

Resettlement Planning Document

Short Resettlement Plan – Udhampur Ramnagar Road
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The short resettlement plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

**GOVERNMENT OF JAMMU & KASHMIR
ECONOMIC RECONSTRUCTION AGENCY**

**Multi-Sector Project for Infrastructure
Rehabilitation in Jammu & Kashmir**

[ADB Loan 2151-IND]

Short Resettlement Plan (SRP)

Udhampur Ramnagar Road

District Udhampur

December 2008

SHORT RESETTLEMENT PLAN

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LIST OF ABBREVIATIONS

ADB	Asian Development Bank
BPL	Below Poverty Line
DSC	Design & Supervision Consultants
ERA	Economic Reconstruction Agency
EA	Executing Agency
FGD	Focus Group Discussions
GOI	Government of India
GRC	Grievance Redressal Committee
IPSA	Initial Poverty & Social Assessment
IP	Indigenous People
J&K	Jammu & Kashmir
LA	Land Acquisition
NGO	Non-Government Organizations
NPRR	National Policy on Resettlement & Rehabilitation
PMU	Project Management Unit
PAFs	Project Affected Families
PRA	Participatory Rural Appraisal
PWD	Public Works Department
RP	Resettlement Plan
R&R	Resettlement & Rehabilitation
RRP	Report and Recommendation of the President
SC	Scheduled Caste
ST	Scheduled Tribe
ToR	Terms of Reference

GLOSSARY

The definitions of the key terminologies or concepts used in the Resettlement Plan are as follows:

Land Acquisition means the process whereby land and properties are acquired for the purpose of the project construction;

Compensation means payment in cash or in kind of the replacement value of the acquired property.

Family means project affected family consisting of such persons, his or her spouse, minor sons, unmarried daughters, minor brothers or unmarried sister, father, mother and other members residing with him/her and dependent on him/her for their livelihood.

Grievances Redressal Committee means the committee established under the subproject to resolve the local grievances;

Involuntary resettlement addresses social and economic impacts that are permanent or temporary and are (i) caused by acquisition of land and other fixed assets, (ii) by change in the use of land, or (iii) restrictions imposed on land as a result of an ADB Project.

Affected Person (AP) includes any people including encroachers/ squatters, families, or firms who, on account of changes that result from the project will have their (i) standard of living adversely affected; and/or (ii) right, title, or interest in any house, land (including residential, commercial, agricultural, forest, and/or grazing land), water resources, or any other moveable or fixed assets acquired, possessed, restricted, or otherwise adversely affected, in full or in part, permanently or temporarily;

Replacement Cost means the method of valuing assets to replace the loss at market value before the project or dispossession, or its nearest equivalent, plus any transaction costs such as administrative charges, taxes, registration, and titling costs. Replacement cost is based on market value before the project or dispossession, which ever is higher.

Resettlement means all the measures taken to mitigate all or any adverse impacts of the project on the APs property and/or livelihoods including compensation, relocation (where relevant), and rehabilitation;

Rehabilitation means the measures provided under the resettlement plan other than payment of the compensation of acquired property.

B P L Family means a family whose total annual income from all sources is less than or equal to Rs. 25000/=

Executive Summary of the Short Resettlement

A Description of the Sub-project

Road Udhampur-Ramnagar is located in Udhampur district of Jammu and Kashmir State. It takes off from Roun-Domail, 10 kms off Udhampur city which is located 67 kms from Jammu on National Highway-1A. National Highway 1A connects Pathankot with Srinagar via Jammu, Udhampur, Patni Top, Batote, Anantnag and Awantipora. The total distance from Pathankot to Srinagar is 402 kms. National Highway 1-A is at present a two-lane road and is being maintained by the Border Roads Organisation.

Ramnagar is located at a distance of 94 kms from Jammu and 37 kms from Udhampur City. It is a historic city and was the capital of an erstwhile Maharaja whose fort still exists, although it is in ruins presently.

The existing road is a network for the villages which are located off the National Highway 1A ahead of Udhampur from Roun- Domail to reach Ramnagar and also Pathankot without coming to Jammu. At present, the road is a single-lane stretch of 27 kms length. There has been no maintenance or repairs of existing road and the structures already constructed, apparently because of lack of funds. The road also needs widening besides repairs and strengthening works. And two bridges to be constructed named as Tawi Bridge and Ritti Bridge. And there will be need of land acquisition along the road and near to the bridges.

Ramnagar being a Tehsil, connecting it to District Headquarters assumes importance. The existing road is presently not in good state of repairs as no funds have been allocated for its maintenance. At the present road is single-lane, it is proposed to widen it to intermediate lane and strengthen it to cater for the increased volume of traffic. The SRP was earlier prepared and forwarded to ADB for approval but ERA was directed to incorporate the comments that SRP should be prepared as per the final technical design and clarification with regard to the ROW status. The Draft SRP has been prepared taking into consideration the comments of ADB. The road is now planned to be build on "as is where is basis" and widening will be done wherever required and thus reducing the Corridor of impact with result of which road now envisages are no major issues of resettlement and environment aspects and hence the sub-project meets the eligibility criteria set out for it.

In keeping with ADB's sector loan procedures; this short Resettlement Plan (RP) has been prepared for this subproject. This short RP identifies the broad scope of the subproject and outlines the policy, procedures for acquisition of land, compensation and other assistance measures for affected persons and institutional requirements for this subproject under the loan.

B. Objectives of the Short Resettlement Plan

This Short Resettlement Plan is prepared to deal with impacts of land acquisition and resettlement issues resulting from the rehabilitation of the said road sub-project. The Plan provides an analysis of the impacts, identifies the nature and types of losses, and establishes an entitlement matrix as a guide to payments for compensation and resettlement benefits.

The primary objective of this short RP aims to mitigate the adverse social impacts caused by the project such as structure loss (partly or fully), loss of livelihoods and of other assets including restoration of the income and living standards of the affected persons (APs) due to land acquisition within a short period of time without any disruptions in their own economic and social environment.

C. Scope of Land Acquisition & Impacts

The Project has its objectives of avoiding involuntary resettlement wherever possible, by means of adopting an appropriate technical design, which leads to minimization of the resettlement impact. In keeping with this objective, the technical design aims at minimization of the resettlement impact by means of best utilization of the available space by avoiding private and public assets and land acquisition as far as possible. Earlier the census and socio-economic survey was undertaken during 7-8 Oct., 2007, which was based on the as per documents provided by the PWD and but as locals informed that the land was private and thus involved the land acquisition. In order to enable the subproject to have insignificant resettlement impacts in this subproject it was decided to build the road on "As is where is basis" and go for the land acquisition wherever unavoidable thus reducing the corridor of impact.

On the approved/revised technical design the resurvey was undertaken during 19-20 Oct. 2008, which revealed that the resettlement impacts in this subproject are 'insignificant'¹. Based on the Census, the nature of resettlement impacts identified in the sub-project mainly comprises of - (i) impact on properties and structures including land; and (ii) temporary impact on income. It is estimated that a total of 17 Families will be affected due to implementation of the project comprising 155 APs. Out of these 17 families, none of the family will suffer from income loss while as 05 families are vulnerable.

A Resettlement Plan has been prepared following the objectives of RRP and Loan Agreement (2151-IND) whereby it is suggested to avoid land acquisition and Involuntary Resettlement but in case it is unavoidable a Resettlement Plan has to be prepared in accordance with ADB's Resettlement Policy of 1995 as well as State Land Acquisition Act of 1990 with a view to minimize the adverse impacts. Land Acquisition will be done as per the provisions of State Land Acquisition Act 1990, preferably through Private negotiation and if necessary through Compulsory Acquisition. Land acquisition will follow national and state laws for "compulsory land acquisition" process under which stamp duty and registration cost, solatium, interest rate will be provided to affected persons as budgeted in Table 8. Keeping in view the objective of ADB's Policy only the most required portion of land and structures are to be acquired.

