरक्षित वर्ग को अतिरिक्त सहयोग	आरक्षित वर्ग में सम्मिलित निवासी इस प्रकार हैं (गरीबीरेखा के नीचे, अनुसूचित जाती, अनुसूचित जनजाति, महिला मुखिया परिवार, विकलांग और वृद्ध)	विशेष सहयोग	एक बार देय एकमुश्त सहयोग राशि 10000/- रु0 आरक्षित निवासियों के लिए (ये राशि अन्य सहयोग राशि के अतिरिक्त होगी) जैसा कि वर्णित ढाँचे में है।
(च). अन्य अनुमानि प्रभाव :-			
6) निर्माण के दौरान अस्थायी प्रभाव जैसे :- आम यातायात में बाधा, जुड़े पार्सल भूमि का नुकसान/सम्पत्ति को हानि भारी मशीनों की निर्माण स्थल पर आवाजाही के कारण	वर्ग विशेष	सहयोग राशि	क) भारी मशीनों के निर्माण स्थल के आस पास पड़ने वाले किसी प्रभाव और हानी का वहन ठेकेदार को करना होगा। ख) प्रस्तावित स्थल से बाहर अस्थायी भूमि का प्रयोग भूमि के मालिक एवं ठेकेदार के बीच लिखित सहमति से किया जाएगा। ग) निर्माण स्थल के पास छावणी का निर्माण ठेकेदार पथ निर्माण विभाग के अधिकारियों से सम्पर्क करके तय करेगा।

7) नहीं दिखने वाला प्रभाव अगर कोई हो :	कोई भी बिना पूर्वानुमान के होने वाले प्रभाव जिसके कारण योजना का लेखपत्र प्रस्तुत करना हो और प्रयोजना सहमति प्राप्त सिद्धांत और प्रेरणा से संबंधित ढाँचे से प्रयोजना की गति धीमी पड़े।
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(ग) शिकायत समाधान पद्धति

5 परियोजना के तहत उपजे शिकायतों की समाधान एवं समयानुसार कार्यकारिता कि मदद के लिए परियोजना क्रियान्वण इकाई के साथ एक शिकायत समाधान कमिटी कि स्थापना कि जाएगी। यह शिकायत समाधान कमिटी का अध्यक्षता जिलाधीश अथवा उनकी प्रतिनिधि करेंगे। इस शिकायत समाधान कमिटी में परियोजना क्रियान्वण इकाई के पुर्नवास अधिकारी, प्रभावित लोगों के प्रतिनिधि, स्थानिय प्रशासन के प्रतिनिधि एवं स्वयं सेवी संस्था के प्रतिनिधि होंगे। इस शिकायत समाधान कमिटी शिकायत मिलने पर कभी भी उसकी समाधान के लिए बैठक करेंगे। केवल मालिकाना समस्या जो कि न्यायालय के अधिन है, उसको छोड़कर हर तरह की शिकायत जैसे कि पुर्नवास फायदा, मुआवजा, पुर्नस्थापन एवं सहायता आदि का समाधान यह शिकायत समाधान कमिटी करेगा।

(घ) आनुष्ठानिक प्रबंधन

6 बिहार सरकार के अधिन कार्यरत पथ निर्माण विभाग में एक परियोजना प्रबंधन इकाई मुख्य अभियंता के नेतृत्व में एक निरिक्षण अभियंता एवं तिन अधिशाशी अभियंतों को लेकर बनाई गई है। यह इकाई पुरे परियोजना के समय के लिए कार्यरत रहेगा।

7 पुर्नवास सम्बन्धी कार्यों के लिए सभी प्रकार कि समन्वय, संगणन, क्रियान्वण एव अर्थ योगाण के लिए परियोजना प्रबंधन इकाई काम करेगी। यह परियोजना प्रबंधन इकाई एक पुर्नवास प्राकोष्ठ का स्थापन करेगी जिस के तहत एक पुर्नवास अधिकारी एवं अन्य सहायक कर्मचारियों का नियुक्ति समयानुसार कार्य सम्पन्न करने के लिए किया जाएगा। पुर्नवास अधिकारी के लिए एक तद्रुप अभिज्ञता सम्पुर्ण शक्ति का चयन किया जाएगा। पुर्नवास योजना एवं क्रियान्वण के लिए अधिकारी को परियोजना क्रियान्वण इकाई एवं स्वयं सेवी संस्था कि सहायता उपलब्ध कराया जाएगा।