Land Acquisition will be done as per the provisions of State Land Acquisition Act 1990, preferably through Private negotiation and if necessary through Compulsory Acquisition. Land acquisition will follow national and state laws for "compulsory land acquisition"

¹ As per the ADB's 'Handbook on Resettlement' - Resettlement is defined as 'insignificant' when: (i) less than 200 people are displaced from housing; (ii) less than 200 people will lose fewer than 10% of their productive assets (income generation). When less than 100 indigenous people/scheduled tribes (individuals) are affected, a full IPDP is not required but impact and mitigation measures can be dealt through the resettlement plan. Short RP is required for 'insignificant' resettlement. However, short RP must (i) summarize the impacts and extent of losses; (ii) the policies and legal framework applicable; (iii) arrangements made for asset valuation, payments of compensation and relocation; (iv) responsibilities in delivering entitlement, consultation with APs, grievance resolution; (v) cost estimates; and (vi) monitoring.

process under which stamp duty and registration cost, solatium, interest rate will be provided to affected persons as budgeted in **Table 8**.

D. Socio-economic Profile of Affected Families

As per approved/ revised technical design, it is estimated that a total of 17 families will be affected due to implementation of the project comprising 155 APs. In terms of caste composition, general category of castes constitutes 13 households and 4 are Scheduled Caste. Literacy level among the affected households was recorded at 69.3%. 4 SC

E. Gender Impacts and Mitigative Measures

The Consultants, to look into the status and needs of the women in the subproject area and the potential impact of the Project on them by means of undertaking FGDs with women, undertook a gender analysis during the course of the social assessments. The subproject as per the women groups will benefit them directly by means of better access to the district head quarters at Udhampur besides access to important commercial areas. They expect that adequate transport facilities will be the outcome of the improvement of the road and thus time and money of the people will be saved. They added that they would get better access to health facilities and educational institutions. They envisaged no negative impact. Overall, they felt that the proposed rehabilitation would lead to the greater prosperity in their area.

F. Resettlement Principles and Policy Framework

The resettlement principles adopted for this sub-project recognize the State Land Acquisition (LA) Act of Jammu & Kashmir, 1990 and the entitlement benefits as listed in the National Policy on R&R, (Govt. of India) as notified in February 2004 and Asian Development Bank's (ADB) *Involuntary Resettlement Policy*, (1995). Land Acquisition will be done as per the provisions of State Land Acquisition Act 1990, preferably through Private negotiation and if necessary through Compulsory Acquisition.

The RP is based on the general findings of the census survey, field visits and meetings with various affected persons in the subproject area. Taking into account the various losses, the Entitlement Matrix provides for compensation and resettlement assistance to all affected persons in the subproject area. A detailed Entitlement Matrix for the subproject is provided in **Table 7** in the main text.

G. Stakeholder Participation and Disclosure of RP

Consultations were carried out with the affected persons in the sub-project area. The summary of the Public Consultation along with the signature sheet of participants is annexed as **Annexure III (A)**. Due consideration was also given for Stakeholder consultations and community participation at different levels in the preparation of the short RP. The final RP will also be disclosed on the ADB Website and ERA website.

H. Implementation Arrangements, Schedule & Grievance Redressal

ERA will be the Executing Agency (EA) for the Project. The Project Implementation Unit (PIU) with assistance of Social Development & Resettlement specialist, Design & Supervision Consultants (DSC) & experienced NGO/Agency will have the primary responsibility of the RP preparation and implementation. The PMU would ensure monitoring if any changes occur to the subproject design which may require re-evaluation of the RP. The PMU will ensure resettlement budgets are delivered on time to the APs for timely RP implementation. A Grievance Redressal Committee (GRC) in each district of Jammu and Kashmir has already been established (Order No. JKERA 25 of 2008 dated 29-01-2008) for timely and satisfactory completion of the land Acquisition and other requirements of the Resettlement Plans(RP) to facilitate satisfactory implementation of the ADB funded projects besides providing a mechanism to mediate conflict and disputes concerning compensation payments and cut down lengthy litigation. The GRC is headed by the Deputy Commissioner (or his representative), of the concerned district and includes Land Collector ERA, Social and Resettlement Expert, J&K ERA, Deputy Project Manager ERA (I/C subproject) and representatives of the affected persons.

All compensation and other assistances will be paid to the APs prior to commencement of civil works in the stretches where acquisition of land is needed to be done.

I. Compensation and Assistance Disbursement to APs

The valuation of the acquired land and assets will be done based on the principle of compensation at the replacement value of the affected assets. Compensation will also be paid for loss of income and subsistence from standing crops including trees (if any affected due to subproject). Those eligible for compensation will be given advance notice of the date, time and place of payment through public announcements. The payment of compensation will be monitored and verified by NGO/Agency as well as representatives of the affected families.

J. Budget

The total estimated cost for resettlement operation and management for the Project is **Rs. 6607095.00/-**. Detailed budgets is calculated in the **Table 8** in main text.

K. Implementation Schedule

The timeframe for various activities of RP are given under **Table 9** in the main text.

L. Training, Monitoring & Evaluation

An orientation and training in resettlement management will be provided under the Project by the Social Development & Resettlement Specialist to the NGOs/Agency focusing on issues concerning - (i) principles and procedures of land acquisition; (ii) the policies and principles agreed under the ADB loan; (iii) public consultation and participation; (iv) entitlements and compensation disbursement mechanisms; (v) Grievance redressal and (vi) monitoring of resettlement operation.

The RP will have both internal and external monitoring. Internal Monitoring will be a regular activity for PMU, supported by the Social Development & Resettlement Specialist. The NGO/Agency, assisting in implementation of the short RP, will submit monthly progress report of RP implementation to the PMU. The PMU will conduct regular internal monitoring of resettlement implementation and prepare monthly progress reports for submission to ADB.

An independent Agency/monitoring expert will be engaged by the PMU in agreement with ADB to undertake external monitoring of the subproject implementation. This expert will submit its reports quarterly to PMU and ADB.

Short Resettlement Plan of Udhampur Ram Nagar Sub-project Road

A. Description of the Sub-project

1. Road Udhampur-Ramnagar is located in Udhampur district of Jammu and Kashmir State. It takes off from Roun-Domail, 10 kms off Udhampur city which is located 67 kms from Jammu on National Highway-1A. National Highway 1A connects Pathankot with Srinagar via Jammu, Udhampur, Patni Top, Batote, Anantnag and Awantipora. The total distance from Pathankot to Srinagar is 402 kms. National Highway 1-A is at present a two-lane road and is being maintained by the Border Roads Organisation.
2. Ramnagar is located at a distance of 94 kms from Jammu and 37 kms from Udhampur City. It is a historic city and was the capital of an erstwhile Maharaja whose fort still exists, although it is in ruins presently.
3. The existing road is a network for the villages which are located off the National Highway 1A ahead of Udhampur from Roun- Domail to reach Ramnagar and also Pathankot without coming to Jammu. At present, the road is a single-lane stretch of 27 kms length. There has been no maintenance or repairs of existing road and the structures already constructed, apparently because of lack of funds. The road also needs widening besides repairs and strengthening works. And two bridges to be constructed named as Tawi Bridge and Ritti Bridge. And there will be need of land acquisition along the road and near to the bridges.
4. Ramnagar being a Tehsil, connecting it to District Headquarters assumes importance. The existing road is presently not in good state of repairs as no funds have been allocated for its maintenance. At the present road is single-lane, it is proposed to widen it to intermediate lane and strengthen it to cater for the increased volume of traffic. The SRP was earlier prepared and forwarded to ADB for approval but ERA was directed to incorporate the comments that SRP should be prepared as per the final technical design and clarification with regard to the ROW status. The Draft SRP has been prepared taking into consideration the comments of ADB. The road is now planned to be build on "as is where is basis" and widening will be done wherever required and thus reducing the Corridor of impact with result of which road now envisages are no major issues of resettlement and environment aspects and hence the sub-project meets the eligibility criteria set out for it.
5. In keeping with ADB's sector loan procedures; this short Resettlement Plan (RP) has been prepared for this subproject. This short RP identifies the broad scope of the subproject and outlines the policy, procedures for acquisition of land, compensation and other assistance measures for affected persons and institutional requirements for this subproject under the loan.
6. The Economic Reconstruction Agency (ERA) of the State government is the Executing Agency (EA), of the sub-project and will be responsible, through its Project Management Unit (PMU), for overall strategic guidance. The technical design for this project has been prepared by the Contractor as this project is under the category of 'Design-as you build', while the supervision is being done by the Design and Supervision Consultants (DSC), besides the technical guidance that is being received from the Project Management

Consultants for ensuring compliance with the loan covenants. The Project Management Unit (PMU) will have the primary responsibility for RP implementation.