8 परियोजना खंड के सभी पुर्नवास सम्बन्धि योजना एवं क्रियान्वण परियोजना क्रियान्वण इकाई के जरये परियोजना प्रबंधन के अध्यक्षता पर होगी। यह परियोजना स्तर पर एक सहायक अभियंता पुर्नवास सम्बन्धि कार्यों के समन्वय के लिए नियुक्त होंगे। उनको स्वयं सेवी संस्था एवं अन्य सहायक कर्मचारी कि सहयोग मिलेगा। इस परियोजना खंड कि स्तर के अधिकारियों को एक सप्ताह कि पुर्नवास सम्बन्धि कार्यों के प्रशिक्षण दि जाएगी। परियोजना क्रियान्वण इकाई हर तरह की पुर्नवास संबंधि लेखा-जोखा का रिकार्ड रखेगी।

Terms of References (TOR) for the NGO to Implement the Resettlement Plan (RP) for SH-74 (Hazipur - Areraj) Subproject under Bihar State Highways Project

1. Project Background

The Asian Development Bank (ADB) has agreed with national and state government of Bihar to fund the Bihar State Highways Project (BSHP) which will include upgradation and strengthening of various state highways in Bihar. SH-74 (Hazipur - Areraj) subproject is one among several other subprojects under the BSHP.

The subproject road i.e SH-74 starts from Hazipur in the district of Vaishali and ends at Areraj in the district of Motihari. The 85 kilometers of state highway connects three districts i.e. Hazipur, Mazhafarpur and Motihari traversing through some major towns and villages like Hazipur, Manikpur, Paru, Deoria, Sahebjanj, Kesharia, Khajuria and Areraj. At the start of the subproject road about 36 kilometers falling under the Hazipur district are already two-lane and needs only strengthening. In other sections the subproject road is single lane with 3.5 meter carriageway and having a right of way (ROW) ranging from 20 to 25 meters. In this section the condition of the existing road is very poor. There are villages in regular interval with many squatters and encroachers living or doing business along the road.

All possible steps have been taken to minimize land acquisition and demolition of structures so as to reduce adverse impacts on people settled along the road. Based on the State Resettlement and Rehabilitation (R&R) Policy, GOI norms and ADB R&R policies, Road Construction Department (RCD), Government of Bihar has prepared Resettlement Plans (RPs) to deal with involuntary resettlement involve in the entire Project. All RPs have been prepared based on census and baseline socio-economic surveys conducted in the fields.

To assist in the implementation of the RP for SH-74 (Hazipur - Areraj), RCD now invites the services of eligible NGO.

2. Objectives of the Assignment

The NGO shall be responsible for the following, according to the Resettlement Plan:

- Educating the APs on their rights to entitlements and obligations.
- To ensure that the APs are given the full entitlements due to them, according to the entitlements in the RP.
- To provide support and information to APs for income restoration.
- Assist the APs in relocation and rehabilitation, including counseling, and coordination with local authorities.
- Assist the APs in redressing their grievances (through the grievance redress committee set up by the subproject)
- Impart information to all the APs about the functional aspects of the various set up by the project, and assist them in benefiting from such institutional mechanisms.

- To assist the Project Management Unit (PMU) and Project Implementation Unit (PIU) with social responsibilities of the subproject, such as compliance with labour laws, prohibition of child labour, and gender issues.
- To conduct awareness program for HIV/AIDs, Human Trafficking.
- To collect data and submit progress reports on a monthly and quarterly basis for RCD to monitor the progress of RP implementation.

3. Scope of Work

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

3.1 Administrative Responsibilities of the NGO

The administrative responsibilities of the NGO will include:

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

3.2 Responsibilities for Implementation of the RP

3.2.1 Identification APs and Verification of Database from RP

- NGO shall verify the information already contained in the RP and the individual losses of the APs. They should validate the data provided in the RP and make suitable changes if required. The NGO shall establish rapport with APs, consult and provide information to them about the respective entitlements as proposed under the RP, and distribute entitlement cum Identity Cards to the eligible APs. The identity card should include a photograph of the AP, the extent of loss suffered due to the project, and the choice of the AP with regard to the mode of compensation and assistance.
- The NGO shall develop rapport between the APs and the Project Authority, particularly the RO. This will be achieved through regular meetings with both the RO and the APs. Meetings with the RO will be held at least fortnightly, and meetings with the APs will be held monthly, during the entire duration of the assignment. All meetings and decisions taken shall be documented by the NGO.
- Prepare monthly action plans with targets in consultation with the RO.
- The NGO shall prepare a list of the project-displaced persons/families for relocation, enlisting the losses and the entitlements, after verification. It shall also prepare a list of the project-affected persons/families (APs) enlisting the losses and the entitlement as per the RP, after verification. Verification shall include actual measurement of the extent of total property loss/damage, and valuation of the loss/damage/affect along with the RO. The NGO shall display the list of eligible APs in prominent public places like villages, Panchayat Offices, Block/Tehsil headquarters, and the District Headquarters.
- During the identification and verification of the eligible APs, the NGO shall ensure that each of the APs are contacted and consulted either in groups or individually. The NGO shall specially ensure consultation with women from the AP families especially women headed households.
- Participatory methods should be adopted in assessing the needs of the APs, especially with regard to the vulnerable groups of APs. The methods of contact may include village level meetings, gender participation through group's interactions, and Individual meetings and interactions.
- While finalizing the entitled persons (EPs) for compensation/assistance the NGO shall make a list of entitled APs, and distribute Identity Cards to each and every verified eligible AP.