B. Objectives of the Short Resettlement Plan

7. The Plan provides an analysis of the impact, identifies the nature and types of losses, and establishes an entitlement matrix as a guide to payments of compensation and resettlement benefits. The primary objective of this short RP is to restore the income and living standards of the affected persons (APs) due to land acquisition within a short period of time without any disruptions in their own economic and social environment.

C. Scope of Land Acquisition and Impacts

8. The Project has its objectives of avoiding involuntary resettlement wherever possible, by means of adopting an appropriate technical design, which leads to minimization of the resettlement impact. In keeping with this objective, the technical design aims at minimization of the resettlement impact by means of best utilization of the available space by avoiding private and public assets and land acquisition as far as possible. Earlier the census and socio-economic survey was undertaken during 7-8 Oct., 2007, which was based on the documents provided by the PWD and but as locals informed that the land was private. During the detailed analysis of the revenue records it was found that the land was the private and thus involved the land acquisition. In order to enable the subproject to have insignificant resettlement impacts, it was decided to build the road on "As is where is basis" and go for the land acquisition wherever unavoidable thus reducing the corridor of impact.

9. On the approved/revised technical Design the resurvey was undertaken during 19-20 Oct. 2008, which revealed that the resettlement impacts in this subproject are 'insignificant'. As the road is restricted to be rehabilitated within the land available however at certain locations wherever it is unavoidable the land acquisition will be done. As per the approved/revised technical design the subproject will involve the acquisition of the 22 Kanal and 17 Maralas (11208 Sq m).

10. A Resettlement Plan has been prepared following the objectives of RRP and Loan Agreement (2151-IND) whereby it is suggested to avoid land acquisition and Involuntary Resettlement but in case it is unavoidable a Resettlement Plan has to be prepared in accordance with ADB's Resettlement Policy of 1995 as well as State Land Acquisition Act of 1990 with a view to minimize the adverse impacts. Land Acquisition will be done as per the provisions of State Land Acquisition Act 1990, preferably through Private negotiation and if necessary through Compulsory Acquisition. Land acquisition will follow national and state laws for "compulsory land acquisition" process under which stamp duty and registration cost, solatium, interest rate will be provided to affected persons as budgeted in Table 8. Keeping in view the objective of ADB's Policy only the most required portion of land and structures are to be acquired.

11. Land Acquisition will be done as per the provisions of State Land Acquisition Act 1990, preferably through Private negotiation and if necessary through Compulsory Acquisition. Land acquisition will follow national and state laws for "compulsory land

acquisition" process under which stamp duty and registration cost, solatium, interest rate will be provided to affected persons as budgeted in **Table 8**. A copy of survey tools used during SES is annexed as **Annexure I**. The list of Affected Persons is annexed as **Annexure II**.

The details of the affected families and impact on their assets are enumerated in the **Table 1** and **Table 2** below.

Table 1: Affected families in the subproject

Description	Units
Total Project Affected Families	17 families
Total Project Affected Persons	155 persons
Average family Size	9.11 persons
Main Occupation of Affected families	Business, Govt. Service, Agriculture,

Source: Census Survey by consultants, Oct 2008

Table 2: Project Impact on structures/Assets

Type of Asset	No
Land	17 strips (11208 Sqm)

Source: Census Survey by consultants, Oct 2008

12 Titleholders and Non-titleholders details. As per the revised/ Approved technical design all the households whose land are titleholders.

Table 3: Ownership & User Status Details for the subproject loss				
Type of Loss	Titleholders	Non-titleholders		
		Encroachers		Squatters
		Vulnerable	Non vulnerable	
Loss of Land	17	0	0	0

Source: Census Survey, DSC III Jammu, Oct 2008

D. Socio-economic Profile of the Affected Families

13. The details about the annual Income Patterns and the nature of the occupation carried out by the project affected families are enumerated in the **Table 4** and **Table 5** below:

Table 4: Annual income patterns of the affected Families

S. No.	Income Level (In Rs./annum)	No. of Families
1	0 - 25000(BPL)	02
2	25001-50000	05
3	50001-100000	07
4	Greater than 100000	03
Total		17

Source: Census Survey by consultants, Oct 2008

14. Table 5 given below enumerates the occupational background of the affected families.

Table 5: Occupational Background of Family (APs) in %

Category	Services	Agriculture	Business	Others	Total
In Number	04	04	04	05	17
In %	23.53	23.53	23.53	29.41	100

Source: Census Survey by consultants, Oct 2008

15. The survey also aimed at identifying the socially vulnerable groups amongst those affected which need special consideration so that they can benefit from the project namely - (a) those who are below the poverty line (BPL); (b) those who belong to scheduled castes (SC), scheduled tribes (ST); those who belong to Other Backward Class (OBC); (c) female-headed families; (d) elderly and (e) disabled persons. Table 6 enumerates the vulnerability status as indicated in entitlement Matrix according to which 5 families are vulnerable (BPL families and SC).

Table 6: Vulnerable Families

Sl. No.	Categories	No. of Families
1	SC	3
2	SC and BPL	1
3.	BPL	1
TOTAL		5

16. In case there is any change in the subproject design during project implementation, it will necessitate updating of the project impact and preparation of the RP for implementation purposes by the EA. The RP will be submitted to ADB prior to award of civil works contract.

E. Gender Impacts and Mitigative Measures

17. The state of Jammu and Kashmir is ranked 25 on the Gender Disparity Index (GDI) with a value of 0.740² in comparison to that of India. The gender ratio of the population is 900 females for every 1000 males (2001 Census) much lower than the survival scene of women at national level i.e. 933.

18. The Consultants, to look into the status and needs of the women in the subproject area and the potential impact of the Project on them by means of undertaking FGDs with women, undertook a gender analysis during the course of the social assessments. The subproject as per the women groups will benefit them indirectly by means of better access to nearby urban centers. They expect increase in frequency of buses plying on this road. In their view, the travel time would be saved. They added that indirectly it would lead to better access to health facilities and educational institutions. They envisaged no negative impact. Overall, they felt that the proposed rehabilitation would lead to the greater prosperity in their area.

F. Resettlement Principles and Policy Framework

19. The resettlement principles adopted for this Project recognize the State Land Acquisition (LA) Act 1990 and the entitlement benefits as listed in the National Policy on R&R, (Govt of India) as notified in February 2004 and the ADB's policy of *Involuntary Resettlement* (1995).

20. The primary objective of this short RP is to identify impacts and to plan measures to mitigate various losses due to the implementation of the subproject. The RP is based on the general findings of the census survey, field visits, and meetings with various project-affected persons in the subproject area. Taking into account the various losses, the Entitlement Matrix provides for compensation and resettlement assistance to all affected persons including the non-titleholders in the subproject area.

21. In general terms, the people affected by the subproject will be entitled to the following types of compensation and assistance:

- (i) Compensation for loss of frontage, residential and commercial structures at replacement value.
- (ii) Compensation for loss of land and crops/trees at replacement value,
- (iii) Assistance for restoration of income and livelihoods
- (iv) Additional assistance to vulnerable groups namely - Female-headed families, Scheduled Castes (SC), Scheduled Tribes (ST), and Other Backward Classes (OBC), those below poverty line, elderly and disabled.
- (v) Compensation/assistance for rebuilding/shifting of CPR.

22. The policy also asserts integrated income restoration measures for affected families losing their source of income and income opportunity.

² National Human Development Report 2005

23. In case of land/structure 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 project census survey will be considered as cut-off date. No person erecting any structure after census cut-off date will be eligible for compensation.

24. A detailed Entitlement Matrix which lists various types of subproject losses, identification/eligibility and entitlements and provides for basic parameters for preparation of compensation and resettlement benefits is provided in **Table 7** below. This matrix is based on Appendix X of RRP Framework.

Table 7: ENTITLEMENT MATRIX
(As per Appendix 10 of RRP of the present project)

Type of loss	Identification of Affected Families	Entitlement	Details
A: LOSS OF LAND			
1. Loss of agricultural land	Owner/Operator of the affected plot	Compensation at Market/Replacement value	<p>a) Replacement land as per the law or cash compensation <u>at replacement cost plus</u> refund of transaction cost (land registration cost, stamps etc.) incurred for replacement land</p> <p>b) If the replacement value of land is more than the compensation determined by the competent authority, the difference will be paid as grant by the project directly to the AP.</p> <p>c) APs with traditional title/occupancy rights will also be eligible for full compensation for land, plus the difference or additional grant.</p> <p>d). Replacement land would be purchased within one year.</p>
2. Loss of residential and commercial land	Owner and APs with traditional land rights	Compensation at market/replacement value	<p>a) Cash compensation under the LA Act plus replacement value.</p> <p>b) In addition refund of transaction cost (land registration cost, stamps etc) incurred for replacement land.</p> <p>c) Replacement land would be purchased within a year.</p>
3. Temporarily affected agricultural land due to laying down of pipelines/drainage system, plant site for	Owner/operator of the affected plot	Cash compensation for the loss of income potential.	<p>a). Compensation for standing crops and trees as per the market rate.</p> <p>b). Restoration of land to its previous or better quality.</p> <p>c). Contractor to negotiate a rental rate with the owner for temporary acquisition of land.</p> <p>d). Compensation for crop losses for the duration of temporary occupation plus one</p>

contractors etc			<p>more year necessary for the soil to be adequately prepared to its original productiveness. Land restored to its original condition and returned to the owner.</p> <p>e). Project and contractor to ensure that persons other than the owner affected as a result of the temporary acquisition are compensated for the temporary period.</p>
B: LOSS OF RESIDENTIAL & OTHER STRUCTURE			
4. Loss of frontage, residential and commercial structures by owners	Owner of the affected structure tenants of the structure	Compensation at replacement cost.	<p>a). Reconstruction cost(without depreciation) for the lost frontage / structure; affected persons shall be allowed to take salvageable at no costs.</p> <p>b) A lump sum transfer grant (based on type of structure) as per the prevalent rate for shifting families assets and other belongings to relocated sites.</p> <p>c). Rental assistance as per the prevalent rate in the form of grant to cover maximum three month rental accommodation.</p> <p>d). Tenants would only be given rental assistance for a period of three months.</p> <p>e). Additional structures erected by tenants will also be compensated and deducted from owner's compensation amount.</p> <p>f). Any advance deposited by the tenants will be deducted from owner's total compensation package.</p>
C: LOSS OF CROPS AND TREES			
5. Loss of crops and trees.	Owner/share cropper/ tenants affected	Compensation at market value.	<p>a) Advance notice to APs to harvest their crops.</p> <p>b).In case of standing crops, cash compensation for loss of agricultural crops at current market values of mature crops based on average production.</p> <p>c) Compensation for loss of timber trees at current market value of wood/timber or firewood depending on the kind of tree.</p> <p>d) In case of fruit trees compensation at average fruit production for next fifteen years to be computed at current market value.</p>
D. LOSS OF LIVELIHOOD SOURCE			
6. Income from business/land through wage earning and other	Individual affected(title holders, squatters and	Lump sum	a) This is valid for persons indirectly affected due to the employer having being displaced, on case by case based on local wage rates for three months.

labour	encroachers)			b) Alternative economic rehabilitation grant for vulnerable groups at the rate of RS. 3000/- per eligible person on a lump sum basis. c) Compensation assistance equalling to three months income based on type of business-small, medium, large on a case to case basis.
7. Loss of Primary Source of income	Families affected		Additional Assistance for Income Restoration and Training	a) Assistance will be provided for income generating vocational training and skill up gradation options as per APS choice, including starting suitable production or service activity. b) Economic rehabilitation support and training
E: LOSSES OF NON TITLE HOLDERS				
8. Encroachers	Families affected by ROW	No Compensation for Land but assistance for assets to vulnerable		a) Encroachers will be notified time in which to remove the assets to be affected. b) Encroachers who are vulnerable (BPL) to be assisted case by case considering relevant facts on family income and existing assets. c) Compensation for structure at replacement cost to the vulnerable person.
9. Loss of Structure by squatters and informal settlers	Families affected by ROW	No compensation for Land but compensation for structure at replacement cost and other assistance		a) Compensation for loss of structure at replacement cost to be paid by the project b) A lump sum shifting allowance of Rs. 1500/- for temporary, Rs. 2000/- for Semi-temporary and Rs. 5000/- for permanent structure c) provision for training including income generating assistance linked to productive activity
F. LOSS OF COMMON PROPERTY RESOURCES				
10. Loss of common property resources	Affected community	Cash compensation /reconstruction		a) Cash compensation or reconstruction of community structure in consultation with the community
G: REHABILITATION MEASURES				
11. Additional Assistance to vulnerable groups	Families categorized as vulnerable(BPL female headed families, SC/STs disabled/elderly	Lump sum assistance		a) Additional lump sum assistance of Rs. 2000 per family top vulnerable groups such as female headed families, families with disabled family members, indigenous people etc.
12. Any unanticipated	Any unanticipated consequences of the project will be documented and mitigated based on the spirit of the principles agreed upon in this policy			

adverse impact due to project intervention	framework.
--	------------

G. Stakeholder Participation and Disclosure of RP

25. Consultations were carried out with the affected persons in the subproject area. Due consideration was also given for Stakeholder consultations and community participation at different levels in the preparation of the short RP.

26. Some of the major themes of the discussions comprised of - local people's awareness about the project, perceptions, advantages and disadvantages of the project as perceived by them as well as their suggestions for successful implementation of the project. Likewise, consultations were also carried out with the affected families about the project activities and likely resettlement impacts during the census survey. In addition a public consultation and disclosure plan has been prepared for this sub project and is enclosed as **Annexure III**. The summary of the Public Consultation along with the signature sheet of participants is annexed as **Annexure III (A)** and the schedule for Resettlement Plan is annexed as **Annexure-IV**.

27. Copies of short RP will also be made available for disclosure in local vernacular language at the local level public offices such as revenue offices to stakeholders for local inputs prior to commencement of the work in such stretches where acquisition of land is needed.

28. The SRP will also be disclosed on the ADB Website and ERA website.

H. Implementation Arrangements & Grievance Redressal

29. ERA will be the Executing Agency (EA) for the Project. The Project Implementation Unit (PIU) in Srinagar will have the primary responsibility of the RP implementation. The PIU, headed by a full-time Project Director, reporting to the CEO and supported by PMU staff comprising of a Social Development & Resettlement specialist.

30. The PMU will be responsible for the identification, formulation and implementation of all sub-project including ensuring conformance with state, national and ADB social and environmental safeguards policies.