3.2.2 Counselling the Entitled Persons

The counseling shall include the following activities:

- The NGO shall explain to the APs the provisions of the policy and the entitlements under the RP. This shall include communication to the roadside squatters and encroachers about the need for their eviction, the timeframe for their removal and their entitlements.
- The NGO shall disseminate information to the APs on the possible consequences of the project on the communities' livelihood systems and the options available, so that they do not remain ignorant.
- The NGO shall prepare micro-level plans for income restoration, in consultation with the APs. Women's perceptions are important to be incorporated in the development of these plans.
- NGO will monitor the involvement of child labour in the civil construction work in each package.

In all of these, the NGO shall consider women as a special focus group, and deal with them with care and sympathy.

3.2.3 Disbursing the Assistance

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

3.2.4 Accompanying and Representing the EPs at the Grievance Committee Meetings

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

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

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

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

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

With regard to the above, the NGO shall,

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

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

The NGO shall be responsible for establishing linkages with,

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

3.2.8 Assisting the Supervision Consultant with the Project's Social Responsibilities

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

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

Coordinate with the Environmental Officer to facilitate consultation on rehabilitation of borrow areas.

3.2.9 Assisting the PMU/Supervision Consultant in HIV/AIDS Awareness/Prevention Campaigns

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

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

3.2.10 Monitoring and Evaluation

The RP includes provision for monthly internal monitoring by NGO/ RO and quarterly, mid-term, and post-project monitoring and evaluation by external agency. The NGO involved in the implementation of the RP will be required to supply all information, documents to the external monitoring and evaluation consultants. To this end, the NGO shall keep proper documentation of their work and the R&R process involved in the project, and shall be responsible for the upkeep and updating of such documents periodically and regularly. The documentation shall include photographs and videotapes of the pre-intervention and post-intervention scenario of all the properties, structures, and assets affected by the project.

3.2.11 Recommending Improvement of R&R Services

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

3.3 Documentation and Reporting by NGO

The NGO selected for the assignments shall be responsible to:

- Submit an inception report within three weeks; on signing up of the contract including a work plan for the whole contract period, staffing and personnel deployment plan, and a withdrawal plan at the end of the period of contract. The withdrawal plan shall be detailed and reflect how the APs will maintain the assets created and transferred to the APs.
- Prepare monthly progress reports to be submitted to the RO, with weekly progress and work charts as against the scheduled timeframe of RP implementation.
- Prepare and submit quarterly reports on a regular basis, to be submitted to the RO.
- Submit a completion report at the end of the contract period summarizing the actions taken during the project, the methods and personnel used to carry out the assignment, and a summary of support/assistance given to the APs.
- All other reports/documentation as described in these terms of reference.
- Record minutes of all meetings.

All progress reports shall include data on input and output indicators as required by the RO. Reporting in writing as well as photographs, videotapes etc., taken during the assignment shall be submitted in support of the reports, along with an electronic copy of the documents in a floppy or a CD. All reports should be in English only. Accounts reports both on expenditure on administration as well as training and other heads shall be submitted with the quarterly and the completion reports.

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

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

3.4 Condition of Services

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

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

3.5 Timeframe for Services

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

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

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

3.7 Payment Schedule:

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

Sl. No.	Payment Milestone	Payment (% of contract Value)
1.	On submission of the inception Report complete in all respects	20%
2.	On completion of the identification, verification of APs and initial consultation sessions, and submission of updated data on APs (Identification and Verification report) and review of the same by the PMU/PIU.	20%
3.	On submission and approval of the Micro Plan of APs	20%
4.	On completion of the rehabilitation process and implementation of I.R. Plan	20%
5.	On submission of the Final Completion Report	20%
	Total	100%

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

3.8 Team for the Assignment

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

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

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

Annexure: 7.1

- The proposal should accompany a personnel deployment schedule, clearly indicating whether the deployment is home-office based or in the field.
- The NGO must propose at least one woman as part of the key personnel. The person-month deployment of the woman key personnel shall constitute at least 33 % of the person-month deployment of all key professionals (including the team leader) in the assignment. At least two proposed woman key person shall be available to work at site for at least 50% of the duration.
- The women key persons, if selected for the contract, may be replaced during the period of contract, only with women key persons of equivalent qualifications and experience.
- The NGO will assign a 'technical support' team to work at the site, which will consist of at least 33 % of women members. Junior support personnel and/or administrative staff will not be considered as 'technical support' professionals, as far as this condition is concerned.