31. The Design & Supervision Consultants (DSC) will assist the PIU in meeting the safeguard requirements as agreed in the loan covenant and updation of the subproject RP in keeping with the agreed Resettlement Framework for the Project. An experienced NGOs/Agency will be hired as part of the Project for assisting in implementation of RP. The PMU would further ensure monitoring any changes to subproject design which may require re-evaluation of the need for and adequacy of the RP

32. The Social Development & Resettlement Specialist at the PMU will supervise and undertake internal monitoring of the RP implementation. Provision will also be made as part of the project to provide training and orientation in resettlement management to the NGO/Agency staff by Social Development & Resettlement specialist at the PMU level. Focus will be laid on issues concerning principles and procedures of land acquisition (in case it is unavoidable), public consultation and participation; entitlements and compensation disbursement mechanisms; Grievance Redressal and monitoring of resettlement operation.

33. Further, the PMU will ensure resettlement budgets are delivered on time to the entitled persons and the implementing NGOs/Agency for timely RP implementation.

34. A Grievance Redressal Committee (GRC) in each district of Jammu and Kashmir has already been established for timely and satisfactory completion of the Land Acquisition and other requirements of the Resettlement Plans(RP) to facilitate satisfactory implementation of the ADB funded projects besides providing a mechanism to mediate conflict and disputes concerning compensation payments and cut down lengthy litigation. It will 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. It will also report to the aggrieved parties about the development regarding their grievance and decision of PMU. GRC will meet regularly (at least once a month) on a pre fixed-date. The claims shall be reviewed and resolved within four weeks from the date of submission of application to the committee and its Quorum will be three. The mechanism of the Grievance Redressal is based on the existing laws and compensation shall be based upon the Entitlement Matrix as mentioned in the RRP. It is headed by the Deputy Commissioner (or his representative), of the concerned district and has the following composition.

- Deputy Commissioner Udampur
- Land Collector J&K ERA
- Social and Resettlement Expert J&K ERA
- Deputy Project Manager ERA (I/C subproject)
- PRO J&K ERA
- Representatives of APs including Women and vulnerable Groups.

35. All compensation and other assistances will be paid to all APs prior to commencement of civil works in the stretches where acquisition of land is needed to be done.

I. Compensation and Assistance Disbursement to APs

36. The valuation of the acquired land and assets will be done based on the principle of compensation at the replacement value of the affected asset.

37. Compensation will be paid for loss of income and subsistence from standing crops including trees (if any affected due to subproject). The compensation packages shall reflect replacement value for all losses to both titled and non-titled owners and resettlement assistances and will be calculated in consultation with APs and calculating average of three years of registered sale and purchase records of transactions from the Revenue Department.

38. Photo ID cards will be prepared for entitled APs and distributed prior to payment disbursement.

39. Those eligible for compensation will be given an advance notice of the date, time and place of payment through public announcements. Receipts should be signed by all those receiving compensation payments and Xerox copies of cheques will be retained for auditing purposes. The payment of compensation will be monitored and verified by NGO/Agency as well as representatives of the affected families.

40. All payments will be made in a transparent manner. NGOs/Agency will provide support to the APs so as to prevent any defrauding of APs by officials. Orientation training will be organized for RO and NGO/Agency staff aiming to reinforce project pro-poor objectives. The Terms of Reference for the recruitment of NGO/Agency is enclosed as **Annexure-V**.

J. Budget

41. The total estimated cost for resettlement operation and management for the Project is **Rs 6607095.00**. The estimate includes all costs related to compensation for land and other benefits as per the entitlement benefits, plus the NGO cost. The itemised subproject budget is enumerated in **Table 8**.

Table 8: Consolidated Resettlement Budget & Cost Estimates

Itemized sub-project Budget				
S.No.	Item	Quantity	Rate of Entitlement	Estimated Total (in Rs.)
A: Compensation for land				
1	Compensation for land (Non-irrigated land)	22 Kanal 17 Marlas (11208 Sq m)	Rs. 10000/ Marla	4570000.00
1(a)	Stamp Duty and Registration cost @ 7.5 %			342750.00
1(b)	Solatium (15% of the sum of the market value in consideration of compulsory nature of the acquisition)(section 23(2), State LA Act 1990)			685500.00
1(c)	Interest @ 6% p.a from the date on which possession of time so taking possession of land until it shall have been paid or deposited) (section 28 & 35 of the State L.A,1990)			273200.00

Itemized sub-project Budget				
S.No.	Item	Quantity	Rate of Entitlement	Estimated Total (in Rs.)
	Sub- Total (A)			5871450.00
B: Resettlement grant				
1.	Additional Assistance for vulnerable	5 families	2000	10000
	Sub Total (B)			10000
C: Support for RP Implementation				
1.	NGO Assistance for RP updating and implementation	Lump sum	75000.00	75000.00
2.	Independent M&E Consultant	Lump sum	50000.00	50000.00
	Sub-Total (C)			125000.00
	TOTAL A+B+C			6006450.00
	Contingency (10% of the total)			600645.00
	GRAND TOTAL			6607095.00

K. Implementation Schedule

42. The timeframe for various activities of RP are given under Table 9.

Table 9: RP Implementation Schedule

Project component/ activities	Year (2008)												Year (2009)											
	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
Information campaign, Community Consultation & RP disclosure																								
Establishment of GRC (proposed to function from)																								
Recruitment of NGO/Agency (proposed)																								
Preparation of L.A Plan by ERA																								
Publication of notification under State Land Acquisition Act (proposed)																								

Project component/ activities	Year (2008)												Year (2009)											
	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
Finalization of AP list and distribution of ID cards to APs (proposed)																								
Payment of compensation for land, structures and other losses (proposed)																								
Payment of other assistance proposed)																								
Appointment of Independent M & E Consultant (proposed)																								
Internal monitoring by PMU (continuous process throughout the project duration)																								
External monitoring (proposed)																								

L. Training, Monitoring & Evaluation

43. Activity for PMU and DSC's Social Development & Resettlement Specialist. They will oversee the timely implementation of R&R activities. → 12 ✓

44. An orientation and training in resettlement management will be provided under the Project to the NGOs/Agency by the Social Development & Resettlement specialist at the PMU level. Internal Monitoring will be carried out by the PIU and its agents, such as NGOs/Agency and will prepare monthly reports on the progress of RP Implementation. PIU will collect information from the subproject site and assimilate it in the form of monthly report to assess the progress and result of RP Implementation. The training activities will focus on issues concerning - (i) principles and procedures of land acquisition; (ii) the policies and principles agreed under the ADB loan; (iii) public consultation and participation; (iv) entitlements and compensation disbursement mechanisms; (v) Grievance redressal and (vi) monitoring of resettlement operation.

45. The NGO/Agency, assisting in implementation of the short RP, will submit monthly progress report of RP implementation to the PMU. The PMU will conduct regular internal monitoring of resettlement implementation and prepare monthly progress reports for submission to ADB. The reports will contain progress made in RP implementation with particular attention to compliance with the principles and entitlement matrix set out in the resettlement plan. The report will also document consultation activities conducted, provide summary of issues or problems identified and actions taken to resolve the issues, and provide summary of grievances or complaints lodged by families and actions taken to redress such complaints.

46. An ~~independent agency/monitoring expert will be engaged by the PMU in agreement with ADB to undertake external monitoring of the subproject implementation.~~ This expert will submit its reports quarterly to ADB through PMU. The Terms of Reference to hire an external Monitoring and Evaluation Agency/Consultant is enclosed as **Annexure-VI**.

II Annexures

Annexure-I

Socio-Economic Questionnaire

Name of the Enumerator: _____ Form No.: _____

Field Supervisor: _____ Structure No.: _____

1.0	GENERAL IDENTIFICATION:		
1.1	Road section (Name):	1.6	Side: 1 - Left 2 - Right
1.2	District:	1.7	Chainage: From Kms. _____ to Kms. _____
1.3	Block::		
1.4	Village/Town:	1.8	Range between (Meters):
1.5	Location: (1-Rural, 2-Semi-urban, 3-Town)		1. 000-200, 2. 201-400, 3. 401-600, 4. 601-800, 5. less than 1000

2.0	FAMILY IDENTIFICATION:	
2.1	Name of the head of the Family:	_____
2.2	Name of the Respondent:	_____
2.3	Relationship of the respondent with the head of the family:	

3.0	DETAILS OF AFFECTED STRUCTURE/LAND/OTHER ASSETS		
Sl. No.	Type of Loss*	Typology of Structure 1.Katcha, 2.Semi pucca, 3.Pucca	Present use 1 - In use, 2 - Not use

*1	Residential	7	Toilets	13	Hand pump
2	Commercial (Shop)	8	Walnut Trees	14	Kiosks
3	Resi.-cum-Comm.	9	Cattle shed	15	Orchard
4	Factory	10	Pvt. Hospital	16	Agricultural Land
5	Petrol pump	11	Boundary wall	17	Others (specify)
6	Grain Store	12	Well/tubewell		
3.1	Measurement of the structure				
	a) Touching Point from Center of the Road _____ (in mtrs.)				
	b) Along the Road _____ (in mtrs.)				
	c) Perpendicular to the Road _____ (in mtrs.)				
3.2	Topology of Construction				
	(a) Roof	(b) Floor	(c) Wall	(d) Boundary wall	
	1. Tin/ Zinc sheets	1. Mud	1. Mud	1. Barbed fencing	
	2. RCC	2. Stone	2. Brick Masonry	2. Tin Sheets	
	3. Wood Singles	3. Concrete	3. Stone Masonry	3. Masonry	
	4. Thatched	4. Timber	4. Timber	4. Stone/Bricks	
		5. Others (specify)	5. Others (specify)	5. Mud	
3.3	Number of storeys: _____				
3.4	Do you have legal rights of this affected structure?				1 - Yes 2 - No
3.5	Is there any tenant in this affected structure?				1 - Yes 2 - No
3.6	If 'Yes' number of tenants: _____				
3.7	What is the market value of this affected structure as on today?				_____
3.8	How much house tax you are paying?				_____

4.0	SOCIO-ECONOMIC PROFILE OF FAMILY				
4.1	Religious Group:				
	1. Muslim	2. Hindu	3. Sikh	_____	
	4. Others (specify) _____				
4.2	Social Stratification:				
	1. SC	2. ST	3. OBC	4. General	5. Others (specify): _____
4.3	Type of family: _____				

	1. Nuclear	2. Joint	3. Extended
4.4	Is the Head of the family a Female: 1-Yes 2 - No 4.5 Present Source of Income: ----- -----		
5.0	RESETTLEMENT AND REHABILITATION OPTION		
5.1	What is your opinion about resettlement and rehabilitation option:		
	In case of Structure Loss		In case of Agricultural Land Loss
	1.	Constructed structure	1. Land for land
	2.	Land for structure	2. Cash compensation
	3.	Cash compensation	3. Assistance for allied activities
	4.	Employment	4. Employment
	5.	Others (specify) :	5. Others (specify) :

6.0	DETAILS OF BELOW POVERTY LEVEL (BPL):		
6.1	Do you have a BPL card?	1. Yes	2. No
6.2	Do you have land?	1. Yes	2. No
	a) If 'Yes', please give us details?		
	Land	Kanal	Marlas
	Irrigated		
	Non-irrigated		
	Barren		
	Others		
6.3	Do you have Pucca house?	1. Yes	
	2. No		
6.4	Is any member of your family earned more than Rs.1700/- per month?	1. Yes	
	2. No		
6.5	Details of family assets		
	a) Do you have following items in your house?		b) Do you have following Agriculture Implements?
	Items	1-Yes, 2-No	Items
			1-Yes, 2-No
	i) Television		vi) Tractor
	ii) Refrigerator		vii) Power tiller
	iii) Fan		viii) Thresher
	iv) Motorcycle / Scooter		ix) Sprayer
	v) Car/Jeep		x) Other (specify)

7.0 FAMILY DETAILS

S.No.	Name of family members		7.3 Adult		7.4 Children		7.5 Married		7.6 Unmarried	
	7.1 Male	7.2 Female	Age	Sex Male=1 Female=2	Marital Status *	Education **	Usual activity ***	Occupation (If usual activity 1)	Income per Year (in Rs.)	Handicapped (Yes-1/No-2)
1.										
2.										
3.										
4.										
5.										
6.										
7.										
8.										
9.										
10.										
Note: @	1.Self 2.Wife 3.Husband 4.Son 5.Daughter 6.Father	7.Mother 8.Brother 9.Sister 10.Father-in-law 11.Mother-in-law	12. Son-in-law 13. Daughter-in-law 14. Brother-in-law 15. Sister-in-law 16. Nephew 17. Niece	18.Paternal Uncle 19.Maternal Uncle 20.Paternal Aunt 21.Maternal Aunt 22.Cousin Sister	23. Cousin Brother 24. Adopted Son 25. Adopted Daughter 26. Grand father 27. Grand mother	28. Grand son 29. Grand Daughter 30. Grand Daughter-in-law 31. Servant 32. Others (Specify)	* 1 - Married, 2 - Unmarried, 3 - Widow/Widower, 4 - Divorced, 5 - Others(Specify) ** 1 - Illiterate, 2 - Literate but not attend School, 3 - Primary, 4 - Middle, 5 - Matric, 6 - Intermediate(10+2), 7 - Graduate, 8 - Post Graduate *** 1 - Employed, 2 - Unemployed, 3 - Family work, 4 - Student, 5 - Children, 6 - Old Person			

8.0. Income/Employment Details

S. No	Employed Family Members	Workplace/ Distance	Type of Work	No. of working days/Month	Incom e/Month	Remarks
01						
02						
03						
04						
05						
06						
07						
08						
09						
10						

8.1 Total monthly family Income: Rs.....

8.2 Expenditure Details for Families/SBEs

S. No	Head of Expenditure	Rs./Month
	Food	
	Clothing	
	Education	

	Taxes (incl: land, property, income/sales)	
	Miscellaneous	

8.3 Income Details of SBE owner only:

S.No	Monthly Income (Rs.)		Total Income (Rs.)	Remarks
	SBE	Other Sources		
	Self	Family		
	Member			
1				
2				
3				
4				
5				
6				
7				
8				

8.4 Expenditure Details of SBE's only:

No	Expenditure Heads	In Rs./Month	Remarks
1	Maintenance/Rent		
2	Investment(recurring)		

3	Payment to Employees-Cash		
4	Payment to Employees-Kind		
5	Electricity/Water if any		
6	Debts		
7	Taxes		
8	Miscellaneous		
	Total		

Annexure-II
List of Affected Families

S No.	Chainage	Road side	Village/ Location	Block	Total Area of Land.	Head of Household	Ownership Status	Social Category	Occupation	Monthly Income	Vulnerability	Family Members	Male	Female
1	0.17	RHS	Round	Chenani	520	Pritam Singh, Sansar Singh, Sukhdav Singh, Smt Raj devi, Mangal Singh, Kimpal Singh	LTH	Gen	Service	10000 Per head	-	25	15	10
2	1964.4	LHS	Tawi bridge	Chenani	600	Bishan Singh	LTH	Gen	Business	30000	-	12	8	4
3	2.124.40	LHS	Tawi Bridge	Chenani	1200	Basdav	LTH	Gen	Business	10000	-	6	4	2
4	2.62	RHS	Ritti	Chenani	250	Uttam Chand	LTH	S.C	Labour	3000	S.C	5	3	2
5	3.82	LHS	Ritti(Rassal)	Chenani	75	Girdhari Lal	LTH	Gen	Salried Person	10000	-	7	4	3
6	3.79	LHS	Rassal	Chenani	69	Madan Lal	LTH	Gen	farmer	3000	-	7	5	2
7	3.85	LHS	Rassal	Chenani	50	Subash Chander	LTH	Gen	farmer	3000	-	12	8	4
8	3960	LHS	Ritti bridge	Chenani	1132.5	Sushil kumar	LTH	Gen	Labour	3000	-	5	3	2
9	4055.5	LHS	Ritti Bridge	Chenani	1200	Faqir Singh	LTH	Gen	Labour	5000	-	7	5	2
10	4.67	RHS	Ritti	Chenani	950	Subash Chander	LTH	Gen	Labour	2000	BPL	4	3	1
11	4.75	RHS	Ritti	Chenani	300	Madan Lal	LTH	Gen	Salried person	7000	-	5	2	3
12	9.26	RHS	Trella	Ramnagar	2200	Romesh, Krishna, Gyan, Chuni, Charn Dass	LTH	S.C	Labour	2000	S.C/BPL	32	20	12
13	13.5	RHS	Trella	Ramnagar	290	Rattan lal	LTH	Gen	farmer	5000	-	5	3	2
14	15.81	RHS	Trella	Ramnagar	20	Jagan nath	LTH	Gen	Shopkeeper	5000	-	5	4	1
15	15.818	RHS	Trella	Ramnagar	64	Suram Chand	LTH	Gen	farmer	5000	-	5	2	3
16	21.25	RHS	Dhari	Ramnagar	150	Bali Ram	LTH	S.C	business man	5000	S.C	7	5	2
17	21.32	RHS	Dhari	Ramnagar	37.5	Nank Chand	LTH	S.C	Salried person	7000	S.C	6	4	2

ANNEXURE III

Public Consultation and Disclosure Plan

Activity	Task	Timing (Date /Period)	No of People	Agencies	Feedback/Issues/ Concerns Raised
Project information Dissemination	Informal Meetings with persons affected (APs)	May	44 people	Social Team, DSC III	To disclose the Project and share its key social issues and impacts.
Socio-Economic Survey	Collect socio-economic information of AP's and their perception on the project	October 2008	17 Families	Social Team, DSC III	Information was collected on - <ul style="list-style-type: none"> • Socio-economic profile of the households; • Access to services • Awareness & perception of the households on the Project and its impact
Consultative Meetings on Resettlement Mitigation Measures	Discuss entitlements, compensation rates, grievance redress mechanisms	October 2008	17 affected families and other people	Social Team, DSC III	The affected households voiced the need for adequate compensation for their asset at the prevalent market rate.
Publicize the resettlement plan (RP)	Distribute Leaflets or Booklets in local language	December 2008	Amongst the affected Families and communities	DSCIII, Jammu	To share with those affected the project impact and the entitlement provisions, timeline and grievance redress procedures under the Project.
Full Disclosure of the RP to Affected Households	Distribute short RP in local language to APs	January 2009	Amongst the affected Families and communities	DSC III, Jammu	
Web Disclosure of the short RP	Short RP posted on ADB and/or EA website	February 2009	-	ERA & ADB	
Disclosure after Detailed Measurement Survey (DMS)	Disclose updated short RP to APs	February 2009	-	DSC III and ERA	-
Web Disclosure of the Updated short RP	Updated short RP posted on ADB and/or EA website	February 2009	-	ERA & ADB	-

Annexure III (A)
SUMMARY OF THE PUBLIC CONSULTATION

Name of the Sub-Project: Udhampur-Ramnagar Road
Location : Udhampur-Ramnagar Road
Date of meeting : 07 -10-2007



Present Issues:

01. Road is very old and narrow and it does not bear heavy traffic.
02. This is not so strong and only one vehicle can pass at a time.
03. People lack quick and timely access to the educational, medical and other administrative services.
04. Due to the Bad Condition of the Road business community (shopkeepers) of the area are facing problems in transportation of their goods.

Future Prospectus:

01. The construction of the Road will cater to the problems of transportation.
02. This Road will provide quick access to the medical, educational and other administrative facilities.
03. School going children, the service community etc can reach the schools, offices in time thus their time and energy will be saved.
04. The business community in the area will be benefited as they can transport their goods easily and more customers can reach them thereby increasing their income.
05. The women around the sub project area will get better access to medical, educational and other facilities.

Suggestions:

01. The construction of the Road should be done in quick possible time.
02. The width of the Road should be such that two vehicles can pass it at a time.
03. Those affected due to construction of Road should be compensated adequately.

Key Findings of the consultation.

1. It was observed that people are not only aware of the project but also welcomed the project In general; however, some PAPs have shown their dissent due to acquisition of their properties.
2. People are not aware about existing ROW; hence, it is difficult to identify the legal status of the property.
3. People want that their view should be taken into account in every matter where it counts for widening option of the road, such as shifting of community structures, selection of the rehabilitation site and over passes/ under passes. They request for

facilities and amenities like underpasses, bus stand and safety accessibility at point of the habitant's areas.

4. Other assets on the land to be acquired should be properly evaluated on the ground and should be suitably compensated.
5. Affected persons want to know about the exact period, when will be the project start sufficient time should be given before the acquisition in order to avoid any inconvenience.
6. Affected population suggested local representation in the grievance redressal committee.
7. People requested about creation of employment opportunities during road construction and later phase of the project.
8. Some of them asked about the tender of the construction, as they were willing to be part of it.
9. People suggested adequate safety measures should be provided such as speed breakers, signage's etc near to the settlement.

In brief, it was felt during consultation that regular meeting with the local population /community could easily resolve any dispute between the community people and implementing agency.

Attendance List of Affected Person

Sub Project: Udhampur Ramnagar Road

Organization: Nimble
 Date: 26/1/20 Time: 11:30 AM

Sr. No.	Name	Profession	Address	Age	Sex	Signature
1	Lallesh Sharma	Student	Nimble	18	ST	[Signature]
2	Ravi Sharma	Student	Nimble	16	ST	[Signature]
3	Rajesh Singh	Teacher	Nimble	45	ST	[Signature]
4	Sudhanshu Singh	Driver	Nimble	46	ST	[Signature]
5	Sanil	Student	Nimble	20	ST	[Signature]
6	Yash Pal	Driver	Nimble	21	ST	[Signature]
7	Atul Singh	Teacher	Nimble	25	ST	[Signature]
8	Rishi	Student	Nimble	18	ST	[Signature]
9	Koushal Singh	Student	Nimble	20	ST	[Signature]
10	Mukul Singh	Student	Nimble	18	ST	[Signature]

ANNEXURE- IV

The Schedule for Resettlement Plan

Short Resettlement Plan for	Start dates of Public Consultation/ dissemination to the entitled APs	Start dates of RP disclosure to the Entitled APs	Close dates of Public Consultation/ dissemination of information
Ramnagar-Udhampur Road	May 2008	December 2008	December 2008

- **Project Authority:** Chief Executive Officer/Director, Economic Reconstruction Agency Jammu, J&K
- **Consultant Firm Name:** Design and Supervision Consultancy -III (Jammu Transport) Intercontinental Consultants & Technocrats Pvt. Ltd.
- **Government Ministry:** The State Government of Jammu & Kashmir.

ANNEXURE- V

TERMS OF REFERENCE FOR THE NON-GOVERNMENT ORGANIZATION (NGO)/AGENCY

I. Project description

The Project namely **India/Multi-sector Project for Infrastructure Rehabilitation in J&K** includes investment in physical infrastructure plus proposals for capacity building and institutional strengthening of city and state authorities.

The Project intends to engage an experienced agency to assist with the implementation of the social and resettlement aspects of the Project namely the subproject Resettlement Plan (RP), Project Community Participation Strategy and implementation of the IPDP.

II. Scope of work

In general, the implementing agency will be responsible to the Project Management Unit (PMU), for the effective, timely and efficient execution of the RP. The key tasks of the selected organization will be responsible for the following: -

(i) Information Campaign on Resettlement Entitlements

The agency will design, plan and implement an information campaign in the affected areas primarily to inform the APs about the entitlement policy and how to avail their respective entitlements. In particular, the agency will be responsible for undertaking a public information campaign at the project areas to inform the affected persons regarding:-

- The need for Land Acquisition (LA), wherever necessary;
- The likely consequences of the project on the communities;
- The R&R policy and entitlements;
- Assist APs in getting the compensation for their land and properties acquired for the project;
- Ensure proper utilization by the APs of various grants available under the R&R package. The agency will be responsible for advising the APs on how best to utilize any cash that may be provided under the RP, with emphasis placed on using such funds in sustainable way e.g. purchasing replacement land for that acquired.

The campaign would include measures such as distribution of information booklets, leaflets, notices and other materials among the APs, community meetings, public announcements, and any other measures necessary to provide information to all the APs.

(ii) Identification of APs and Issuance of Identity (ID) Cards

The agency will identify and verify APs; on the basis of the resettlement census survey carried out and will facilitate the distribution of ID cards.

This work will include identification of APs based on a census survey, preparation of ID cards, taking photograph of APs in the field, issuance of ID cards to APs and updating of ID cards, if required. An identity card would include a photograph of the AP, his/her socio-economic profile and vulnerability, the nature and extent of loss suffered due to the project construction, and the choice AP with regard to the mode of compensation and assistance (if applies, as per the RP).

The agency shall prepare a list of APs, enlisting the losses and the entitlements as per the RP, after verification. During the identification and verification of the eligible APs, agency shall ensure that each of the APs are contacted and consulted either in groups or individually. The agency shall especially ensure consultation with vulnerable groups namely (a) those who are below the poverty line (BPL); (b) those who belong to scheduled castes (SC), scheduled tribes (ST); (c) female-headed households (FHH); (d) elderly and (e) disabled persons.

(iii) Updation of AP Database and Creation/Computerization of Database and AP Files

The agency will be responsible for updating and preparing a comprehensive computerised database containing the data on land, structure, trees and other affected properties of the APs which will be used to prepare AP files and entitlements cards (EC). The database will contain information from land records and resettlement census data. The AP and EC files will be used for making payments of entitlements to the APs and monitoring the progress of resettlement work.

(iv) Participation in Grievance Redress

The agency will play a key role in assisting the APs in presenting their grievances or queries to the Grievance Redress Committee (GRC) which will be established at the PMU level with the primary objective of providing a mechanism to mediate conflict and cut down on lengthy litigation.

(v) Community Participation

In addition to the resettlement activities, the NGO will implement 'Community Participation Strategy' for the Project. As part of this, the NGO will mobilize the various stakeholders in the community and organize focus group discussions (FGDs)³ at the subproject level, with community leaders, eminent citizens, Community based Organization (CBOs), Resident Welfare Associations (RWAs), as well as women and other socio-economically vulnerable groups such as Indigenous

³ Focus Group Discussion (FGD) is a qualitative method of in-depth interview with a small number from a homogeneous group, brought together to discuss various topics. Some examples of focused groups are – men, women, youth, farmers, panchayat representatives etc.

- Demonstrated experience in computerizing and managing resettlement-related database,
- Experience in resettlement survey, planning, monitoring and evaluation.

The agency chosen will have to agree to the terms and conditions under the RP. The following staffing provision may be necessary for smooth and effective implementation of the RP within the time frame:

- Team Leader ;
- Field coordinator ;
- Resettlement Implementation Worker

Interested agency should submit proposal for the work with a brief statement of the approach, methodology, and field plan to carry out the tasks. The proposal should include: -

- (i) Relevant information concerning previous experience on resettlement implementation and preparation of reports.
- (ii) The proposal should also include samples of ID cards, information brochures, AP files etc. to be used during the implementation phase.
- (iii) The field plan must address training and mobilization of resettlement workers.

Full CVs (2-3 pages) of key personnel (for e.g. the Team Leader, Field Co-coordinator) must be submitted along with the proposal. The Team Leader must have degree in social science (preferably economics, sociology, anthropology, development studies). The Field coordinator must have prior experience in resettlement operation and management.

The agency must be an established organization registered with the Government of India.

V. Budget

Copies of the proposal - both technical and financial - should be submitted. The budget should include all expenses such as staff salary, training, computer/database, transport, field and any other logistics necessary for resettlement implementation. Additional expense claims whatsoever outside the budget will not be entertained

ANNEXURE- VI

TERMS OF REFERENCE FOR AN EXTERNAL MONITORING & EVALUATION CONSULTANT/AGENCY

I. Project description

The Project includes a provision for monitoring and evaluation of the implementation of the subproject resettlement plan by an external monitor. Therefore, the Economic Reconstruction Agency (ERA), which is the Executing Agency (EA) for this project, requires services of a reputed individual/consultancy firm for monitoring and evaluation of RP implementation.

II. Scope of work - Generic

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

III. Scope of work- Specific

An Independent monitoring agency will be involved in ongoing monitoring of the resettlement efforts by the EA. The major tasks expected from the external monitor are:

1. To develop specific monitoring indicators for undertaking monitoring for Resettlement, Indigenous People Development Plan and the Community Participation Strategy;
2. Review results of internal monitoring and verify claims through random checking at the field level to assess whether land acquisition/resettlement objectives have been generally met. Involve the affected people and community groups in assessing the impact of land acquisition for monitoring and evaluation purposes.

ANNEXURE- VI

TERMS OF REFERENCE FOR AN EXTERNAL MONITORING & EVALUATION CONSULTANT/AGENCY

I. Project description

The Project includes a provision for monitoring and evaluation of the implementation of the subproject resettlement plan by an external monitor. Therefore, the Economic Reconstruction Agency (ERA), which is the Executing Agency (EA) for this project, requires services of a reputed individual/consultancy firm for monitoring and evaluation of RP implementation.

II. Scope of work - Generic

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

III. Scope of work- Specific

An Independent monitoring agency will be involved in ongoing monitoring of the resettlement efforts by the EA. The major tasks expected from the external monitor are:

1. To develop specific monitoring indicators for undertaking monitoring for Resettlement, Indigenous People Development Plan and the Community Participation Strategy;
2. Review results of internal monitoring and verify claims through random checking at the field level to assess whether land acquisition/resettlement objectives have been generally met. Involve the affected people and community groups in assessing the impact of land acquisition for monitoring and evaluation purposes.

3. Identify the strengths and weaknesses of the land acquisition/resettlement objectives and approaches, implementation strategies.
4. To review and verify the progress in land acquisition/resettlement implementation of subproject on a sample basis and prepare bi-annual reports for the EA and ADB.
5. Evaluate and assess the adequacy of compensation given to the APs and the livelihood opportunities and incomes as well as the quality of life of APs of project-induced changes.
6. To evaluate and assess the adequacy and effectiveness of the consultative process with affected APs, particularly those vulnerable, including the adequacy and effectiveness of grievance procedures and legal redress available to the affected parties, and dissemination of information about these.

IV. Time Frame and Reporting

The independent monitoring agency will be responsible for overall monitoring of both the Executing Agency (EA) and will submit 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.

V. Qualifications

The monitoring agency will have significant experience in resettlement policy analysis and RP implementation. Further, work experience and familiarity with all aspects of resettlement operations would be desirable. Candidates with degrees in anthropology, sociology, human geography, and development studies will be preferred.

Interested agencies/consultants should submit proposal for the work with a brief statement of the approach, methodology, and relevant information concerning previous experience on Monitoring of resettlement implementation and preparation of reports.

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

VI. Budget and Logistics

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